

## 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 24, 2022  
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.

### Call to Order

Chairman Lee Hearn called the March 24, 2022 Board of Commissioners meeting to order at 5:00 p.m. A quorum of the Board was present.

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

Commissioner Charles Oddo 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 Edward Gibbons seconded. The motion passed 5-0.

### PROCLAMATION/RECOGNITION:

1. **Recognition of Fayette County Fire & Emergency Services 2021 Officer of the Year, Lt. Jason Anderson; awarded by the local Veterans of Foreign Wars (VFW).**

Larry Dale with the local chapter of the Veterans of Foreign Wars (VFW) presented the Fire & Emergency Services 2021 Fire Officer of the Year to Lieutenant Jason Anderson. Mr. Dale stated that Lt. Anderson was nominated to the state-level public safety employee of the year based on nominations from his peers and noted his numerous accomplishments. Mr. Dale added that Lt. Anderson's leadership was paramount to the successful operations of emergency response to the citizens of Fayette County.

Lt. Anderson thanked, both the Veterans of Foreign Wars (VFW) and the Board of Commissioners for the recognition.

**PUBLIC HEARING:** None

### **PUBLIC COMMENT:**

Roy Bishop of Fayetteville expressed his concerns about a water leak on his property near his water meter. Mr. Bishop stated that a technician had come out to look at the issue to determine what was wrong, however the work order had to go through the process before the issue could be fixed. Mr. Bishop suggested having a plumber on contract to mitigate lost time, loss of water and money, and to quickly fix customer's issues.

### **CONSENT AGENDA:**

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

2. **Approval of staff's request to sale surplus ambulance, Fleet #23079 County ID #24602, a 2009 Chevrolet 4500 Ambulance, to the City of Fayetteville for purposes of use by the Fayetteville Police Department, at a price of \$6,500.00 paid to Fayette County, and for the funds to be allocated to fund 61030600.**
3. **Approval of staff's request to award Contract #2054-P to EMS Management & Consultants, Inc. for Fire & Emergency Services (EMS) billing services for the proposed price of 3.25% net EMS receipts.**
4. **Approval of the March 10, 2022 Board of Commissioners Meeting Minutes.**

**OLD BUSINESS:**

**NEW BUSINESS:**

5. **Consideration of staff's recommendation to award Bid #2050-B LMIG Resurfacing FY22 to Piedmont Paving, Inc. in the amount of \$1,127,188.24.**

Road Director Steve Hoffman stated that this item was seeking Board approval to award Bid #2050-B LMIG Resurfacing FY22 to Piedmont Paving, Inc. in the amount of \$1,127,188.24.

Chairman Hearn asked if Piedmont Paving, Inc. was a contractor the County had worked with before and felt confident in their workmanship.

Mr. Hoffman stated yes, Piedmont Paving, Inc. had performed several resurfacing and drainage projects for the County in the past.

Commissioner Oddo moved to approve Bid #2050-B LMIG Resurfacing FY22 to Piedmont Paving, Inc. in the amount of \$1,127,188.24. Vice Chairman Gibbons seconded. The motion passed 5-0.

6. **Consideration of staff's request to award engineering and design services for Contract #1981-Q to Practical Design Partners (PDP) for the Realignment of SR 279 at Corinth Road and approval of Task Order #1 for a not-to-exceed amount of \$135,528.91.**

Public Works Director Phill Mallon stated that this project was a federal aid project that would realign State Route 279 with Corinth Road along the State Route 85 corridor. Mr. Mallon stated that this project would include displacements and intersection changes to both commercial and existing roads. This was a project that was identified about five years ago, and the County had been very deliberate in seeking federal funds throughout the process, and in developing a scoping study. He continued that the results of the scoping study allowed for funding of this project to be initiated. Mr. Mallon stated that he had worked closely with the Purchasing Department for almost six months going through the procurement process as required by Georgia Department of Transportation and the Federal Highway Administration. He stated that before the Board was staff's recommendation to award engineering and design services for Contract #1981-Q to Practical Design Partners (PDP). This award would be a multi-phase project specific award which means bidders would be identified through a qualifications-based process as the best fit for the project, with the design being divided up into various tasks with a negotiated fee for each task order. Mr. Mallon specified that before the Board was both, to award engineering and design services for Contract #1981-Q to Practical Design Partners (PDP) for the Realignment of SR 279 at Corinth Road, and approval of Task Order #1 for a not-to-exceed amount of \$135,528.91, which would be used to attain the baseline data, specifically, traffic data and analysis.

Vice Chairman Gibbons moved to approve request to award engineering and design services for Contract #1981-Q to Practical Design Partners (PDP) for the Realignment of SR 279 at Corinth Road and approval of Task Order #1 for a not-to-exceed amount of \$135,528.91. Commissioner Oddo seconded.

Vice Chairman Gibbons asked how many phases the project would include.

