

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



AGENDA

July 10, 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
Invocation and Pledge of Allegiance by Commissioner Eric Maxwell
Acceptance of Agenda

PROCLAMATION/RECOGNITION:

PUBLIC HEARING:

PUBLIC COMMENT:

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

CONSENT AGENDA:

1. Approval to enter into an Intergovernmental Agreement with the Town of Brooks, allowing for the County to resurface Morgan Mill Road, to provide labor and equipment at no cost to the Town of Brooks. (pages 3-8)
2. Approval of June 26, 2025 Board of Commissioners Meeting Minutes. (pages 9-15)

OLD BUSINESS

NEW BUSINESS:

3. Request to approve Resolution 2025-07, opposing the annexation of parcels 0902 017 and 0902 018 by the City of South Fulton, pursuant to O.C.G.A. 36-36-23. (pages 16-39)
4. Request to approve Change Order #2, Card Access Readers and CCTV, of Contract #2436-B Sheriff's Watch Office Renovation to HEC Construction Solutions, LLC, and to transfer \$80,269.06 from SPLOST P23AH to P23AG, for a total revised contract amount of \$1,220,327.04. (pages 40-43)

ADMINISTRATOR'S REPORTS:

ATTORNEY'S REPORTS:

COMMISSIONERS' REPORTS:
EXECUTIVE SESSION:
ADJOURNMENT:

COUNTY AGENDA REQUEST

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Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Approval to enter into an Intergovernmental Agreement with the Town of Brooks, allowing for the County to resurface Morgan Mill Road, to provide labor and equipment at no cost to the Town of Brooks.

Background/History/Details:

The County routinely enters into intergovernmental agreements with its municipalities to perform work that is better handled by the County.

The specific Intergovernmental Agreement under consideration would authorize County staff and equipment to be used within the Town of Brooks to mill and resurface Morgan Mill Road from 85 Connector to Brook Woolsey Road. The Town of Brooks will pay for all materials estimated at \$54,940.32 and the County will provide labor and equipment.

The agreement includes the provision that the Town of Brooks will reimburse the County the cost of materials used in the performance of this work. The work is to be done in the Calendar Year of 2025.

What action are you seeking from the Board of Commissioners?

Approval to enter into an Intergovernmental Agreement with the Town of Brooks, allowing for the County to resurface Morgan Mill Road, to provide labor and equipment at no cost to the Town of Brooks.

If this item requires funding, please describe:

Funding account in the amount of \$54,940.32 will need to be set-up to handle material expenditures for this work by the Road Department.

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

*** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.**

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:

STATE OF GEORGIA**COUNTY OF FAYETTE****MORGAN MILL RD. RESURFACING AGREEMENT**

This Agreement entered into this 16th day of June, 2025 between the TOWN OF BROOKS, a municipal corporation lying wholly or partially within Fayette County, Georgia, acting by and through its Mayor and Council, hereinafter referred to as the "Town," and FAYETTE COUNTY, GEORGIA, a political subdivision of the State of Georgia, acting by and through its Board of Commissioners, hereinafter referred to as the "County" to provide for certain access road construction within the corporate limits of the Town, hereinafter referred to as the "Agreement."

WITNESSETH:

WHEREAS, the Town wishes to resurface a section of Morgan Mill Rd. between Hwy 85 Connector and Brooks-Woolsey Rd. for an approximate length of 800 feet, hereinafter referred to as "the Project;" and

WHEREAS, the County and the Town desire the proper maintenance of the road within the corporate limits of the Town to promote adequate and safe means of transportation; and

WHEREAS, a location map of the access road is attached as Exhibit "A" with said Exhibit "A" incorporated herein by this reference; and

WHEREAS, the County estimates the material cost of the Project (milling, patching, and asphalt) to be no more than FIFTY FOUR THOUSAND NINE HUNDRED FORTY AND 32/100 (\$54,940.32) DOLLARS for the resurfacing of the aforementioned section of Morgan Mill Rd. within the Town; and

WHEREAS, the Town agrees to pay the County for the material cost of the Project, i.e., milling, patching, and asphalt, necessary to resurface the said section of Morgan Mill Rd. within the Town.

NOW THEREFORE, for and in consideration of the premises contained herein, the receipt and sufficiency of which are hereby acknowledged by the Town and the County, the Town, and the County do hereby agree as follows:

1.

The County agrees to provide the labor and equipment for the resurfacing of that portion of the Road within the Town. The Town will reimburse the County for all material costs, i.e., milling, patching, lease hauling, and asphalt. The County estimates the cost of materials to be than FIFTY FOUR THOUSAND NINE HUNDRED FORTY AND 32/100 (\$54,940.32) DOLLARS. The Town shall pay for all material costs (including over-run quantities for leveling and topping) even if the cost of the materials exceeds the FIFTY FOUR THOUSAND NINE HUNDRED FORTY AND 32/100 (\$54,940.32) DOLLARS estimate. The County will undertake all reasonable efforts to maintain the cost of materials within the FIFTY FOUR THOUSAND NINE HUNDRED FORTY AND 32/100 (\$54,940.32) DOLLARS estimate. The component estimates of the Project are as follows:

9.5mm Type 2:	\$ 15,972.00
19mm:	17,001.60
Lease Hauling:	8,000.00
Tack:	810.00
Milling Mobilization:	1,500.00
Milling:	<u>\$500.00</u>
TOTAL	\$45,783.60

20% Inflation Value	\$9,156.72
ESTIMATED TOTAL	\$54,940.32

2.

The Town and the County agree that the resurfacing in the Town limits of the Town is part of the road system of the Town and as such, shall be completely and solely within the Town's jurisdiction and control. The resurfacing within the Town is at the direction of the Town, and the County assumes no interest in the title of said portion of the road being resurfaced within the Town. In no manner shall the portion of the road within the Town be deemed a County road.

3.

The Town warrants that it owns or has rights to maintain any road within the Town and further warrants that the performance of work on that portion of Morgan Mill Rd. within the Town will not violate any restrictions, covenants, local or state law.

4.

The County shall resurface that section of Morgan Mill Rd. within the Town in the same manner as the County resurfaces all other roads in the unincorporated County. The County will employ its workforce to perform the Project, and the County may augment its workforce by using an approved vendor for some of the work on the Project.

5.

Upon approval of this Agreement, the Town agrees to pay the County for all material costs for the Project. The Town will pay the County the amount of the actual costs up to the estimated total of FIFTY FOUR THOUSAND NINE HUNDRED FORTY AND 32/100 (\$54,940.32) DOLLARS . The full payment from the Town to the County of FIFTY FOUR

THOUSAND NINE HUNDRED FORTY AND 32/100 (\$54,940.32) DOLLARS will be made by the Town on or before October 15, 2025, weather dependent.

6.

To the fullest extent permitted by law, the Town agrees to and hereby does defend, hold harmless and indemnify the County and its officers, directors, employees, agents and representatives from and against any and all claims, damages, demands, actions, judgments, losses, costs, penalties, liabilities, assessments and expenses including, but not limited to, attorney's fees incurred or suffered by the County that arise out of, or result from, the performance of the resurfacing of that portion of Morgan Mill Rd. within the Town, which any losses incurred or suffered due to the negligence of the County. To the fullest extent permitted by law, the County agrees to and hereby does defend, hold harmless and indemnify the Town and its officers, directors, employees, agents and representatives from and against any and all claims, damages, demands, actions, judgments, losses, costs, penalties, liabilities, assessments and expenses including, but not limited to, attorney's fees incurred or suffered by the Town that arise out of, or result from, the performance of the construction of that portion of Morgan Mill Rd. within the Town, which are not incurred or suffered due to the negligence of the Town.

7.

This Agreement is a full and complete statement of the agreement of the parties as to the subject matter hereof and has been authorized by proper action of the respective parties.

8.

Should any provision of this Agreement or application thereof to any person or circumstance be held invalid or unenforceable, the remainder of this Agreement or the

application of such provision to any person or circumstance, other than those to which it is held invalid or unenforceable, shall not be affected thereby, and each provision of this Agreement shall be valid and enforceable to the full extent permitted by law.

IN WITNESS WHEREOF, the parties herein have set their hands and seals on the date first above written.

FAYETTE COUNTY, GEORGIA

(SEAL)

By: _____
Lee Hearn, Chairman

Attest:

Tameca Smith, County Clerk

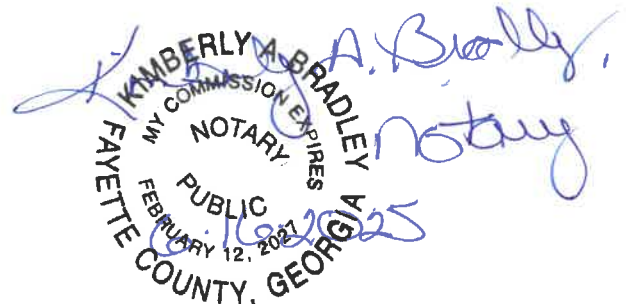
TOWN OF BROOKS

(SEAL)

By: _____
Daniel C. Langford, Jr., Mayor

Attest:

Lorey Spohr, Town Clerk



BOARD OF COUNTY COMMISSIONERS

Lee Hearn, Chairman
 Edward Gibbons, Vice Chairman
 Eric K. Maxwell
 Charles D. Rousseau
 Charles W. Oddo

Consent # 2

**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

June 26, 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 June 26, 2025 Board of Commissioners meeting to order at 5:00 p.m. A quorum of the Board was present.

Invocation and Pledge of Allegiance by Chairman Lee Hearn

Chairman Hearn gave the Invocation and led the audience in the Pledge of Allegiance.

Acceptance of Agenda

Commissioner Charles Oddo moved to approve the agenda as presented. Vice Chairman Edward Gibbons seconded. The motion passed 5-0.

PROCLAMATION/RECOGNITION:**1. Recognition of the Fayette County State Court Summer Interns.**

State Court Judge Jason Thompson recognized State Court law school student interns. Fayette County State Court had the opportunity to host several internships during the 2024-2025 school year. Judge Thompson acknowledged the hard work and dedication of High School students: Taylor Bonner, Sheefa Keshawani, Ansley Nieber, Dominic DeGeorge, Hastee Mehdipour, Elizabeth Toth, Brandon Smith, and Keanu Macayan; College students Maya Wilson, Thalia Tran, Sara Matthews, Isabel Bland, Madeline Sheffield, Nicholas Skipper, Liam Prouty, Taliah Chestnut, and Olivia Holm; and Law School students Madeline Sparks, and Dennis Martinez.

