

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 9, 2023
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 9, 2023 Board of Commissioners meeting to order at 5:00 p.m. A quorum of the Board was present.

Invocation and Pledge of Allegiance by Chairman Lee Hearn

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

Acceptance of Agenda

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

PROCLAMATION/RECOGNITION:

- 1. Recognition of Leslie Jackson, 911 Supervisor who received the Veterans of Foreign Wars (VFW) State Public Servant Award for 911 Dispatch.**

911 Director Kayte Vogt stated that the Fayette County 911 administration was approached by two separate Veterans of Foreign Wars (VFW) posts in Fayette County with a nomination request for the Veterans of Foreign Wars (VFW) public servant award in the newly created category, "911 Dispatch". Ms. Vogt stated that as a two-time employee of the year and exemplary supervisor, Leslie Jackson was an easy choice for the nomination. Leslie, started with Fayette County in July 2016, and quickly progressed from Communications Officer to Certified Training Officer, and finally Shift Supervisor in just over two years. She was an integral part of the management and training teams. Ms. Vogt stated that Leslie lead by example and helped improve everyone around her.

PUBLIC HEARING: None.

PUBLIC COMMENT:

Larry Newsome of Fayetteville expressed his dissatisfaction with the changes to services and increased prices at the Fayette County transfer station. He asked the Board to review the approved contract with AMWASTE regarding recyclables and he asked to personally review a copy of the AMWASTE contract.

CONSENT AGENDA:

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

2. **Approval of the Georgia County Internship Program Grant Agreement from Association County Commissioners of Georgia (ACCG) Civic Affairs Foundation, Inc. to the Fayette County Water System for award of the Kundell Environmental Grant in the amount of \$2,607.60 for one intern.**
3. **Approval of the Georgia County Internship Program Grant Agreement from Association County Commissioners of Georgia (ACCG) Civic Affairs Foundation, Inc. to the Fayette County State Court Solicitor General's Office for award of the General Georgia County Internship Program (GCIP) Grant in the amount of \$2,607.60 for one intern.**
4. **Approval of the Georgia County Internship Program Grant Agreement from Association County Commissioners of Georgia (ACCG) Civic Affairs Foundation, Inc. to the Fayette County State Court for award of the General Georgia County Internship Program (GCIP) Grant in the amount of \$5,215.20 for two interns.**
5. **Approval of the Georgia County Internship Program Grant Agreement from Association County Commissioners of Georgia (ACCG) Civic Affairs Foundation, Inc. to the Fayette County Public Defender's Office for award of the General Georgia County Internship Program (GCIP) Grant in the amount of \$5,215.20 for two interns.**
6. **Approval of an agreement with Lisbon Baptist Church for a donation of eight (8) indigent burial plots.**
7. **Approval of the February 23, 2023 Board of Commissioners Meeting Minutes.**

OLD BUSINESS:

8. **Request to approve Ordinance 2023-01, to amend Chapter 6 - Animals, Article II. - Keeping Animals; Animal Shelter, Section 6-23. - Restraint of animals - While on property, to include tethering restriction. This item was tabled at the January 23, 2023 Board of Commissioners meeting.**

Animal Shelter Director Jerry Collins requested the approval of Ordinance 2023-01, to amend Chapter 6 - Animals, Article II. - Keeping Animals; Animal Shelter, Section 6-23. - Restraint of animals - While on property, to include tethering restriction. Mr. Collins advised the Board that this item had been tabled at the January 23, 2023 Board of Commissioners meeting. He stated that he was requested by the Board to contact the City of Fayetteville and the Town of Tyrone regarding Ordinance 2023-01. He stated that, as requested by the Board, he contacted the City of Fayetteville and the Town of Tyrone to determine if they were interested in having a tethering ordinance. In speaking with each municipality administrators, they both agreed that, if the County approved a tethering ordinance, they would adopt what was passed by the County.

Chairman Hearn asked for a brief synopsis of the tethering ordinance.

Mr. Collins explained that the tethering ordinance would set restrictions on when an animal could be tied or "tethered" outside and how the animal should be tethered.

Vice Chairman Gibbons moved to approve Ordinance 2023-01, to amend Chapter 6 - Animals, Article II. - Keeping Animals; Animal Shelter, Section 6-23. - Restraint of animals - While on property, to include tethering restriction. Commissioner Maxwell seconded.

