

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

October 26, 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 Hearn called the October 26, 2023 Board of Commissioners meeting to order at 5:02 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 audience in the Pledge of Allegiance.

Acceptance of Agenda

Commissioner Oddo moved to approve the agenda as written. Vice Chairman Gibbons seconded. The motion passed 5-0.

PROCLAMATION/RECOGNITION:

- 1. Proclamation encouraging citizens to participate in "Operation Green Light for Veterans" from November 1, 2023 to November 13, 2023 to express our collective appreciation for the public service of all veterans.**

Chairman Hearn, on behalf of the Board, read the "Operation Green Light for Veterans" proclamation. The proclamation noted that this coming Veterans Day, the National Association of Counties (NACo) and the National Association of County Veteran Service Officers (NACVSO) invited county leaders to join in Operation Green Light for Veterans by lighting county buildings green from November 1, 2023 to November 13, 2023. Operation Green Light draws attention to the challenges veterans face, particularly as they leave active service and return to civilian life.

- 2. Recognition of Commissioner Charles Oddo, Fire Chief Jeff Hill, Parks and Recreation Director Anita Godbee, 911 Director Katye Vogt, for completion and award of the Association County Commissioners of Georgia (ACCG) Intergovernmental Relations, Public Safety, Quality Life/Social Issues, and Public Safety Specialty Track Certifications, respectively.**

County Administrator Steve Rapson, on behalf of the Board of Commissioners, recognized Commissioner Charles Oddo, Fire Chief Jeff Hill, Parks and Recreation Director Anita Godbee, 911 Director Katye Vogt, for completion and award of the Association County Commissioners of Georgia (ACCG) Intergovernmental Relations, Public Safety, Quality Life/Social Issues, and Public Safety Specialty Track Certifications, respectively. Mr. Rapson noted that the ACCG Lifelong Learning Academy was created with significant input from county commissioners. These experienced commissioners identified the core and specialty track requirements and participated in the development of the course outline based on the issues and decision-making challenges regularly faced by county officials. Mr. Rapson stated that following the completion of the core certification, county

officials could work on specialty certifications, providing even more in-depth courses in areas such as economic development, intergovernmental relations or revenue and finance. He continued stating that the Board of Commissioners along with many Fayette County Department Heads were certified county officials. Mr. Rapson also acknowledged that some department heads had been invited by the Association County Commissioners of Georgia (ACCG) to teach various courses within the program. He thanked the Board for their continued support and recognition of the program.

Commissioner Oddo expressed his appreciation for the Association County Commissioners of Georgia (ACCG) Lifelong Learning Academy as a commissioner but even more so for County leadership staff as they matriculate through the various courses. He stated that he felt it was great that staff had the opportunity to learn and gain a better understanding of how “commissioners think”, helping both the Board and staff work together more efficiently and as a result serving the citizens of Fayette County better.

PUBLIC HEARING:

Planning and Zoning Director Debbie Bell read the Introduction to Public Hearings.

3. Consideration of Petition No. 1333-23, Wen Lin and Jie Lin, Owners, request to rezone 6.63 acres from A-R to R-72; property located in Land Lot 5 of the 5th District, and fronts on State Route 85 and Harp Road.

Ms. Bell stated that the property was a legal lot of record. This property is developed as a single-family residence with one (1) house and standard accessory structures. The property has historically been zoned A-R and has not been rezoned. As defined in the Fayette County Comprehensive Plan, Rural Residential-2 (one (1) unit per two (2) acres) was designated for this area and existing adjacent uses are Residential and A-R, so the request for R-72 zoning was appropriate. She stated that the existing house met or exceeded the minimum house size for R-72, and the house and accessory building met the building setback requirements. Ms. Bell stated that the Planning Commission recommended approval of Petition No. 1333-23, and staff recommended CONDITIONAL APPROVAL of Petition No. 1333-23, to rezone 6.63 acres from A-R to R-72, subject to the following condition: 1. Harp Road is a minor arterial per the Fayette County Thoroughfare Plan. The owner/developer shall dedicate right-of-way, as needed, to provide 50 feet as measured from the existing centerline of Harp Road prior to Final Plat approval. The dedication documents shall be submitted within 60 days, to include a warranty or quitclaim deed and full written legal description exhibit of right- of-way.

Mr. Wen agreed to the outline conditions.

No one spoke in favor or opposition.

Commissioner Maxwell moved to approve Petition No. 1333-23, Wen Lin and Jie Lin, Owners, request to rezone 6.63 acres from A-R to R-72; property located in Land Lot 5 of the 5th District, and fronts on State Route 85 and Harp Road. Vice Chairman Gibbons seconded.

Commissioner Maxwell asked for clarification regarding the 50-foot right-of-way dedication and stated that he thought [based on previous discussions] this was something the Board was trying to move away from.

County Attorney Dennis Davenport stated that the Board was not trying to get away from this aspect [of the rezoning process] because as a condition of zoning, it was appropriate to require something like this because the County was changing the zoning of the property. He continued stating that what they were getting away from was the owner that wanted to develop property under their current zoning and requiring additional right-of-way in those types of instances, which should not be occurring.

