

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

December 14, 2023
2:00 p.m.

Welcome to the meeting of your Fayette County Board of Commissioners. Your participation in County government is appreciated. All regularly scheduled Board meetings are open to the public and are held on the 2nd and 4th Thursday of each month at 5:00 p.m.

Call to Order

Chairman Hearn called the December 14, 2023 Board of Commissioners meeting to order at 2:00 p.m. A quorum of the Board was present. Vice Chairman Gibbons and Commissioner Rousseau were absent.

Invocation and Pledge of Allegiance by Commissioner Charles Rousseau

Chairman Hearn offered the invocation and led the audience in the Pledge of Allegiance. Commissioner Rousseau arrived at the BOC Meeting.

Acceptance of Agenda

Commissioner Oddo moved to approve the agenda as written. Vice Chairman Gibbons seconded. The motion passed 4-0.

PROCLAMATION/RECOGNITION:

1. **Presentation of the Accountability Court updates and strategic planning efforts for FY24 and FY25.**

PUBLIC HEARING:

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:

Commissioner Oddo moved to approve the Consent Agenda except for item #3. Commissioner Rousseau seconded. The motion passed 5-0.

2. **Approval of a supplemental grant award for the DUI Accountability Court for Law Enforcement, in the amount of \$10,227, with a \$1,227 match.**
3. **Approval of Resolution 2023-11 to accept a donation of approximately 29.94 acres of property; 9.18 acres at Crimson Trace-Phase 3 subdivision and 20.76 acres at Yates Crossing-Phase 1 subdivision, located in Land Lots 12, 13, and 20 of the 7th District.**

Commissioner Rousseau moved to table this item to the January 11, 2024 BOC Meeting. Vice Chairman Gibbons seconded. The motion passed 5-0.

4. **Approval of the November 9, 2023 Board of Commissioners Meeting Minutes.**
5. **Approval of the November 20, 2023 Special Called Meeting Minutes.**

OLD BUSINESS:

6. **Request to approve the County Attorney's recommendation to deny a disposition of tax refund, as requested by LDP Ventures dba Chick-Fil-A Midtown, account P216-0402, for tax year 2022. This item was tabled at the November 9, 2023 Board of Commissioners meeting.**

Chairman Hearn moved to approve to reimburse the \$12,720.54, requested by LDP Ventures dba Chick-Fil-A Midtown, account P216-0402, for tax year 2022. Commissioner Maxwell seconded. The motion failed 2-3, with Vice Chairman Gibbons, Commissioner Oddo, and Commissioner Rousseau voting in opposition.

Commissioner Rousseau moved to deny a disposition of tax refund, as requested by LDP Ventures dba Chick-Fil-A Midtown, account P216-0402, for tax year 2022. This item was tabled at the November 9, 2023 Board of Commissioners meeting. Vice Chairman Gibbons seconded. The motion passed 3-2, with Chairman Hearn and Commissioner Maxwell voting in opposition.

7. **Request to approve the County Attorney's recommendation to deny a disposition of tax refund, as requested by LDP Ventures dba Chick-Fil-A Midtown, account P216-0403, for tax year 2022. This item was tabled at the November 9, 2023 Board of Commissioners meeting.**

Commissioner Rousseau moved to deny a disposition of tax refund, as requested by LDP Ventures dba Chick-Fil-A Midtown, account P216-0403, for tax year 2022. This item was tabled at the November 9, 2023 Board of Commissioners meeting. Vice Chairman Gibbons seconded. The motion passed 3-2, with Chairman Hearn and Commissioner Maxwell voting in opposition.

8. **Request to approve the County Attorney's recommendation to deny a disposition of tax refund, as requested by LDP Ventures dba Chick-Fil-A Midtown, account P217-0501, for tax year 2022. This item was tabled at the November 9, 2023 Board of Commissioners meeting.**

Commissioner Rousseau moved to deny a disposition of tax refund, as requested by LDP Ventures dba Chick-Fil-A Midtown, account P217-0501, for tax year 2022. This item was tabled at the November 9, 2023 Board of Commissioners meeting. Vice Chairman Gibbons seconded. The motion passed 3-2, with Chairman Hearn and Commissioner Maxwell voting in opposition.

NEW BUSINESS:

9. **Update and review of Crabapple Lane multi-use path options.**
10. **Consideration of a recommendation from the Planning Commission Selection Committee to re-appoint Danny England to the Planning Commission for a term beginning January 1, 2024 and expiring December 31, 2026.**

Vice Chairman Gibbons moved to approve recommendation from the Planning Commission Selection Committee to re-appoint Danny England to the Planning Commission for a term beginning January 1, 2024 and expiring December 31, 2026. Commissioner Oddo seconded. The motion passed 5-0.

11. Consideration of a recommendation from the Planning Commission Selection Committee to re-appoint Martha Hopkins to the Fayette County Zoning Board of Appeals for a term beginning January 1, 2024 and expiring December 31, 2026.

Commissioner Oddo moved to approved recommendation from the Planning Commission Selection Committee to re-appoint Martha Hopkins to the Fayette County Zoning Board of Appeals for a term beginning January 1, 2024 and expiring December 31, 2026. Vice Chairman Gibbons seconded. The motion passed 5-0.

12. Consideration of a recommendation from the Selection Committee, comprised of Commissioners Edward Gibbons and Eric Maxwell to appoint Dr. Alvetta Thomas to the Fayette County Development Authority to serve an unexpired term expiring April 9, 2024 and to extend the appointment to expire April 9, 2028, per county Policy 100.19 - Board Appointments.

