

## BOARD OF COUNTY COMMISSIONERS

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



## 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

May 27, 2021  
6:30 p.m.

---

Welcome to the meeting of your Fayette County Board of Commissioners. Your participation in County government is appreciated. All regularly scheduled Board meetings are open to the public and are held on the 2<sup>nd</sup> and 4<sup>th</sup> Thursday of each month at 6:30 p.m.

### Call to Order

Chairman Lee Hearn called the May 27, 2021 Board of Commissioners meeting to order at 6:34 p.m. A quorum of the Board was present.

### Invocation and Pledge of Allegiance by Commissioner Charles Rousseau

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

### Acceptance of Agenda

Commissioner Charles Oddo moved to accept the agenda as written. Vice Chairman Gibbons seconded. The motion passed 5-0.

### PROCLAMATION/RECOGNITION:

### PUBLIC HEARING:

*Community Development Director Pete Frisina read the Introduction to Public Hearings. Mr. Frisina stated that the meeting was unique in that it was being held during a time declared as a State of Public Emergency due to COVID-19 (coronavirus). In the abundance of caution concerning the COVID-19 (coronavirus), the meeting would be livestreamed, and the call-in number 770-305-5277 would be available for those who wanted to make public comment on any of the items during the public hearings portion of the meeting.*

- 1. Consideration of Petition No. 1304-21 A, Harriet S. Hazelton and Sandra S. Barge, Co-Trustees of the Geraldine A. Stinchcomb Trust, and Hugh G. Stinchcomb, Executor of the Estate of Hugh M. Stinchcomb, Owners, and Luis Arango and his attorneys, Bovis, Kyle, Burch & Medlin, LLC, Agent, request to rezone 23.421 acres from A-R to R-50 to develop a residential subdivision with one (1) condition.**

Vice Chairman Gibbon moved to approve Petition No. 1304-21 A, Harriet S. Hazelton and Sandra S. Barge, Co-Trustees of the Geraldine A. Stinchcomb Trust, and Hugh G. Stinchcomb, Executor of the Estate of Hugh M. Stinchcomb, Owners, and Luis Arango and his attorneys, Bovis, Kyle, Burch & Medlin, LLC, Agent, request to rezone 23.421 acres from A-R to R-50 to develop a residential subdivision with one (1) condition. Commissioner Oddo seconded. The motion passed 5-0.

- 2. Consideration of Petition No. 1304-21 B, Harriet S. Hazelton and Sandra S. Barge, Co-Trustees of the Geraldine A. Stinchcomb Trust, and Hugh G. Stinchcomb, Executor of the Estate of Hugh M. Stinchcomb, Owners, and Luis Arango and his attorneys, Bovis, Kyle, Burch & Medlin, LLC, Agent, request to rezone 22.612 acres from A-R and C-C to R-50 to develop a residential subdivision with one (1) condition.**

Vice Chairman Gibbons moved to approve Petition No. 1304-21 B, Harriet S. Hazelton and Sandra S. Barge, Co-Trustees of the Geraldine A. Stinchcomb Trust, and Hugh G. Stinchcomb, Executor of the Estate of Hugh M. Stinchcomb, Owners, and Luis Arango and his attorneys, Bovis, Kyle, Burch & Medlin, LLC, Agent, request to rezone 22.612 acres from A-R and C-C to R-50 to develop a residential subdivision with one (1) condition. Commissioner Oddo seconded. The motion passed 5-0.

- 3. Consideration of Petition No.1305-21, Wayne H. Wood, Joseph Scott Wood, Yancy Lee Wood, Ernest R. Wood and Gayle Evonne Blizzard, Owners, and CK Spacemax LLC/Ellen W. Smith, Esq., Agent, request to rezone 6.7187 acres from R-40 to C-H to develop a self-storage facility; property located in Land Lot 198 of the 13th district and fronts State Route 138.**

Vice Chairman Gibbons moved to approve Petition No.1305-21, Wayne H. Wood, Joseph Scott Wood, Yancy Lee Wood, Ernest R. Wood and Gayle Evonne Blizzard, Owners, and CK Spacemax LLC/Ellen W. Smith, Esq., Agent, request to rezone 6.7187 acres from R-40 to C-H to develop a self-storage facility; property located in Land Lot 198 of the 13th district and fronts State Route 138. Commissioner Rousseau seconded motion. The motion passed 5-0.

