

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

March 10, 2022

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.

Call to Order

Chairman Lee Hearn called the March 10, 2022 Board of Commissioners meeting to order at 5:04 p.m. A quorum of the Board was present.

Invocation and Pledge of Allegiance by Commissioner Eric Maxwell

Commissioner Eric Maxwell offered the Invocation and led the Board and audience in the Pledge of Allegiance.

Acceptance of Agenda

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

PROCLAMATION/RECOGNITION:

1. Recognition of Addison Lester for eleven (11) years of service on the Fayette County Board of Elections.

Elections Board Chairman Darryl Hicks recognized Addison Lester for eleven (11) years of service on the Fayette County Board of Elections. Chairman Hicks stated that, on behalf, of the Board of Elections, as well as a personal note, it was truly an honor to serve with Mr. Lester. Mr. Hicks continued that it was a blessing to have Mr. Lester as a friend and he was truly one of the most honorable people he had ever met in his life. Chairman Hicks stated that Mr. Lester was very straightforward and served the citizens of Fayette County to the best of his ability and with all objectivity. Board of Elections member Aaron Wright stated that he had served on the Board of Elections with Mr. Lester for the past six years and when he first started serving, they had to handle some controversial issues which Mr. Lester helped him through. Mr. Wright stated that over the year he had grown in his respect for Mr. Lester. He added that it was an honor to have had the opportunity to work with him and witness how he worked with staff and the public. Mr. Wright stated that he would always be grateful to Mr. Lester for the leadership showed and the example he set and was also proud to consider him a friend.

Chairman Hearn stated that years ago when he asked Mr. Lester about serving on the Board of Elections, Mr. Lester responded by asking what was involved. Chairman Hearn stated that at the time he honestly did not know what exact was involved, but knew the County needed "good" people serving. He continued that all he asked of Mr. Lester was to do a "good" job for the citizens of Fayette County. He added that because he knew Mr. Lester's character, he knew he would, despite being related to him. Chairman Hearn thanked Mr. Lester for weathering a few storms and serving the people of Fayette County.

Mr. Lester stated that over the 11 years he had served on the Board of Elections there were a few issues or storms he had to weather through. However, he felt they always handled each situation professionally and added that they came out of each

situation better than they were to begin with. Mr. Lester acknowledged that the Elections Board members did not always agree, nor did they always agree with some of the Commissioners, but they did always maintain a good working relationship and remained friends. Mr. Lester stated that he enjoyed his time serving but felt it was time to give someone else the opportunity to step up and serve.

PUBLIC HEARING:

PUBLIC COMMENT:

CONSENT AGENDA:

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

2. **Approval for Fayette County Fire & Emergency Services to enter into a Memorandum of Understanding (MOU) with the Georgia State Fire Marshal's Office Fire Investigation Unit regarding the Metropolitan Atlanta Arson Task Force, and to delegate Fire Chief Jeffrey W. Hill to sign the MOU on behalf of Fayette County.**
3. **Approval of the February 24, 2022 Special Called Board of Commissioners Meeting Minutes.**
4. **Approval of the February 24, 2022 Board of Commissioners Meeting Minutes.**

OLD BUSINESS:

NEW BUSINESS:

5. **Consideration of staff's request to add the ability for employees in the Defined Contribution Retirement Plan to invest in a Roth 'feature', in addition to existing pre-tax options.**

Fayette County Human Resources Director Lewis Patterson stated that this item was seeking Board approval to allow employees to invest in Roth funds within the defined contribution retirement plan. Mr. Patterson introduced Alice Davis with One Digital, the County's Defined Contribution Retirement Plan Broker.

Alice Davis stated that currently the Defined Contribution Retirement Plan only allowed employees to invest contributions into various funds on a pre-tax basis. She added that this new feature would allow County employees the access and flexibility to also invest in a Roth money type, which can provide additional tax savings. Ms. Davis stated that the County's match funds would remain pre-tax dollars. She added that there were no additional administrative costs to add this feature.

