

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 28, 2026
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 28, 2026, Board of Commissioner meeting to order at approximately 5:02 p.m. A quorum of the Board was present. Commissioner Eric Maxwell was absent.

Invocation and Pledge of Allegiance

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

Acceptance of Agenda

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

PROCLAMATION/RECOGNITION: None.

PUBLIC HEARING:

Planning and Zoning Director, Debbie Bell read the process and procedures of the public hearing.

- 1. Consideration of amendment to Chapter 110. Zoning Ordinance, Regarding Article V. – Conditional Uses, Nonconformances, and Transportation Corridor Overlay Zone. - Sec. 110-169(2)n.5. – Uses and/or Structures incidental to a Church. Add Off-Site Parking as an incidental use to churches. This hearing was tabled at the April 21, 2026, Board of Commissioners meeting.**

Mrs. Bell stated that the requested amendment was tabled at the March 26, 2026, and April 21, 2026, Board of Commissioners meeting. The amendment would add a use under Conditional Uses for churches and places of worship to provide for an incidental use for offsite parking subject to specific conditions. Staff recommended approval of the amendment, as approved by the Planning Commission on March 5, 2026, to add a condition of requirement to add a traffic plan. Mrs. Bell stated that this amendment would add a use and the staff recommendation, as prepared by legal counsel, provided some criteria for the use. Staff recommended approval of the amended use to include the addition of a parking plan.

No one spoke in favor of this item.

Mr. Bill Entrekin spoke in opposition to this request. He stated that he worked at Flat Creek Baptist Church as the Project Manager and this was his third appearance before the Board regarding this amendment. He stated that his objections had not changed. He stated that at the last meeting he left, having heard specific instructions from the Board for the corrections expected to be made to the amendments, prior to the next presentation. Mr. Entrekin continued comments, stating the changes could have been made by a "fifth grader with a crayon very easily within ten minutes in a satisfactory format." He continued that there were no alterations made and that the changes could have been made by changing the wording that "prohibited offsite parking" to "allowing offsite parking", without any restrictive stipulations attached. He stated that Flat Creek Baptist Church was pursuing another avenue. He stated that he proposed to QTS Data Center to completely dissolve the partnership between Flat Creek Baptist Church and QTS regarding offsite parking. Flat Creek Baptist Church decided to open the four hundred parking spaces on the rear of the lot to anyone in the county, whose business did not offer adequate offsite parking to its employees, Monday – Saturday, for free. No transportation would be provided by Flat Creek Baptist Church. Donations would be accepted but there will be no charge to park in the lot. He stated that Flat Creek would likely not be leasing parking in the future.

Vice Chairman Gibbons moved to approve the amendment to Chapter 110. Zoning Ordinance, Regarding Article V. – Conditional Uses, Nonconformances, and Transportation Corridor Overlay Zone. - Sec. 110-169(2)n.5. – Uses and/or Structures incidental to a Church. Add Off-Site Parking as an incidental use to churches. Commissioner Charles Oddo seconded.

Vice Chairman Gibbons asked that if a business was using a church parking lot for offsite parking, that supported their for-profit operations in some way, did that mean the church would be taxed based on the real estate.

County Attorney Dennis Davenport stated that an analysis would be carried out with respect to whether or not the use was for church purposes. If the use was for church purposes it would remain tax exempt. To the extent that any part of the property was used for other than church purposes, that portion of the property would be taxable.

Vice Chairman Gibbons thanked Mr. Davenport for the confirmation. He stated that he appreciated Mr. Entrekin's comments, but he did not appreciate the failed threats made. He stated that if Mr. Entrekin was looking for the Board, specifically him, to vote in favor of his position, he did not do much of service to himself.

Commissioner Oddo stated that the amendment did not prohibit church use. He stated that he was not sure why there were objections, but church use would continue with this amendment. Non-church use was being addressed in the amendment.

Vice Chairman Gibbons moved to approve the amendment to Chapter 110. Zoning Ordinance, Regarding Article V. – Conditional Uses, Nonconformances, and Transportation Corridor Overlay Zone. - Sec. 110-169(2)n.5. – Uses and/or Structures incidental to a Church. Add Off-Site Parking as an incidental use to churches. Commissioner Charles Oddo seconded. The motion passed 4-0. Commissioner Maxwell was absent.

