

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



140 Stonewall Avenue West
Public Meeting Room
Fayetteville, GA 30214

MINUTES

October 8, 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 October 8, 2026, Board of Commissioners meeting to order at approximately 5:02 p.m. A quorum of the Board was present.

Invocation and Pledge of Allegiance by Commissioner Charles Rousseau

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

Acceptance of Agenda

Chairman Hearn moved to add to New Business a request for approval to apply under the 2026 State Homeland Security Program for a \$300,000 grant for the installation of approximately three linear miles of security fencing around the perimeter of the Fayette County Public Safety Training Center. Commissioner Rousseau seconded. The motion passed 3-0. Vice Chairman Edward Gibbons and Commissioner Charles Oddo were absent.

Commissioner Rousseau moved to accept the agenda with the added item as read. Commissioner Maxwell seconded. The motion passed 3-0. Vice Chairman Edward Gibbons and Commissioner Charles Oddo were absent.

PROCLAMATION/RECOGNITION: None

PUBLIC HEARING: None

PUBLIC COMMENT: None

CONSENT AGENDA:

Commissioner Rousseau moved to approve the Consent Agenda except for item No. 4. Commissioner Maxwell seconded. The motion passed 3-0. Vice Chairman Edward Gibbons and Commissioner Charles Oddo were absent.

1. **Approval of Board of Assessors' recommendation to approve a disposition of tax refund, as requested by Jack Miller, in the amount of \$2,122.08 for tax years 2024 and 2025.**
2. **Approval of Board of Assessors' recommendation to approve a disposition of tax refund, as requested on behalf Topekia Powell, in the amount of \$1,240.78 for tax year 2025.**
3. **Approval to add The Oaks Phase III subdivision to Fayette County's Street Light Program.**

4. Approval of Georgia Power's offer to purchase three "Distribution Tree Trim / Clearing Easements" from Fayette County in the amount of \$10,915.00.

This item was removed from Consent Agenda vote for discussion.

Commissioner Rousseau stated that he wanted to be consistent in his voting. He asked for clarification that this vote was for land owned by the County, entrusted to the Board by the citizens.

County Administrator Steve Rapson stated yes. The land was owned by the County.

Commissioner Rousseau stated that he was operating under the impression that land purchase should go for bid. He asked if "this" went out for bid.

Mr. Rapson stated that Georgia Power was not acquiring the land. This request was for Georgia Power to maintain and cut trees along the perimeter of Kenwood Park. There was no land acquisition. This was just to give Georgia Power the right to trim trees.

Commissioner Rousseau stated that he may have missed something. He asked if there was a fee and who would retain ownership of the land.

Mr. Rapson stated that Georgia Power would pay the County \$10,915 to have the temporary easement to maintain that corridor to trim the trees.

Commissioner Rousseau asked if it was a one-time payment.
Mr. Rapson stated yes.

Commissioner Rousseau asked if the agreement would be in perpetuity.

Public Works Director Phil Mallon stated yes, as long as the power lines were in place. He stated that there were existing lines and Georgia Power was trying to be proactive on the vegetation management.

Mr. Rapson stated that on these easements, Georgia Power could not locate an easement, so this was to "perfect" the record to give them the ability to temporarily go on the property to trim the trees.

Commissioner Rousseau inquired if this was a temporary easement.

Mr. Mallon stated that it was a permanent easement to allow Georgia Power to do the vegetation maintenance as long as the power lines were in place. He reiterated that this was a permanent easement.

Commissioner Maxwell moved to approve Georgia Power's offer to purchase three "Distribution Tree Trim / Clearing Easements" from Fayette County in the amount of \$10,915.00. Chairman Hearn seconded.

Commissioner Maxwell stated that there were only three members so any vote less than three would be a denial. He stated that if the vote failed, he would request the Chairman to have this item come back on the October 22, 2026, Board of Commissioners agenda so there would be a bigger distribution.

Commissioner Rousseau stated that three members constituted a quorum and he wanted to be "careful that we are not vote shopping, so-to-speak". He stated that he had reservations. He stated that he heard "temporary" and then "permanent" so he had reservations.

Commissioner Maxwell stated that he understood and that was the reason why he said that. He stated that he had no problem with the way Commissioner Rousseau may vote.

County Attorney Dennis Davenport stated that one note, that may be a factor to consider, was that this vote would not be just granting easement to a third party, but instead to an entity that had condemnation authority, similar to a governmental entity. He stated that typically the rules were more lax than for a typical third party. He stated that if there was a concern about this going out to bid, it would not go out for bid because Georgia Power was like a governmental entity and there were different rules for dealing with these entities.