- 4. Consideration of Petition No. 1306-21, William Kelvin Little, Executor, Golden Development Co, LLC, Owner, and Carrie Guthrie, Agent, request to rezone 1.82 acres from R-20 and O-I to develop office uses; property located in Land Lot 125 of the 5th district and fronts State Route 54 West.**

Vice Chairman Gibbons moved to approve Petition No. 1306-21, William Kelvin Little, Executor, Golden Development Co, LLC, Owner, and Carrie Guthrie, Agent, request to rezone 1.82 acres from R-20 and O-I to develop office uses; property located in Land Lot 125 of the 5th district and fronts State Route 54 West. Chairman Hearn seconded. The motion passed 5-0.

- 5. Consideration of Ordinance 2021-08, amendments to Chapter 110. Zoning Ordinance, Regarding Sec. 110-3. – Definitions, Sec. 110-79. - Residential accessory structures and their uses and Sec. 110-91. - Recreational vehicles and boats concerning Recreational Vehicles and Guesthouses.**

Commissioner Gibbons moved to approve Ordinance 2021-08, amendments to Chapter 110. Zoning Ordinance, Regarding Sec. 110-3. – Definitions, Sec. 110-79. - Residential accessory structures and their uses and Sec. 110-91. - Recreational vehicles and boats concerning Recreational Vehicles and Guesthouses. Motion failed due to lack of a second.

Commissioner Maxwell moved to deny Ordinance 2021-08, amendments to Chapter 110. Zoning Ordinance, Regarding Sec. 110-3. – Definitions, Sec. 110-79. - Residential accessory structures and their uses and Sec. 110-91. - Recreational vehicles and boats concerning Recreational Vehicles and Guesthouses. Chairman Hearn seconded.

Commissioner Maxwell moved to deny Ordinance 2021-08, amendments to Chapter 110. Zoning Ordinance, Regarding Sec. 110-3. – Definitions, Sec. 110-79. - Residential accessory structures and their uses and Sec. 110-91. - Recreational vehicles and boats concerning Recreational Vehicles and Guesthouses. Chairman Hearn seconded. The motion passed 3-2. Commissioner Oddo and Commissioner Rousseau voted in opposition.

- 6. Consideration of Ordinance 2021-09, amendments to Chapter 110. Zoning Ordinance, Regarding Sec. 110-3. – Definitions, Sec. 110-143. - C-C, Sec. 110-144. - C-H, Sec. 110-146. - M-1, Sec. 110-147. - M-2 and Sec. 110-169. - Conditional use approval concerning Vehicles Sales.**

Commissioner Oddo moved to approve Ordinance 2021-09, amendments to Chapter 110. Zoning Ordinance, Regarding Sec. 110-3. – Definitions, Sec. 110-143. - C-C, Sec. 110-144. - C-H, Sec. 110-146. - M-1, Sec. 110-147. - M-2 and Sec. 110-169. - Conditional use approval concerning Vehicles Sales. Vice Chairman Gibbons seconded. The motion passed 5-0.

- 7. Consideration of Ordinance 2021-10, amendments to Chapter 110. Zoning Ordinance, Regarding Sec. 110-144. - C-H concerning Funeral Establishments.**

Commissioner Oddo moved to approve Ordinance 2021-10, amendments to Chapter 110. Zoning Ordinance, Regarding Sec. 110-144. - C-H concerning Funeral Establishments. Commissioner Gibbons seconded. The motion passed 5-0.