2. Consideration of Petition 1378-26-A, Suren Nandlal, Owner. Applicant is requesting to rezone Parcel No. 0544 107 (5.23 acres) from A-R (Agricultural-Residential) and R-20 (Single-Family Residential) to M-1 (Light Industrial District); property located in Land Lot 219 of the 5th District and fronts Longview Road. This hearing was tabled at the April 21, 2026, Board of Commissioners meeting.

The Petitioner agreed to move forward with this petition with less than a full Board present. Mrs. Bell stated that Petitions 1378-26 A, B, C, and D were related petitions but are individual parcels that had to have separate hearings and votes.

Regarding Petition 1378-26-A, Mrs. Bell stated that the Applicants were requesting to rezone this property, and the other three properties, to M-1 with the intent of operating a truck parking lot business and other unknown uses permitted in M-1 zoning. As defined in the Fayette County Comprehensive Plan and Future Land Use Plan, low density residential was designated for the area so the M-1 zoning request was not appropriate. Staff recommended denial. The Planning

Commission recommended denial. She stated that the parcel was 5.23 acres and was a split zone property. The portion along Longview Road was R-20 and the rest was zoned A-R. She stated that the property was not significantly impacted by environmental features.

Chairman Hearn stated that the Petitioner brought an additional, revised presentation that he would like to present to the Board, if there was no objection.

Commissioner Rousseau asked if it was presented to the Planning Commission.

Chairman Hearn stated that it was not.

Commissioners Rousseau and Gibbons objected.

Vice Chairman Gibbons stated that it was not part of the packet made available to the public or that the Board was able to review.

Chairman Hearn agreed.

Matt Graham, Engineer with Moore Bass Consulting, stated that he was presenting on behalf of the owner, Suren Nandlal aka Donnie. He stated that Jimmy Pace was Mr. Nandlal's business consultant. He stated that portions of this property had always been used for industrial use since 2003. He provided images that showed this use since 2018. He stated that Donnie started to acquire portions of parcels in July 2020. Mr. Graham provided images that showed unpermitted activities were taking place in February 2020. Donnie just finished the seven parcels in the area last year. He stated that Donnie would like to unify the zoning for what had been "a mess for a number of years." He continued that Donnie had worked with Fayette County to resolve the issues by cleaning the area, providing erosion control plans, improved site plans, resolving EPD notice violations, and by selling portions of the property to Fayette County for the dam repair project on Philips Lake. He stated that this spoke to someone who wanted to work with the County and remain in the county as a citizen and business owner. He stated that the rezoning required a 75' planted landscape buffer between residential and industrial properties. He stated that the requirement on the site plan, if he wanted to do parking along Highway 314, for the south tower piece and the current site plan, to cover previous unpermitted land development activities, a planted landscape buffer was required. He stated that a planted landscape buffer would not do well in an area that had been used for concrete washout with impacted gravel for 20 plus years. After reaching out to staff to see if there were alternatives, he was told they could apply for a variance, but the variance would only affect the buffer and there was no alternative method. Mr. Graham stated that he was told that any variance submitted would not be supported by staff because it was considered a self-created harm and he did not agree based on previous history. He stated that he did not feel there was any other option to get rid of a 75' buffer on existing M-1 parcels. He stated that the Comprehensive Plan supported industrial in this vicinity. The final point was regarding the staff's conditions. He had proffer conditions to present.

Commissioner Rousseau asked if the conditions had been presented to the Planning Commission.

Mr. Graham stated that he received the recommended conditions that were revised after the Planning Commission meeting and spoke with staff regarding them. He stated that they came to an impasse on the required recommended conditions. Staff declined any further meetings, so he was presenting the conditions to the Board.

Vice Chairman Gibbons stated that he understood and appreciated what Mr. Graham was trying to do. He stated that the problem was that the Board did not want to consider anything that the public had not reviewed, which was posted a week prior to this meeting. Having the information at posting gave the Board and public the opportunity to review what would be voted on.

Mr. Graham noted the following conditions for Petition 1378-26-A. He stated that the first one was to combine all the properties, and he wanted clarification and added that the condition was contingent on all the properties receiving rezoning. The other condition was to go from a 75' planted buffer to a 50' planted buffer along Longview Road.

No one spoke in favor or opposition of this request.