Commissioner Rousseau stated that was his reason for asking for clarity. He stated that there were a number of issues surrounding acting like a quasi-governmental entity.

Commissioner Maxwell moved to approve Georgia Power's offer to purchase three "Distribution Tree Trim / Clearing Easements" from Fayette County in the amount of \$10,915.00. Chairman Hearn seconded. The motion failed 2-1. Commissioner Rousseau voted in opposition. Vice Chairman Edward Gibbons and Commissioner Charles Oddo were absent.

Commissioner Maxwell stated that he did not know if he needed a vote to place on the next available agenda.

Mr. Davenport stated that procedurally this item was done. He stated that every agenda is brand new, and this item could be added at the discretion of the group that puts the agenda together for the next meeting.

Commissioner Maxwell requested Chairman Hearn to request that staff place this on the next available meeting. Chairman Hearn agreed.

- 5. Approval of Resolution 2016-16 supporting Fayette County's grant application to the Georgia Department of Natural Resources (GADNR) Georgia Outdoor Stewardship Program (GOSP) for the construction of the Starr's Mill Nature Trail.**
- 6. Approval of the September 24, 2026, Board of Commissioners Meeting Minutes.**

OLD BUSINESS: None

NEW BUSINESS:

- 7. Request to approve Resolution 2026-14 to amend the Fayette County Water System Standards and Specifications Manual, dated October 6, 2026, for infrastructure to be consistently and reliably installed within the system.**

Water System Director Vanessa Tigert stated that the Standards and Specifications Manual was presented to the Board. It was removed to address some concerns that Chairman Hearn voiced. She stated that the concerns had been addressed; therefore, staff were presenting this to the Board for approval.

Chairman Hearn stated that he read through it and it looked fine. He stated that Ms. Tigert answered his questions. His questions were related to patching damaged roads due to water blowout or making new connections. He stated that the County now included Georgia Department of Transportation standards in the manual.

Chairman Hearn moved to approve Resolution 2026-14 to amend the Fayette County Water System Standards and Specifications Manual, dated October 6, 2026, for infrastructure to be consistently and reliably installed within the system. Commissioner Rousseau seconded.

Commissioner Rousseau stated that in light of dealing with private water system operators, he wanted to know if the operators would fall in line with the definition of a customer when tapping onto the County's water system.

Mr. Rapson stated no because the operator would still be under an EPD (Environmental Protection Division) permit and that permit defined the service area. If there were any issues, the County would deal with the permit holder.

Commissioner Rousseau stated that he was just concerned about who would be defined as a customer. He reiterated that when tapping onto the County water system, and delivering water to a resident, it was still the operator's system.

Mr. Rapson stated yes.

Chairman Hearn moved to approve Resolution 2026-14 to amend the Fayette County Water System Standards and Specifications Manual, dated October 6, 2026, for infrastructure to be consistently and reliably installed within the system. Commissioner Rousseau seconded. The motion passed 3-0. Vice Chairman Edward Gibbons and Commissioner Charles Oddo were absent.

8. Request to approve Resolution 2026-17 to amend the County's defined benefit plan to provide a pre-retirement death benefit in the form of a lump sum death benefit equal to 50 times the estimated monthly Normal Retirement Pension based on level earnings and continued service to Normal Retirement.

Mr. Rapson stated that this item pertained to the County's defined benefit (DB) plan. This item would provide a pre-retirement death benefit to an employee that died prior to electing to retire. Currently, the employee's contribution would go to the surviving beneficiary; however, the beneficiary would not be entitled to any annuities or payments like those received when a retired employee passed away. This change would offer a lump sum benefit to the beneficiary in addition to the contributions made by the employee. The lump sum amount would be 50 times what the normal monthly benefit would have been. The example was: Benefit: \$2,000; Lump Sum: \$100,000 (\$2000 x 50), plus the deceased's contributions to the plan. Mr. Rapson stated that it would be funded from the forfeiture currently in the plan. It would not cost employees any additional money. In response to Commissioner Rousseau, he stated that it would be an annual cost to the actual plan that would only be triggered if an employee passed away prior to retirement.

In response to Commissioner Rousseau regarding if taxpayer dollars are being used, Mr. Rapson stated that the employee and the County contribute to the DB plan. He stated that there was enough forfeiture in the plan. If an employee was in the DB plan but not with the County long enough to be vested, the County match was forfeited back to the plan and that would be the money paid to this proposed plan. No new taxpayer dollars.

Commissioner Rousseau stated that for him this was a serious issue and new territory. He stated that he would say to table this item so a full board could vote on the item. He asked if the first year would be funded by the County.

Mr. Rapson stated that the first year would be funded by the forfeiture plan. He stated that many plans across the state have similar plans. Fayette County did not have this benefit or have been faced with this problem.