Mr. Mallon stated that he did not know but was thinking about three phases. He added that input received during the first phase would dictate the scope of the second phase.

Chairman Hearn asked where Practical Design Partners (PDP) was based.

Mr. Mallon stated that the company was in Tucker, Georgia.

Chairman Hearn also asked if the County had done a thorough check of their credentials and felt confident in their ability to perform adequately.

Mr. Mallon stated that it was a very extensive process to go through and their qualifications were very impressive.

Commissioner Eric Maxwell thanked Mr. Mallon for the extensiveness of the study that was performed. He stated that he had been very vocal in wanting all alternative design options reviewed and considered because the County would have to go through some houses as a part of this project. He stated that he did feel this was the best design available. He noted that he was not familiar with the vendor but relied on the expertise of Mr. Mallon and the lead engineer. Commissioner Maxwell stated that this project had been a long time in the making and he was happy to see it progressing and hoped this would work and fix the issues at that corridor. He stated that he had hoped the original intersection could be used but realized that was not feasible due to the number of commercial properties stationed there.

Mr. Mallon stated that there would be another official public outreach component which would be a part of a Task Order. As a result, the Board would see this project several times in the future as the project developed.

Commissioner Maxwell noted that he and Chairman Hearn had been a part of the process of having to go through a resident's home, and it was one of the hardest decisions he had to make as a commissioner.

County Administrator Steve Rapson stated that this project was a qualifications-based procurement, with this being phase one. With that in mind, he advised the Board that the design cost would increase to \$1M. The incoming task orders received would be expected and were task driven.

Commissioner Charles Rousseau stated that he appreciated Mr. Mallon stating that there would continue to be outreach in the community as the project developed. He asked if Mr. Mallon could provide him with a copy of the concept map. He stated that he could use a tool in conversation with citizens and residents in the community. He reiterated Commissioner Maxwell's sentiments regarding the sensitivity of the eminent domain process. Commissioner Rousseau stated that he agreed this was the best solution in the most difficult circumstances.

Mr. Mallon stated that the main objective of this item was to collect very detailed traffic data, all turning movements existing and proposed, in turn analyzing and developing three options. He suggested working through this current task order and once the data analysis was received, the updated concept map would be a better depiction to disseminate to the public.

Commissioner Rousseau stated that he would defer to his judgement and recommendation but noted that it would be best to provide citizens and residents as much information as soon as possible that the project is under way.

He continued that he was aware that the County had applied for matching grant funds for this project and asked for a status update on that application.

Mr. Mallon stated that this project had already been awarded twice for scoping which had been completed, and the County received seed money to begin the current phase of the project. He added that this past fall the Board authorized staff to apply for additional funding, which he hoped would be the full \$1M. Mr. Mallon stated that he should be receiving unofficial result from that application around April.

Vice Chairman Gibbons moved to approve request to award engineering and design services for Contract #1981-Q to Practical Design Partners (PDP) for the Realignment of SR 279 at Corinth Road and approval of Task Order #1 for a not-to-exceed amount of \$135,528.91. Commissioner Oddo seconded. The motion passed 5-0.

**7. Consideration of staff's recommendation to enter into a contract agreement between Fayette County and Georgia Department of Transportation (GDOT) to supply all construction engineering and contract supervision for water distribution line adjustments and improvements on State Route 85 from State Route 279 in Fayette County to the county line, for a not-to-exceed amount of \$125,906.42.**

Water System Director Vanessa Tigert stated that the agreement before the Board would allow Georgia Department of Transportation (GDOT) to supply their own contractor to perform the work of moving and reinstalling a water distribution line on State Route 85 from State Route 279 in Fayette County to the county line for a not-to-exceed amount of \$125,906.42.

Vice Chairman Gibbons moved to approve to enter into a contract agreement between Fayette County and Georgia Department of Transportation (GDOT) to supply all construction engineering and contract supervision for water distribution line adjustments and improvements on State Route 85 from State Route 279 in Fayette County to the county line, for a not-to-exceed amount of \$125,906.42. Commissioner Oddo seconded.

Vice Chairman Gibbons asked as clarification if essentially this project was the County paying the State's preferred vendor to perform the work.

Ms. Tigert stated that was correct.

Commissioner Oddo asked if this project was the result of the widening project.

Ms. Tigert stated, "yes".

Chairman Hearn asked if the cost seemed reasonable and fair in relation to the linear feet required for the project.

Ms. Tigert stated she felt it was. She continued that she had applied for aid because this was a GDOT project and not a county project, but it was denied.

Vice Chairman Gibbons moved to approve to enter into a contract agreement between Fayette County and Georgia Department of Transportation (GDOT) to supply all construction engineering and contract supervision for water distribution line adjustments and improvements on State Route 85 from State Route 279 in Fayette County to the county line, for a not-to-exceed amount of \$125,906.42. Commissioner Oddo seconded. The motion passed 5-0.