Commissioner Maxwell asked for clarification if the condition regarding the right-of-way dedication was specific to Harp Road because the other road was a state highway.

Mr. Davenport stated that was correct. He added that he presumed Commissioner Maxwell’s motion did include the condition.

Commissioner Maxwell stated that it absolutely did.

Commissioner Maxwell moved to approve Petition No. 1333-23, Wen Lin and Jie Lin, Owners, request to rezone 6.63 acres from A-R to R-72; property located in Land Lot 5 of the 5th District, and fronts on State Route 85 and Harp Road. Vice Chairman Gibbons seconded. The motion passed 5-0.

PUBLIC COMMENT:

Jack Minter of Fayetteville with Inman Park expressed his appreciation for the updated language and rules outlined in item # 7 regarding special events. He noted that he felt the rules were fair and something they could live with. Mr. Minter commended staff and thanked the Board. As a side note, he mentioned an upcoming display at their March show of a restored model T truck which was being done in honor of Fayette County Vietnam veterans.

Alice Jones expressed her appreciation for Commissioner Oddo's opening invocation. She continued expressing her concern regarding traffic on Highway 279, she acknowledged that it was a State Highway but requested the Board getting with the state to do something about this issue. Mrs. Jones also stated in light of "Operation Green Light" the need for greater awareness and support with mental health services she encouraged the Board to continue in their effort to have the new Public Health Building open soon. Ms. Jones concluded stating that she still had concerns regarding the special events policy and suggested establishing a committee to help vet the policy that included both staff and citizens.

CONSENT AGENDA:

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

- 4. Approval of the proposed 2024 Local Maintenance & Improvement Grant (LMIG) project list for unincorporated Fayette County and authorization for the Chairman to sign the LMIG Application and related documents.**
- 5. Approval to acquire all fee simple right-of-way and easements for the proposed multi-use path and tunnel at the intersection of Redwine Road and Robinson Road (2017 SPLOST 17TAI)-approval of revised right-of-way plans dated October 12, 2023.**
- 6. Approval of the September 28, 2023 Board of Commissioners Meeting Minutes.**

OLD BUSINESS:

- 7. Discussion of proposed amendments to the Fayette County Zoning Ordinance, Chapter 110 - Zoning; Article V.-Conditional Uses, Nonconformances, and Transportation Corridor Overlay Zone; Sec. 110-169.-Conditional use approval, regarding conditional uses.**

Ms. Bell stated that the item was brought to the Board at the September 28th Board of Commissioners Meeting, and from those discussions, staff comprised a streamlined version of the permit requirements for discussion. She noted that included in the agenda backup for this item was the redlined version of the requirements, which outlined the existing language versus the recommended changes.

Vice Chairman Gibbons moved to approve amendments to the Fayette County Zoning Ordinance, Chapter 110 - Zoning; Article V.-Conditional Uses, Nonconformances, and Transportation Corridor Overlay Zone; Sec. 110-169.-Conditional use approval, regarding conditional uses. Commissioner Oddo seconded.

Mr. Davenport stated as a point of clarification that although the motion was to approve the amendments, these were ideas and concepts, that would be sent back to the Planning Commission. He added that he did not want the public at large to think the Board was amending the zoning ordinance.

Vice Chairman Gibbons modified his motion to approve to have staff continue to examine the proposed amendments to the Fayette County Zoning Ordinance, Chapter 110 - Zoning; Article V.-Conditional Uses, Nonconformances, and Transportation Corridor Overlay Zone; Sec. 110-169.-Conditional use approval, regarding conditional uses, then bring back before the Board for final consideration. Commissioner Oddo amended his motion. The motion passed 5-0.

8. Request to adopt Ordinance 2023-10 to amend Code of Ordinance; Chapter 102-Building and Building Regulations; Article VI.-Procedures for the Administration of the Plumbing Code; Division 1. -Generally; Sec. 102-917.-Additions, alterations or repairs, to remain in compliance with Department of Community Affairs (DCA) and meet the Metro Water District – Water Supply Conservation-8 Efficiency Code Requirements. *This item was tabled at the September 28, 2023 Board of Commissioners Meeting.*

Mr. Davenport stated that Fayette County was a part of the Metropolitan North Georgia Water Planning District along with other county and cities and have been requested by the Planning District to produce a finding resolution that would support revisions to the minimum standard plumbing code. He continued stating that the way the minimum standard plumbing code worked was that it was a code that applied statewide, however, the Metropolitan North Georgia Water Planning District only included the metro Atlanta area. He stated that the Metropolitan North Georgia Water Planning District perceived that the district's need for water now and in the future would be better served if they applied some amendments to the standard plumbing code for more water conservation efforts, including the types of efforts that were in the finding resolution for low-flow fixtures. He concluded that this was being brought before the Board for consideration for a finding resolution. If in fact, the Board agreed the findings resolution needed to move forward, the next step would be to present it to the Department of Community Affairs. Mr. Davenport advised that every other government in the metro area was going through the same process. He noted that once the 60-day review window elapses the Board may receive a recommendation from the Department of Community Affairs (DCA) or they may not it depends on how they want to handle it. That 60-day window would be the Board's cue, that once it passes, the County would then have the ability to adopt an ordinance with the revisions that the findings resolution in its attachment A was proposing as far as revision from Fayette County. Then the minimum standard plumbing code in the future starting in January 2024 would be enforced with these local amendments for Fayette County.