Commissioner Maxwell stated that he attended the recent groundbreaking ceremony for the new Animal Shelter, which he felt was needed and would be a great service to the community. He noted that in the past, if a citizen called him regarding a tethered animal in need, he did everything in his power to make sure that animal was properly cared for, and he would do the same today. He stated that although he would vote for this item, in his opinion, he did not feel that the County had a tethering issue.

Mr. Collins agreed, stating that in his time as the Animal Shelter Director he had not seen any egregious tethering issues. However, there had been instances where a dog was left outside 24/7, 365 days a year.

Commissioner Maxwell stated that if a dog was left with no shelter, no food, or water, the authorities should be contacted, and the situation would be addressed.

Mr. Collins stated that these animals did have adequate food, water, and shelter. However, there were citizens who still expressed their concern and dissatisfaction with an animal being left like this for such long periods for time. Mr. Collins stated that currently the County did not have any ordinance or regulation that addressed this concern. The new tethering ordinance would create an educational opportunity for staff to teach citizens.

Commissioner Rousseau stated that he appreciated Mr. Collins comments regarding the educational campaign as it related to the new tethering ordinance. Citizens would need to know about the changes once the ordinance was approved and put in place. Commissioner Rousseau stated that reaching out to the remaining municipalities regarding this ordinance was vital. He stated that he felt this ordinance required community wide input and wanted the ordinance to be cohesive throughout the County.

Vice Chairman Gibbons moved to approve Ordinance 2023-01, to amend Chapter 6 - Animals, Article II. - Keeping Animals; Animal Shelter, Section 6-23. - Restraint of animals - While on property, to include tethering restriction. Commissioner Maxwell seconded. The motion passed 5-0.

NEW BUSINESS:

- 9. Request to award engineering and design services for Contract #2036-Q to EXP U.S. Services, Inc. (EXP) for the design and engineering of approximately 12.4 miles of road resurfacing and approval of Task Order #1 for a Not to Exceed (NTE) value of \$223,635.22.**

Public Works Director Phil Mallon stated that this item was to award the contract for engineering and design services for the federal aid paving project to EXP U.S. Services, Inc. (EXP) for a Not to Exceed (NTE) value of \$223,635.22. He stated that if approved, the estimated start of the project would be late March, early April to be completed within 12-months. This would hopefully allow the County to have the project placed out for bid for construction in FY2024.

Vice Chairman Gibbons moved to approve to award engineering and design services for Contract #2036-Q to EXP U.S. Services, Inc. (EXP) for the design and engineering of approximately 12.4 miles of road resurfacing and approval of Task Order #1 for a Not to Exceed (NTE) value of \$223,635.22. Commissioner Oddo seconded. The motion passed 5-0.

- 10. Request to award Contract #2000-P; Advanced Metering Infrastructure (AMI) Solution to Badger Meter, Inc., for purchase and installation of 31,654 water meter and cellular endpoints, in the not-to-exceed amount of \$12,712,905.**

Water System Director Vanessa Tigert stated that she was excited about this item, which was requesting approval to award Contract #2000-P; Advanced Metering Infrastructure (AMI) Solution to Badger Meter, Inc., for purchase and installation of 31,654 water meter and cellular endpoints, in the not-to-exceed amount of \$12,712,905. She provided the Board a brief overview of the Badger Meter, Inc. purchase and installation project. Ms. Tigert stated that at the August 25 BOC meeting, staff presented the arduous water meter procurement process before the Board and Badger Meter was selected. She stated that since then, staff had been in negotiations with Badger Meters and contract development was completed and was ready for Board approval. The contract development involved twenty internal discussions and meetings with Badger Meter and before the Board was Advanced Metering Infrastructure (AMI) Contract documents which included: the Agreement, Fayette County General Terms & Conditions Exhibit 1 - Schedule of Values and Exhibit 2 - Product Warranties; Badger Meter Beacon Software-as-a-Service Managed Solution Master Agreement, and Statement of Work. She stated that there was a stakeholder group involved in this process which included Fayette County Purchasing Director Ted Burgess, Fayette County Administrator Steve Rapson, and Fayette County Attorney Dennis Davenport., along with ARCADIS the project consulting firm. Ms. Tigert introduced some of the project

team leaders: Jimmy Harris with Badger and the ARCADIS project team consisting of Michael Diaz, Janice Lucas, and Aaron Capelouto. Ms. Tigert presented an overview of the final capital costs of the project. She stated that the total capital cost dollar was about \$514K less than was originally presented. Estimated total cost for this project was \$13.1M. As a high-level overview of the project timeline, Ms. Tigert stated that over the next few months, they would have the preconstruction meeting which would lead to the order of the initial deployment equipment and determining where the initial meters would be installed and coordination of the software integration over the next 12-months. She continued that the oldest meters would be addressed first. She concluded that the goal was to have the project finalized by October 2025.