Commissioner Rousseau stated that he believed that a full Board should vote on a measure of this magnitude. He stated that he served on the ACCG DB Board. He stated that he did not believe there was anything that would preclude him from voting on this item. He asked the County Attorney.

Mr. Davenport stated no.

Commissioner Rousseau stated that to his recollection this item had not come before the DB Board.

Commissioner Maxwell stated that he was a little confused about this request. He stated that County employees, when hired, receive a life insurance policy with a one-time payment when they pass away.

Mr. Rapson stated that there was an additional benefit for employees that when they pass away would pay \$50,000 to their beneficiaries. This request was separate from that benefit. He stated that the vast majority of the employees would not receive

the proposed benefit. He stated that it was an individual plan that gets to make the decision. He stated that staff were trying to be proactive in addressing not being in the plan.

Commissioner Maxwell reiterated that this would not replace any other plan.

Mr. Rapson stated that was correct.

Commissioner Rousseau moved to table this item to the November 12, 2026, meeting. The motion passed 3-0. Vice Chairman Edward Gibbons and Commissioner Charles Oddo were absent.

9. A request for approval to apply under the 2026 State Homeland Security Program for a \$300,000 grant for the installation of approximately three linear miles of security fencing around the perimeter of the Fayette County Public Safety Training Center.

Chairman Hearn stated that this grant had a 75% federal, 25% local match. He stated that with all the things happening at training centers, he believed this was something the Board should do.

Chairman Hearn moved to approve applying under the 2026 State Homeland Security Program for a \$300,000 grant for the installation of approximately three linear miles of security fencing around the perimeter of the Fayette County Public Safety Training Center. Commissioner Rousseau seconded.

Commissioner Rousseau asked if there was an anticipated cost for the 25% match. He asked if it was 25% of the \$300,000 or 25% above \$300,000.

Mr. Rapson stated that the County would be responsible for 25% of the \$300,000.

Commissioner Rousseau asked about the wetland and credits in that area.

Mr. Rapson stated that this grant would not impact the wetlands and credits. He stated that the configuration would have to change due to the East Fayetteville Bypass. He stated that this was a request to apply. If approved, the modifications would be vetted by staff and brought to the Board for a vote.

Chairman Hearn moved to approve applying under the 2026 State Homeland Security Program for a \$300,000 grant for the installation of approximately three linear miles of security fencing around the perimeter of the Fayette County Public Safety Training Center. Commissioner Rousseau seconded. The motion passed 3-0. Vice Chairman Edward Gibbons and Commissioner Charles Oddo were absent.

ADMINISTRATOR'S REPORTS:

A. Contract #2605-P; Public Works Engineer of Record Task Order #11: 101 & 115 Waterfall Way Boundary & Topographic Survey Change Order #1: Starrs Mill Education Facility

Mr. Rapson stated that he provided the Board with the Hot Topics report to include the Multi-purpose Facility, Darren Drive culvert replacement, Cross Creek culvert replacement, Justice Center buildout, Crosstown generator project, Phase II livestock building, Senior Center addition, Kenwood Morning Creek Bridge project, Round Road cul-de-sac and Brandon Mill culvert replacement.

ATTORNEY'S REPORTS:

Notice of Executive Session: County Attorney Dennis Davenport stated that there were four items for Executive Session: two items involving threatened litigation, one item involving real estate acquisition, and the review of the September 24, 2026, Executive Session Minutes.

COMMISSIONERS' REPORTS: None

EXECUTIVE SESSION:

Two items involving threatened litigation, one item involving Real Estate, and the review of the September 24, 2026, Executive Session Minutes.

Commissioner Rousseau moved to enter Executive Session. Commissioner Maxwell seconded. The motion passed 3-0. Vice Chairman Edward Gibbons and Commissioner Charles Oddo were absent.

The Board recessed into Executive Session at 5:30 p.m. and returned to Official Session at 6:05 p.m.

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

Approval of the September 24, 2026, Executive Session Minutes: Chairman Hearn moved to approve the September 24, 2026, Executive Session Minutes. Commissioner Rousseau seconded. The motion passed 3-0. Vice Chairman Edward Gibbons and Commissioner Charles Oddo were absent.

ADJOURNMENT:

Commissioner Rousseau moved to adjourn the October 8, 2026, Board of Commissioners meeting. Commissioner Maxwell seconded. The motion passed 3-0. Vice Chairman Edward Gibbons and Commissioner Charles Oddo were absent.

The October 8, 2026, Board of Commissioners meeting adjourned at 6:06 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 22nd day of October 2026. Attachments are available upon request at the County Clerk's Office.