**8. Consideration of staff's recommendation to enter into a revised Local Option Sales Tax (LOST) Certificate of Distribution for years 2023 through 2032.**

Mr. Rapson stated that before the Board was the revised Local Option Sales Tax (LOST) Certificate of Distribution for years 2023 through 2032. He stated that State law required that the Local Option Sales Tax be renegotiated two-years after census data was received. The renegotiations had to begin by July 1, 2022. He added that negotiations were performed, and the corresponding distribution lists had been signed by each municipality.

Chairman Hearn asked if the distributions were the same as previous years.

Mr. Rapson stated that there were two distributions. The first was 48.5% that was for the County which remained the same. With the second distribution, the cities chose to use population, which was a little different than previous years, but in essence it was all based on population.

Vice Chairman Gibbons asked how many other counties had already completed this requirement.

Mr. Rapson stated, "none". He stated that not all counties had a Local Option Sales Tax (LOST) thus would not perform negotiations but added that for counties that did they were very envious of Fayette County in having completed this process.

Vice Chairman Gibbons expressed his appreciation to Mr. Rapson and staff in getting this completed.

Chairman Hearn extended kudos to the team for a job well done.

Commissioner Oddo extended a thank you the cities as well for their assistance and cooperation.

Vice Chairman Gibbons moved to approve to enter into a revised Local Option Sales Tax (LOST) Certificate of Distribution for years 2023 through 2032. Commissioner Oddo seconded. The motion passed 5-0.

## **ADMINISTRATOR'S REPORTS:**

### **Roy Bishop comments**

Mr. Rapson stated in response to Mr. Bishop's comments that Mr. James Munster would be onsite in the morning to determine what the issue was and who was responsible to fix it.

### **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 Brogdon Road and New Hope Road roundabout, Silverleaf Drive culvert replacement Patricia Lane culvert replacement, and the Pleasant Hill culvert replacement.

### **Local Legislation**

Mr. Rapson stated that local legislation HB 1595 and HB 1596 had dropped in reference to the State portion of what the County request legislatively. The Probate Court portion of the County's request was still pending.

## **ATTORNEY'S REPORTS:**

**Notice of Executive Session:** County Attorney Dennis Davenport stated that there was one item for Executive Session. One item involving threatened litigation.

## **COMMISSIONERS' REPORTS:**

### **Commissioner Rousseau**

Commissioner Rousseau recognized Pastor Randy Wood on his retirement from Liberty Baptist Church. He added that Liberty Baptist Church was one of the top voting precincts in the County and was involved in community outreach, feeding the hungry, assisting with housing and much more. He extended his appreciation to Pastor Wood for his diligence, faithfulness, and leadership.

### **Commissioner Maxwell**

Commissioner Maxwell stated that last week both Vice Chairman Gibbons and Commissioner Rousseau went through the qualifying process unopposed. He continued that it should not be overlooked or taken for granted that they went unopposed because it was a good indicator of their hard work. Commissioner Maxwell stated that he thought the world of both commissioners and enjoyed working with each of them. He expressed his congratulation.

**Commissioner Rousseau**

Commissioner Rousseau thanked Commissioner Maxwell for his kind sentiments. He added that he did not take for granted those who had placed their confidence in him or in the Board as a whole. He expressed his appreciation to the Board and staff and stated that he looked forward to serving an additional four years.

**Vice Chairman Gibbons**

Vice Chairman Gibbons echoed Commissioner Rousseau's comments and thanked Commissioner Maxwell for his kind words. He also thanked the citizens of Peachtree City and those in his district who voted for him and decided he was worthy of serving another four years.

**Chairman Hearn**

Chairman Hearn thanked Mr. Mallon and Mr. Hoffman for the improvements made near Goza Road. He added that he felt it was a much safer intersection as a result of the improvements put in place. Chairman Hearn excitedly acknowledged that Friday, March 25<sup>th</sup>, he and his wife would be celebrating their 45<sup>th</sup> wedding anniversary. He added that anyone that had managed to put up with him for forty-five years was a saint.

**EXECUTIVE SESSION:**

**One item involving threatened litigation.** Commissioner Oddo moved to go into Executive Session. Commissioner Rousseau seconded. The motion passed 5-0.

The Board recessed into Executive Session at 5:33 p.m. and returned to Official Session at 5:59 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.

**ADJOURNMENT:**

Commissioner Oddo moved to adjourn the March 24, 2022 Board of Commissioners meeting. Chairman Hearn seconded the motion. The motion passed 5-0.

The March 24, 2022 Board of Commissioners meeting adjourned at 5:59 p.m.

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Marlena M. Edwards, Chief Deputy County Clerk

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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 14<sup>th</sup> day of April 2022. Attachments are available upon request at the County Clerk's Office.

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Marlena Edwards, Chief Deputy County Clerk