PUBLIC HEARING:**2. Second of two Public Hearings on Fayette County's proposed annual budget for Fiscal Year 2026 which begins on July 1, 2025 and ends June 30, 2026 and to approve Resolution 2025-06 to adopt the Fiscal Year 2026 Annual Budget.**

Fayette County Chief Financial Officer Sheryl Weinmann began the 2nd Public Hearing on Fayette County's proposed annual budget for Fiscal Year 2026 by provided the Board with the estimated fund balance for FY2025 financial projection which was \$30.2M. In review of the FY2026 Budget Summary she stated that the two yellow highlighted line items noted adjustments

included in the budget as directed from the Board at the June 12th budget presentation hearing. The General Fund and the Vehicles/Equipment fund were the line items that were affected by the adjustments. She noted as a point of clarification that these adjustments did not affect the monetary figures. The positive net impact to the General Fund's fund balance was still \$2,363,693.

Chairman Hearn stated that it was really important to note that the County's total revenue was \$158M but the total expenses was \$150M, [correction: \$151M] which meant "we were living within our means" and spending conservatively.

Ms. Weinmann continued stating that at the June 12th budget presentation, staff advised the Board of the Griffin Judicial Circuit transition. She stated that for the past ten years there had been a separate account established for the Griffin Judicial Circuit to handle its accounting. Considering the decision to transition to an external audit firm handling their accounting, the management of the County books needed to be changed. Ms. Weinmann explained that there were ten people that would remain on County payroll, three Juvenile court staff and seven Superior Court staff. She stated that the total cost for these expenses was \$973,155. Ms. Weinmann stated that the County would be receiving a \$125K grant for the Juvenile Judges, which would reduce the cost to about \$850K. As a point of clarification, the County was only responsible for paying \$630,228 but because of the staff remaining on County payroll, that cost was increased. As a result, there was a \$217,927 difference that would be owed to the County. She stated that the plan was to bill the third-party accounting firm \$18,797 each month requesting those fund to recoup the over payment. Ms. Weinmann noted that previously these individuals were paid out of the Griffin Judicial Circuit fund with the transition they now would be paid out of the General Fund, which was the change that would be reflected on the County's books. She continued stating that this did not make any changes to the net dollar amount as outlined previously and the positive net impact to the General Fund's fund balance remained \$2,363,693. Ms. Weinmann stated that as of July 1, 2025, the accounting for the Griffin Judicial Circuit (GJC) would transition to an external audit firm. Fayette County would still retain the management and tracking of the ARPA Judicial grant through the end of 2025. This transition would require modifications in the financial system as to where the employees in the GJC would be paid from as discussed.

Ms. Weinmann concluded the presentation with the following budget highlights:

- Millage Rate remains at 3.763
- General Fund impact from maintenance & operations is positive
- Proposed Budget increases General Fund Balance \$2,363,693
- Funds Rolling 5 Year Capital Improvement Program of \$7,132,551
- Changes in Personnel levels protect the existing outstanding service delivery to our Citizens.
- Budget continues to maintain the commitment to balance current year revenues with current year expenses.
- Maintains Employee Benefits – Medical/Dental/Vision & Retirement
- County-Wide departmental cooperation continues to yield positive results.

Ms. Weinmann asked the Board to adopt the Fiscal Year 2026 Budget and to approve Resolution 2025-06.

Mr. Rapson noted that this budget also included the mileage rates adjustments made to Fire and Emergency Management Services funds.

No one spoke in favor or opposition.

Vice Chairman Gibbons moved to approve Fayette County's proposed annual budget for Fiscal Year 2026 which begins on July 1, 2025 and ends June 30, 2026 and to approve Resolution 2025-06 to adopt the Fiscal Year 2026 Annual Budget. Commissioner Oddo seconded. The motion passed 5-0.

Chairman Hearn extended his appreciation to staff and the Finance Department for a job well done in putting the budget together, noting this was not an easy or simple task.

3. Consideration of Amendments to Chapter 110. Zoning Ordinance, regarding Article IV- District use requirements. - Sec. 110-146. – M-1 (Light Industrial District), to add Pet Crematory (animal remains only) as a conditional use.

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

Ms. Bell stated that this request was for amendments to Chapter 110. Zoning Ordinance, regarding Article IV- District use requirements. - Sec. 110-146. – M-1 (Light Industrial District), to add Pet Crematory (animal remains only) as a conditional use. Ms. Bell stated that the applicant noted that there were no pet cremation providers in Fayette County despite a high demand for ethical pet aftercare. Ms. Bell noted that to allow pet crematory was distinct from a human facility and posed minimal traffic and environmental burdens. The proposed facility would meet all fire, health, and safety requirements including afterburner and emissions compliance. This business would provide a compassionate service that many residents were forced to leave the county to obtain. Ms. Bell provided a staff assessment stating that the current zoning ordinance provided for a human crematorium in conjunction with a human cemetery in A-R & C-H districts as a conditional use. It allowed pet cemetery in A-R & C-H districts as a conditional use but made no mention of a pet crematory. The applicant was not proposing a pet cemetery, but a standalone pet crematory in the M-1 district. On June 5, 2025, the Planning Commission voted 4-0 to recommend that the matter be presented to the Board of Commissioners for further consideration. If the Board of Commissioners determined that they would like this amendment to proceed, staff recommended adding Pet Crematory as a Conditional Use in the M-1 zoning district, with the following condition: 1. A crematorium shall be set back 300 feet from all property lines.

Applicant Olisa Rainey stated that she appreciated the opportunity to speak before the Board. She noted that this request was intended to fill a need in the County by providing a respectful pet-only cremation service that was small in scale, clean in operation and grounded in compassion. She noted that her proposal was U.S. Environmental Protection Agency (EPA) compliant and would be appointment based and fully distinct from any human or cemetery related use. She stated that she supported the setback condition.

No one spoke in favor or opposition of this petition.

Vice Chairman Gibbons moved to approve Amendments to Chapter 110. Zoning Ordinance, regarding Article IV- District use requirements. - Sec. 110-146. – M-1 (Light Industrial District), to add Pet Crematory (animal remains only) as a conditional use. Commissioner Oddo seconded. The motion passed 5-0.

Commissioner Eric Maxwell stated that he would be voting for the request but asked where she was planning to locate this facility.

Ms. Rainey stated that she was awaiting approval, and if approved she would be evaluating properties in the M-1 districts to determine which best met her needs and fell within the outlined requirements.

Commissioner Maxwell stated that this sounded like a service that was needed and asked if there was similar facility near Fayette County.

Ms. Rainey advised that the closest facility for these type services was in Fairburn, Georgia.

Commissioner Charles Rousseau asked about a note mentioned on the agenda request form that stated the request was to be presented to the Zoning Board of Appeals.

County Attorney Dennis Davenport stated that was a typo.

Commissioner Rousseau asked, as a point of clarification, if the M-1 zoning district prohibited fresh meats and/or raw food processing.

Ms. Bell stated that was correct. It was outlined as part of the list of conditional uses included in the backup.

Commissioner Rousseau stated that he wanted noted, as a concern, related potential cross contamination.

Commissioner Oddo asked why the original ordinance was written with human crematorium in conjunction with a human cemetery and allowed pet cemetery use but made no mention of a pet crematory.

Ms. Bell stated that was just how it was written originally and there was just no provision for a pet crematory anywhere. And with this request the applicant specifically asked for it to be added to the M-1 zoning district.

Vice Chairman Gibbons moved to approve Amendments to Chapter 110. Zoning Ordinance, regarding Article IV- District use requirements. - Sec. 110-146. – M-1 (Light Industrial District), to add Pet Crematory (animal remains only) as a conditional use. Commissioner Oddo seconded. The motion passed 5-0.

PUBLIC COMMENT:

Jamie Harmen of Fayetteville expressed her concerns regarding having safe and appropriate elections voting locations. She relayed a recent instance at a voting location where the HVAC system was not working and subsequently had a roof collapse that triggered having to move to a alternate voting location. Ms. Harmen asked the Board for an additional election and voting registration office in Tyrone. Ms. Harmen also asked about the monitoring fee associated with new water meters in Fayette County.

CONSENT AGENDA:

Vice Chairman Gibbons moved to approve the Consent Agenda. Commissioner Oddo seconded. The motion passed 5-0.

1. **Approval of Board of Assessors' recommendation to approve a disposition of tax refund, as requested by Landis L. Brown, in the amount of \$1,161.39 for tax year 2024.**
2. **Approval of Board of Assessors' recommendation to approve a disposition of tax refund, as requested by Jennifer Burr, in the amount of \$2,466.68 for tax year(s) 2022, 2023, and 2024.**
3. **Approval of Board of Assessors' recommendation to approve a disposition of tax refund, as requested by Barbara Edwards, in the amount of \$810.59 for tax year(s) 2022, 2023, and 2024.**
4. **Approval of Board of Assessors' recommendation to approve a disposition of tax refund, as requested by Terri Harper, in the amount of \$8,308.44 for tax year 2024.**
5. **Approval of Board of Assessors' recommendation to approve a disposition of tax refund, as requested by Joy Hay, in the amount of \$1,679.06 for tax year 2024.**
6. **Approval of June 12, 2025 Board of Commissioners Meeting Minutes.**

OLD BUSINESS

NEW BUSINESS:

7. **Request to renew Contract #1447-S, Renewal 4 for Carbyne, Inc. in the amount of \$285,500 to provide maintenance and support for continued operation of the 911 phone system for the period January 29, 2025 through January 28, 2026.**

Mr. Rapson started that this request was to renew the Carbyne contract. He stated that the Carbyne contract was a calendar year contract and ran from January 29, 2025 through January 28, 2026. Staff was asking that the Board to ratify this contract today. Mr. Rapson stated that staff was in the process of converting this to a fiscal year contract so the Board would either receive either a 6- month or 18- month contract to get back on track with the appropriate fiscal year cycle.

Vice Chairman Gibbons moved to approve to renew Contract #1447-S, Renewal 4 for Carbyne, Inc. in the amount of \$285,500 to provide maintenance and support for continued operation of the 911 phone system for the period January 29, 2025 through January 28, 2026. Commissioner Oddo seconded. The motion passed 5-0.

8. Request to approve Contract #2550-B: Water Treatment Chemicals for Brenntag Mid-South, Inc., Chemtrade Chemicals US LLC, and Southern States Chemicals, for a total not-to-exceed amount of \$579,681.74.

