

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

April 13, 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 April 13, 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 Fayette County 4-H'ers who medaled at the Cloverleaf and District Project Achievement at Rock Eagle.

Fayette County 4-H program assistant, Chloe recognized Fayette County 4-H'ers who medaled at the Cloverleaf and District Project Achievement at Rock Eagle. She stated that 4-H was a youth development organization that encouraged kids to have experiences through "learning by doing". She stated that 4-H taught agriculture, science, being a good citizen, and healthy living. She stated that Project Achievement was a public speaking competition designed to allow students to share topics that "make them spark"! Senior 4-H'ers must complete a yearlong worth of work in preparation for their talk and do project specific work throughout the year to gain their knowledge of said selected topic. After hosting a SPARK Club for 6 months in preparation of project achievement, many 4-H'ers came home victorious! The Fayette County 4-H'ers introduced themselves and their projects to the Board and audience.

2. Recognition of the Fire & Emergency Services Citizen Fire Academy graduates on their successful completion of the 10-week Citizen Fire Academy.

Fire Chief Jeff Hill recognized the Fire & Emergency Services Citizen Fire Academy graduates on their successful completion of the 10-week Citizen Fire Academy. He stated that this course began on February 2 through April 13, 2023, and concluded with this presentation of certificates. Members of the class had the unique opportunity to experience behind the scenes operations and training of department members. Chief Hill stated that class members received their heart saver CPR certification, were trained in First Aid and how to use a fire extinguisher, and completed EMA preparedness training. Citizen Fire Academy

members observed department members performing vehicle extrication with the "Jaws of Life" and toured the Fire Safety Education Bus and fire stations, where they had dinner at a fire station with the on-duty crew. They toured the 911 Center and Emergency Operations Center (EOC), and learned firsthand about thermal imaging cameras, cardiac monitors, LUCAS devices, and self-contained breathing apparatus. Members from each shift presented a variety of Fire and EMS demonstrations including fire truck and ambulance demonstrations, flowing hose lines for firefighting purposes, ladder truck operations, and a full-scale operation demonstrating a house fire response. Certificates were awarded to the members.

PUBLIC HEARING:

PUBLIC COMMENT:

The following citizens made comments in reference to the proposed Rick Ross car show.

Mimi Phillips, Johnny Hill, John Smith, William Gene Adams, Denise Morrison, Isaac Logan, and Alice Jones Resident comments reiterated concerns regarding traffic control/safety, accessibility for emergency transportation, alcohol sale and/or consumption, and that this event would diminish the quality of life for the residents in the area. Residents sincerely requested Board support and assistance resolving these concerns regarding the car show and suggested denying the permit request.

Gerald Chichester with Fox Rothchild, representing Rick Ross, stated that the professional event producer for the car show was on his way to provide updates to the Board. Mr. Chichester provided the Board with a quick update regarding the buffalo incident that recently took place at the Rick Ross property. He stated that his client had reinforced the fencing and doubled the fence height and could provide pictures documenting these updates. Mr. Chichester stated that as it related to the proposed car show, his team was doing everything in their power to ensure that the community was safe and was cooperating with the County to ensure resident concerns were appropriately addressed.

Michael King, the car show event organizer, advised the Board and residents of the proposed plans to help alleviate some of the residents' concerns. He noted that there were plans for off-site parking which would require event goers and participant to be shuttled to the property. There would be coordinated registration, security checks off-site and plans for traffic mitigation to help maintain traffic flow and to ensure emergency personnel could access the area. Mr. King also noted to help with the on-looker traffic and cruising concerns, there would be double layer fencing put in place. He stated that his team was trying to mitigate all of resident's concerns.

County Administrator Steve Rapson stated that he provided the Board a high-level overview of proposed staff plans and/or requirements for the proposed car show. He stated that this was a multi-step process. Mr. Rapson stated that initially all involved County departments and staff met and created an actionable list of how the event should be handled. He continued that he would get Board feedback and incorporate any suggestions into the actionable list. From there the plan was to meet with Mr. Ross' team to finalize a coordinated plan to be presented before the Board at the April 25th BOC Meeting. He reminded everyone that this meeting would be held on a Tuesday. Mr. Rapson provided a brief overview of the proposed plan created by staff. This plan included security features with a command post, traffic mitigation plan, strategically posted subdivision monitoring, and on-site emergency services.