Vice Chairman Gibbons moved to appoint Dr. Alvetta Thomas to the Fayette County Development Authority to serve an unexpired term expiring April 9, 2024 and to extend the appointment to expire April 9, 2028, per county Policy 100.19 - Board Appointments. Commissioner Maxwell seconded. The motion passed 5-0.

13. Consideration of a recommendation from the Selection Committee, comprised of Vice Chairman Edward Gibbons and Commissioner Charles Oddo, to re-appoint Walter Ponder to the Board of Assessor position to serve a term beginning January 1, 2024 and expiring December 31, 2026.

Vice Chairman Gibbons moved to re-appoint Walter Ponder to the Board of Assessor position to serve a term beginning January 1, 2024 and expiring December 31, 2026. Commissioner Oddo seconded. The motion passed 5-0.

14. Consideration of a recommendation from the Selection Committee, composed of Vice Chair Edward Gibbons and Commissioner Charles Rousseau, to appoint Vicki Butler to the Region Six Mental Health, Developmental Disabilities, and Addictive Diseases Regional Planning Board to serve a term beginning October 1, 2023 and expiring September 30, 2026.

Vice Chairman Gibbons moved to approve to appoint Vicki Butler to the Region Six Mental Health, Developmental Disabilities, and Addictive Diseases Regional Planning Board to serve a term beginning October 1, 2023 and expiring September 30, 2026. Commissioner Rousseau seconded. The motion passed 5-0.

15. Consideration of staff's recommendation to re-appoint Page McDonald to the Fayette County Library Board to serve a term beginning January 1, 2024 and expiring December 31, 2027.

Commissioner Rousseau staff's recommendation to re-appoint Page McDonald to the Fayette County Library Board to serve a term beginning January 1, 2024 and expiring December 31, 2027. Vice Chairman Gibbons seconded. The motion passed 5-0.

16. Request to award Bid #2332-B, Medic Trucks to Frazer, Ltd. for one new (1) Medic Truck in the amount of \$370,085, and an additional \$141,080 for equipment for a total of \$511,165; a transfer of \$112,915 is needed to fully fund CIP project 243AA.

Commissioner Oddo moved to approve to award Bid #2332-B, Medic Trucks to Frazer, Ltd. for one new (1) Medic Truck in the amount of \$370,085, and an additional \$141,080 for equipment for a total of \$511,165; a transfer of \$112,915 is needed to fully fund CIP project 243AA. Vice Chairman Gibbons seconded. The motion passed 5-0.

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

- 17. Request to award Bid #2332-B, Medic Trucks to Frazer, Ltd. for three replacement (3) Medic Trucks in the amount of \$1,110,255, and an additional \$131,373 for equipment for a total of \$1,241,628; a transfer of \$341,628 is needed to fully fund project P23AE.**

Vice Chairman Gibbons moved to approve to award Bid #2332-B, Medic Trucks to Frazer, Ltd. for three replacement (3) Medic Trucks in the amount of \$1,110,255, and an additional \$131,373 for equipment for a total of \$1,241,628; a transfer of \$341,628 is needed to fully fund project P23AE. Commissioner Oddo seconded. The motion passed 5-0.

- 18. Request to award Bid #2335-B; FY24 Resurfacing Project to C.W. Matthews Contracting Co, Inc. in the amount of \$2,253,668.00.**

Vice Chairman Gibbons moved to approve award Bid #2335-B; FY24 Resurfacing Project to C.W. Matthews Contracting Co, Inc. in the amount of \$2,253,668.00. Commissioner Rousseau seconded. The motion passed 5-0.

- 19. Request to award Bid #2330-B HA 5, High Density Mineral Bond to Holbrook Asphalt, Inc. in the amount of \$342,401.19.**

Commissioner Rousseau moved to approve to award Bid #2330-B HA 5, High Density Mineral Bond to Holbrook Asphalt, Inc. in the amount of \$342,401.19. Vice Chairman Gibbons seconded. The motion passed 5-0.

- 20. Request to award Bid #2312-B Micro Surfacing to Asphalt Paving Systems, Inc. in the amount of \$791,364.80.**

Vice Chairman Gibbons moved to approve to award Bid #2312-B Micro Surfacing to Asphalt Paving Systems, Inc. in the amount of \$791,364.80. Commissioner Rousseau seconded. The motion passed 5-0.

- 21. Request to renew Contract #1447-S, Renewal 3 for Carbyne, Inc. in the amount of \$285,500 to provide maintenance and support for continued operation of the 911 phone system.**

Commissioner Oddo moved to approve to renew Contract #1447-S, Renewal 3 for Carbyne, Inc. in the amount of \$285,500 to provide maintenance and support for continued operation of the 911 phone system. Vice Chairman Gibbons seconded. The motion passed 5-0.

ADMINISTRATOR'S REPORTS:

- A. Contract #2349-S: Lake Horton Raw Water Pump 4 Repairs**

ATTORNEY'S REPORTS:

County Attorney Dennis Davenport stated that there were three items for Executive Session. Two items involving threatened litigation and one item involving pending litigation.

COMMISSIONERS' REPORTS:

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

EXECUTIVE SESSION:

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Two items involving threatened litigation and one item involving pending litigation. Commissioner Oddo moved to go into Executive Session. Vice Chairman Gibbons seconded. The motion passed 5-0.

The Board recessed into Executive Session at 3:29 p.m. and returned to Official Session at 3:59 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.

ADJOURNMENT:

Commissioner Oddo moved to adjourn the December 14, 2023 Board of Commissioners meeting. Vice Chairman Gibbons seconded. The motion passed 5-0.

The December 14, 2023 Board of Commissioners meeting adjourned at 4:14 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 11th day of January 2024. Attachments are available upon request at the County Clerk's Office.

Marlena Edwards, Chief Deputy County Clerk