Water System Director, Vanessa Tigert, stated that this request was a house keeping item seeking approval of Water Treatment Chemicals for Brenntag Mid-South, Inc., Chemtrade Chemicals US LLC, and Southern States Chemicals, for a total not-to-exceed amount of \$579,681.74.

Commissioner Maxwell brought the Water System's water flyer mentioned in public comments. He asked what the term "eligible customer" noted on the flyer, referred to.

Mr. Rapson stated that it referred to someone who had adopted into the leak detection program. He noted that each Water System customer was automatically enrolled into the leak detection program but could elect to opt-out of the program. Mr. Rapson continued stating that the leak detection program was an insurance program as it related to water leaks. At the County Retreat there was discussion about reducing the leak detection program from \$3 to \$1. So, the leak detection fee would be set at \$1, the remaining \$2 would be converted to a technology fee associated with the AMI system which included the technology, monitoring, and staff support.

Commissioner Maxwell stated that he had downloaded the Water System app and was able to review his account information including his water usage which was a wonderful feature. He noted that he wanted all customers to know about the program and the new water meters and the advancement of this project. He noted the flyer needed some tweaking to ensure it was as informative as possible. He encouraged publicizing the flyer that outlined the new system as much as possible.

Vice Chairman Gibbons moved to approve Contract #2550-B: Water Treatment Chemicals for Brenntag Mid-South, Inc., Chemtrade Chemicals US LLC, and Southern States Chemicals, for a total not-to-exceed amount of \$579,681.74. Commissioner Oddo seconded. The motion passed 5-0.

ADMINISTRATOR'S REPORTS:

Mr. Rapson stated in response to public comments that there was only one Elections and voter registration Office, which was in Fayetteville. He noted that the specific polling precinct mentioned in Tyrone was the old City Hall and did have an issue with the air conditioning system. The Elections Director immediately had fans put in place to rectify the issues subsequently, however, there was a water leak and roofing issues that required the location to be closed, and voting was moved to the library with the Secretary of State's approval. Mr. Rapson stated that the original voting precinct was in the process of being renovated because that was the preferred location for voting.

Mr. Rapson advised that a Life South blood donation trailer was parked in the Stonewall Administrative Complex for the next 3-months and taking donations via an initiative with the Fayette County Fire and Emergency Services Department. He also announced an additional Fayette County Fire and Emergency Services aluminum can recycling initiative located at McCurry Park.

Hot Projects

Mr. Rapson stated that he provided the Board the Hot Topics with updates to the Water System AMI System, Parks and Recreation Multi-Use Facility, Starrs Mill Tunnel, Coastline Bridge Improvements, North Bend Ct. Culvert Replacement, QTS Traffic Signal, Tyrone Road Quad Rail Project, and the Old Ivy Stormwater Replacement.

- A. Contract #1431-P: Transportation Engineer of Record; Task Order #35: SR92/Hampton Rd Survey Database and Construction Documents Prep; Change Order #2: Enlarged Footprint
- B. Contract #2036-Q: Fayette County Resurfacing FY2022; Task Order #3: Materials Testing Services
- C. Contract #2537-A: Kenwood and Kiwanis Park Court Resurfacing
- D. Contract #2592-S: Fayette Senior Services Renovation – A&E Services

ATTORNEY'S REPORTS:

Notice of Executive Session: County Dennis Davenport stated that there were six items for Executive Session. Three items involving threatened litigation, one item involving pending litigation, one personnel item and the review of the June 12, 2025 Executive Session Minutes.

COMMISSIONERS' REPORTS:

Commissioner Maxwell

Commissioner Maxwell extended a heartfelt thank you and appreciation for the cards, calls, texts and condolences he received in reference to losing his mother.

Commissioner Oddo

Commissioner Oddo extended a Happy (upcoming) Independence Day and relayed a Happy 23rd Anniversary to his wife.

Commissioner Rousseau

Extended a kudos and job well done to Public Works Director Phil Mallon and his team for the work being done on Redwine Road.

Chairman Hearn

Chairman Hearn also expressed his appreciation to Public Works Director Phil Mallon and his team and the contractor for the work being done on Redwine Road.

Chairman Hearn relayed impressive numbers and funding potential that was discussed at the recent Atlanta Regional Commission meeting highlighting the value, growth, and development taking place in the region.

EXECUTIVE SESSION:

Three items involving threatened litigation, one item involving pending litigation, one personnel item and the review of the June 12, 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 5:45 p.m. and returned to Official Session at 6:27 p.m.

Return to Official Session and Approval to Sign the Executive Session Affidavit: Commissioner Gibbons moved to return to Official Session. Commissioner Oddo seconded. The motion passed 5-0.

Commissioner Oddo moved for the Chairman to sign the Executive Session Affidavit. Vice Chairman Gibbons seconded. The motion passed 5-0.

Vice Chairman Gibbons stated that this year the Board had chosen to give merit-based pay increases in four pay bands with the top pay band being 6.25% for the most outstanding County employees. He noted the County Administrators contract limited him to a 2.5% pay increase. Vice Chairman Gibbons stated that in his opinion there was no more outstanding employee than Mr. Rapson.

Vice Chairman Gibbons moved to give Mr. Rapson a 6.25% merit-based pay increase. Chairman Hearn seconded.

Commissioner Hearn thanked Mr. Rapson for the good work and leadership he provided for the County.

Commissioner Rousseau stated that Mr. Rapson had done an outstanding job, however he had reservation doing a merit increase outside of his contract negotiation period.

As a point of clarification, Mr. Davenport stated that he wanted to ensure he understood how to amend the contract. He reiterated that this merit increase was effective for this year only and subsequent contract years would be decided at that time, based on Board directions.

Commissioner Gibbons stated that was correct.

Vice Chairman Gibbons moved to give Mr. Rapson a 6.25% merit-based pay increase. Chairman Hearn seconded. The motion passed 4-1, with Commissioner Rosseau voting in opposition.

Approval of the June 12, 2025 Executive Session Minutes: Commissioner Oddo moved to approve June 12, 2025 Executive Session Minutes. Vice Chairman Gibbons seconded the motion. The motion passed 5-0.

ADJOURNMENT:

Vice Chairman Gibbons moved to adjourn the June 26, 2025 Board of Commissioners meeting. Commissioner Oddo seconded. The motion passed 5-0.

The June 26, 2025, Board of Commissioners meeting adjourned at 6:30 p.m.

Marlena Edwards, Deputy 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 July 2025. Attachments are available upon request at the County Clerk's Office.

COUNTY AGENDA REQUEST

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Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Request to approve Resolution 2025-07, opposing the annexation of parcels 0902 017 and 0902 018 by the City of South Fulton, pursuant to O.C.G.A. 36-36-23.

Background/History/Details:

On June 26, 2025, the City of South Fulton notified Fayette County of an annexation application for parcels 0902 017 and 0902 018, with the intent to develop a residential subdivision.

O.C.G.A. Sec. 36-36-23 provides that "No municipality may annex into an adjoining county in which the municipality is not already located unless otherwise agreed to by the county governing authority of the adjoining county. Such annexation shall be deemed approved, unless the county governing authority adopts a resolution opposing the annexation within 30 days following the earlier of:

(1) The completion of the meeting between the municipal and county governing authorities, if any, pursuant to subsection (a) of this Code section; or (2) Thirty days after notice of the proposed annexation from the municipal corporation to the county governing authority, if no meeting is requested by the county governing authority."

The accompanying report from staff assesses the criteria for evaluation of an annexation application and provides a recommendation to object to the annexation.

What action are you seeking from the Board of Commissioners?

Approval of Resolution 2025-07, opposing the annexation of parcels 0902 017 and 0902 018 by the City of South Fulton, pursuant to O. C.G.A. 36-36-23.

If this item requires funding, please describe:

Not applicable.

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

*** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.**

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:

COUNTY OF FAYETTE

STATE OF GEORGIA

RESOLUTION NO.

2025-____

A RESOLUTION BY THE BOARD OF COMMISSIONERS FOR FAYETTE COUNTY OPPOSING THE REQUESTED ANNEXATION BY THE CITY OF SOUTH FULTON INTO FAYETTE COUNTY; TO PROMOTE THE PUBLIC, HEALTH, SAFETY AND WELFARE; AND FOR OTHER PURPOSES.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF FAYETTE COUNTY, AND IT IS HEREBY ENACTED PURSUANT TO THE AUTHORITY OF THE SAME, THAT THE BOARD OF COMMISSIONERS OF FAYETTE COUNTY DOES HEREBY OPPOSE THE REQUEST BY THE CITY OF SOUTH FULTON TO ANNEX INTO FAYETTE COUNTY AS FOLLOWS:

W I T N E S S E T H:

WHEREAS, Fayette County is a political subdivision of the State of Georgia, and the Board of Commissioners of Fayette County, Georgia, is the duly organized governing authority of Fayette County, Georgia; and

WHEREAS, the City of South Fulton is a municipal corporation of the State of Georgia, and the Mayor and Council for the City of South Fulton is the duly organized governing authority of the City of South Fulton; and

WHEREAS, the City of South Fulton desires to annex property located in Fayette County into the jurisdiction of the City of South Fulton, although the entirety of the current jurisdiction of the City of South Fulton lies within Fulton County; and

WHEREAS, the Official Code of Georgia Annotated provides a statutory process which governs an attempt by a municipal corporation of the State of Georgia to annex into a county where the municipal corporation has no existing presence; and

WHEREAS, Fayette County, through this resolution, responds to the attempt by the City of South Fulton to annex into Fayette County, as set out in the aforementioned statute.

1.

“Annexation . . . by a municipal corporation into an adjoining county in which the municipality is not already located shall be accomplished in accordance with this Code section.” O.C.G.A. § 36-36-23 (a). Fayette County received a Notice of Annexation from the City of South Fulton on Thursday, June 26, 2025. Currently, none of the City of South Fulton exists in Fayette County. Fayette County adjoins Fulton County and the City of South Fulton identified by the Notice of Annexation.

2.

“No municipality may annex into an adjoining county in which the municipality is not already located unless otherwise agreed to by the county governing authority of the adjoining county.” O.C.G.A. § 36-36-23 (b). Fayette County acknowledges that if Fayette County fails to respond to this Notice of Annexation by opposing this annexation within 30 days following the Notice of Annexation, the annexation will be deemed approved.

3.