Commissioner Maxwell stated that he heard and understood citizen concerns and complaints. He stated that this situation was a dilemma the Board had to consider, and it was a balancing act. On one hand, there was the concerns of 800+ residents and on the other, was a single resident who also had rights. Commissioner Maxwell stated that even if the Board made a motion to deny this event, he was not 100% sure it would be a valid denial, which could cause the Board to be subject to potential attack/litigation. He noted that although it was a disaster last year, he did not know if there was much the Board could do to stop the event.

Vice Chairman Gibbons stated that from his understating, via his discussion with County staff, even if the County prohibited the event by denying the permit, there was nothing to stop Mr. Ross from having the event anyway. He stated that the penalty would be a \$1,000 fine which he could easily pay. Vice Chairman Gibbons stated that the fact that Mr. Ross and his team was cooperating and working with the County was the best-case scenario.

Commissioner Rousseau stated that he would reserve his position while staff finalized the review of the application. He noted that based on previous comments, he felt as though staff had resided a way “to do” the car show, which he was disappointed about. In his opinion, history reflected in last year’s event was a clear indicator of how this event would go. Commissioner Rousseau suggested having a combined meeting with both Mr. Ross, his team and residents present to discuss plans for this event. He stated that he had serious reservations about an event that was in essence a “public nuisance”.

CONSENT AGENDA:

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

3. **Approval of staff’s recommendation to accept a supplemental technology grant for the DUI Accountability Court in the amount of \$1,638 for the period of April 1, 2023 - June 30, 2023.**
4. **Approval of staff’s recommendation to accept a supplemental emergency grant for the DUI Accountability Court in the amount of \$13,500 for the period of April 1, 2023 - June 30, 2023.**
5. **Approval of staff’s recommendation to accept the Technology Subgrant Award for the Griffin Judicial Circuit Drug Court in the amount of \$4,460 for the grant period April 1, 2023 to June 30, 2023.**
6. **Approval of the Fayette County Fire and Emergency Services to accept the Trauma Equipment Reimbursement Grant in the amount of \$6,117.87.**
7. **Approval of the March 23, 2023 Board of Commissioners Meeting Minutes.**

OLD BUSINESS:

NEW BUSINESS:

8. **Request to award Bid #2221-A: 2017 SPLOST; Stormwater Category III; 20SAA Lakeview Lane Trenchless Rehabilitation to the lowest responsive, responsible bidder, McLeRoy, Inc. in the amount of \$112,543.00 and to reallocate \$109,576.00.**

Public Works Director Phil Mallon stated that this request was seeking Board approval to award Bid #2221-A to McLeRoy, Inc. to replace a failing pipe on Lakeview Lane. He noted that this project would address the failing pipe and extend its useful life by Slip Lining with a smooth steel type liner along with constructing concrete headwalls. Mr. Mallon stated that this approval would be in the amount of \$112,543.00 and would reallocate \$109,576.00 from project 19SVO.

Vice Chairman Gibbons moved to approve to award Bid #2221-A: 2017 SPLOST; Stormwater Category III; 20SAA Lakeview Lane Trenchless Rehabilitation to the lowest responsive, responsible bidder, McLeRoy, Inc. in the amount of \$112,543.00 and to reallocate \$109,576.00. Commissioner Oddo seconded. The motion passed 5-0.

9. **Consideration of an Acknowledgment of Disclosure and Confirmation of Informed Consent regarding an Agreement to Conduct Municipal Elections.**

Attorney Ali Cox stated that whenever the Town of Tyrone and Fayette County contracted together, since their firm represented both entities, the Board was informed that both are represented and there was a potential for conflict. The Board was welcomed to bring in another law firm, if preferred. If not, she was requesting the Board’s consent to waive the potential conflict.

Vice Chairman Gibbons moved to approve Acknowledgment of Disclosure and Confirmation of Informed Consent regarding an Agreement to Conduct Municipal Elections. Commissioner Oddo seconded. The motion passed 5-0.

10. Request to approve an Intergovernmental Agreement with the Town of Tyrone allowing for the Fayette County Board of Elections to act as Superintendent of Elections for all elections held in Tyrone in 2023.

Brian Hill Fayette County Elections Director stated that the Town of Tyrone, The Town of Brooks, the Town of Woolsey, the City of Fayetteville, and the City of Peachtree City would hold elections for its offices in November 2023. Historically, Fayette County, the municipalities, and the Board of Elections have entered into intergovernmental agreements authorizing the Board of Elections to serve as Superintendent of Elections. These agreements have been reviewed by the county attorney's office.

Vice Chairman Gibbons moved to approve an Intergovernmental Agreement with the Town of Tyrone allowing for the Fayette County Board of Elections to act as Superintendent of Elections for all elections held in Tyrone in 2023. Commissioner Oddo seconded. The motion passed 5-0.