Chairman Hearn asked if an employee inherited some money, would they be able to invest those funds.

Ms. Davis stated that this feature was a contribution that could only be invested via a payroll deduction.

Vice Chairman Gibbons moved to approve the request to add the ability for employees in the Defined Contribution Retirement Plan to invest in a Roth 'feature', in addition to existing pre-tax options. Commissioner Oddo seconded.

Commissioner Maxwell asked how County employees would be notified about this new feature. He stated that it was a "no-brainer" and a good deal.

Mr. Patterson stated that an email blast would be sent out, Department Heads would also disseminate information regarding the change, and Empower would also conduct an email campaign.

Vice Chairman Gibbons moved to approve the request to add the ability for employees in the Defined Contribution Retirement Plan to invest in a Roth 'feature', in addition to existing pre-tax options. Commissioner Oddo seconded. The motion passed 5-0.

6. Consideration of staff's request to approve an amendment to the Defined Contribution Retirement Plan, to allow distributions to participants who are ineligible employees and currently receive only supplemental compensation from the County.

Mr. Patterson stated that this item was a housekeeping issue to address a scenario that could not have been foreseen when the plan was established in 2009. He stated that currently there was an employee who was 100% on Fayette County payroll but had transitioned into a state funded position and was on state payroll, but was still receiving a supplement from the County as the agent of the Griffin Judicial Circuit. Mr. Patterson stated that although this employee could no longer contribute to the plan and even though the County was not contributing, because they were still receiving a W-2 from the County they were considered a County employee by the IRS and under the current defined contribution plan document they were ineligible to make a withdrawal from their account, leaving the employee in limbo. He stated that this plan amendment would allow in-service distributions for an additional class of employee who have had funds in the plan for at least two years and were currently ineligible to participate but received only supplemental compensation from the County. Mr. Patterson stated that this plan amendment could also be beneficial in the future as the current scenario could conceivably occur again with other employees, as long as Fayette County served as the payroll and administrative agent for the Griffin Judicial Circuit. He added that there was no additional cost to do this, only a minimum fee to process the amendment which would be processed with the previous item approved by the Board.

Vice Chairman Gibbons moved to approve request to approve an amendment to the Defined Contribution Retirement Plan, to allow distributions to participants who are ineligible employees and currently receive only supplemental compensation from the County. Commissioner Oddo seconded.

Commissioner Rousseau asked how many people this affected.

Mr. Patterson stated currently only one, but it could occur again with other employees, as long as Fayette County serves as the payroll and administrative agent for the Griffin Judicial Circuit.

Commissioner Rousseau asked if the County should consider discontinuing acting as the payroll and administrative agent for the Griffin Judicial Circuit if this issue grows exponentially.

Mr. Patterson stated that he didn't feel it would grow exponentially.

Mr. Rapson added that this issue and these supplements were associated with the constitutional and elected officers of the court, primarily. So, this was only a finite group of individuals that could potentially be affected.

Vice Chairman Gibbons moved to approve request to approve an amendment to the Defined Contribution Retirement Plan, to allow distributions to participants who are ineligible employees and currently receive only supplemental compensation from the County. Commissioner Oddo seconded. The motion passed 5-0.

7. Consideration of staff's recommendation to approve Contract #1229-P: Radio Communications Consultant Change Order #2: Expanded Scope Support.

911 Director Katye Vogt stated that Mission Critical Partners, Inc. served as subject matter experts in acquisition of the upgraded radio system. She stated that the implementation and project support portion of the contract was calculated based on the unusual complexity and uncertainty of this type of project. She added that as implementation moved forward it was determined that additional effort would be required to address issues that were discovered during this critical phase of the project. Since initial funding allocated for this portion of the project was depleted, change order #2 was needed to cover these expanded costs.