Commissioner Rousseau asked if this should be a Legislative item since it was a statewide initiative or was it germane to a specific jurisdiction.

Mr. Davenport stated that the foundational document regarding this item was the minimum standard code, which was already adopted statewide. However, the Metropolitan North Georgia Water Planning District was only for the metro Atlanta area, their Board has determined that it would better serve the district if each government entity would amend the minimum standard plumbing code with the proposed revisions and would only be applicable to the metro area, respective to each specific jurisdiction.

Commissioner Rousseau asked how many entities make up the Metropolitan North Georgia Water Planning District.

Mr. Davenport stated that it was made up of about 16 counties and cities.

Commissioner Rousseau asked if the County abatement rebates for the retrofitted water customers were still in effect.

Water System Director Vanessa Tigert stated that yes that was correct and was still in effect.

Vice Chairman Gibbons asked if his understanding of the review process via DCA was correct if the Board chose to approve this item. He asked if adopted by the Board it would go to DCA, from there DCA may/may not provide feedback, recommendation, and/or direction to add it as a Fayette County ordinance.

Mr. Davenport stated that was correct. He added that the review period for DCA was a process for amending any minimum standard code which included a 60-day review window. He noted that the Board would probably not hear back from DCA regarding this item. How they will ultimately respond has yet to be determined. He concluded stating that January 2024 would be the Board's target date to adopt the ordinance.

Commissioner Maxwell asked if the redlined version included in the agenda backup packet was from his office.

Mr. Davenport stated that it was from the Metropolitan North Georgia Water Planning District.

Commissioner Maxwell stated that there were certain portions of the redlined document that he did not have any reference points to help him understand. He also highlighted that included in the amendments were regulations on how much water would be allowed to be used out of a spray shower. He expressed his concern if this would be regulating how much water was used to take a shower. He also noted the change in the amount of water used to flush a toilet. Commissioner Maxwell stated that although he understood the need for water conservation these were not regulations, he was interested in implementing.

Vice Chairman Gibbons stated that he was especially not interested in doing it for the City of Atlanta when Fayette County was a net exporter of water in the state.

Commissioner Maxwell stated that he hoped this item did not get a motion, a second, or a positive vote.

Chairman Hearn asked what the implications would be if the Board did not recommend this.

Mr. Davenport stated that was hard to say. He advised that the Metropolitan North Georgia Water Planning District was the entity that oversaw the county's water withdrawal permits. As well as the entity that comprised the book of water resources in the metro area to determine and develop a "clearinghouse of information of what water received by whom goes where". He continued stating that he did not know how it would be received but could definitely be a factor that the Metropolitan North Georgia Water Planning District would consider in making future decisions regarding Fayette County.

Chairman Hearn asked if the reason the County had to comply with stormwater requirements was because the Metropolitan North Georgia Water Planning District controlled the Water system water withdrawal permits.

Mr. Davenport stated that was correct, they have required all counties and cities within their jurisdiction to adopt these model ordinances and if they were not adopted there would be repercussions.

Vice Chairman Gibbons stated that in his opinion there was a difference between stormwater run-off and plumbing fixtures that individuals put in their houses. He also stated that he had a "problem with a bunch of bureaucrats making decisions for local citizens without the benefit of the Legislature". Vice Chairman Gibbon stated that he did not like the idea of someone sitting in an office in Atlanta, whose primary concern was the citizens of Atlanta, making decisions on the type of plumbing fixtures Fayette County residents could have.

Commissioner Oddo stated that the County already worked under or abided by some of these regulations/requirements, and there were already water restrictions on the number of gallons that could be flushed put in place He noted that when he moved to the metro area there were less than 1M people now 50+ years later there was over 6M people in the metro area. These measures have managed to allow for the growth that has taken place. Commissioner Oddo stated that this topic has always been high on his priority list and he remains concerned about Fayette County's water supply and how much we could provide, and various limits in case of a drought. He added that he had just recently replaced a shower head at his house, and it had to comply with the new regulations, he reiterated that we all were already conforming to the new standards.

Commissioner Oddo moved to approve Ordinance 2023-10 to amend Code of Ordinance; Chapter 102-Building and Building Regulations; Article VI. -Procedures for the Administration of the Plumbing Code; Division 1. -Generally; Sec. 102-917.-Additions,

alterations, or repairs, to remain in compliance with Department of Community Affairs (DCA) and meet the Metro Water District – Water Supply Conservation-8 Efficiency Code Requirements. Motion failed due to lack of second.

Mr. Davenport asked for clear action from the Board to communicate to DCA. He stated that if the Board wanted to deny the findings resolution that was fine, but he needed some level of communication.

Commissioner Rousseau asked about the window Mr. Davenport referred to earlier.

Mr. Davenport stated that this window was January 2024, where DCA could approve, deny, or do something in between in response to the findings resolution, if submitted, by the Board. If it was the desire of the Board to send nothing was fine. However, he wanted to ensure the Board was intentionally choosing to not send any communication, making this the position for the County regarding this item.