**PUBLIC COMMENT:**

**CONSENT AGENDA:**

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

8. **Approval of Resolution 2021-05 to adopt the Fayette County 2020 Annual Report on Fire Services Impact Fees (FY2020), including Comprehensive Plan amendments for updates to the Capital Improvements Element and Short-Term Work Program (FY2021-FY2025).**
9. **Approval to reallocate funds from projects: 5565D - Countywide Public Art; 186AI - Brooks Equestrian Park; 5110K - McCurry Splash Pad; and 196AC - Consultant for Needs Assessment and Strategic Plan, totaling \$276,314, to fund the architectural and engineering designs.**
10. **Approval to acquire all fee simple right-of-way, easements, and appraisals for the proposed roundabout at the intersection of Redwine Road, Bernhard Road, and Peachtree Parkway (2017 SPLOST 17TAL).**
11. **Approval of staff's recommendation to declare one (1) SUV and one (1) Generator as un-serviceable and to sell the assets on-line using contracted auction services and for all proceeds to be returned to the (1) SUV - vehicle replacement fund; (1) Generator - general fund.**
12. **Approval of the May 6, 2021 Special Called Meeting Minutes.**
13. **Approval of the May 13, 2021 Board of Commissioners Meeting Minutes.**

**OLD BUSINESS:**

**NEW BUSINESS:**

14. **Consideration of a recommendation from the Selection Committee comprised of Chairman Lee Hearn and Commissioner Charles Rousseau, to reappoint Sharon White to a term beginning July 1, 2021 and expiring June 30, 2024 to the McIntosh Trail Community Service Board.**

Commissioner Rousseau moved to approve to re-appoint Sharon White to a term beginning July 1, 2021 and expiring June 30, 2024 to the McIntosh Trail Community Service Board. Chairman Hearn seconded. The motion passed 5-0.

15. **Consideration of staff's recommendation of the renewal of the contract with Midwest Employers Casualty Company at an annual cost of \$110,338.00 as outlined under Quote Option 0233322 for a period of two years from July 1, 2021 to June 30, 2023.**

Vice Chairman Gibbons moved to approve the renewal of the contract with Midwest Employers Casualty Company at an annual cost of \$110,338.00 as outlined under Quote Option 0233322 for a period of two years from July 1, 2021 to June 30, 2023. Commissioner Oddo seconded. The motion passed 5-0.

16. **Consideration of Award of Bid #1951-B, Redwine Road & Starrs Mill School Complex Multi-Use Path project (SPLOST 17TAH) to the Helix Group, Inc. in the amount of \$1,874,665.56, approval for the Chairman to execute related agreements with the Georgia Department of Transportation (GDOT), and a transfer of \$315,115.10 from SPLOST Transportation Contingency Fund to 17TAH.**

Commissioner Oddo moved to approve the Award of Bid #1951-B, Redwine Road & Starrs Mill School Complex Multi-Use Path project (SPLOST 17TAH) to the Helix Group, Inc. in the amount of \$1,874,665.56, approval for the Chairman to execute related agreements with the Georgia Department of Transportation (GDOT), and a transfer of \$315,115.10 from SPLOST Transportation Contingency Fund to 17TAH. Vice Chairman Gibbons seconded. The motion passed 5-0.

- 17. Consideration of staff's recommendation to award Bid #1947-B: 2017 SPLOST; Stormwater Category II, Tier I; 17SAN Silver Leaf Drive Culvert Replacement to the lowest responsive, responsible bidder, Crawford Grading & Pipeline, Inc., in the amount of \$252,188, to reallocate \$129,416, and to authorize the County Administrator to execute the contract and related documents.**

Vice Chairman Gibbons moved to approve to award Bid #1947-B: 2017 SPLOST; Stormwater Category II, Tier I; 17SAN Silver Leaf Drive Culvert Replacement to the lowest responsive, responsible bidder, Crawford Grading & Pipeline, Inc., in the amount of \$252,188, to reallocate \$129,416, and to authorize the County Administrator to execute the contract and related documents. Commissioner Oddo seconded. The motion passed 5-0.

- 18. Consideration of lease term acceptance for a tower site at Brooks Park for Public Safety Radio System (#1428-P), as outlined in the terms and conditions.**

Vice Chairman Gibbons moved to approve lease term acceptance for a tower site at Brooks Park for Public Safety Radio System (#1428-P), as outlined in the terms and conditions. Commissioner Oddo seconded. The motion passed 5-0.

- 19. Consideration of lease term acceptance for a tower site at Downtown Tyrone for Public Safety Radio System (#1428-P), as outlined in the terms and conditions.**

Commissioner Oddo moved to approve lease term acceptance for a tower site at Downtown Tyrone for Public Safety Radio System (#1428-P), as outlined in the terms and conditions. Vice Chairman Gibbons seconded the motion passed 5-0.