Fayette County does hereby oppose the annexation from the City of South Fulton. The decision by Fayette County to oppose the annexation from the City of South Fulton is based upon the following factors:

(1) Whether the annexation is reasonable for the long-range economic and overall well-being of both Fayette County and Fulton County, their respective school districts, and municipalities affected by the annexation;

(2) Whether the health, safety, and welfare of property owners and citizens of Fayette County, its municipalities, and the area proposed to be annexed will be negatively affected by the annexation;

(3) Whether the proposed annexation has a negative fiscal impact on Fayette County, its school district, and other municipalities that have not been mitigated by an agreement; and

(4) Whether the annexation is in the best interests of the property owner seeking annexation.

4.

The annexation is not reasonable for the long-range economic and overall well-being of both Fayette County and Fulton County, their respective school districts, and municipalities affected by the annexation. This negative impact would be experienced by the Fayette County Sheriff's Office, Fire and Emergency Services response times due to their hampered ability to reach the portions of the proposed development in Fayette County with no access from Fayette County. The Fayette County School System would experience a similar negative impact in being required to travel out-of-county to provide transportation to school-age

children. Having municipal boundaries change to encroach into an adjoining count would promote confusion as to which service would be supplied by which jurisdiction. The overlap of services would prove burdensome.

5.

The health, safety, and welfare of property owners and citizens of Fayette County, its municipalities, and the area proposed to be annexed will be negatively affected by the annexation. The proposed annexation depicts a project with a land use density not in keeping with the Future Land Use Map and the Comprehensive Plan for Fayette County. The proposed project is significantly different from the current zoning of parcels, current uses of other properties in the area, and with the overall rural character of the area. The proposed project calls for an estimated 936% increase in density over the current zoning in Fayette County.

6.

The proposed annexation has a negative fiscal impact on Fayette County, its school district, and other municipalities that have not been mitigated by an agreement. The proposed project is likely to have a negative fiscal impact on the Sheriff's Office, Fire and Emergency Medical Services, and the School System. Preliminary estimates also indicate increased traffic in corridors adjacent to the proposed project. All Public Safety and Utility services would have to develop systems to address the complexities of traveling outside Fayette County to return to the County to provide their respective services. Such an intense development in an area within the Whitewater Creek Watershed would reasonably result in a negative impact on a portion of the County's water supply.

7.

This annexation is not in the best interests of the property owner seeking annexation. The property owner seeking annexation can develop the property under its current zoning as agricultural and/or residential uses.

8.

For the above-stated reasons, Fayette County, acting by and through its governing authority, the Board of Commissioners of Fayette County, hereby opposes the annexation being requested by the City of South Fulton as described in the Notice of Annexation received by Fayette County on Thursday, June 26, 2025.

SO RESOLVED this ____ day of _____, 2025.

BOARD OF COMMISSIONERS OF
FAYETTE COUNTY, GEORGIA

(SEAL)

By: _____
LEE HEARN, Chairman

ATTEST:

Tameca P. Smith, County Clerk

APPROVED AS TO FORM:

County Attorney

To: Fayette County Board of Commissioners

From: Debbie Bell, Director of Planning & Zoning

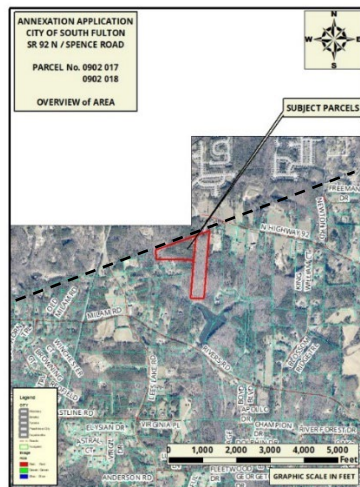
Date: July 2, 2025

Re: City of South Fulton Annexation Request for two parcels at the north county line near State Route 92 and Lees Lake Road. Includes parcels 0902 017 and 0902 018.

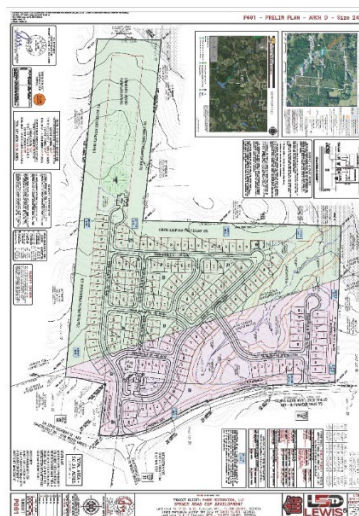
INTRODUCTION

Fayette County received notice from the City of South Fulton via email on June 25, 2025, regarding an application for annexation for parcels located in unincorporated Fayette County. The City of South Fulton has no portion of its municipality located within Fayette County. The request for annexation of the referenced properties indicates the intent to rezone from A-R (Agricultural-Residential District) and R-70 (Single-Family Residential District) to CUP (City of South Fulton: Community Unit Plan).

The annexation application indicates that the total property is 50.36 acres and proposes development of 162 homes. Of this total, 32.65 acres are within unincorporated Fayette County and would be developed with 114 homes. This results in a density of 3.5 units per acre. *The maximum density under the County's Future Land Use Plan is to maintain Rural Residential-2, which allows for 1 unit per 2 acres. The R-70 zoning district density is 1 unit per 2 acres, and under the A-R zoning district, density is 1 unit per 5 acres. The density for the proposed project is approximately 3.5 units per acre, which would produce a 936% increase in density over the current zoning of these properties, or a 612% increase in density over what the current Fayette County Future Land Use Map allows.*



LOCATION MAP



CONCEPT PLAN

STAFF RECOMMENDATION

Based upon the criteria for consideration listed in OCGA 36-36-23(c), this request for annexation is not reasonable for the long-range economic and overall well-being of Fayette County nor the Fayette County School System. As the result of an extensive assessment, it is Staff's opinion that the annexation will have a negative impact on property owners, citizens, public safety services, the school system, and public utilities of Fayette County. Staff recommends adopting a resolution opposing the annexation. Please refer to the Criteria for Consideration and the Assessment of these factors, below.

Criteria for Consideration of an Annexation Proposal and Assessment of Factors:

Excerpt from OCGA 36-36-23 and County responses:

(c) In making its decision, the county governing authority shall consider the following factors:

(1) Whether the annexation ordinance is reasonable for the long-range economic and overall well-being of the counties, school districts, and municipalities affected by the annexation:

- *This project would have a negative economic impact upon Fayette County in terms of Sheriff's Office, Emergency Services and Fire Services' response times because of the need to drive out of Fayette County and through Fulton County to access the portions of the development that are located in Fayette County. This will create additional costs for staffing, travel times, and coordination for response to emergencies.*
- *This project would pose a significant negative economic impact upon Fayette County School System in terms of the Transportation Services time because of the need to drive out of Fayette County and through Fulton County to access the portions of the development that are located in Fayette County, which would increase travel and logistical costs, employee time, and equipment mileage.*
- *This project would have a negative impact upon Fayette County Water System as there would be considerable costs to FCWS to reproduce all printed materials to show the new county boundary that the system uses for educational purposes. There would also be considerable staff resources spent resubmitting all environmental permits to reflect this boundary change.*

(2) Whether the health, safety, and welfare of property owners and citizens of the county, municipalities, and area proposed to be annexed will be negatively affected by the annexation:

- *The project proposes a land use and density that are not in concert with Fayette County's Future Land Use Map, Comprehensive Plan, current zoning of the parcels, current uses of other properties in the area, nor with the character of the area, which is rural residential in nature. The County's Comprehensive Plan is prepared and adopted to provide the County and its residents with assurances that development patterns in the County adhere to Fayette County's goals for its future, thus protecting their health, safety and welfare. Developments that do not adhere to the County's Comprehensive Plan are detrimental to the County and its residents.*
- *The project anticipates a 936% increase in density over the current Fayette County zoning, which is not in the best interest of the long-range economic interests and well-being of the residents of Fayette County, who reside in homes and neighborhoods that are in keeping with Fayette County's Comprehensive Plan and Future Land Use Map.*

(3) Whether the proposed annexation has any negative fiscal impact on the county, school districts, and other municipalities that have not been mitigated by an agreement; and

- *The proposed development is likely to have a negative fiscal impact on Fire and EMS services; Sheriff's Office services; and Fayette County Water System operations and services. All Public Safety and Utility services would have to develop systems to address the complexities of traveling outside of Fayette County to return to the County to provide their respective services.*
- *Fayette County School System services would be negatively impacted by the need to develop transportation routes that travel outside the county to serve Fayette County residents. This would result in increased costs to reconfigure logistics and additional travel, and increased equipment wear costs.*
- *The proposed development is expected to affect traffic most noticeably on State Route 92, Veterans Parkway, and Westbridge Road in Fayette County. Preliminary estimates, absent a formal analysis, suggest a 2-3 percent increase in traffic volumes along these corridors.*
- *The creek shown on the on the proposed site plan enters Tar Creek which is a tributary Whitewater Creek. In the Fayette County Watershed Protection Ordinance this basin is designated as Whitewater Creek Watershed, and contains water intakes for Fayette County Water System and City of Fayetteville . Whitewater Creek is already designated an impaired stream as it enters Fayette County due to bacterial contamination from Fulton County. Fayette County is required to provide costly water quality testing annually to EPD as a requirement for the County's Municipal Stormwater Permit. A project with density is likely to create a negative impact on the waters entering Whitewater Creek, increasing the burden on public water treatment services.*

(4) The interests of the property owner seeking annexation.

- *The property owner seeking annexation can develop the property under its current zoning as agricultural and/or residential uses. The rezoning proposal for Parcel 0902 017 included a proposal for developing the property with a home and accessory structures. This parcel may also be rezoned back to R-70, Single Family Residential District.*

ACTION ITEMS**Resolution:**

Excerpt from OCGA 36-36-23

(b): No municipality may annex into an adjoining county in which the municipality is not already located unless otherwise agreed to by the county governing authority of the adjoining county. Such annexation shall be deemed approved, unless the county governing authority adopts a resolution opposing the annexation within 30 days following the earlier of:

- **(1)** The completion of the meeting between the municipal and county governing authorities, if any, pursuant to subsection (a) of this Code section; or
- **(2)** Thirty days after notice of the proposed annexation from the municipal corporation to the county governing authority, if no meeting is requested by the county governing authority.

