

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

May 25, 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 May 25, 2023 Board of Commissioners meeting to order at 5:03 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 approve the agenda as written, with the exception of moving consideration of item #18 after public comment. Vice Chairman Gibbons seconded. The motion passed 5-0.

PROCLAMATION/RECOGNITION:

PUBLIC HEARING:

1. **Consideration of Ordinance 2023-02 to amend Chapter 110. ZONING; Article I. - IN GENERAL; Section 110-3. - Definitions.**

Tabled to the June 22, 2023 Board of Commissioners meeting.

2. **Consideration of Ordinance 2023-03 to amend Chapter 110. ZONING; Article III. - GENERAL PROVISIONS; Section 110-79.; Residential accessory structures and their uses; (g) Architectural standards.**

No one spoke in favor or opposition.

Vice Chairman Gibbons moved to approve Ordinance 2023-03 to amend Chapter 110. ZONING; Article III. - GENERAL PROVISIONS; Section 110-79.; Residential accessory structures and their uses; (g) Architectural standards. Commissioner Rousseau seconded. The motion passed 5-0.

PUBLIC COMMENT:

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. Commissioner Hearn seconded. The motion passed 5-0.

3. **Approval to surplus, for auction or sale, a 2004 EZ-GO EMS Golf Cart, Fleet # 23584, County Asset #21840, and for the funds to be allocated to 61030600.**
4. **Approval to revise Policy 448.17; Employee Referral Incentive Program, as discussed at the May 12, 2023 Board of Commissioners' Retreat to increase the incentive amount from \$250 to \$1,000.**
5. **Approval of the May 11, 2023 Board of Commissioners Meeting Minutes.**
6. **Approval of the May 12, 2023 Board of Commissioners Retreat Minutes.**

OLD BUSINESS:

NEW BUSINESS:

7. **Consideration of a Noise Disturbance Permit for 794 Highway 279 Fayetteville, Georgia.**

Vice Chairman Gibbons moved to deny Noise Disturbance Permit for 794 Highway 279 Fayetteville, Georgia. Commissioner Rousseau seconded.

Vice Chairman Gibbons withdrew his motion.

No action was taken regarding this item.

8. **Consideration of a Noise Disturbance Permit for 145 Sheffield Ct., Fayetteville, Georgia.**

Vice Chairman Gibbons moved to approve. Noise Disturbance Permit for 145 Sheffield Ct., Fayetteville, Georgia. Commissioner Oddo seconded. The motion passed 5-0.

9. **Request to reappoint Peachtree City Fire/Rescue David Winkles to Position 1 of the Region 4 Emergency Medical Services Advisory Council for a three-year term beginning July 1, 2023 and expiring June 30, 2026.**

Vice Chairman Gibbons moved to approve to reappoint Peachtree City Fire/Rescue David Winkles to Position 1 of the Region 4 Emergency Medical Services Advisory Council for a three-year term beginning July 1, 2023 and expiring June 30, 2026. Commissioner Oddo seconded. The motion passed 5-0.

10. **Request to appoint Randy Ognio to the Fayette County Transportation Committee, to serve a term beginning April 1, 2023 and expiring March 31, 2026.**

Commissioner Oddo moved to approve to appoint Randy Ognio to the Fayette County Transportation Committee, to serve a term beginning April 1, 2023 and expiring March 31, 2026. Commissioner Rousseau seconded. The motion failed 2-3, with Chairman Hearn, Vice Chairman Gibbons, and Commissioner Maxwell voting in opposition.

11. **Request to reappoint Elizabeth Morgan to a term beginning July 1, 2023 and expiring June 30, 2026 to the McIntosh Trail Community Service Board.**

Vice Chairman Gibbons moved to approve to reappoint Elizabeth Morgan to a term beginning July 1, 2023 and expiring June 30, 2026 to the McIntosh Trail Community Service Board. Commissioner Maxwell seconded. The motion passed 5-0.

- 12. Request to award Contract #2226-P-Public Health Building, Construction Manager at Risk to MEJA Construction, Inc. for the initial amount of \$1,190,000, to include General Conditions and General Requirements, Design and the Construction Manager fee to renovate the East Fayette Elementary School building for public health use.**

Vice Chairman Gibbons moved to approve to award Contract #2226-P-Public Health Building, Construction Manager at Risk to MEJA Construction, Inc. for the initial amount of \$1,190,000, to include General Conditions and General Requirements, Design and the Construction Manager fee to renovate the East Fayette Elementary School building for public health use. Commissioner Oddo seconded. The motion passed 4-0-1.