Commissioner Rousseau moved to deny Petition 1378-26-A, Suren Nandlal, Owner. Applicant is requesting to rezone Parcel No. 0544 107 (5.23 acres) from A-R (Agricultural-Residential) and R-20 (Single-Family Residential) to M-1 (Light Industrial District); property located in Land Lot 219 of the 5th District and fronts Longview Road. Vice Chairman Gibbons seconded.

Commissioner Oddo explained that the Board was hearing the petitions as four individual items, not because it was a Board choice, but because it was instructed by the courts. He stated that he was not clear if the Petitioner was saying that he would accept no access to Longview Road, no 75' buffers or removal of a structure. He stated that he was bringing it up because he was in a similar situation with his family and ended up compromising with the County. He stated that he was confused by all that was being offered. He suggested that this request continue to be worked on with the County. He stated that he was not basing his vote on the Future Land Use Plan. He stated that he was not sure of the timeframe that had to pass, but he suggested the Petitioner get back with staff and figure out how to make it work because right now it was not in a shape that he could vote for it.

Commissioner Rousseau moved to deny Petition 1378-26-A, Suren Nandlal, Owner. Applicant is requesting to rezone Parcel No. 0544 107 (5.23 acres) from A-R (Agricultural-Residential) and R-20 (Single-Family Residential) to M-1 (Light Industrial District); property located in Land Lot 219 of the 5th District and fronts Longview Road. Vice Chairman Gibbons seconded. The motion passed 4-0. Commissioner Maxwell was absent.

3. Consideration of Petition 1378-26-B, Suren Nandlal, Owner. Applicant is requesting to rezone Parcel No. 0544 129 (7.06 acres) from A-R (Agricultural-Residential) and R-20 (Single-Family Residential) to M-1 (Light Industrial District); property located in Land Lot 219 of the 5th District and fronts Longview Road. This hearing was tabled at the April 21, 2026, Board of Commissioners meeting.

Mrs. Bell stated that the Applicants were requesting to rezone this property, and the other three properties, to M-1 with the intent of operating a truck parking lot business and other unknown uses permitted in M-1 zoning. As defined in the Fayette County Comprehensive Plan and Future Land Use Plan, low density residential was designated for the area so the M-1 zoning request was not appropriate. Staff recommended denial. The Planning Commission recommended denial.

Mr. Graham offered proffer conditions regarding this property. He stated that there was a barn on the property and the Petitioner agreed to the demolition permit to remove the structure. He stated that the second condition was the same as the other condition, that all parcels would need to be rezoned in order to be combined. Next, that the subject property have no direct access to Longview Road and request that a 75' landscape buffer be reduced to 50' buffer on Longview Road.

No one spoke in favor or in opposition.

Commissioner Rousseau moved to deny Petition 1378-26-B, Suren Nandlal, Owner. Applicant is requesting to rezone Parcel No. 0544 129 (7.06 acres) from A-R (Agricultural-Residential) and R-20 (Single-Family Residential) to M-1 (Light Industrial District); property located in Land Lot 219 of the 5th District and fronts Longview Road. Vice Chairman Gibbons seconded. The motion passed 4-0. Commissioner Maxwell was absent.

4. Consideration of Petition 1378-26-C, Suren Nandlal, Owner. Applicant is requesting to rezone Parcel No. 0544 008A (0.98 acres) from R-20 (Single-Family Residential) to M-1 (Light Industrial District); property located in

Land Lot 219 of the 5th District and fronts Longview Road. This hearing was tabled at the April 21, 2026, Board of Commissioners meeting.

Mrs. Bell stated that the Applicants were requesting to rezone this property, and the other three properties, to M-1 with the intent of operating a truck parking lot business and other unknown uses permitted in M-1 zoning. As defined in the Fayette County Comprehensive Plan and Future Land Use Plan, low density residential was designated for the area so the M-1 zoning request was not appropriate. Staff recommended denial. The Planning Commission recommended denial.

Mr. Graham noted the same conditions for this property.

