

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

Minutes

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 2nd and 4th 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.**

Mr. Frisina stated that the request was for two separate pieces of property that would be combined to create a residential development. He added that discussion for both items #1 and #2 would be combined but they would need to be voted on separately.

Steven Jones of Bovis, Kyle, Burch & Medlin, LLC, representative of the applicant Luis Arango, stated that this rezoning request was designed to combine two pieces of property. He stated that the requested property was adjacent to a piece of property already owned by the applicant. He continued stating that the request was to rezone 23.421 acres from A-R to R-50 to develop a residential subdivision with one (1) condition. Mr. Jones stated that if approved, the subdivision would have access via Old

Senoia Road. Mr. Jones stated that the subject lot was practically land locked and did not have access that would allow it to be developed via Highway 85, and for this reason without development in conjunction with another surrounding parcel, the property would be left economically unusable. Mr. Jones continued stating that the request was consistent with the future land use map and was reviewed by the staff and the Planning Commission and recommended for approval with one condition: that the developer provide a multi-use path that connects an internal street of the subdivision to the Kiwanis Park in the area of lots 14 and 15 as depicted on the Concept Plan. Mr. Jones stated that the applicant agreed to the condition.

Shelby Cochran of Senoia stated that she was the agent for the applicant and stated that the applicant approved the rezoning.

No one spoke in opposition.

Commissioner Oddo asked if there was a dam on the property.

Mr. Jones stated, yes.

Commissioner Oddo asked who would maintain the dam.

Mr. Jones stated that the dam would be a common area maintained by the Homeowners Association.

Commissioner Rousseau asked who would maintain the multi-use path, outlined in the condition.

Mr. Frisina stated that if the path was donated to the County as right-of-way, it would be maintained by the County; however, if it remained Homeowners Association (HOA) easement, then they would maintain it.

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.**

No one spoke in favor or opposition

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.**

Jahnee Prince with Parker Poe Law Firm stated that the request was to rezone 6.7187 acres from R-40 to C-H to develop a multi-story climate-controlled storage facility. She advised the Board that the property was on Highway 138 at the northern end of the county and across the street from Clayton County. Ms. Prince advised that the subject property was part of a larger property and the overall site would be about 22.47 acres. She noted that only the storage facility portion of the property would be rezoned to C-H and the remaining property would remain residential (R-40) with eleven (11) one-acre lots. She stated that the self-storage

facility would be comprised of six buildings. Ms. Princes briefly overviewed the request for the Board and stated that she was available for questions.

Chris Palholic of Atlanta stated that he worked for the development company for over 30 years and wanted to attest to the workmanship of the facility. He highlighted that they took pride in their buildings, the landscaping, customer service and viewed security as a priority.

Bobby Farrell President of the North Fayette Community Association stated that they were in favor of the project.

No one spoke in opposition.

Mr. Frisina stated that there was one condition that the single-story external access storage structures be to the rear of the multi-story external access storage structure as depicted on the concept plan.

Ms. Prince on behalf of the applicant accepted the condition.

Commissioner Maxwell asked if the facility operated on a septic or sewage system.

Mr. Palholic stated that it could be built using a septic system.

Commissioner Maxwell also asked about water resources and if the property was on a well or if County water was available.

Mr. Palholic stated that water was available.

Commissioner Maxwell asked where the septic system would be located.

Mitchell Taylor with the development company stated that three locations on the property had been tested for placement of the septic system. He continued that a definite location had not been selected and identified at this point in the project.

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.

Commissioner Oddo advised the Board that his family firm had a working relationship the previous owners of the property, however this would not cause a conflict of interest in him voting on the item.

Carrie Guthrie the property Agent stated that the request was to rezone 1.82 acres from R-20 and O-I.

No one spoke in favor or opposition.

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.

Mr. Frisina stated that this was a park model home and was a recreational vehicle. He read the two definitions. A typical recreational vehicle does not exceed 8 1/2 feet in width, nor does it exceed 45 feet in length. It is a vehicle that can be attached to a passenger vehicle and towed without any special license or permissions. The recreational vehicles are 11 to 12 feet in width and cannot be connected to a passenger vehicle and cannot be driven without a special license or permits. Mr. Frisina stated that the Building Safety department had an issue because it did not meet HUD (Housing and Urban Development) standards. These are the standards that would be used for a manufactured home. He stated that Sec. 110-3 would take the existing language and make it a little clearer. He stated that a resident could have a recreational vehicle stored on their property and it cannot be used for occupancy except in certain situations. If someone were building a house, they could use the recreational vehicle for as long as there was an active permit. The other situation was if there was visitor to the property, the visitor could come two times a year for two 14-day periods. He stated that if the County were going to allow this, it could be allowed in a way that would not conflict with building codes. He stated that these structures are used for temporary use and would be used as a guesthouse for temporary occupancy, not to exceed 180 days per year. He stated that it would have to be anchored, on piers and setup by the manufacturer's installation instructions and if it did not allow for anchoring, it would have to be left on wheels and still anchored. There can be no permanent water connection or septic connection. Temporary connections are allowed. Here, temporary defines the type not the duration. The electrical service is not a permanent connection.

