

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

ACTION AGENDA

November 10, 2022

2:00 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 November 10, 2022 meeting to order at 2:02 p.m. Commissioner Eric Maxwell was absent at the start of the meeting, but arrived at 2:08 p.m.

Invocation and Pledge of Allegiance

Chairman Hearn offered the Invocation and led the audience in the Pledge of Allegiance.

Acceptance of Agenda

Commissioner Charles Oddo moved to accept the agenda. Vice Chairman Edward Gibbons seconded. The motion passed 4-0. Commissioner Maxwell was absent.

PROCLAMATION/RECOGNITION: None.

PUBLIC HEARING: None.

PUBLIC COMMENT: None.

Speakers will be given a five (5) minute maximum time limit to speak before the Board of Commissioners about various topics, issues, and concerns. Speakers must direct comments to the Board. Responses are reserved at the discretion of the Board.

CONSENT AGENDA:

Vice Chairman Gibbons moved to approve the Consent Agenda as written. Commissioner Oddo seconded. The motion passed 4-0. Commissioner Maxwell was absent.

1. **Approval to adopt the 2023 County Commissioner Meeting schedule.**
2. **Approval of the October 27, 2022 Special Called Special Purpose Local Option Sales Tax (SPLOST) Meeting Minutes.**
3. **Approval of the October 27, 2022 Board of Commissioners Meeting Minutes.**

OLD BUSINESS:

NEW BUSINESS:

Chairman Hearn called a recess at 2:05 p.m. to allow Commissioner Maxwell to arrive. The meeting reconvened at 2:08 p.m. Commissioner Maxwell arrived.

4. Request to approve a contract agreement between Fayette County and Georgia Department of Transportation (GDOT) (PI No. 0013726) to supply all construction engineering and contract supervision for water distribution line adjustments and improvements at the intersection of State Route 74 and State Route 54 in Fayette County for a not to exceed amount of \$1,019,269.51.

Water System Director Vanessa Tigert stated that this was a request to approve a contract agreement with Georgia Department of Transportation (GDOT) for a project to supply all construction engineering and contract supervision for water distribution line adjustments and improvements at the intersection of State Routes 74 and 54 in Peachtree City, in the amount of \$1,019,269.51.

Vice Chairman Gibbons moved to approve a contract agreement between Fayette County and Georgia Department of Transportation (GDOT) (PI No. 0013726) to supply all construction engineering and contract supervision for water distribution line adjustments and improvements at the intersection of State Route 74 and State Route 54 in Fayette County [Peachtree City] for a not to exceed amount of \$1,019,269.51. Commissioner Oddo seconded.

Commissioner Charles Rousseau asked about the funding.

County Administrator Steve Rapson stated that there was funding for the project.

Commissioner Eric Maxwell stated that this was a contract that was hired by GDOT and that it was not the County doing the work, or our crew doing the work. He stated that the County was only supplying the money to GDOT.

Ms. Tigert stated that was correct.

Vice Chairman Gibbons moved to approve a contract agreement between Fayette County and Georgia Department of Transportation (GDOT) (PI No. 0013726) to supply all construction engineering and contract supervision for water distribution line adjustments and improvements at the intersection of State Route 74 and State Route 54 in Fayette County [Peachtree City] for a not to exceed amount of \$1,019,269.51. Commissioner Oddo seconded. The motion passed 5-0.

5. Request to approve the Acknowledgment of Disclosure and Confirmation of Informed Consent document prepared by McNally, Fox, Grant & Davenport P.C. regarding the agreement between Fayette County and the Town of Tyrone for crack sealing services.

County Attorney Dennis Davenport stated that this was a similar document that had come before the Board in the past. He stated that whenever the Town of Tyrone and Fayette County contracted together, since his firm represented both entities, the Board was informed that both are represented and there was a potential for conflict, although he did not see the conflict. He stated that the Board was welcomed to bring in another law firm, if preferred; otherwise, he was requesting the Board's consent to waive the potential conflict and move forward. He stated that his firm would do the same letter with the Town of Tyrone.