Mr. Graham stated that this was the main item that the Petitioner and staff could not agree, therefore, staff would not include it in the recommended conditions. He stated that he could not agree to Condition #1 for a demolition permit on the existing structure. The home on the property was recently renovated, and it would be a financial harm to him to demo the house. Regarding Condition #2, the demolition of the existing driveway, the Petitioner's condition was that the existing driveway access to Longview Road be removed. Mr. Graham stated that the entire driveway tied hand-in-hand with the demolition of the existing structure which the Petitioner did not agree with. Condition #3 clarified the combination of parcels was contingent on the rezoning of all the parcels. There was no change to Condition #4 and Condition #5 was 75' landscape buffer reduced to 50' landscape buffer. He stated that on the site plan, the front setback for the house in the existing condition was 60', 75' would be "through the middle of the living room." In addition, regarding the existing house structure, M-1 allowed Conditional Use zoning for a single-family residential structure. He stated that the Petitioner would pursue that option but otherwise convert the home to an approved zoning usage for a business. He referenced an accounting firm on Flat Creek Drive as a similar type of use.

No one spoke in favor or opposition.

Commissioner Rousseau moved to deny Petition 1378-26-C, Suren Nandlal, Owner. Applicant is requesting to rezone Parcel No. 0544 008A (0.98 acres) from R-20 (Single-Family Residential) to M-1 (Light Industrial District); property located in Land Lot 219 of the 5th District and fronts Longview Road. Vice Chairman Gibbons seconded. The motion passed 4-0. Commissioner Maxwell was absent.

5. Consideration of Petition 1378-26-D, Suren Nandlal, Owner. Applicant is requesting to rezone Parcel No. 0544 032 (0.98 acres) from R-20 (Single-Family Residential) to M-1 (Light Industrial District); property located in Land Lot 219 of the 5th District and fronts Longview Road. This hearing was tabled at the April 21, 2026, Board of Commissioners meeting.

Mrs. Bell stated that the Applicants were requesting to rezone this property, and the other three properties, to M-1 with the intent of operating a truck parking lot business and other unknown uses permitted in M-1 zoning. As defined in the Fayette County Comprehensive Plan and Future Land Use Plan, low density residential was designated for the area so the M-1 zoning request was not appropriate. Staff recommended denial. The Planning Commission recommended denial.

Mr. Graham stated that the Petitioner did not have an issue with the demolition permit on this structure. Regarding Condition #2, clarification that all parcels be rezoned to be combined. There was no proposed change to Condition #3 and Condition #5, to stay consistent, the Petitioner proposed the 75' landscape buffer be reduced to 50' buffer. He stated that it was his opinion that Donnie (Petitioner) had been working with Fayette County to clean up the site. He reiterated that Donnie cleaned the property and it looked "100 times better than it did six years ago." He stated that Donnie continued to clean up the property, and he did not believe split zoning made sense given the history of the site and that M-1 made sense.

Mr. Jimmy Pace stated that he wanted to speak in favor of the rezoning. He stated that all four applications were required to be submitted independently, although being treated as one application. He stated that there were no instructions on the certified letters or the emails received from staff with instructions to submit information the Friday prior to being heard before the Board. He stated that he was not aware. He noted that at the last meeting he provided his presentation the night of and

so he was expecting the same hospitality. He stated that no one was speaking in opposition of this rezoning because the people who did speak at the rezoning heard the presentation and understood that it was better for the neighborhood to have the rezoning approved. The low-density residential zoning plan was designated for neighborhoods with one acre lots. This area would not be a neighborhood with one acre lots and therefore it has not or will not fit going forward. He stated that the inaccuracy on the Future Land Use Plan and the inconsistency with the Comprehensive Plan should not be the sole reason to deny fixing commercial property that was used for thirty years as commercial property and calling it residential property. He pointed out that in the Comprehensive Plan, industrial use was identified along Highway 314 and it supported existing use being considered during rezoning and reusing existing structures when necessary, and repurposing existing structures. He stated that he was requesting the Board's consideration for what the property had been used for previously. He stated that the Planning Commission voted to deny the petition, not because it was a bad request, but because the Petitioner could not agree to the conditions that were provided 24 hours in advance of the meeting. He noted that at the last meeting, an hour-and-a-half into the meeting they were given five minutes notice that they would not be able to withdraw Petition 1378-26-C, because it was not critical to what he was trying to do.

Jonathan Bonner of Fayetteville stated that he was born and raised in Fayetteville and having the area cleaned up was much appreciated, but he believed that "we" should stop putting parking lots everywhere. He stated that Mr. Donnie was just thinking short term and not about parking and traffic. He stated that he would love to see the neighbors that approve of this request.