Commissioner Rousseau stated that one of the requirements would be a skirt. Mr. Frisina stated yes.

Chairman Hearn asked how the Building and Safety department would be involved.

Building Safety Director Steve Tafoya stated that Building Safety would permit the stand-alone items; electrical, plumbing, HVAC (heating, ventilation and air condition) and exterior deck.

Chairman Hearn asked if his department would inspect the foundation.

Mr. Tafoya stated that staff would inspect to the manufacturer's standards. He stated that because it was an ANSI (American National Standards Institute) standard, it would follow the same protocols as a mobile home.

Chairman Hearn stated that in the ANSI standard it would specify where the support fillers would be located.

Mr. Tafoya stated that the manufacturer's installation inspections do show where the support fillers should be and where they are not shown, Building Safety would require the installer to provide the details of the support fillers.

Chairman Hearn stated that he had an issue with the 180-days. He asked how it would be enforced.

Mr. Frisina stated that it would be dealt with on a complaint basis.

Commissioner Maxwell stated that he had several concerns and would not want this next to his house. He stated that he did not understand what the Board was being asked to do.

Mr. Frisina stated that residents can have a guesthouse on their property with the current ordinance. He stated that the maximum size was 700 square feet and had to be built to building code standards or to HUD standards. He confirmed that these structures are in the county now.

Commissioner Maxwell stated that he would like to prevent these instead of encouraging them.

Mr. Tafoya stated that there was a second structure that was 400 square feet, but it meets the HUD standards. He stated that was

why this was coming before the Board because one structure met HUD standards and the other one did not.

Mr. Frisina stated that it would still meet the size limitation for an accessory guesthouse.

Commissioner Oddo stated that until this point, the County had been abiding by HUD standards. He stated that if approved, the County would be accepting less than HUD standards.

Mr. Frisina stated yes.

Commissioner Oddo asked if that was what the County wanted to do. If the County had been using HUD standards, he did not know why we would lower the standard.

Mr. Tafoya stated that the HUD standards allowed for a structure to be lived in all year long. He stated that the ANSI standard was less than 400 square feet and HUD standards was above 400 square feet. He stated that a resident could have a 500 square feet mobile home and if it met zoning requirements it could go anywhere. He stated that from a Building Safety perspective, if the structure was a temporary use, then it should look like temporary use.

Dan Blanchard stated that he was the owner of the structure. He stated that he understood the Board's position. He stated that he had obtained permits for the temporary connections. He stated that he was in favor of this item.

No one spoke in opposition.

County Attorney Dennis Davenport asked Mr. Tafoya if the use by ANSI of the word "temporary", what exactly did ANSI mean by using the word "temporary".

Mr. Tafoya stated that the ANSI standard did not define temporary. The temporary definition came from the building codes and was defined as anything less than six months.

Mr. Davenport stated that it did not comport with what was being presented because the structure would be viable for longer than six months. He stated that he wanted to address the difference between ANSI and HUD from a preemption issue. The biggest battle that mobile homes, trailers and manufacturer homes have faced was the courts saying that they cannot preempt HUD standards. He stated that he was not familiar with ANSI standards enough to know if the level of integrity was relied upon by regulators. He asked Mr. Tafoya about the difference between 400 to 399 square feet and if it was just a threshold that HUD set.

Mr. Tafoya stated that according to the State Fire Marshal, 400 square feet was the cut off for HUD.

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 Oddo stated that it was a big change. He stated that he was fine with the recreational part that allows for use while a house was being built and not to exceed 14-days, but the rest was changing the way the County had been operating for many years and he did not feel he had enough information. He stated that he would be happy if it went back to the Planning Commission and staff came up with something a little more palatable. He stated that he was not ready to make the decision with this information.

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 Oddo stated that he would like to send it back to the Planning Commission.