- 13. Request to award Contract #1972-S, Fire Training Facility Project Management Services, Change Order 2, Additional Scope of Work and Timeline Extension, to Morgan Mill Consulting for the not-to-exceed amount of \$60,800.**

Vice Chairman Gibbons moved to approve to award Contract #1972-S, Fire Training Facility Project Management Services, Change Order 2, Additional Scope of Work and Timeline Extension, to Morgan Mill Consulting for the not-to-exceed amount of \$60,800. Commissioner Oddo seconded. The motion passed 5-0.

- 14. Request to award Contract #2165-B Fayette County Tactical Driving Course & Fire Training Ground Clearing, Grading & Paving to McLeRoy, Inc. for \$6,126,092.18 and to transfer \$2,034,182 from Fire Fund Balance and \$871,792 from EMS Fund Balance to CIP Project 193AH.**

Commissioner Oddo moved to approve to award Contract #2165-B Fayette County Tactical Driving Course & Fire Training Ground Clearing, Grading & Paving to McLeRoy, Inc. for \$6,126,092.18 and to transfer \$2,034,182 from Fire Fund Balance and \$871,792 from EMS Fund Balance to CIP Project. Vice Chairman Gibbons seconded. The motion passed 5-0.

- 15. Request to award FY 2024 Property & Casualty Insurance coverage in the amount of \$889,654.00 to Association of County Commissioners of Georgia (ACCG).**

Vice Chairman Gibbons moved to approve to award FY 2024 Property & Casualty Insurance coverage in the amount of \$889,654.00 to Association of County Commissioners of Georgia (ACCG). Commissioner Oddo seconded. The motion passed 5-0.

- 16. Request to renew a contract with Midwest Employers Casualty Company at an annual cost of \$131,1561.00 for a period of one year from July 1, 2023 to June 30, 2024.**

Vice Chairman Gibbons moved to approve to renew a contract with Midwest Employers Casualty Company at an annual cost of \$131,1561.00 for a period of one year from July 1, 2023 to June 30, 2024. Commissioner Oddo seconded. The motion passed 5-0.

- 17. Request to approve an Easement Agreement between the Fayette County Development Authority, Trilith PropCo, LLC and Fayette County.**

Gibbons moved to approve an Easement Agreement between the Fayette County Development Authority, Trilith PropCo, LLC and Fayette County. Commissioner Oddo seconded. The motion passed 5-0.

18. Discussion of the Board of Commissioners regarding the closure of Crabapple Lane.

Commissioner Maxwell moved to direct the County Attorney to file a lawsuit against the City of Peachtree City, regarding the closure of Crabapple Lane. Vice Chairman Gibbons seconded. The motion 4-1, with Commissioner Oddo voting in opposition.

Commissioner Maxwell moved to direct the County Administrator to have discussions with the City of Peachtree City, regarding the closure of Crabapple Lane, to resolve the issue before the lawsuit is filed. Vice Chairman Gibbon second. The motion passed 5-0.

ADMINISTRATOR'S REPORTS:

ATTORNEY'S REPORTS:

Notice of Executive Session: County Attorney Dennis Davenport stated that there were seven items for Executive Session. Five items involving threatened litigation, one item involving pending litigation and the review of the May 11, 2023 Executive Session Minutes.

COMMISSIONERS' REPORTS:

Commissioner Maxwell, Vice Chairman Gibbons, and Commissioner Oddo made comments.

EXECUTIVE SESSION:

Five items involving threatened litigation, one item involving pending litigation and the review of the May 11, 2023 Executive Session Minutes. Commissioner Oddo moved to go into Executive Session. Vice Chairman Gibbons seconded. The motion passed 5-0.

The Board recessed into Executive Session at 7:01 p.m. and returned to Official Session at 8:16 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 passed 5-0.

Approval of the May 11, 2023 Executive Session Minutes: Commissioner Oddo moved to approve May 11, 2023 Executive Session Minutes. Vice Chairman Gibbons seconded the motion. The motion passed 5-0.

ADJOURNMENT:

Vice Chairman Gibbons moved to adjourn the May 25, 2023 Board of Commissioners meeting. Commissioner Oddo seconded. The motion passed 5-0.

The May 25, 2023 Board of Commissioners meeting adjourned at 8:17 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 8th day of June 2023. Attachments are available upon request at the County Clerk's Office.