During rebuttal, Mr. Pace stated that he wanted to be sure that the neighbors were aware that the truck parking that was existing and going on for years was not expanding. The site plan that was submitted, and not included in the presentation from the County, only showed parking in areas that have been used for parking since 2003. There were no plans to turn the site into a total parking area. He stated that they were giving up access to Longview Road, so any and all access would come out to Highway 314, which had already been expanded and would support the traffic. He was reminded at a previous Board meeting that traffic was not a condition of zoning. He referenced a presentation by Rick Lindsey where he brought a condition to add a fence, that was approved without being vetted. He asked the Board to update the instructions to the applicants when sending the letter to explain the dates of the meetings and the deadline for submitting the information. It was not communicated at all.

At this time Chairman Hearn brought the discussion back to the Board.

Commissioner Rousseau moved to deny Petition 1378-26-D, Suren Nandlal, Owner. Applicant is requesting to rezone Parcel No. 0544 032 (0.98 acres) from R-20 (Single-Family Residential) to M-1 (Light Industrial District); property located in Land Lot 219 of the 5th District and fronts Longview Road. Vice Chairman Gibbons seconded.

Commissioner Rousseau stated that M-1 was a hurdle that he could not reach with all that was going on in the county. He stated that he was pleased to see that the Petitioner was willing to make efforts to clean up the area. He stated that to his vantage point, the area was not ideal for M-1 and all that could be done with M-1 zoning. He stated that as the County moved to review the Comprehensive Plan, an area like this could be looked at with ideal plans of what might benefit the area in terms of future growth and opportunities that exist in the county. He stated that he heard some things that needed clarification and he encouraged staff and Mr. Rapson to work on clearing up those issues going forward to provide clarity on the process. He stated that his reluctance to receive information the night of, did not give him the opportunity to review the information and therefore he could not make a well-informed decision.

Vice Chairman Gibbons stated that the reason he was voting against this item had nothing to do with the Future Land Use Plan saying that the area was low-density residential. He stated that it was an obvious use of light industrial or commercial development. Looking at the proximity of this parcel to the other properties and the corridor that the property was located was not a problem. He stated that his problem was that there was a residential structure and the Petitioner was trying to incorporate that into light industrial. He stated that the Board did not know what the business would end up being, of the many options under M-1.

Commissioner Rousseau moved to deny Petition 1378-26-D, Suren Nandlal, Owner. Applicant is requesting to rezone Parcel No. 0544 032 (0.98 acres) from R-20 (Single-Family Residential) to M-1 (Light Industrial District); property located in Land Lot 219 of the 5th District and fronts Longview Road. Vice Chairman Gibbons seconded. The motion passed 4-0. Commissioner Maxwell was absent.

6. Consideration of Petition 1380-26, Mark Wurster, Owner, and David Barber, Agent. Applicants are requesting to rezone Parcel No. 0517 115 (2.012 acres) from R-40 (Single-Family Residential) to C-H (Highway Commercial); property located in Land Lot 70 of the 5th District and fronts Highway 85 South.

The applicant chose to proceed with the hearing.

Mrs. Bell stated that this property was rezoned from A-R to R-40 Conditional under Petition 1132-04 on October 28, 2004. The condition at that time was an extended front yard setback. She stated that if rezoned to C-H it would be subject to the State Route Overlay requirement and that condition would no longer be necessary because the State Route Overlay would meet or exceed that condition. The area was designated commercial under the Future Land Use Plan, so the request was consistent with the Comprehensive Plan. Staff recommended approval and the Planning Commission voted to approve. She stated that the parcel was not significantly impacted by environmental features. There was a stream behind the property, and it would be addressed on any development plan.

David Barber, Agent, stated that he was trying to have the property comply with current land use.

No one spoke in favor or in opposition.

Commissioner Oddo moved to approve Petition 1380-26, Mark Wurster, Owner, and David Barber, Agent. Applicants are requesting to rezone Parcel No. 0517 115 (2.012 acres) from R-40 (Single-Family Residential) to C-H (Highway Commercial); property located in Land Lot 70 of the 5th District and fronts Highway 85 South. Vice Chairman Gibbons seconded. The motion passed 4-0. Commissioner Maxwell was absent.

7. Consideration of Petition 1381-26, Wright Chancey McBride, LLC, Owner and Rod Wright, Agent. Applicants are requesting to rezone Parcel No. 0448 034 (8.227 acres), from A-R (Agriculture-Residential) to R-80 (Single-Family Residential); property located in Land Lots 249 of the 4th District and fronts McBride Rd.