- 20. Consideration of lease term acceptance for a tower site at Porter Road for Public Safety Radio System (#1428-P), as outlined in the terms and conditions.**

Vice Chairman Gibbons moved to approve lease term acceptance for a tower site at Porter Road for Public Safety Radio System (#1428-P), as outlined in the terms and conditions. Commissioner Oddo seconded the motion passed 5-0.

- 21. Consideration of lease term acceptance for a tower site at Swanson Road for Public Safety Radio System (#1428-P), as outlined in the terms and conditions.**

Commissioner Oddo moved to approve lease term acceptance for a tower site at Swanson Road for Public Safety Radio System (#1428-P), as outlined in the terms and conditions. Vice Chairman Gibbon seconded. The motion passed 5-0.

- 22. Consideration of staff's request to accept the right-of-way dedication known as Tract "A" - 0.128 acres shown on The Spaller Estates Plat dated March 3, 2021 and the quitclaim deed dated May 17, 2021, per Fayette County Code requirements.**

Vice Chairman Gibbons moved to approve to accept the right-of-way dedication known as Tract "A" - 0.128 acres shown on The Spaller Estates Plat dated March 3, 2021 and the quitclaim deed dated May 17, 2021, per Fayette County Code requirements. Commissioner Oddo seconded. The motion passed 5-0.

## **ADMINISTRATOR'S REPORTS:**

### **Hot Projects**

County Administrator Steve Rapson advised that an updated "Hot Projects" listing was sent out via email to the Board to keep them abreast of the status of various projects throughout the county. He highlighted the Kenwood Road culvert replacement, Brogdon Road culvert replacement, Brogdon Road and New Hope Road roundabout and Fire Station #2.

Mr. Rapson also advised that Monday, May 31, 2021 was the Memorial Holiday and a three-day weekend for staff. He added that the County would move to skeleton crew on Friday, May 28, 2021 beginning at 1:00 p.m.

## **ATTORNEY'S REPORTS:**

County Attorney Dennis Davenport advised the Board that he had received a permanent easement and a temporary construction easement from Mr. and Mrs. Odom on Pleasant Hill Dr. to support at stormwater project in the area. He added that was bringing this before the Board for acceptance.

Commissioner Oddo moved to accept the permanent easement and a temporary construction easement from Mr. and Mrs. Odom on Pleasant Hill Dr. Chairman Hearn seconded. The motion passed 5-0.

**Notice of Executive Session:** County Attorney Dennis Davenport stated there were five items for executive session. There were two items of threatened litigation, one item of pending litigation, one item of real estate acquisition, and the review of the May 13, 2021 Executive Session Minutes for consideration in Executive Session.

## **COMMISSIONERS' REPORTS:**

Vice Chairman Gibbons, Commissioner Oddo, and Commissioner Rousseau made comments.

## **EXECUTIVE SESSION:**

**Five items for executive session. There were two items of threatened litigation, one item of pending litigation, one item of real estate acquisition, and the review of the May 13, 2021 Executive Session Minutes for consideration in Executive Session.** Commissioner Rousseau moved to go into Executive Session. Commissioner Oddo seconded. The motion passed 5-0.

The Board recessed into Executive Session at 8:02 p.m. and returned to Official Session at 8:15 p.m.

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

**Approval of the May 13, 2021 Executive Session Minutes:** Commissioner Oddo moved to approve the May 13, 2021 Executive Session Minutes. Commissioner Gibbons seconded the motion. The motion passed 5-0.

## **ADJOURNMENT:**

Commissioner Oddo moved to adjourn the May 27, 2021 Board of Commissioners meeting. Vice Chairman Gibbons seconded the motion. The motion passed 5-0.

The May 27, 2021 Board of Commissioners meeting adjourned at 8:16 p.m.

---

Marlena M. Edwards, Chief 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 10<sup>th</sup> day of June 2021. Referenced attachments are available upon request at the County Clerk's Office.

---

Marlena Edwards, Deputy County Clerk