SUBJECT PARCEL(S)

Location	Parcel ID	Acreage	Current Zoning	County Land Use Designation	Proposed City Land Use
North Fayette County line between SR 92 North and Lee's Lake Road	0902 017 0902 018	15.55 ac. 17.10 ac. TOTAL: 32.65 ac.	A-R (Ag-Res) R-70 (Single-fam. residential)	Rural Residential 2 = 1 unit per 2 acres	Concept Plan proposes 114 homes on 32.65 acres, a <u>density of 3.5 units/acre in Fayette County. This is approximately 70% of the proposed development.</u>

The proposed annexation would abut other City of South Fulton parcels, but these are located within Fulton County. The subject properties have access to State Route 92 North within Fulton County/City of South Fulton. The annexation application includes a concept plan for a residential development, a copy of which is included in this report.

The parcels are bounded by the following uses and zoning:

Direction	Acres	Zoning	Use	Comprehensive Plan
North	n/a	City of South Fulton	n/a	City of South Fulton
South	100.00+	R-70, Single-Family Residential	Residential	County: Rural Residential 2 = 1 unit/2 acres
East	100.00+	R-70, Single-Family Residential	Residential	County: Rural Residential 2 = 1 unit/2 acres
West	100.00+	R-70, Single-Family Residential	Residential	County: Rural Residential 2 = 1 unit/2 acres

APPLICABLE STATE CODE**2024 CODE OF GEORGIA****Title 36 - LOCAL GOVERNMENT (§§ 36-1-1 — 36-93-1)****PROVISIONS APPLICABLE TO MUNICIPAL CORPORATIONS ONLY (§§ 36-30-1 — 36-45-20)****Chapter 36 - ANNEXATION OF TERRITORY (§§ 36-36-1 — 36-36-134)****Article 2 - ANNEXATION PURSUANT TO APPLICATION BY 100 PERCENT OF LANDOWNERS (§§ 36-36-20 — 36-36-23)****Section 36-36-23 - Annexation by a municipal corporation into an adjoining county****Universal Citation:** GA Code § 36-36-23 (2024)

- **(a)** Annexation pursuant to this article by a municipal corporation into an adjoining county in which the municipality is not already located shall be accomplished in accordance with this Code section. Within ten business days of receiving an application for annexation, the municipal corporation shall provide written notice to the county governing authority of the adjoining county of its intent to annex into the county. Such notice shall include a map or other description of the land proposed for annexation sufficient for the county to identify the location of the proposed annexation. A meeting between the county governing authority and municipal governing authority shall be held to discuss the proposed annexation if the county governing authority files a written request for such meeting with the municipal governing authority within 15 days of receipt of the notice of the proposed annexation. The requested meeting shall be held within 15 days of the request by the county unless otherwise agreed to by the county and the municipality.

- **(b)** No municipality may annex into an adjoining county in which the municipality is not already located unless otherwise agreed to by the county governing authority of the adjoining county. Such annexation shall be deemed approved, unless the county governing authority adopts a resolution opposing the annexation within 30 days following the earlier of:

- (1)** The completion of the meeting between the municipal and county governing authorities, if any, pursuant to subsection (a) of this Code section; or

- (2)** Thirty days after notice of the proposed annexation from the municipal corporation to the county governing authority, if no meeting is requested by the county governing authority.

- (c)** In making its decision, the county governing authority shall consider the following factors:

- (1)** Whether the annexation ordinance is reasonable for the long-range economic and overall well-being of the counties, school districts, and municipalities affected by the annexation;

- (2)** Whether the health, safety, and welfare of property owners and citizens of the county, municipalities, and area proposed to be annexed will be negatively affected by the annexation;

- (3)** Whether the proposed annexation has any negative fiscal impact on the county, school districts, and other municipalities that have not been mitigated by an agreement; and

- (4)** The interests of the property owner seeking annexation.

- (d)** If the county governing authority disapproves the annexation, the municipal corporation may challenge the disapproval by filing a complaint in the superior court of the adjoining county into which such annexation has been proposed. The challenge shall be heard by either a judge or senior judge who is not from the circuit in which either the county or the municipality is located. If the court finds by a preponderance of the evidence that the determination by the county based upon the factors enumerated in subsection (c) of this Code section is correct, then the denial by the county shall be sustained. If the denial is not sustained, the annexation may proceed.

PARCEL HISTORY

Parcel 0902 017 is 15.55 acres and is zoned A-R. This parcel was part of a blanket zoning to R-70 in 1973. It was subsequently downzoned to A-R Conditional by Petition No. 1032-99, which was approved by the Board of Commissioners on October 28, 1999.

Parcel 0902 018 is 17.10 acres and is zoned R-70. This zoning is a result of a blanket rezoning that was approved in 1973.

For both parcels, the current use is undeveloped woodland. It appears to have been timbered in the early 2000s. The historic use was agricultural, as evidenced by 1955 and 1938 aerial photographs.

PROPOSED ZONING

Code of Ordinances of City of South Fulton, Georgia

Appendix C – Zoning

Sec. 206.02. - Residential zoning districts; purpose.

(q) *CUP Community Unit Plan District*. The CUP District identifies land areas for a variety of housing types, including single-family and multi-family uses, within a planned community setting. The CUP District is intended to:

- (1) Encourage the development of large tracts of land as planned communities;
- (2) Encourage flexible and creative concepts in site planning;
- (3) Preserve the natural amenities of the land by encouraging scenic and functional open areas;
- (4) Provide for an efficient use of land;
- (5) Provide a stable residential environment compatible with surrounding residential areas; and
- (6) Protect neighboring properties by requiring larger peripheral lots adjacent to larger lot developments.

The annexation application includes a concept plan for the development of detached single-family housing with a small greenspace component; a copy of this is included in the attachments.

[Please see the attachment for a table listing permitted and special uses within this zoning district.]

DEPARTMENTAL COMMENTS

Planning and Zoning: The subject properties are currently zoned R-70 and A-R. The proposed development is requesting CUP, Community Unit Plan under the City of South Fulton zoning ordinance. The subject area is currently designated Rural Residential-2 on the Fayette County Future Land Use Map, which allows for 1 unit per 2 acres. The **Fayette County Comprehensive Plan** defines Residential Land Use Elements, and this category is described as follows:

Rural Residential - 2: These are areas which allow residential development with a minimum density of one dwelling unit per two acres. County water is available in some areas; the Conservation Subdivision (CS) Zoning District is appropriate in this area.

Description/Predominant Characteristics: Semi-rural area with some scattered agricultural uses on large tracts of land and residential subdivisions. There is limited availability of public water.

Suggested Development Strategy:

- Residential density limited to no more than one unit per two acres.
- The applicable zoning districts for this area include the R-78, Single Family Residential District, the R-75, Single Family Residential District, the R-72, Single Family Residential District, the R-70, Single Family Residential District and the C-S, Conservation Subdivision Zoning District appropriate to the Rural Residential - 2 (1 Unit/2 Acres) land use designation.
- The Conservation Subdivision Zoning District is appropriate for the Rural Residential Area - 2 area based on the aforementioned density to maintain rural character.

Planning and Zoning Staff finds a material increase in burden upon the county as a result of this annexation and rezoning of the subject property to CUP (City of South Fulton).

This proposed use is substantially different from the current use, the current zoning districts of these parcels, and from the County's Future Land Use Plan. It is also markedly different from all current development and land use in the area.

The maximum density under the County's Future Land Use Plan is to maintain Rural Residential-2, which allows for 1 unit per 2 acres. The R-70 zoning district is 1 unit per 2 acres, and under the A-R zoning district, density is 1 unit per 5 acres. The density for the proposed project is approximately 3.5 units per acre, which would produce a 936% increase in density over the current zoning of these properties, or a 612% increase in density over what the current Fayette County Future Land Use Map allows.

The development will also result in a significant impact to traffic, public safety services, school system transportation services, and public utilities.

Please refer to the departmental assessments that follow for details.

Fire/EMS: Fire & Emergency Services would have to travel out of Fayette County and into Fulton to reach portions of the neighborhood that are located within Fayette County. Fire & Emergency Services would also be impacted by the loss of revenue from an annexation of these properties into the City of South Fulton. The project will create additional demand for EMS services due to increased population and traffic in a condensed area.

Fayette County Sheriff's Office: The project would impact officers' travel times because FCSO would have to travel out of Fayette County and into Fulton to reach portions of the neighborhood that are located within Fayette County.

Fayette County School System: Although the Fayette County School System has determined that they have capacity for additional students, the development would place a burden on school transportation services because buses will have to drive out of Fayette County and into Fulton to go through the Fulton part of the development to transport Fayette students.

Water System: There will be considerable costs to FCWS to reproduce all printed materials to show the new county boundary that the system uses for educational purposes. There will also be considerable staff resources spent resubmitting all environmental permits to reflect this boundary change.

Environmental Health: If the annexation would provide public sewer to this location, then the septic portion would have no impact on us.

Environmental Management:

Water Quality:

These sites within Fayette County boundaries are in the Whitewater Creek Watershed of Fayette County. The creek shown on the on the proposed site plan enters Tar Creek which is a tributary Whitewater Creek. In the Fayette County Watershed Protection Ordinance this basin is designated as follows, "Whitewater Creek Watershed where Fayette County and The City of Fayetteville intakes are located. This water-supply watershed does not contain a reservoir." Strict buffers have been applied to meet the state requirements, and these have been respected by the Fayette County Board of Commissioners since its adoption on May 28, 1987. Currently, this site would have a 25-foot state buffer on any state waters. If the owner under Fayette County regulations proposes a rezoning the site would be required to provide a 100-foot Watershed Protection Buffer (undisturbed) and a 50-foot Watershed Protection Setback (No impervious surfaces; limited intrusions). Fayette County would request if this annexation were successful that the City of South Fulton would utilize the Metropolitan North Georgia Model Stream Buffer Protection Ordinance if not fully adopted. Fayette County's watershed protection buffers are directly taken from this model ordinance.

Next, this project's Post-Developed Stormwater runoff will enter Whitewater Creek in approximately two miles. Whitewater Creek is already designated an impaired stream as it enters Fayette County due to bacterial contamination. Fayette County is required to provide costly water quality testing annually to EPD as a

requirement for the County's Municipal Stormwater Permit. Fayette County would request if this annexation were successful that the City of South Fulton would commit to requiring the developer to provide future stormwater management plans that will utilize the most current Georgia Stormwater Management Manual for water quality.