Mrs. Bell stated that the Agent for this request advised that the Petitioner would like to table this request to the June 25, 2026 due to lack of a full Board present.

Vice Chairman Gibbons moved to table Petition 1381-26, Wright Chancey McBride, LLC, Owner and Rod Wright, Agent. Applicants are requesting to rezone Parcel No. 0448 034 (8.227 acres), from A-R (Agriculture-Residential) to R-80 (Single-Family Residential); property located in Land Lots 249 of the 4th District and fronts McBride Rd to the June 25, 2026, Board of Commissioners meeting. The motion passed 4-0. Commissioner Maxwell was absent.

PUBLIC COMMENT: None

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

CONSENT AGENDA:

Vice Chairman Gibbons moved to approve the Consent Agenda with a correction to Item #8 to read, "Resolution 2026-11", instead of Resolution 2025-11. Commissioner Oddo seconded. The motion passed 4-0. Commissioner Maxwell was absent.

8. Approval of Resolution 2026-11 to adopt 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).

9. **Approval to declare fourteen vehicles and miscellaneous equipment unserviceable and to sell the assets online using a contracted auction services and for all proceeds to be returned to the Vehicle Replacement Fund.**
10. **Approval to transfer funding to and from the appropriate Capital Project Contingency account and to close the related projects.**
11. **Approval to renew a two-year contract with Midwest Employers Casualty Company at an annual cost of \$179,772 from July 1, 2026 to June 30, 2028.**
12. **Approval of the May 14, 2026, Board of Commissioners Meeting Minutes.**

OLD BUSINESS: None

NEW BUSINESS:

13. **Request to appoint Beverly Daniel to the Fayette County Board of Elections for an unexpired term beginning immediately and expiring January 31, 2030.**

Mrs. Beverly Daniel thanked the Board for the opportunity to serve.

Commissioner Charles Rousseau moved to approve to appoint Beverly Daniel to the Fayette County Board of Elections for an unexpired term beginning immediately and expiring January 31, 2030. Vice Chairman Gibbons seconded. The motion passed 4-0. Commissioner Maxwell was absent.

14. **Request to approve Contract 26054-P; Change Order 1 for construction of the Phase II Animal Shelter Project by MEJA for \$3,079,766 for a Guaranteed Maximum Price of \$3,372,266.00.**

Tim Symonds, Morgan Mill Consultant, stated that he was requesting approval of Contract 26054-P; Change Order 1 in the sum of \$1,545,735. This would increase the contract to \$1,838,235. He stated that MEJA was appointed as Construction Manager at Risk on January 22, 2026. MEJA reviewed the design and made some adjustments and offered a Guaranteed Maximum Price (GPM) total of \$3,372,690. Due to a funding issue, discussed at the Retreat, this has been split into two phases to move forward with placing order for the project. He stated that his expectation was that this would come back to the Board in July for approval of the balance of the GMP.

In response to Chairman Hearn, Mr. Symonds stated that this project would allow for 24 kennels.

Chairman Hearn stated that the kennels would be of appropriate size.

Mr. Symonds stated yes.

Vice Chairman Gibbons moved to approve Contract 26054-P; Change Order 1 for construction of the Phase II Animal Shelter Project by MEJA for \$3,079,766 for a Guaranteed Maximum Price of \$3,372,266.00. Commissioner Oddo seconded. The motion passed 4-0. Commissioner Maxwell was absent.

15. **Request to approve Local Road Assistance (LRA) project list for unincorporated Fayette County, and to accept \$1,184,256.23 in LRA funds to be received from Georgia Department of Transportation (GDOT) and allow the Finance Department to amend FY26 / FY27 revenue and expenditures budget appropriately.**

Phil Mallon, Public Works Director, stated that he was seeking Board approval to accept Local Road Assistance grant in the amount of \$1,184,256. This would be in addition to the annual LMIG (Local Maintenance Improvement Grant) and this was the second year this was offered. If accepted and approved, all the roads on the list are subdivision roads and would receive traditional resurfacing and are in the worse condition in terms of subdivision roads.

Vice Chairman Gibbons moved to approve Local Road Assistance (LRA) project list for unincorporated Fayette County, and to accept \$1,184,256.23 in LRA funds to be received from Georgia Department of Transportation (GDOT) and allow the Finance Department to amend FY26 / FY27 revenue and expenditures budget appropriately. Commissioner Oddo seconded.