Commissioner Maxwell stated that it could always be continued to be studied. He stated that he wanted to send a message that he would not be the one voting for trailers to come into the county. Period. He stated that as long as he had lived in Fayette, there were trailers allowed in trailer parks and not in the rest of the county. He stated that we do not turn campers into homes in Fayette County that are hooked to a sewer system. He stated that he would like for Mr. Frisina to study how to prevent this.

Mr. Frisina stated that they are currently prevented.

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.

Mr. Frisina stated that this amendment would update the definition for vehicle boat sales and streamlining the terminology and its use in all the applicable sections as outlined in the request.

No one spoke in favor or opposition.

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.

Mr. Frisina stated that this request would update the term funeral home outlined in the ordinance to funeral establishment, with the caveat that it would exclude a crematorium.

No one spoke in favor or opposition.

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.**

Fayette County Human Resources Director Lewis Patterson stated that this item was regarding the renewal of the County's Workers' Compensation excess insurance vendor. He continued that excess insurance was a "stop-loss" insurance to cap the County's liability because they were "self-insured". Mr. Patterson stated that the County was approaching the end of a two-year contract with Midwest Employers Casualty Company who had been the County's insurer for excess insurance for several years. Mr. Patterson stated that it was important to note that the Workers' Compensation market was a very small sector of the insurance industry especially as a public sector employer, which meant that there were not many vendors who provide insurance. He added that Midwest Employers Casualty Company came in with the lowest bid with about a 10% increase and as a two-year contract.

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.**

Environmental Management Director Bryan Keller stated that the project was presented to the Board in the past and bided out but upon review, a Disadvantaged Business Enterprise (DBE) error was discovered. He continued that this was a requirement for state and federal funds and the County was advised by the Georgia Department of Transportation (GDOT) to put the project back out for bid. The project was recently re-advertised this spring and this item would award the project to the Helix Group, Inc.

Commissioner Maxwell asked if this project was linked to the creation of the tunnel.

Mr. Keller stated no, this was a separate multi-use path paving project.

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.

Assistant Environmental Management Director Courtney Hassenzahl stated that staff was seeking approval 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.

Chairman Hearn asked for a brief explanation of the project.

Ms. Hassenzahl stated that the project would replace a failing 48-inch corrugated metal pipe under Silver Leaf Drive with 84-LF of a 6-ft by 4-ft concrete box culvert along with the relocation of present utilities.

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.

Fayette County 911 Director Katye Vogt stated that the next four items were tied to the 911 radio system project, which was a part of the overall radio system upgrade to the EF Johnson System.

She continued stating this item was the lease for the Brooks Park tower, which was an existing tower on the system. This was strictly an amendment to the existing agreement outlining that the equipment on the tower would be changed.

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.

Ms. Vogt stated that this agreement was for a new tower in the system located in Downtown Tyrone, she added that there was a lot of back and forth regarding this tower. She stated that this was a new lease with new equipment and would have associated costs as outlined in the agreement.

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.

Ms. Vogt stated that this item was a lease for the Porter Road tower, which was an existing tower on the system, this was strictly an amendment to the existing agreement outlining that the equipment on the tower would be changed.

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.

Ms. Vogt stated that this item was a lease for the Swanson Road tower, which was an existing tower on the system. This item, similar to the others, was strictly an amendment to the existing agreement outlining that the equipment on the tower would be changed.

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:

Commissioner Gibbons

Commissioner Gibbons stated, in honor of the upcoming Memorial Holiday, that the purpose of Memorial Day was to commemorate those brave Americans who gave their lives for this Country. He encouraged everyone to keep the family of those who had been lost in your thought and prayer and commemorate them in your hearts.

Commissioner Oddo

Commissioner Oddo reiterated Vice Chairman Gibbons thoughts and encouraged all to remember those who gave their lives in service to this Country. He also wished everyone a happy holiday.

Commissioner Rousseau

Commissioner Rousseau stated that he wanted to acknowledge on a somber note, that two colleagues had recently passed away. Commissioner Gary Barham of Henry County and Commissioner Sonna Singleton-Gregory of County Clayton County. He wanted to send his condolences to each of their families.

Commissioner Rousseau recognized, acknowledged and saluted Delores and Craig Epps on their 50th wedding Anniversary celebration, her 75th Birthday celebration, and his negative cancer diagnosis.

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 10th day of June 2021. Referenced attachments are available upon request at the County Clerk's Office.

Marlena Edwards, Deputy County Clerk