Tree Protection:

Fayette County requires in Article VI Tree Retention Protection and Replacement that the owner upon submittal of plans would provide a Tree Protection and Replacement Plan. Section (2) Specimen Trees, requires that all deciduous canopy trees 24 inches or greater and Evergreen canopy trees 30 inches or greater be shown. The developer has to mitigate a proposed development's existing specimen trees during design. Fayette County would request if this annexation were successful that the City of South Fulton would utilize a tree protection ordinance as restrictive or equal to existing ordinances.

Public Works: The proposed development—with its primary access on State Route 92—is expected to affect traffic most noticeably on State Route 92, Veterans Parkway, and Westbridge Road in Fayette County. Preliminary estimates, absent a formal analysis, suggest a 2–3 percent increase in traffic volumes along these corridors.

Fayette County therefore requests that the developer submit a comprehensive traffic impact study encompassing, at a minimum, the State Route 92/Veterans Parkway/Westbridge Road intersection. Any reductions in level of service identified by the study because of the project must be fully mitigated by the developer.

SUMMARY:

The subject property is currently zoned R-70 and A-R in the County. The development proposes a significant increase in density of overall residential development, which would be a 936% increase over the current zoning of the parcels.

Planning and Zoning finds a material increase in burden upon the county as a result of this annexation and rezoning of the subject property to CUP, primarily with respect to increased density and traffic volume. The proposed land use as CUP (Community Unit Plan) for high-density residential, is not consistent with the surrounding residential and agricultural uses nor with the County's Comprehensive Plan and Future Land Use Map.

Fire is opposed to the annexation due increased distance to access and to the loss of Fire Tax revenues.

Environmental Health has no objections to the request.

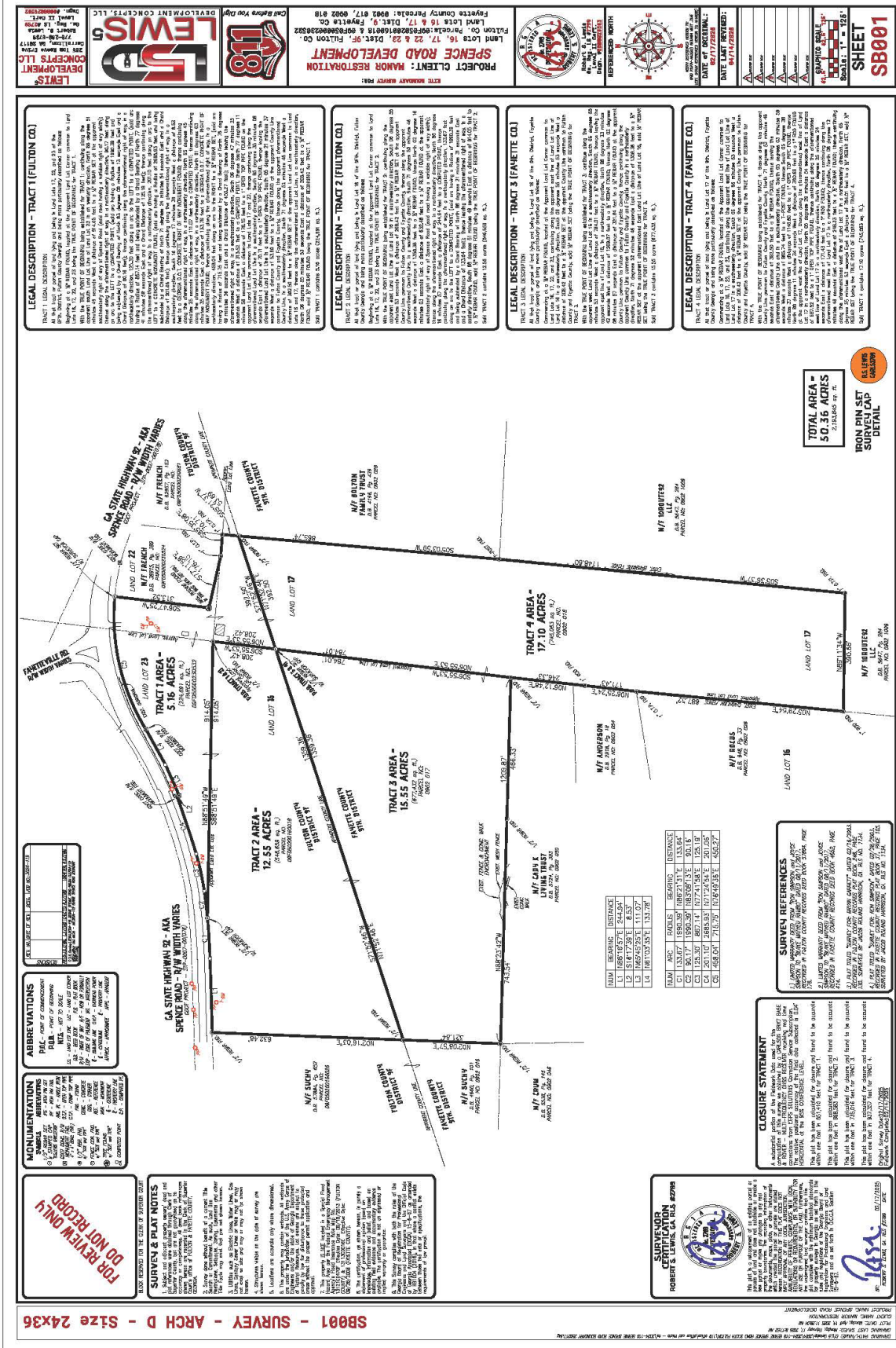
Fayette County School System has capacity for students in the school system, but bus travel times would be increased.

Fayette County Water System notes that there will be increased requirements for staff resources and costs for supplemental materials and Water System Environmental Permitting.

Public Works/Engineering notes that the development will generate a substantial increase in traffic

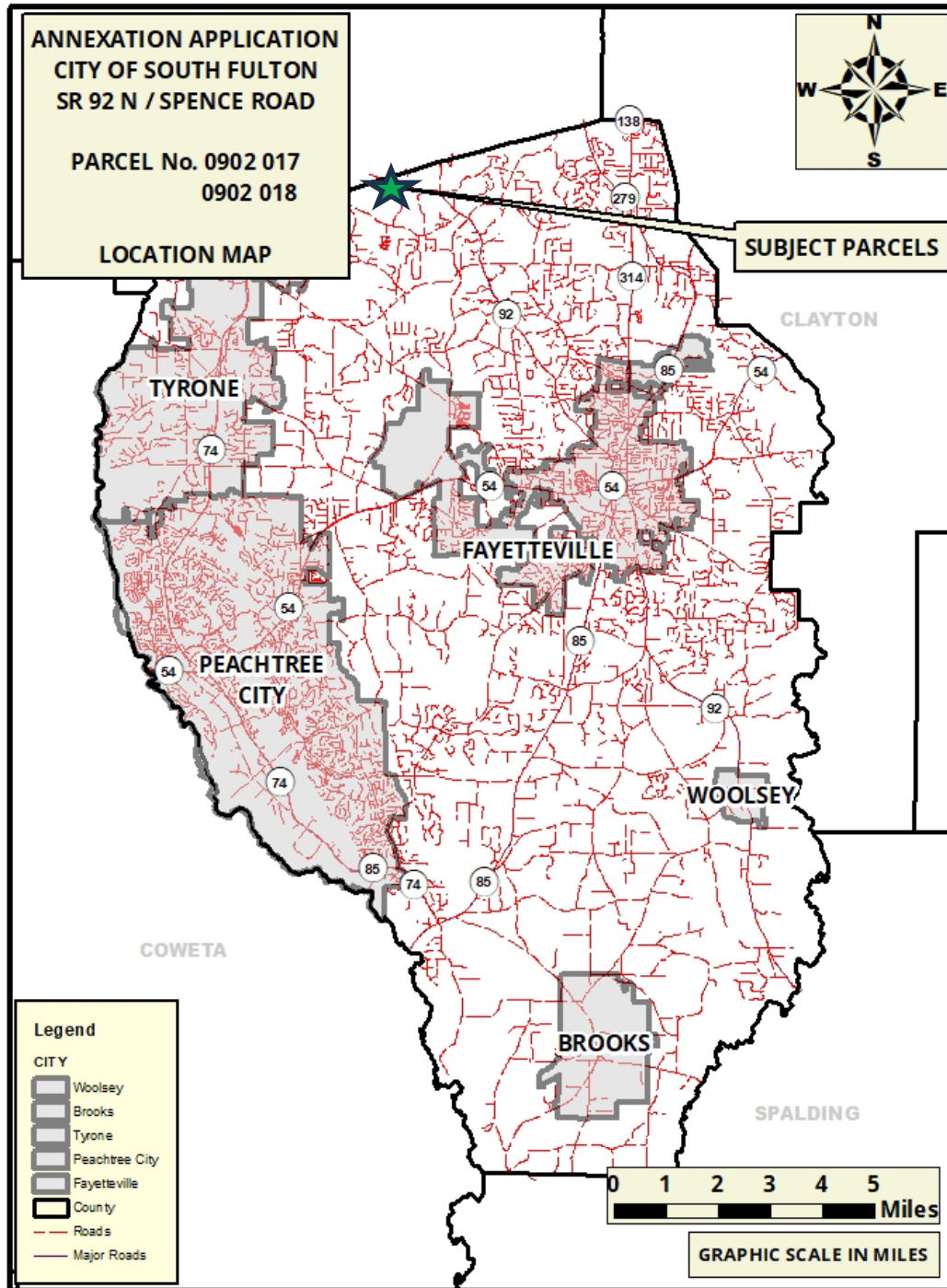
CONCLUSION: It is Staff's opinion that the proposed annexation and development warrants an objection due to the substantial increase in density; cost and burden upon services by Public Safety, including Fire, EMS and Sheriff's Office; cost and burden to the Fayette County School System for logistics and transportation services; costs and staffing time to the Fayette County Water System; dramatic inconsistency with the Fayette County Comprehensive Plan and with existing zoning and development patterns.