Commissioner Rousseau asked if there were any required matching funds.

Mr. Mallon stated no match is required.

Commissioner Oddo stated if the money was locked in before the tax holiday or abatement.

Mr. Mallon stated yes.

Vice Chairman Gibbons moved to approve Local Road Assistance (LRA) project list for unincorporated Fayette County, and to accept \$1,184,256.23 in LRA funds to be received from Georgia Department of Transportation (GDOT) and allow the Finance Department to amend FY26 / FY27 revenue and expenditures budget appropriately. Commissioner Oddo seconded. The motion passed 4-0. Commissioner Maxwell was absent.

16. Request to approve Contract 2563-B: Change Order 2: On-Call Annual Contract to Shockley Plumbing, Inc. for Water Distribution and Stormwater Infrastructure in the amount of \$65,580 to replace the Kenwood Road water line at Morning Creek.

Vanessa Tigert, Water System Director, stated that in January 2026, she was before the Board to discuss the need to replace or bore under Morning Creek over Kenwood Road bridge. She stated that this was a Change Order to the original Task Order.

Vice Chairman Gibbons moved to approve Contract 2563-B: Change Order 2: On-Call Annual Contract to Shockley Plumbing, Inc. for Water Distribution and Stormwater Infrastructure in the amount of \$65,580 to replace the Kenwood Road water line at Morning Creek. Commissioner Rousseau seconded. The motion passed 4-0. Commissioner Maxwell was absent.

ADMINISTRATOR'S REPORTS:

White Water Nature Creek Area Ribbon Cutting: it was a great turnout of attendees.

Hot Projects: The Multi-Purpose Facility, Darren Drive Culvert Replacement, Cross Creek Culvert Replacement, Brandon Mill Circle Culvert Replacement, Justice Center Buildout, Kenwood Road at Morning Creek Bridge, and Crosstown Generator Project.

ATTORNEY'S REPORTS:

Notice of Executive Session: County Attorney Dennis Davenport stated that there were four items for Executive Session. Three items involving threatened litigation and the review of the May 14, 2026, Executive Session Minutes.

COMMISSIONERS' REPORTS:

Vice Chairman Gibbons requested to meet with Mr. Mallon to discuss Spear and Ebenezer Road intersection.

He stated that he was not present at the last meeting because he was attending his nephew's high school graduation, but had he been present he would have mentioned that Memorial Day was to commemorate those who lost their lives serving this country

and not to celebrate the day. Veterans Day was to honor and celebrate all who served. He urged everyone to remember that when speaking to a veteran and when commemorating the Memorial Day holiday. He thanked everyone who offered kind words to him.

Chairman Hearn stated that he was working with the Town of Brooks on a project. He stated that when it was resolved he would bring it back to the Board.

Commissioner Rousseau encouraged community to participate in the Comprehensive Transportation Plan review. He stated that the County was moving toward the review of the Comprehensive Land Use Plan. He stated that in addition, there was some information in respect to the path system that would include some interconnectivity in the community, and he was encouraging people to avail themselves of that process as well.

EXECUTIVE SESSION:

Three items involving threatened litigation and the review of the May 14, 2026, Executive Session Minutes. Vice Chairman Gibbons moved to exit into Executive Session. Commissioner Oddo seconded. The motion passed 4-0. Commissioner Maxwell was absent.

The Board recessed into Executive Session at 6:13 p.m. and returned to Official Session at 6:21 p.m.

Return to Official Session: Commissioner Oddo moved to return to Official Session and for the Chairman to sign the Executive Session Affidavit. Vice Chairman Gibbons seconded. The motion passed 4-0. Commissioner Maxwell was absent.

Approval of the May 14, 2026, Executive Session Minutes: Commissioner Oddo moved to approve May 14, 2026, Executive Session Minutes. Vice Chairman Gibbons seconded. The motion passed 4-0. Commissioner Maxwell was absent.

ADJOURNMENT:

Vice Chairman Gibbons moved to adjourn the May 28, 2026, Board of Commissioners meeting. Commissioner Oddo seconded. The motion passed 4-0. Commissioner Maxwell was absent.

The May 28, 2026, Board of Commissioners meeting adjourned at 6:21 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 11th day of June 2026. Attachments are available upon request at the County Clerk's Office.