

## **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**

July 10, 2025  
5:00 p.m.

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Welcome to the meeting of your Fayette County Board of Commissioners. Your participation in County government is appreciated. All regularly scheduled Board meetings are open to the public and are held on the 2<sup>nd</sup> and 4<sup>th</sup> Thursday of each month at 5:00 p.m.

### **OFFICIAL SESSION:**

#### **Call to Order**

Chairman Lee Hearn called the July 10, 2025 Board of Commissioners meeting to order at 5:00 p.m. A quorum of the Board was present. Commissioner Eric Maxwell and Commissioner Charles Rousseau were absent.

#### **Invocation and Pledge of Allegiance by Commissioner Eric Maxwell**

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

#### **Acceptance of Agenda**

Vice Chairman Edward Gibbons moved to approve the agenda with the exception of item #1. Commissioner Charles Oddo seconded. The motion passed 3-0. Commissioner Maxwell and Commissioner Rousseau were absent.

### **PROCLAMATION/RECOGNITION:**

#### **PUBLIC HEARING:**

#### **PUBLIC COMMENT:**

### **CONSENT AGENDA:**

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

- 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.**

This item was pulled from the agenda.

- 2. Approval of June 26, 2025 Board of Commissioners Meeting Minutes.**

### **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.**

Planning and Zoning Director Deborah Bell stated that this item was for approval of Resolution 2025-07, opposing the annexation of parcels 0902 017 and 0902 018 by the City of South Fulton. She stated that 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 indicated 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).

Ms. Bell continued stating that the annexation application indicated that the property totaled 50.36 acres with a proposed development of 162 homes. Of this total, 32.65 acres were within unincorporated Fayette County and would be developed with 114 homes. This would result in a density of 3.5 units per acre. Ms. Bell advised that the maximum density under the County's Future Land Use Plan was to maintain Rural Residential-2, which allowed for 1 unit per 2 acres. The R-70 zoning district density was 1 unit per 2 acres, and under the A-R zoning district, density was 1 unit per 5 acres. The density for the proposed project was 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 allowed.

Ms. Bell stated that based upon the criteria outlined in OCGA 36-36-23(c), this request for annexation was 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 was staff's opinion that the annexation would have a negative impact on property owners, citizens, public safety services, the school system, and public utilities of Fayette County. Staff recommended adopting a resolution opposing the annexation. Ms. Bell outlined the following criteria for consideration and the 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.*

Ms. Bell stated that staff recommendation was to oppose the annexation of parcels 0902 017 and 0902 018 by the City of South Fulton, pursuant to O.C.G.A. 36-36-23.

Vice Chairman Gibbons moved 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. Commissioner Oddo seconded.

County Attorney Dennis Davenport stated that tis annexation also opened up local option sales tax issues along with the factors outlined by Ms. Bell.

Vice Chairman Gibbons stated that in review of the four factors of opposition outlined by Ms. Bell he agreed with opposing the annexation request.

Commissioner Odoo stated that he also agreed with supposing the annexation request based on the four outlined factors, specifically noting that the density increase was contrary to the County's Land Use Plan.

Chairman Hearn stated that the increased density outlined in annexation request "was not what they wanted Fayette County to look like." He thanked staff for their effort in getting this reviewed and turned around quickly.

Vice Chairman Gibbons moved 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. Commissioner Oddo seconded. The motion passed 3-0. Commissioner Maxwell and Commissioner Rousseau were absent.

**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.**

Tim Symonds, Consultant stated that this item was requesting 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. Mr. Symonds stated that Sheriff's Watch Office Renovation 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.

Vice Chairman Gibbons moved 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. Commissioner Oddo seconded. The motion passed 3-0. Commissioner Maxwell and Commissioner Rousseau were absent.

**ADMINISTRATOR'S REPORTS:**

**Hot Projects**

Mr. Rapson stated that he provided the Board the Hot Topics with updates to Water System AMI System, the Parks and Recreation Multi-Use Facility, Starrs Mill Tunnel, Coastline Bridge Improvements, North Bend Court culvert, and the QTS traffic signal.

Mr. Rapson stated that The Fayette County Fire and Emergency Services Department was urging the community to participate in a crucial blood drive on Monday, July 21, and Tuesday, July 22. The event will run from 8 a.m. to 2 p.m. each day at the Fayette County Fire and EMS Department Headquarters, located at 140 Stonewall Avenue, Fayetteville, GA 30214. He also announced the groundbreaking initiative the "Blood Transfusion Program" established by Fayette County Fire and EMS. This program aimed to equip paramedics with the ability to administer life-saving blood transfusions in the critical minutes before reaching a trauma center.

**ATTORNEY'S REPORTS:**

**Notice of Executive Session:** County Dennis Davenport stated that there were five items for Executive Session. Two items involving threatened litigation, one item involving pending litigation, one item involving real estate acquisition and the review of the June 26, 2025 Executive Session Minutes.

**COMMISSIONERS' REPORTS:**

**EXECUTIVE SESSION:**

**Two items involving threatened litigation, one item involving pending litigation, one item involving real estate acquisition and the review of the June 26, 2025 Executive Session Minutes.** Commissioner Oddo moved to go into Executive Session. Vice Chairman Gibbons seconded. The motion passed 3-0. Commissioner Maxwell and Commissioner Rousseau were absent.

The Board recessed into Executive Session at 5:18 p.m. and returned to Official Session at 5:33 p.m.

**Return to Official Session and Approval to Sign the Executive Session Affidavit:** Commissioner Oddo moved to return to Official Session and for the Chairman to sign the Executive Session Affidavit. Vice Chairman Gibbons seconded. The motion passed 3-0. Commissioner Maxwell and Commissioner Rousseau were absent.

**Approval of the June 26, 2025 Executive Session Minutes:** Commissioner Oddo moved to approve June 26, 2025 Executive Session Minutes. Vice Chairman Gibbons seconded the motion. The motion passed 3-0. Commissioner Maxwell and Commissioner Rousseau were absent.

**ADJOURNMENT:**

Vice Chairman Gibbons moved to adjourn the July 10, 2025 Board of Commissioners meeting. Commissioner Oddo seconded. The motion passed 3-0. Maxwell and Commissioner Rousseau were absent

The July 10, 2025 Board of Commissioners meeting adjourned at 5:33 p.m.

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Marlena Edwards, Deputy County Clerk

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Lee Hearn, Chairman