11. Request to approve an Intergovernmental Agreement with the Town of Brooks allowing for the Fayette County Board of Elections to act as Superintendent of Elections for all elections held in Brooks in 2023.

Commissioner Rousseau moved to approve an Intergovernmental Agreement with the Town of Brooks allowing for the Fayette County Board of Elections to act as Superintendent of Elections for all elections held in Brooks in 2023. Commissioner Oddo seconded.

Commissioner Rousseau asked Mr. Hill if he anticipated having enough resources to conduct elections.

Mr. Hill stated that there would be cost associated with hosting these elections, which he had included in his upcoming year's budget. The anticipated cost was provided to the municipalities with their Intergovernmental Agreement and was approved. Invoices for these services would be disseminated once the election were completed.

Commissioner Rousseau asked if he felt he had any difficulty recruiting staff.

Mr. Hill stated that he did not have any issues with staffing at this time.

Commissioner Rousseau moved to approve an Intergovernmental Agreement with the Town of Brooks allowing for the Fayette County Board of Elections to act as Superintendent of Elections for all elections held in Brooks in 2023. Commissioner Oddo seconded. The motion passed 5-0.

12. Request to approve an Intergovernmental Agreement with the Town of Woolsey allowing for the Fayette County Board of Elections to act as Superintendent of Elections for all elections held in Woolsey in 2023.

Commissioner Oddo moved to approve an Intergovernmental Agreement with the Town of Woolsey allowing for the Fayette County Board of Elections to act as Superintendent of Elections for all elections held in Woolsey in 2023. Vice Chairman Gibbons seconded. The motion passed 5-0.

13. Request to approve an Intergovernmental Agreement with the City of Fayetteville allowing for the Fayette County Board of Elections to act as Superintendent of Elections for all elections held in Fayetteville in 2023.

Vice Chairman Gibbons moved to approve Intergovernmental Agreement with the City of Fayetteville allowing for the Fayette County Board of Elections to act as Superintendent of Elections for all elections held in Fayetteville in 2023. Commissioner Oddo seconded. The motion passed 5-0.

14. Request to approve an Intergovernmental Agreement with the City of Peachtree City allowing for the Fayette County Board of Elections to act as Superintendent of Elections for all elections held in Peachtree City in 2023.

Commissioner Oddo moved to approve an Intergovernmental Agreement with the City of Peachtree City allowing for the Fayette County Board of Elections to act as Superintendent of Elections for all elections held in Peachtree City in 2023. Vice Chairman Gibbons seconded. The motion passed 5-0.

ADMINISTRATOR'S REPORTS:

Mr. Rapson reminded all in attendance that the April 25, 2023 BOC Meeting would be held on a Tuesday due to the upcoming ACCG Conference in Savannah. He continued that his plan was to meet with Mr. Ross' team early next week and would try having a meeting with community HOA leaders and residents by the end of the week to ensure he had feedback and input from all involved parties by the April 25 meeting.

ATTORNEY'S REPORTS:

COMMISSIONERS' REPORTS:

Commissioner Oddo

Commissioner Oddo reminded everyone that April 18, 2023 was the tax deadline.

Commissioner Rousseau

Commissioner Rousseau stated that there was an upcoming special election for District 68 in the State House, due to the recent passing of Representative Tish Naghise. He encouraged all in that district to take advantage of their right to vote.

Chairman Hearn

Chairman Hearn stated that he recently attended the Atlanta Regional Committee (ARC) Meeting and from that meeting he learned that Fayette County was expected to grow by over 19,000 people over the next 25 years beginning in 2026. As a result, he wanted the County, both staff and residents to be mindful of how we plan for the growth of this community. He stated that growth affected the water, schools, and the transportation system, so planning was a necessary part of preparing for the future.

Approval of the March 9, 2023 Executive Session Minutes: Vice Chairman Gibbons moved to approve the March 9, 2023 Executive Session Minutes. Commissioner Oddo seconded the motion. The motion passed 3-2, Commissioner Rousseau and Commissioner Maxwell voted in opposition.

EXECUTIVE SESSION: None

ADJOURNMENT:

Vice Chairman Gibbons moved to adjourn the April 13, 2023 Board of Commissioners meeting. Commissioner Oddo seconded the motion. The motion passed 5-0.

The April 13, 2023 Board of Commissioners meeting adjourned at 5:58 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 25th day of April 2023. Attachments are available upon request at the County Clerk's Office.

Marlena Edwards, Chief Deputy County Clerk