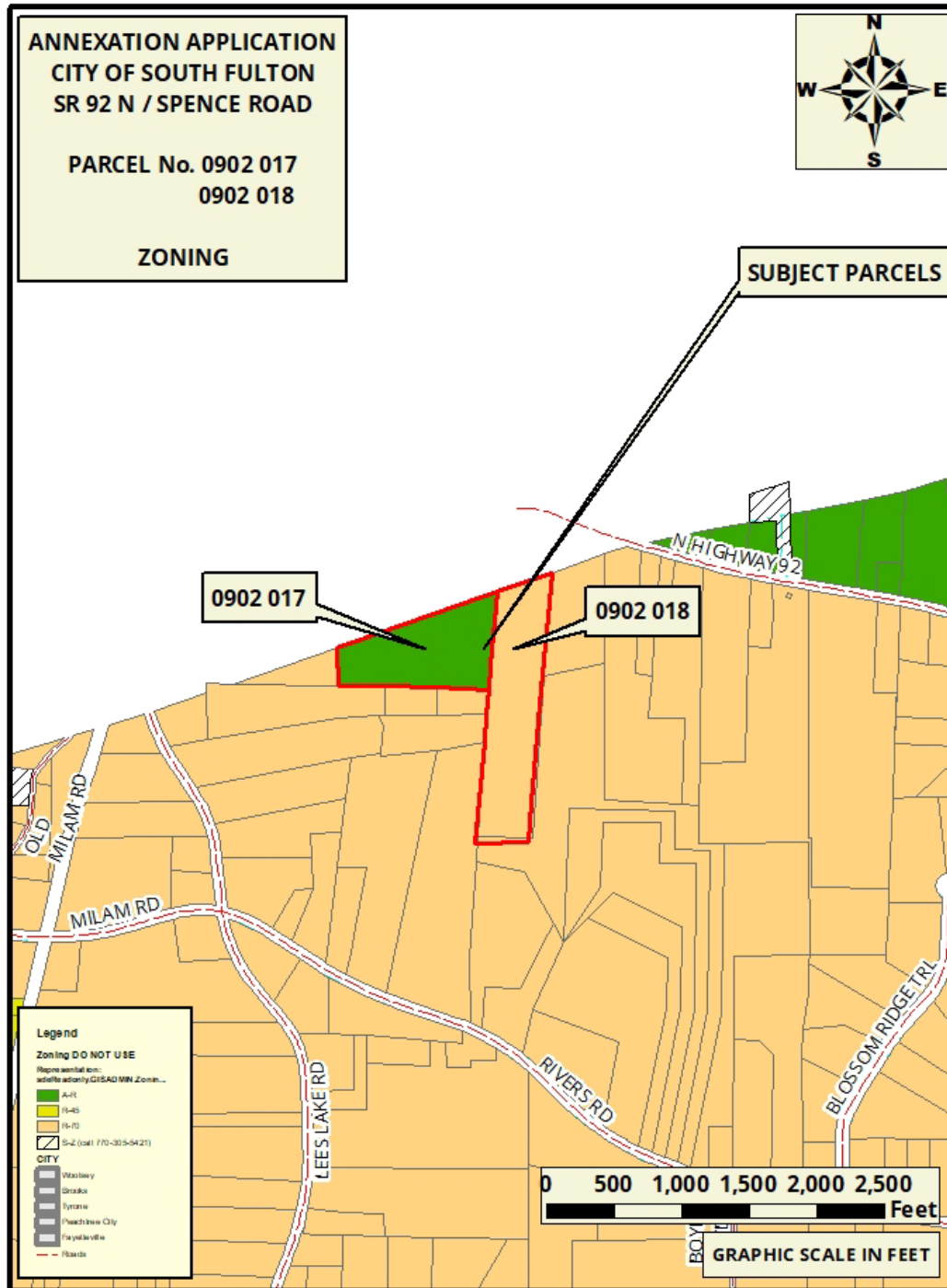
Staff Report – City of South Fulton Annexation Request:
SR 92 N & Lee's Lake Road