Commissioner Oddo moved to approve the Acknowledgment of Disclosure and Confirmation of Informed Consent document prepared by McNally, Fox, Grant & Davenport P.C. regarding the agreement between Fayette County and the Town of Tyrone for crack sealing services. Vice Chairman Gibbons seconded. The motion passed 5-0.

6. Request to approve the Crack Seal Project Agreement between the Town of Tyrone and Fayette County.

Road Department Director Steve Hoffman stated that this was a request to approve the agreement with the Town of Tyrone for a crack seal project.

Vice Chairman Gibbons moved to approve the Crack Seal Project Agreement between the Town of Tyrone and Fayette County. Commissioner Oddo seconded. The motion passed 5-0.

7. Request to award Bid #2177-B Micro Surfacing to Asphalt Paving Systems, Inc. in the amount of \$560,155.00.

Vice Chairman Gibbons moved to approve Bid #2177-B Micro Surfacing to Asphalt Paving Systems, Inc. in the amount of \$560,155.00. Commissioner Oddo seconded. The motion passed 5-0.

ADMINISTRATOR'S REPORTS:

Mr. Rapson highlighted the following from the Hot Topic Projects:

Redwine Road Multi-Use Pathway, Parks and Recreation Multi-Purpose Facility Design, Elections Building Renovation (Old Fire House 4), and the Ebenezer Church Road Bridge Replacement.

He stated that the County was in the process of having the corridor study for State Route 279 project. Public notices are posted on the County's website and a survey was available.

The County participated in the National Association of Counties (NACo) initiative, Operation Green Light in honor of Veterans by placing green lights at the Administration Complex and at Heritage fountain. He added that it was the birthday for the Marine Corps.

ATTORNEY'S REPORTS:

Notice of Executive Session: County Attorney Dennis Davenport stated that there were six (6) items for Executive Session. Two items involving pending litigation, one item involving real estate acquisition, two items involving threaten litigation and the review of the Executive Session minutes for October 27, 2022.

COMMISSIONERS' REPORTS:

Vice Chairman Gibbons, Commissioner Oddo, Commissioner Rousseau, Commissioner Maxwell and Chairman Hearn offered comments.

EXECUTIVE SESSION:

Two items involving pending litigation, one item involving real estate acquisition, two items involving threaten litigation and the review of the Executive Session minutes for October 27, 2022. Commissioner Oddo moved to go into Executive Session. Vice Chairman Gibbons seconded. The motion passed 5-0.

The Board recessed into Executive Session at 2:38 p.m. and returned to Official Session at 3:48 p.m.

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

In accordance with the Americans with Disabilities Act, accommodations are available for those who are hearing impaired. The Board of Commissioners Agenda and supporting material for each item is available on-line through the County's website at www.fayettecountyga.gov. This meeting will be telecast on Comcast Cable Channel 23 and on the internet at <https://vimeo.com/user133262656>.

Mr. Davenport stated that there was situation that occurred on July 31, 2022, where a Fayette County Sheriff's Office, 2020 Tahoe was involved in a motor vehicle collision. He stated that it was the fault of the other driver. The value of the Tahoe was \$37,249 and it was completely totaled. The insurance company, Liberty Mutual, for the other driver only had coverage up to \$25,000 for this type of accident and offered to settle the claim for the \$25,000 pursuant to their policy.

Vice Chairman Gibbons moved to approve to accept the \$25,000 offer from Liberty Mutual. Commissioner Oddo seconded. The motion passed 5-0.

Executive Session Minutes: Commissioner Oddo moved to approve the October 27, 2022 Executive Session Minutes. Vice Chairman Gibbons seconded. The motion passed 5-0.

ADJOURNMENT:

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

The November 10, 2022 Board of Commissioners meeting adjourned at 3:49 p.m.