Further conversation continued.

Commissioner Rousseau asked if there was Fayette County staff that served on the Metropolitan North Georgia Water Planning District committee.

Ms. Tigert stated that there was a Fayette County representative who served on the Metropolitan North Georgia Water Planning District.

Commissioner Rousseau asked if other jurisdictions had already weighed in or responded to the request for findings from the Metropolitan North Georgia Water Planning District. He also asked if these findings were comprised of feedback and input from the jurisdictions that make up this district or were these arbitrary recommendations.

Mr. Rapson stated that these were their [Metropolitan North Georgia Water Planning District] suggestions for improvements. He stated that if the Board had an issue with any of those suggested improvements, he would rather the Board, pass in concept what we wanted to do and highlight the improvements the Board did not agree with. This would ensure the County was communicating something to DCA as opposed to a non-position. Or the Board could approve it unanimously. Mr. Rapson noted that he heard one issue mentioned specifically regarding what would be considered a housekeeping item for the Building Safety Office. Mr. Rapson noted that a lot of these regulations are already being enforced because builders were using these standards. He noted that these regulations were really for new construction and renovation construction.

Vice Chairman Gibbons asked as a point of clarification that in order for this regulation to be enforceable in Fayette County, the Board would have to adopt those changes, in the form of an ordinance.

Mr. Davenport stated that was correct.

Commissioner Rousseau stated that he felt the parameters of this item had changed and he was open to tabling this item to continue discussions with the County Administrator to gain a better understanding.

Building and Safety Director Leslie Neiber stated that because Fayette County already adopts the amendments of the code, regulated by DCA, these amendments were already being implemented. She noted that the Metropolitan North Georgia Water Planning District has requested jurisdictions within the district to adopt outlined amendments. As a result, when DCA approves the amendments in January 2024 and if Fayette County adopts them, we would automatically be sanctioned to regulate them. She concluded that these amendments focused on energy, water efficiency, and better serving the longevity of the environment.

Further conversation continued.

Mr. Rapson reiterated that if the Board decided to take no action, they had not done anything and made no decision.

No further action was taken.

NEW BUSINESS:

9. Consideration of a Step Two Annexation Notification from Peachtree City regarding an application from R S Towson Holdings, LLC, to annex approximately 11.4 acres east of Shiloh Manufactured Home Park.

Ms. Bell stated that Peachtree City had received a Step Two Annexation request for annexation of the above-referenced property and indicated the intent to rezone from MHP (Manufactured Home Park, County) to LUR (Limited Use Residential, Peachtree City) to allow the development of +/-21 single-family lots. The County Land Use Plan designates this area as MHP, Manufactured Home Park, which has a maximum potential density of 7.26 units per acre, so the proposed density of 1.8 units per acre would be a less intense use. She continued stating that the annexation and development of the proposed 21 homes was not expected to have an adverse impact on Fayette County Roads. Fire Services and Emergence Management Service expressed concern about the loss of revenue. Ms. Bell concluded stating that except for Emergence Management Service concerns regarding revenue, staff had no objection to the annexation and suggested discussion between Fayette County and Peachtree City to determine if the project is feasible and desired.

Vice Chairman Gibbons moved to not object to Step Two Annexation Notification from Peachtree City regarding an application from R S Towson Holdings, LLC, to annex approximately 11.4 acres east of Shiloh Manufactured Home Park. Commissioner Oddo seconded. The motion passed 5-0.

10. Request to approve the use of General Fund fund balance in the amount of \$610,663, for the purpose of audio-visual modernization for the Griffin Judicial Circuit Fayette County court rooms, with no reimbursement expected from the American Rescue Plan Act (ARPA).

Mr. Rapson stated that in March 2023 the BOC approved a request to apply for American Rescue Plan Act (ARPA) grant funds. In May 2023, \$610k was allocated for the Fayette County court rooms audio-visual improvements. Mr. Rapson noted that this project was done via a sole-source justification. He added that in June 2023 as the reimbursement requests began to be submitted to the American Rescue Plan Act, the State Office of Planning and Budget (OPB) began to scrutinize some of sole-source justification based upon applicants not appropriately following Federal Procurement regulations. He continued stating that staff was still requesting OPB approval, but in an abundance of caution, requested approval to utilize the general fund balance in case such a reimbursement request failed.

Vice Chairman Gibbons moved to approve the use of General Fund fund balance in the amount of \$610,663, for the purpose of audio-visual modernization for the Griffin Judicial Circuit Fayette County courtrooms, with no reimbursement expected from the American Rescue Plan Act (ARPA). Commissioner Oddo seconded.

Commissioner Rousseau asked if this was ultimately denied would those monies be available to reapply for.

Mr. Rapson stated that some of these projects would be denied and at some point, those funds would be reallocated, if made available, staff would actively be looking to re-apply for the funding via the procurement process.

Commissioner Maxwell stated that Judge Sams had mentioned this issue to him in conversation. He advised that the County had been using this same vendor prior to this project and felt that continuity of service, outside of any major issues, should be maintained.

Further conversation continued.