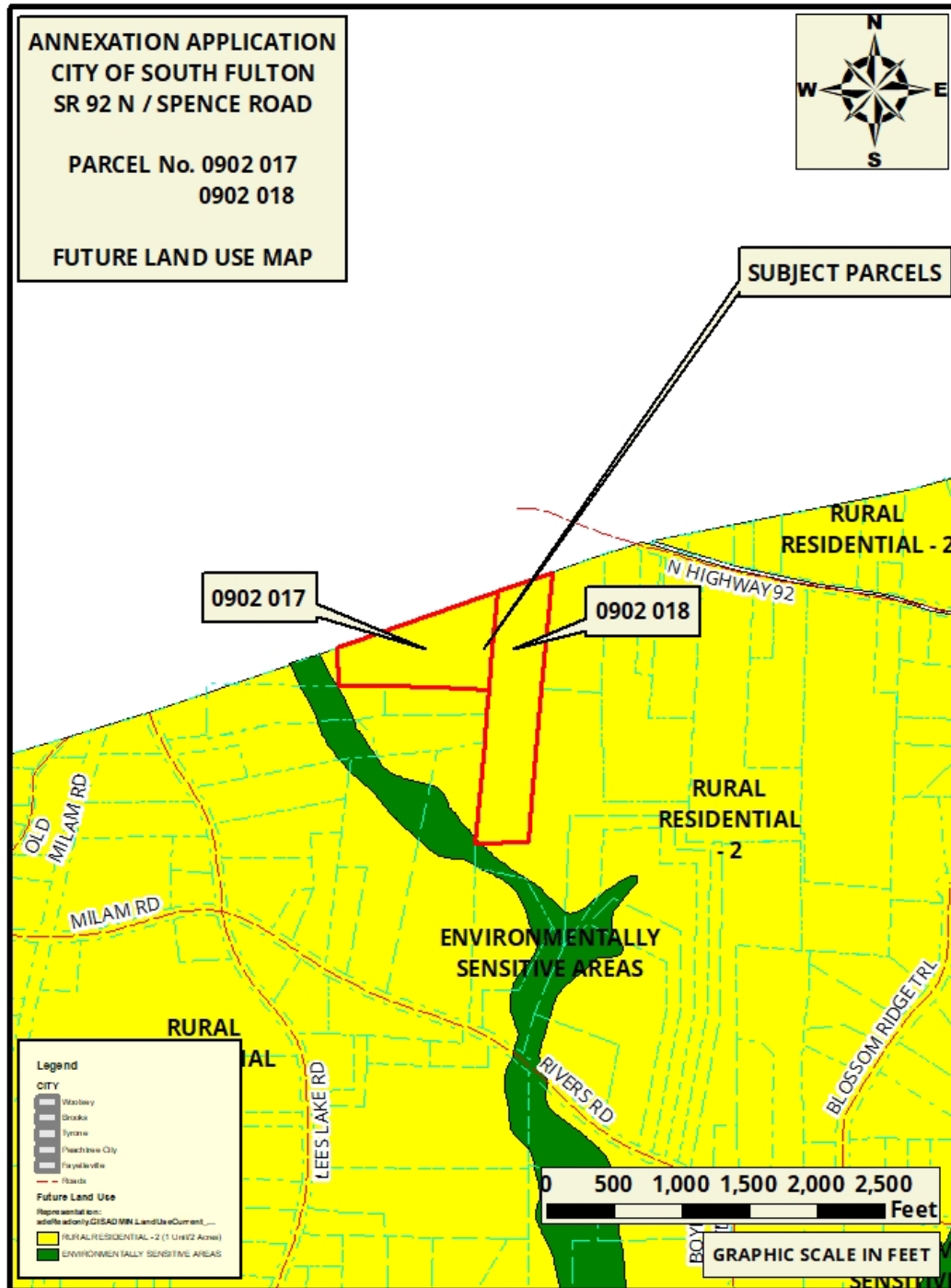


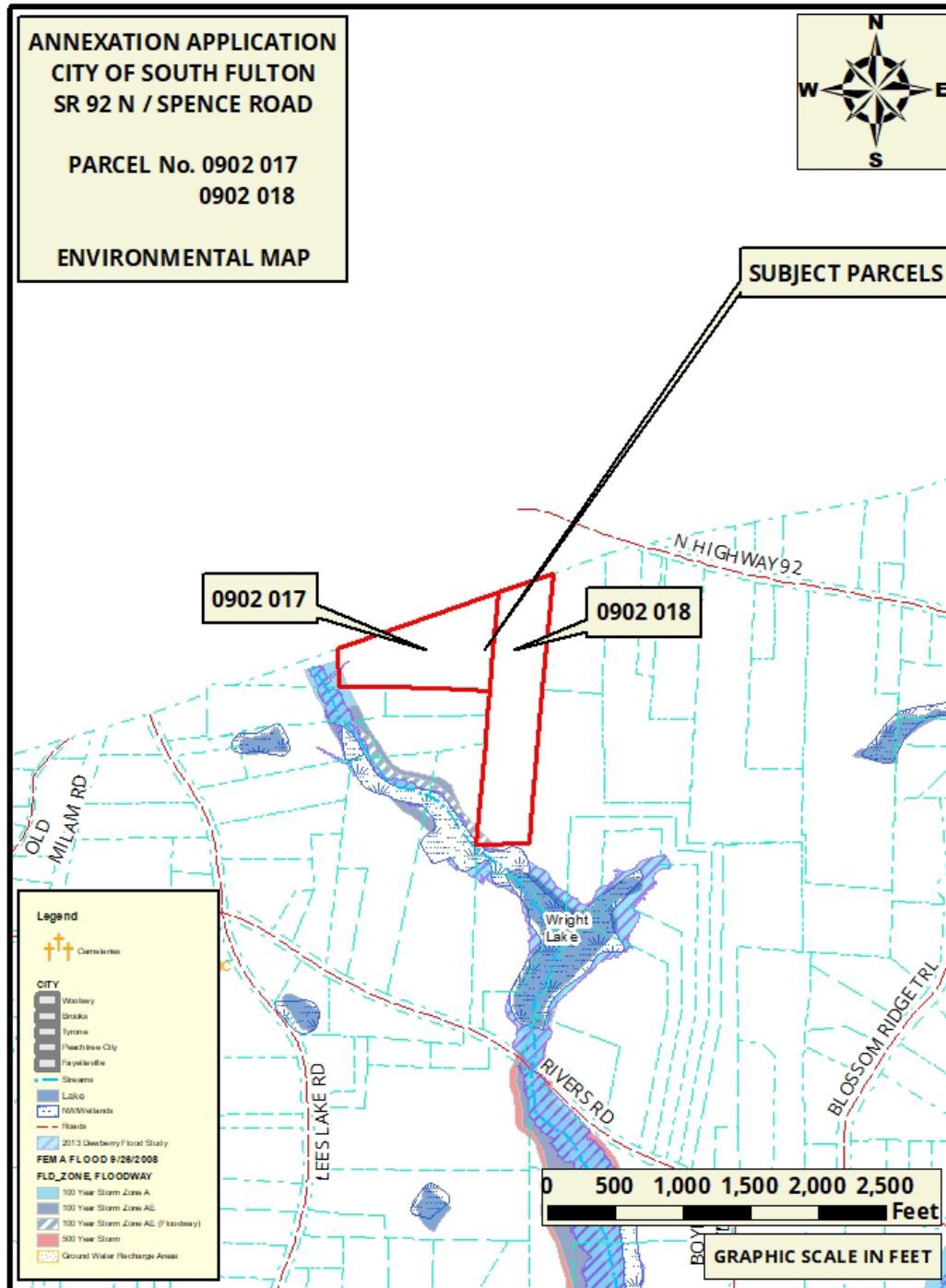
SURVEY

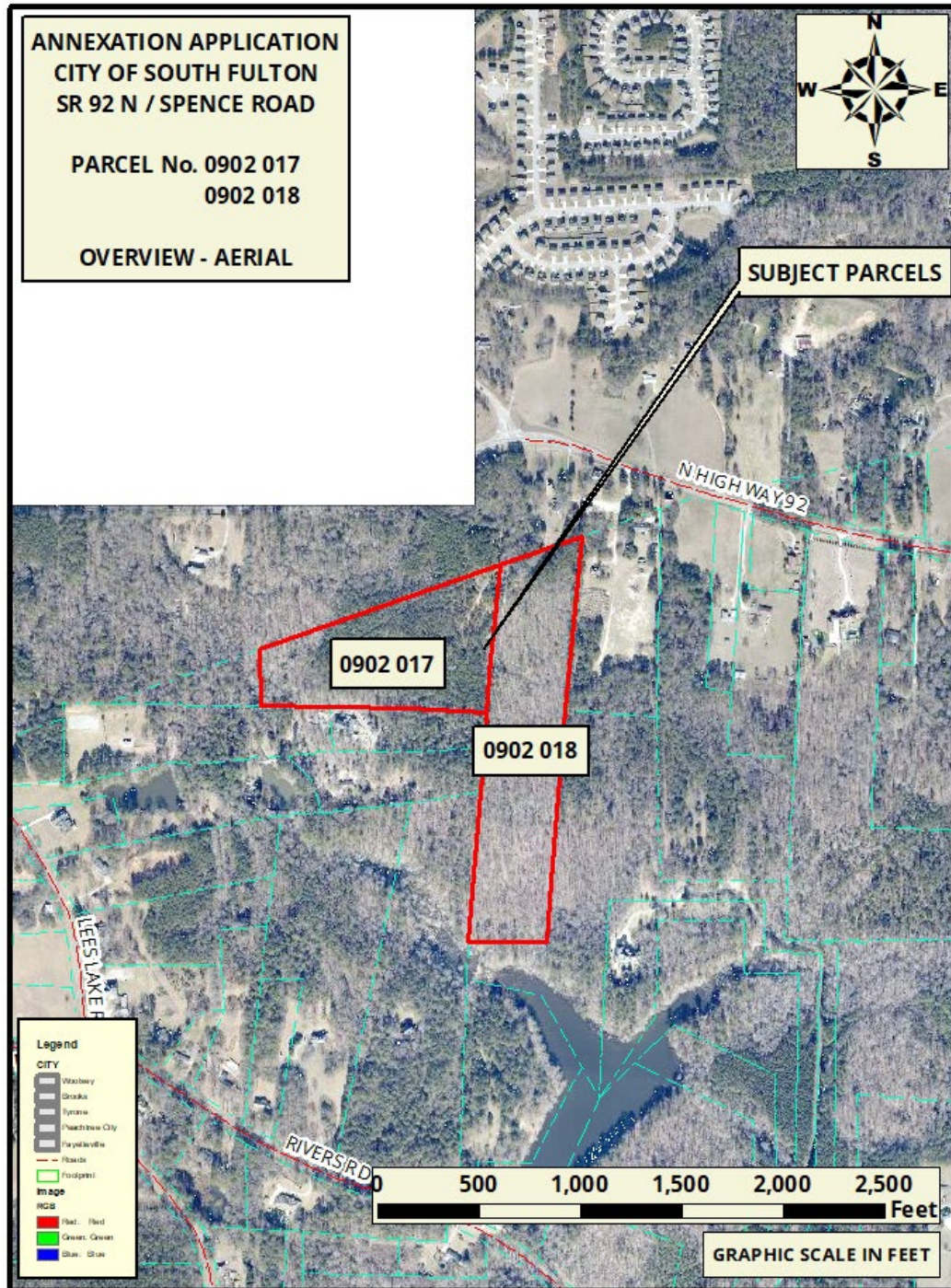
Staff Report – City of South Fulton Annexation Request:
SR 92 N & Lee's Lake Road











COUNTY AGENDA REQUEST

Page 40 of 43

Department: Fayette County Sheriff's Office

Presenter(s): Tim Symonds, Consultant

Meeting Date: Thursday, July 10, 2025

Type of Request: New Business #4

Wording for the Agenda:

Request to approve Change Order #2, Card Access Readers and CCTV, of Contract #2436-B Sheriff's Watch Office Renovation to HEC Construction Solutions, LLC, and to transfer \$80,269.06 from SPLOST P23AH to P23AG, for a total revised contract amount of \$1,220,327.04.

Background/History/Details:

HEC Construction Solutions LLC were appointed in September 2024 for the Watch Office Renovation Project. The project encountered several issues which needed to be addressed to ensure the safety and functionality of the relocated Watch Office along with additional improvements to the exterior of the Building including re-decorations and signage. These items are detailed in the back-up information.

What action are you seeking from the Board of Commissioners?

Approval of Change Order #2, Card Access Readers and CCTV, of Contract #2436-B Sheriff's Watch Office Renovation to HEC Construction Solutions, LLC, and to transfer \$80,269.06 from SPLOST P23AH to P23AG, for a total revised contract amount of \$1,220,327.04.

If this item requires funding, please describe:

Transfer of funds from SPLOST P23AH (\$755,595.35 available funds) to SPLOST P23AG in the sum of \$80,269.06. The remaining funds of \$23,071.06 in P23AG are required for the purchase of new furniture to the Records Office.

Has this request been considered within the past two years? No

If so, when?

Is Audio-Visual Equipment Required for this Request?* No

Backup Provided with Request? Yes

*** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.**

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval Yes

Administrator's Approval

Staff Notes:



Purchasing Department
 140 Stonewall Avenue West, Ste 204
 Fayetteville, GA 30214
 Phone: 770-305-5420
www.fayettecountyga.gov

To: Steve Rapson

Through: Ted L. Burgess *TB*

From: Colette Cobb *CC*

Date: July 10, 2025

**Subject: Contract 2436-B Sheriff's Watch Office Renovation
 Change Order 2: Additional Items & Request to Transfer of Funds**

On September 26, 2024, the Board of Commissioners awarded contract 2436-B to HEC Construction Solutions, LLC, Inc. to renovate the Sheriff's Watch Office.

Change Order 1 included the installation of CCTV and access systems, and replaced all the old existing access control panels located in the ceilings around Suite A and Suite B.

The project is nearing completion and there are several additional items required to ensure the safety and functionality of the relocated Watch Office.

Change Order 2 will include new storefront doors to Building B that are required in connection with the upgraded door access control system, changing of the layout of the old Watch Office to keep the existing Fire Alarm panel in place, extension of the new flooring, changing of the layout of the records office and the addition of a new dwarf wall with power & data outlets, and the SO has requested their seal to be placed over the new entrance with lighting for the flagpole, stucco repairs and repainting the exterior of Buildings A & B.

This is also a request to transfer \$80,269.06 from 32730310-541210-P23AH to 32730310-541210-P23AG. There is currently \$23,071.00 in P23AG, but these funds will be used for furniture. The available funds in P23AH are \$755,595.35.

Specifics of the proposed contract change order are as follows:

Contract Name	#2436-B FCSO Watch Office Renovation
Contractor	HEC Construction Solutions, LLC
Change Order	Card Access Readers and CCTV
Contract Amount	\$891,038.18
Change Order 1	\$249,019.80
Change Order 2	<u>\$ 80,269.06</u>
Revised Contract	\$1,220,327.04

Place on County Administrator's Report? Yes No

On Agenda Dated: _____

Budget:

Fund	327	2023 SPLOST
Org Code	32730310	Sheriff's Admin. SPLOST
Object	541210	OTHER IMP
Project	P23AG	Watch Office Reconfiguration
Available	\$103,340.06	After approval of budget transfer

Fayette County Sheriff's Office

2436-B Watch Office Renovation Project – HEC Construction Solutions, LLC

June 30, 2025

Change Order No.2 Request & Transfer of funds

As the project is nearing completion there have been several additional items that have been required to ensure the safety and functionality of the relocated Watch Office. They are as follows:

- New Storefront doors to Building B were required in connection with the upgraded door access control system.
- The layout of the old Watch Office had to be changed in order to keep the existing Fire Alarm panel in place. Moving the panel would mean significantly higher costs. A significant amount of redundant wiring had to be removed as part of this change.
- The new flooring was extended where the existing flooring was in worse condition than previously thought.
- The layout of the records office had to be changed and a new dwarf wall with power & data outlets was constructed.
- After reviewing the signage package the SO has requested their seal to be placed over the new entrance with lighting for the flagpole, stucco repairs and repainting the exterior of Buildings A & B.

The costs for the above items have been checked and approved by the project team and are presented for formal acceptance by Fayette County:

Item of Change	Description	Cost impact
15	Additional storefront & repairs to Building B	\$21,060.00
19	Additional demolition to Phase 2 & 3	\$1,764.00
20	Additional drywall to revised layout Phase 2 & 3	\$7,717.00
21	Additional flooring in existing areas to match new	\$8,875.00
-	Removal of existing wiring & additional data points to records office	\$6,372.00
-	New Sheriff Office Seal signage over entrance, lighting, stucco repairs	\$14,356.06
-	Painting the exterior of Building A & B	\$20,125.00
	Total Cost of Change Order	\$80,269.06
HEC's Original Contract Sum		\$891,038.18
Add Change Order No. 1 – Security Cameras		\$249,019.80
Add Change Order No. 2		\$80,269.06
Revised HEC Contract Sum		\$1,220,327.04

Transfer of funds

There are currently \$23,071 available funds in P23AG but these funds are needed for furniture purchase. The SO requests the transfer of funds from P23AH to P23AG in order to cover the additional costs faced on the Watch Office Project. There is currently \$755,595.35 available in P23AH.