Mr. Rapson stated that what was before the Board was two separate approvals. The first was for the Badger Meter, Inc. contract at \$12,712,902; and the second approval was for ARCADIS the current engineer-of-record for a 30-month contract for \$448,709 to manage the project.

Commissioner Maxwell asked how long it takes to install a meter.

Ms. Tigert stated that it would take about 15-mins to install a new meter.

Commissioner Maxwell asked where the bad meters are located, or where would the project start.

Ms. Tigert stated that during an analysis of an apartment complex, one of largest meters in the county, it was determined that the County was losing about \$35K annually based on the inaccuracies of the meter. As a result, this project would begin with the largest meters first. This would help recoup some of the money the fastest and go toward repayment to the General Fund.

Commissioner Maxwell asked how these meters were read.

Mr. Rapson reiterated Ms. Tigert's comments that the oldest and largest meters would be replaced first. He stated that the installation would be staggered and stretch over a 3-year period. He noted that the revenue stream associated with more accurate and efficient meters should repay the General Fund loan over a 2-year period.

Janice Lucas with ARCADIS stated that the meters read over a wireless cellular network.

Commissioner Maxwell stated that because of the newer meters a problem could be identified sooner, as opposed to having to wait until the end of the month once the water bill was received.

Mrs. Lucas stated that was correct. As a result of the meter reads, data coming in on a continual basis and being monitor and analyzed for issues or abnormal consumption would be quickly identified sooner. Staff would then be able to contact customers and they were also looking into providing customer alerts that would be issued through the Badger portal.

Commissioner Maxwell pointed out that a big portion of this project, a total of \$9.2M, was being funded via American Rescue Plan Act (ARPA). He stated that although this was all taxpayer money this portion was federal aid funds which he greatly appreciated. Commissioner Maxwell stated that for this project the County was providing a \$2.5M match from the General Fund as a loan which would be paid back. He concluded that the remaining \$1M would come from the Revenue and Extension (R&E). Commissioner Maxwell stated that in his opinion this item was a no-brainer decision.

Vice Chairman Gibbons moved to approve to award Contract #2000-P; Advanced Metering Infrastructure (AMI) Solution to Badger Meter, Inc., for purchase and installation of 31,654 water meter and cellular endpoints, in the not-to-exceed amount of \$12,712,905. Commissioner Oddo seconded.

Commissioner Rousseau asked if the County could verify that a Water Systems customer owed the County \$35K, was there a process for us to recoup those funds.

Mr. Rapson stated that he did not know of a way to go back and charge a customer after that fact.

County Attorney Dennis Davenport stated that the County did not realize that water was being lost because our equipment was providing inaccurate readings, the readings should have been higher. We only charge customers based on the water meter readings as a result, the customer has no duty to the county to pay any more than what was charged.

Chairman Hearn suggested setting up installation targets to ensure the installation process proceeds as desired and urged having milestones in place to check the project progress. He stated that he would like to see this project move forward in a timely fashion which was critical because there was a deadline for the ARPA funds to be spent by. Chairman Hearn stated that he was excited and looking forward to receiving progress reports on this project.

Commissioner Rousseau asked if the installation process could be drawn up by zones to help give the residents an opportunity to anticipate when they would be receiving their new meter.

Mr. Rapson agreed with Commissioner Rousseau's comments and stated that there would be an education component to this project. He noted that because the new meters would be more accurate residents would notice a change in their water bill. Mr. Rapson advised the Board that they would probably be receiving calls from citizens regarding a "seeming increase" to their water bills.

Commissioner Maxwell asked if there was a process in place for citizens who may request a new Badger meter, that are not a part of this project. He also asked if the private water systems customers would be addressed with the revenue coming in.