Vice Chairman Gibbons moved to approve the use of General Fund fund balance in the amount of \$610,663, for the purpose of audio-visual modernization for the Griffin Judicial Circuit Fayette County courtrooms, with no reimbursement expected from the American Rescue Plan Act (ARPA). Commissioner Oddo seconded. The motion passed 5-0.

11. Request to award Bid #2300-B Parking Lot Resurfacing Project to The Surface Masters, Inc. in the amount of \$836,968.57 to resurface six (6) Fayette County parking lots.

Roads Department Director Steve Hoffman stated that this request was for approval to award Bid #2300-B Parking Lot Resurfacing Project to The Surface Masters, Inc. in the amount of \$836,968.57 to resurface six (6) Fayette County parking lots. He advised that the selected parking lots included:

- 1.) Library Parking Lot - This lot will be milled and resurfaced while keeping 2/3rds of the parking lot open during operating hours.
- 2.) Fire Station #2 Back Parking Lot - located off of SR 92 North, the old building's parking lot will be resurfaced.
- 3.) Fire Station #5 Parking Lot - located off of SR 85 South will be milled and resurfaced.
- 4.) Fire Station #6 Parking Lot - located off of 85 Connector in Brooks will be milled and resurfaced.
- 5.) Fire Station #10 Parking Lot - located off Seay Road will be milled and resurfaced.
- 6.) McCurry Park North Soccer Parking - located at the intersection of SR 54 and McDonough Road will be resurfaced.

Commissioner Rousseau moved to approve to award Bid #2300-B Parking Lot Resurfacing Project to The Surface Masters, Inc. in the amount of \$836,968.57 to resurface six (6) Fayette County parking lots. Vice Chairman Gibbons seconded.

Commissioner Rousseau stated that he had concerns related to the library parking lot resurfacing. Considering that this lot was shared with the new City of Fayetteville City Hall, he wanted to ensure Library staff had adequate reserved parking during the project and even once completed he would like to see a designated area for staff parking.

Chairman Hearn acknowledged the well-scored staff evaluation from Assistant Roads Director Brandy Klinger. He stated that it was encouraging to see as we began this new project. He encouraged passing along concerns as relayed by Commissioner Rousseau from the Board and for a speedy completion of this project.

Commissioner Rousseau moved to approve to award Bid #2300-B Parking Lot Resurfacing Project to The Surface Masters, Inc. in the amount of \$836,968.57 to resurface six (6) Fayette County parking lots. Vice Chairman Gibbons seconded. The motion passed 5-0.

12. Request to award Bid #2316-B to Piedmont Paving, Inc. for FY2024 Full Depth Reclamation (FDR) of Hampton Road and Wilmington Lane in the amount of \$704,858.12.

Mr. Hoffman requested Board approval to award Bid #2316-B to Piedmont Paving, Inc. for FY2024 Full Depth Reclamation (FDR) of Hampton Road and Wilmington Lane in the amount of \$704,858.12.

Vice Chairman Gibbons moved to award Bid #2316-B to Piedmont Paving, Inc. for FY2024 Full Depth Reclamation (FDR) of Hampton Road and Wilmington Lane in the amount of \$704,858.12. Commissioner Rousseau seconded. The motion passed 5-0.

13. Request to award bid #2306-B Pumper Fire Apparatus to FireLine, Inc. for two (2) pumpers in the amount of \$1,479,658, to transfer \$60,118 from Fire Services fund balance and to allocate \$45,000 to apparatus safety equipment to supply both pumpers.

Fire Chief Hill requested approval to award bid #2306-B Pumper Fire Apparatus to FireLine, Inc. for two (2) pumpers in the amount of \$1,479,658, to transfer \$60,118 from Fire Services fund balance and to allocate \$45,000 to apparatus safety equipment to supply both pumpers.

Vice Chairman Gibbons moved to approve bid #2306-B Pumper Fire Apparatus to FireLine, Inc. for two (2) pumpers in the amount of \$1,479,658, to transfer \$60,118 from Fire Services fund balance and to allocate \$45,000 to the apparatus safety equipment to supply both pumpers. Commissioner Oddo seconded.

Chairman Hearn asked how long it would be before the County received the finished pumpers.

Chief Hill stated it would be between 24-30 months.

Vice Chairman Gibbons moved to approve bid #2306-B Pumper Fire Apparatus to FireLine, Inc. for two (2) pumpers in the amount of \$1,479,658, to transfer \$60,118 from Fire Services fund balance and to allocate \$45,000 to apparatus safety equipment to supply both pumpers. Commissioner Oddo seconded. The motion passed 5-0.

14. Request to designate vehicle Asset # 10845 (Fleet #23120) and Asset #10847 (Fleet #23130) as surplus and to authorize auctioning both units.

Chief Hill requested to designate vehicle Asset # 10845 (Fleet #23120) and Asset #10847 (Fleet #23130) as surplus and to authorize auctioning both units once the new pumpers were received.

Commissioner Oddo moved to approve designating vehicle Asset # 10845 (Fleet #23120) and Asset #10847 (Fleet #23130) as surplus and to authorize auctioning both units. Commissioner Rousseau seconded. The motion passed 5-0.