Mr. Rapson stated that when the change order was approved in 2019 it was estimated that the project was 12-14 months away from completion. He added that since then they had experienced issues with cell towers. Mr. Rapson continued stating that recently equipment installation was halted at the Mud Bridge Road cell tower location because an osprey nest was discovered. As a protected species no work could be completed until after nesting season ended in August. He stated that the reason the

project was taking longer to complete had nothing to do with Mission Critical Partners, Inc. but because unforeseen technical issues outside of their control, but still required their expertise. He reiterated that there were two items before the Board; one for the \$75K that would true-up the cost through the completion of the project, as of today and the second was for \$50K to be used after the project was completed serving as a retainer for Mission Critical Partners, Inc. to assist with any technical issues.

Vice Chairman Gibbons moved to approve Contract #1229-P: Radio Communications Consultant Change Order #2: Expanded Scope Support. Commissioner Oddo seconded. The motion passed 5-0.

8. Consideration of staff's recommendation to approve Contract #1229-P: Radio Communications Consultant Change Order #3: General Consulting and Long-Term System Support.

Vice Chairman Gibbons moved to approve Contract #1229-P: Radio Communications Consultant Change Order #3: General Consulting and Long-Term System Support. Commissioner Oddo seconded. The motion passed 5-0.

ADMINISTRATOR'S REPORTS:

Mr. Rapson advised that an updated "Hot Projects" list was sent out via email to the Board with the status of various projects throughout the county.

ATTORNEY'S REPORTS: None.

COMMISSIONERS' REPORTS:

Commissioner Rousseau

Commissioner Rousseau acknowledged Fayette County's Communications Training Officer Kourtney Rose for her professionalism and valor in the efficiency of a recent emergency call with a citizen in need. He stated her response not only spoke to her ability but also to her training and the leadership of 911. He commended 911 Director Vogt for a job well done.

Commissioner Rousseau also extended his condolence to a family in Fayette County who lost their 16-year-old son over the weekend due to a senseless act of violence, while visiting the Atlanta Fair.

Vice Chairman Gibbons

Vice Chairman Gibbons also extended his condolences to the local family of the victim of the recent tragedy in Atlanta.

Vice Chairman Gibbon announced that he qualified earlier that afternoon to run for re-election as County Commissioner of District 3. He thanked the residents of District 3 who voted for him and those throughout the county that supported him during his time in office. He added that if he was graced with the opportunity to serve another four years on the citizens behalf, he would be grateful, at which time he would step down and find a successor. He concluded by thanking and his fellow Board members as well as his former colleague Randy Ogino who he previously served with. He added that he looked forward to working with them all should he be re-elected.

Commissioner Oddo

Commissioner Oddo expressed his condolences to the local family who tragically lost their son.

He congratulated Vice Chairman Hearn on qualifying.

Commissioner Oddo also recognized Fayette County Clerk Tameca Smith on her recent news article in the Fayette County News. He stated that he was very proud to know her and appreciated the article helping him get to know her a little better.

Chairman Hearn

Chairman Hearn stated that on March 9th he attended the Transportation and Air Quality Committee Meeting in Atlanta as well as the Atlanta Regional Committee Board Meeting. He stated that he had the opportunity to speak with the new City of Atlanta Mayor. He added that at the Atlanta Regional Committee Board Meeting they introduced the new Executive Director of the Board

and he had the opportunity to say goodbye to Doug Hooker who had served as Executive Director for 11 years and did an outstanding job. He stated that the two main items discussed that may interest Fayette County was that the ARC was conducting a regional safety study on the roads. And they also discussed a Transportation Improvement Program (TIP) amendment.

EXECUTIVE SESSION: None.

ADJOURNMENT:

Vice Chairman Gibbons moved to adjourn the March 10, 2022 Board of Commissioners meeting. Commissioner Oddo seconded the motion. The motion passed 5-0.

The March 10, 2022 Board of Commissioners meeting adjourned at 5:34 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 24th day of March 2022. Attachments are available upon request at the County Clerk's Office.

Marlena Edwards, Chief Deputy County Clerk