Mr. Rapson stated no, the private water systems would not be addressed with this project. He continued that if a citizen was currently on a well, and access was available for them to connect, a process was in place for them to do so. He added that the private water systems issues were valid but were very complex and involved. Although staff was actively working on a strategic plan to address them, a solution had not been determined at this point.

Commissioner Rousseau stated that he hoped the private water systems issues were still being reviewed. And added that he had hoped that some of the ARPA funds could have been used to address the issues of private water systems.

Commissioner Maxwell stated that for that to work it would have taken several different players; the County, the private water system customer, and the private water systems owners to work cohesively.

Mr. Rapson reminded the Board that AMI would provide additional revenue perpetually. As a result, providing more resources in the future for projects like addressing the private water system issues.

Commissioner Rousseau stated that although he did not support the use of these funds for this project and would be voting in opposition of this item, he did understand the need.

Vice Chairman Gibbons moved to approve to award Contract #2000-P; Advanced Metering Infrastructure (AMI) Solution to Badger Meter, Inc., for purchase and installation of 31,654 water meter and cellular endpoints, in the not-to-exceed amount of \$12,712,905. Commissioner Oddo seconded. The motion passed 4-1, with Commissioner Rousseau voting in opposition.

11. Request to approve ARCADIS Task Order No. 23-06, of Contract #1867-P Water System Engineer of Record for Advanced Metering Infrastructure (AMI) Implementation Management in the not to exceed amount of \$448,708.84.

Commissioner Oddo moved to approve ARCADIS Task Order No. 23-06, of Contract #1867-P Water System Engineer of Record for Advanced Metering Infrastructure (AMI) Implementation Management in the not to exceed amount of \$448,708.84. Vice Chairman Gibbons seconded. The motion passed 4-1, with Commissioner Rousseau voting in opposition.

12. Request to approve revision to Policy 100.09; Indigent Burials, to allow for the County to choose cremation.

Fayette County Clerk Tameca Smith stated that before the Board was the request to approve the revision to Policy 100.09; Indigent Burials, to allow for the County to choose cremation. She stated that currently the county's policy stated that when a deceased individual was either abandoned or next-of-kin could not be identified, burial was required for indigent cases. This policy change would allow the County to choose either cremation or burial. Burial was a cost of \$1,300 per case.

Vice Chairman Gibbons moved to approve revision to Policy 100.09; Indigent Burials, to allow for the County to choose cremation. Commissioner Oddo seconded.

Commissioner Oddo asked were would the ashes of a cremated individual be interred.

Mrs. Smith stated that the cremation facility selected would have a private "keep" protocol in place for remains that are not procured by next-of-kin. No remains are procured by the County.

Commissioner Oddo stated that the County did not have many plots for indigent burial.

Mrs. Smith stated that was correct, as a part of the consent agenda the Board approved the donation of eight plots. She added that this situation did not happen often. However, if in the future there was an instance where no plots were available, this policy would be in place.

Vice Chairman Gibbons moved to approve revision to Policy 100.09; Indigent Burials, to allow for the County to choose cremation. Commissioner Oddo seconded. The motion passed 5-0.

13. Consideration of Policy 448.21; Hybrid Telework.

Mr. Rapson stated that this item was seeking approval to implement a hybrid telework policy. He stated that the County currently had a teleworking policy in place, the hybrid telework would complement it. Mr. Rapson stated that this policy would offer County employees four options for alternative schedules: Flextime, Compressed workweek, Full-time remote, and Hybrid teleworking. He outlined the specifics of each schedule option. These schedules would be determined based on input from the employee, the crew leads and reviewed by department directors. From that point the request would be reviewed and analyzed by the County Administrator and HR Director, then sanctioned for approval. Mr. Rapson stated that it was a powerful recruitment and retention tool for positions that can take advantage of this new policy and had become somewhat of an expectation from job applicants that the County would offer flexible work schedules in some form of teleworking. Mr. Rapson stated that there were jobs conducive to this and some that would not qualify.

Chairman Hearn stated that he wanted to ensure that each department would always be adequately covered and never completely shut down.

Mr. Rapson stated that he had made his expectations of continuity of service clear to his Department Heads, if not properly used the option would be terminated. Mr. Rapson stated that as it begins, he knew there will be some success and some failure but ultimately, this would become the new normal.