15. Request to award Bid #2314-B FCWS-Trilith Studios Elevated Water Storage Tank to Caldwell Tanks, Inc. in the amount of \$2,786,200 for construction of a new metal elevated water storage tank at the Trilith Studios property and to transfer \$272,870 from R&E to CIP 23WSH.

Vanessa Tigert stated that this request was to award Bid #2314-B FCWS-Trilith Studios Elevated Water Storage Tank to Caldwell Tanks, Inc. in the amount of \$2,786,200 for the construction of a new metal elevated water storage tank at the Trilith Studios property and to transfer \$272,870 from R&E to CIP 23WSH. She continued stating that they had received two responsive bids for this project and requested approval to award the bid to Caldwell Tanks, Inc.

Vice Chairman Gibbons moved to award Bid #2314-B FCWS-Trilith Studios Elevated Water Storage Tank to Caldwell Tanks, Inc. in the amount of \$2,786,200 for construction of a new metal elevated water storage tank at the Trilith Studios property and to transfer \$272,870 from R&E to CIP 23WSH. Commissioner Oddo seconded.

Vice Chairman Gibbons asked what R&E stood for.

Ms. Tigert stated it stood for Water System Renewal and Extension.

Mr. Rapson added that this was basically the Water System Fund Balance.

Vice Chairman Gibbons continued stating that Fayette County Water System had entered into a Memorandum of Understanding with Trilith Studios to accept a reimbursement of \$1.25 million for locating and constructing the storage tank at Trilith Studios.

Chairman Hearn asked if this project was for the construction of a 400 K-gallon tank.

Ms. Tigert stated that was correct.

Chairman Hearn asked if Caldwell Tanks, Inc. was in Newnan.

Ms. Tigert stated that they did have an office in Newnan.

Chairman Hearn stated that he was familiar with the company and had worked with them in the past. He concluded stating that they were a very good supplier.

Mr. Rapson stated that there were three remaining pieces to this project that were not currently before the Board. He continued stating that there would be a piping piece that was needed to create the connection which would be divided into two separate

contracts. The third piece was regarding the pump house, which would reside underneath the water tower. He concluded that this project was truly a team effort, and he appreciated all the hard work it took to get this project to this point.

Commissioner Maxwell asked where the Water Tower would be located.

Ms. Tigert stated that Trilith Studios donated .25 acres on their property, near Veterans Parkway just south of Hood Road currently where the "Red Barn" was located, which was being proposed as their new entrance.

Commissioner Maxwell stated that he frequented Trilith and asked who would control the design of the water tower. He asked if this would be a utilitarian water tower.

Ms. Tigert stated, yes.

Mr. Rapson added that this would be a functioning Fayette County water tower. He continued stating that it would be a "witches' hat" water tower and would be beautifully designed.

Rick Halbert, with Trilith Studios, stated that this would be an iconic water tower. He noted that the design was meticulously created and would be beautiful and would be done right.

Vice Chairman Gibbons moved to award Bid #2314-B FCWS-Trilith Studios Elevated Water Storage Tank to Caldwell Tanks, Inc. in the amount of \$2,786,200 for construction of a new metal elevated water storage tank at the Trilith Studios property and to transfer \$272,870 from R&E to CIP 23WSH. Commissioner Oddo seconded. The motion passed 5-0.

16. Request to approve a revised agreement with Georgia Department of Transportation (GDOT) PI 0013726 in the amount of \$1,819,817.10 to supply all construction engineering and contract supervision for water distribution line relocations, adjustments, and improvements on State Routes 74 and 54 in Peachtree City.

Ms. Tigert stated that this item was seeking to approve a revised agreement with Georgia Department of Transportation (GDOT) PI 0013726 in the amount of \$1,819,817.10 to supply all construction engineering and contract supervision for water distribution line relocations, adjustments, and improvements on State Routes 74 and 54 in Peachtree City.

Vice Chairman Gibbons moved to approve a revised agreement with Georgia Department of Transportation (GDOT) PI 0013726 in the amount of \$1,819,817.10 to supply all construction engineering and contract supervision for water distribution line relocations, adjustments, and improvements on State Routes 74 and 54 in Peachtree City. Commissioner Oddo seconded. The motion passed 5-0.

17. Request to re-appoint Martin Sas to the Fayette County Transportation Committee to serve a term beginning April 1, 2023 and expiring March 31, 2026.

Public Works Director Phil Mallon requested to re-appoint Martin Sas 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 re-appoint Martin Sas to the Fayette County Transportation Committee to serve a term beginning April 1, 2023 and expiring March 31, 2026. Vice Chairman Gibbons seconded. The motion passed 5-0.

18. Request to extend the name "Ebenezer Church Road" along the newly constructed alignment and change the name of the remaining segment to "Little Way;" and to approve the recommended posted speed limits of 35 mph and 25 mph, respectively, on the two segments of roads.

Mr. Mallon stated that this item was seeking Board approval to extend the Ebenezer Church Road name along the new alignment, (posted at 35 mph) to rename the former portion of Ebenezer Church Road (posted at 25 mph) Little Way, at the request of a key property owner.