Chairman Hearn stated that he would hate to loss a good candidate strictly based on a 30-day probation and felt this could be on a case-by-case basis at the County Administrators discretion.

Vice Chairman Gibbons moved to approve Policy 448.21; Hybrid Telework. Commissioner Oddo seconded.

Commissioner Maxwell stated that he was not in favor of teleworking. He stated that he felt it could be easily abused and hoped it would be closely managed. He stated that he would vote for it but he was hesitant.

Commissioner Rousseau expressed his extreme concern regarding cyber security as it related to equipment and information that would be offsite. He stated that he would vote for this item knowing it was the new wave and would incite millennial candidate to public service, but he had some concerns.

Vice Chairman Gibbons moved to approve Policy 448.21; Hybrid Telework. Commissioner Oddo seconded. The motion passed 5-0.

14. Consideration of revisions Policy 448.20; Telework.

County Administrator Steve Rapson stated that this item was to amend the current teleworking policy to be consistent with the new policy the Board just adopted.

Vice Chairman Gibbons moved to approve revisions Policy 448.20; Telework. Commissioner Oddo seconded. The motion passed 5-0.

ADMINISTRATOR'S REPORTS:

- A. Contract #1932-P: Debris Clearing, Removal & Disposal Renewal 2**
- B. Contract #1933-P: Debris Monitor Renewal 2**

Mr. Rapson advised that he had a resignation from the Development Authority and need a selection committee. Chairman Hearn nominated Commissioner Maxwell and Vice Chairman Gibbons to serve as the Development Authority selection Committee. The motion passed 5-0.

ATTORNEY'S REPORTS:

Notice of Executive Session: County Attorney Dennis Davenport stated that there were three items of consideration for Executive Session. One item involving threatened litigation, one item involving pending litigation, and the review of the Executive Session Minutes for February 23, 2023.

COMMISSIONERS' REPORTS:

Commissioner Maxwell

Commissioner Maxwell stated that he wished the citizen who made public comment had stayed for the full meeting and he would have spoken with him to address his concerns.

Commissioner Maxwell also highlighted the SPLOST card that were placed at the back of Chambers and encouraged everyone to vote for the upcoming election.

Commissioner Rousseau

Commissioner Rousseau extended his congratulation to Mr. Collins on the Animal Shelter groundbreaking. He advised the Board that the newly sworn in Representative Tish Naghise suddenly passed away and he was with her family.

Commissioner Rousseau stated in response to comments regarding the transfer station that if the services were not being fulfilled as outlined in the contract that was an issue and should be investigated.

He concluded that the importance of internship public service was vital to the community, ,and he hoped the next generation would take an interest.

Commissioner Oddo

Commissioner Oddo extended his appreciation to Mr. Collins and staff at the Animal Shelter.

He also expressed his appreciation to the Lisbon Baptist Church for their donation of indigent burial plots.

Commissioner Oddo also expressed his appreciation to the Association County Commissioners of Georgia (ACCG) for six grants for county internships.

Chairman Hearn

Chairman Hearn stated that he recently attended the Atlanta Regional Commissioner Meeting and continued to enjoy the engagement and information he received when he attended. He noted that while at the meeting there was a protest, but he was able to “head out” with no issues.

EXECUTIVE SESSION:

One item involving threatened litigation, one item involving pending litigation, and the review of the Executive Session Minutes for February 23, 2023. Commissioner Oddo moved to go into Executive Session. Vice Chairman Gibbons seconded. The motion passed 5-0.

The Board recessed into Executive Session at 6:13 p.m. and returned to Official Session at 6:25 p.m.

Return to Official Session and Approval to Sign the Executive Session 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. The motion passed 5-0.

Approval of the February 23, 2023 Executive Session Minutes: Commissioner Oddo moved to approve February 23, 2023 Executive Session Minutes. Vice Chairman Gibbons seconded the motion. The motion passed 5-0.

ADJOURNMENT:

Commissioner Oddo moved to adjourn the March 9, 2023 Board of Commissioners meeting. Vice Chairman Gibbons seconded the motion. The motion passed 5-0.

The March 9, 2023 Board of Commissioners meeting adjourned at 6:25 p.m.

Marlena 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 23rd day of March 2023. Attachments are available upon request at the County Clerk’s Office.

Marlena Edwards, Chief Deputy County Clerk