Vice Chairman Gibbons moved to approve to extend the name "Ebenezer Church Road" along the newly constructed alignment and change the name of the remaining segment to "Little Way;" and to approve the recommended posted speed limits of 35 mph and 25 mph, respectively, on the two segments of roads. Commissioner Oddo seconded. The motion passed 5-0.

19. Request to submit a Safety Equipment Request Form to the Georgia Department of Transportation (GDOT) for donation of traffic signal equipment, estimated value of \$139,100.00, for the 2004 SPLOST Intersection Improvement Project R-19 & R-20 at SR 85 and Highway 85 Connector.

Mr. Mallon stated that this item was seeking Board approval for staff to apply for a grant from the Georgia Department of Transportation (GDOT) for donation of traffic signal equipment, estimated value of \$139,100.00, for the 2004 SPLOST Intersection Improvement Project R-19 & R-20 at SR 85 and Highway 85 Connector.

Commissioner Oddo moved to approve to submit a Safety Equipment Request Form to the Georgia Department of Transportation (GDOT) for donation of traffic signal equipment, estimated value of \$139,100.00, for the 2004 SPLOST Intersection Improvement Project R-19 & R-20 at SR 85 and Highway 85 Connector. Commissioner Rousseau seconded. The motion passed 5-0.

20. Request to award Bid #2309-B, Camp Creek Multi-Use Path Phase 1 Project (SPLOST 24TAA) to Redland Grading Company, Inc. in the amount of \$128,857.77.

Mr. Mallon stated that this was a path project that would construct a path connecting Gristmill Drive in the Millpond Manor Subdivision to the Homeowner Association property within the Chimneys Subdivision. Both subdivisions were along SR 74 south of Peachtree City. The path would be constructed along the alignment of an existing path constructed of gravel, graded aggregate base (GAB), and concrete. All work was on Fayette County property. Mr. Mallon requests Board approval to award Bid #2309-B, Camp Creek Multi-Use Path Phase 1 Project (SPLOST 24TAA) to Redland Grading Company, Inc. in the amount of \$128,857.77.

Vice Chairman Gibbons moved to approve to award Bid #2309-B, Camp Creek Multi-Use Path Phase 1 Project (SPLOST 24TAA) to Redland Grading Company, Inc. in the amount of \$128,857.77. Commissioner Oddo seconded.

Chairman Hearn thanked Mr. Mallon for his dedication and hard work in getting this project done.

Commissioner Maxwell asked if the County had the type of equipment needed to pave paths similar to this one.

Mr. Mallon stated, yes, they did and added that this was a project he had considered doing in-house but because the project included tree-clearing and some minor grading it was decided that the project be placed out for bid.

Commissioner Maxwell asked what type of equipment we had available to build roads. And how many dump trucks the County owned.

Mr. Mallon stated that the County had all the equipment needed to build a road.

Mr. Hoffman stated that the County had a total of ten (10) dump trucks.

Commissioner Maxwell asked if Fayette County staff was paving any roadways currently.

Mr. Hoffman stated no, sir.

Commissioner Maxwell asked if the county had paving equipment. If so, was it functional, and when was the last time it was used?

Mr. Hoffman stated yes, the County had paving equipment and it was last used to pave Ebenezer Church Road realignment.

Commissioner Maxwell asked about how many miles the County paved annually.

Mr. Hoffman stated there were 0 miles paved in-house.

Vice Chairman Gibbons moved to approve to award Bid #2309-B, Camp Creek Multi-Use Path Phase 1 Project (SPLOST 24TAA) to Redland Grading Company, Inc. in the amount of \$128,857.77. Commissioner Oddo seconded. The motion passed 5-0.

21. Request to accept a Hazard Mitigation Grant Program (HMGP) award in the amount of \$3,842,187.75 plus admin costs of \$37,318.00 to upgrade the Phillips Lake and Kozisek Lake dams to Category 1 standards, to provide the local match of \$1,280,729.25 for an approved project total amount of \$5,122,917.00, and authorization for the County Administrator to sign the award documentation.

Mr. Mallon stated that this item was seeking formal Board approval to accept a Hazard Mitigation Grant Program (HMGP) award in the amount of \$3,842,187.75 plus admin costs of \$37,318.00 to upgrade the Phillips Lake and Kozisek Lake dams to Category 1 standards, to provide the local match of \$1,280,729.25 for an approved project total amount of \$5,122,917.00, and authorization for the County Administrator to sign the award documentation.

Mr. Rapson stated that Environmental Management Director, Bryan Keller was instrumental in getting this grant approval.

Commissioner Rousseau moved to approve to accept a Hazard Mitigation Grant Program (HMGP) award in the amount of \$3,842,187.75 plus admin costs of \$37,318.00 to upgrade the Phillips Lake and Kozisek Lake dams to Category 1 standards, to provide the local match of \$1,280,729.25 for an approved project total amount of \$5,122,917.00, and authorization for the County Administrator to sign the award documentation. Vice Chairman Gibbons seconded. The motion passed 5-0.

22. Request to adopt Resolution 2023-09 urging the Governor and General Assembly of Georgia to continue efforts to reform and improve mental health services for the citizens of Georgia.

Mr. Rapson stated that this request was to adopt Resolution 2023-09 urging the Governor and General Assembly of Georgia to continue efforts to reform and improve mental health services for the citizens of Georgia. He elaborated stating that ACCG was strongly encouraging every county in the state to adopt a resolution.

Commissioner Oddo moved to approve to adopt Resolution 2023-09 urging the Governor and General Assembly of Georgia to continue efforts to reform and improve mental health services for the citizens of Georgia. Commissioner Rousseau seconded. The motion passed 5-0.

ADMINISTRATOR'S REPORTS:

Highway 279

Mr. Rapson stated in response to public comments that Mr. Mallon had an upcoming meeting with the Georgia Department of Transportation and would be discussing traffic on State Highway 279.

He also noted that the Special Events amendments would be going back to the planning commission and interested citizens were welcome to attend those meetings. He stated that Ms. Bell would keep everyone in the loop regarding the discussion around the special event amendment.

Employee Appreciation

Fayette County Government Offices will be closed Friday, November 3, 2023 from 11:00 am-2:00 pm for an Employee Appreciation and Health Fair event.

Hot Projects

Mr. Rapson stated that the Hot Projects report was forwarded to the Board and included updates on the Redwine Road multi-use path, Parks and Recreation multi-use facility, Redwine Road/Bernhard Road/Peachtree Parkway roundabout.

Board of Assessors Selection Committee

Mr. Rapson advised that they needed a selection committee for the Board of Assessors.

Commissioner Rousseau moved to appoint Vice-Chairman Gibbons and Commissioner Oddo to the selection committee for the Board of Assessors. Chairman Hearn seconded. The motion passed 5-0.

No Kill Shelter Award

Mr. Rapson advised they Board that Fayette County Animal Shelter received the award for a No Kill Shelter for 2022.

Commissioner Maxwell expressed his appreciation for Animal Control Director Jerry Collins and the pride he had for reaching this level of recognition and success. He encouraged having the No Kill Shelter appropriately displayed.

ATTORNEY'S REPORTS:

Notice of Executive Session: County Attorney Dennis Davenport stated that there were five items for Executive Session. Four items involving threatened litigation and the review of the September 28, 2023 Executive Session Minutes.

COMMISSIONERS' REPORTS:

Commissioner Maxwell

Commissioner Maxwell stated that he would like to have the Planning and Zoning Office review the ordinances related to building an auxiliary/garage before a primary residence was built. He felt this could become an issue.

Commissioner Maxwell moved to direct staff to review the County ordinance regarding garages being built without houses and how to prevent it. Vice Chairman Gibbons seconded. The motion passed 5-0.

Commissioner Rousseau

Election Building path

Commissioner Rousseau stated that at the new Elections facility there was a strip of grass between the building and the church parking lot. He asked if fund were available to build a path.

Commissioner Rousseau moved to direct the County Administrator to review constructing pathway at the new Elections Building between the entrance and the adjacent church parking lot. Vice Chairman Gibbons seconded. The motion passed 5-0.

Highway 279

Commissioner Rousseau concurred with comments made regarding the dangers of Highway 279. And encouraged in-depth and long-term discussions with Georgia Department of Transportation regarding assistance on this roadway between Highway 138 and Highway 314.

Library Visit

Commissioner Rousseau extended a Kudos to Library staff for a job well done during a recent event.

Westridge and Veterans Parkway

Commissioner Rousseau expressed his concern regarding the left-turn light at Westridge and Veterans Parkway, this was an incident waiting to happen.

Parks and Recreation

Commissioner Rousseau stated that as we begin development of the new Parks and Recreation Facility, he wanted to examine the option for a disability/accessibility lot for individual with special needs and disabilities so that they can navigate the playgrounds at the new facility.

Commissioner Oddo

Commissioner Oddo wished everyone a Happy Halloween and urged everyone to be safe. Commissioner Oddo also wished his brother a Happy Birthday.

Chairman Hearn

Chairman Hearn stated that he recently attended the Atlanta Regional Commission Meeting and had their annual budget available for review, if interested. Chairman Hearn also reminded all in attendance that there was roadwork being conducted at Redwine Road/Bernhard Road/Peachtree Parkway and there were upcoming road closures, delays, and detours. He encouraged everyone to plan accordingly.

EXECUTIVE SESSION:

Four items involving threatened litigation and the review of the September 28, 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 6:36 p.m. and returned to Official Session at 6:49 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 September 28, 2023 Executive Session Minutes: Commissioner Oddo moved to approve September 28, 2023 Executive Session Minutes. Vice Chairman Gibbons seconded the motion. The motion passed 5-0.

ADJOURNMENT:

Vice Chairman Gibbons moved to adjourn the October 26, 2023 Board of Commissioners meeting. Commissioner Oddo seconded. The motion passed 5-0.

The October 26, 2023 Board of Commissioners meeting adjourned at 6:51 p.m.

Marlena M. Edwards, Chief Deputy County Clerk

Edwards Gibbons, Vice Chairman

The foregoing minutes were duly approved at an official meeting of the Board of Commissioners of Fayette County, Georgia, held on the 9th day of November 2023. Attachments are available upon request at the County Clerk's Office.

Marlena Edwards, Chief Deputy County Clerk