

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

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 Lee 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 Edward Gibbons and Commissioner Charles 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 meeting.

Acceptance of Agenda

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

PROCLAMATION/RECOGNITION:

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

Accountability Court Coordinator, Christa Grayson, provided the Board a brief Accountability Court update and overview. Ms. Grayson highlighted both the DUI/Drug Court and Veterans Treatment Court programs, the treatment plans and requirements, and program goals. She noted several events and activities the Accountability Courts participated in, including the annual Kickball game, Overdose Awareness Day, the Dragon Boat Race, and Faith in Blue event. She stated that every year as a part of the program, participants hosted a holiday giveback. She noted that this year, participants partnered with Promise Place gathering essential items for members of the community, specifically victims of domestic violence. Ms. Grayson stated that Accountability Court staff attended the annual Council of Accountability Court Judges (CACJ) Conference in Athens, where they received training. Judge Jason Thompson expressed his pride in the Accountability Court programs, the team he worked with and the participants that this program helped. He thanked the Board as well as staff and other agencies for their support.

Chairman Hearn expressed his appreciation for the Accountability Court programs and the difference they have made in the lives of their participants, their families, and the overall community.

Commissioner Rousseau echoed the sentiments of Chairman Hearn. He also asked if space was available in the program for the potential participants in waiting, once their evaluations were completed.

Ms. Grayson stated yes, she would be conducting interviewers for counselors to ensure the program could assist as many people as possible.

Commissioner Rousseau continued expressing his appreciation for the work that was being done via the Accountability Court programs. He also asked if former clients/participants served as peer mentors for the program.

Ms. Grayson stated that there was an internal mentor program, where the higher phase participants mentored the lower phase participants.

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 4-0. Vice Chairman Gibbons was absent.

- 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.**

Vice Chairman Gibbons arrived at the meeting.

Commissioner Rousseau wanted to know if the County was responsible for maintenance and upkeep of the property.

Mr. Davenport advised that as the property owner, the County would have reasonable responsibilities for the property but because he was unfamiliar with the property, he could not provide specifics on what those responsibilities were, if any.

Commissioner Rousseau advised that he would like a survey of the property performed to determine what the County's level of responsibility was as it related to the maintenance and upkeep of the property.

Commissioner Rousseau moved to table this item to the January 11, 2024 Board of Commissioners meeting. Commissioner Oddo 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.**

County Attorney Dennis Davenport stated that items #6, #7, and #8 were tabled from the November 9, 2023, board meeting regarding a tax refund request by LDP Ventures for personal property/equipment. He stated that the information provided by the

applicant from the previous meeting was new information and that his office asked for additional time to review and analyze the request. Mr. Davenport provided the Board a summary of events as it related to the applicant and why a tax refund was requested. He stated that tax bills were generated in September 2022, based on personal property tax returns received, in the spring of 2022. When these tax bills generated, they were received by both LDP Ventures and Chick-Fil-A Corporate. Chick-Fil-A Corporate paid the taxes about 30-days later and LDP Ventures, subsequently paid the same taxes a few days after that. Mr. Davenport acknowledged that Fayette County did receive two payments of taxes for equipment for the same Chick-Fil-A stores. The following day a representative from LDP Ventures advised that they had made a mistake and double paid because the person who typically filled out the tax return paperwork was no longer there and the person who filled out the tax paperwork did so incorrectly. Mr. Davenport confirmed that the taxes were double paid by LDP Ventures and Chick-Fil-A Corporate in the amount of \$4,240.18 each year for three years totaling \$12,720.54.

Mike Holmes, Applicant and Chick-Fil-A Operator stated that he believed that the request was for three separate Chick-Fil-A restaurant locations for one single year for the inventory but not the actual equipment.

Mr. Davenport stated that he misspoke if he stated, three sperate years. Mr. Holmes was correct; the request was for three separate locations for one year for personal property.

Commissioner Maxwell asked, as a point of clarification if the taxes had been paid twice.

Mr. Davenport stated that was correct.

Commissioner Maxwell stated that based on the backup he received regarding this item, his understanding was that the legal recommendation was to deny this refund request of \$12,720.54.

Mr. Davenport stated yes that was the legal recommendation. The tax refund requests are typically approved if a mistake was made by the Tax Assessors Office. In this case, the Tax Assessors Office did not make an error we [the County] accepted sworn statements from Chick-Fil-A Corporate and LDP Ventures with respect to the personal property and billed accordingly.

Commissioner Maxwell ask if hypothetically he mistakenly wrote a \$60,000 check intending to pay a \$6,000 tax bill would that mean he would be out \$54,000.

Mr. Davenport advised that if he sent it through O.C.G.A. 48-5-380 tax refund request, then yes. But noted that he was welcome to seek relief and/or a refund in a different manner.

Commissioner Maxwell stated that this just seemed oppressive to him, that someone could mistakenly pay their taxes twice and the Board would keep the money. He stated that he did not feel comfortable doing so, even if that was what the law advised. He reiterated that he did not feel right keeping the extra money.

Chairman Hearn stated that he understood and appreciated the law but also wanted to maintain a level of fairness and would entertain a motion to refund the \$12,720.54. Commissioner Maxwell seconded.

Commissioner Maxwell asked what happened if the Board voted against the legal recommendation.

Mr. Davenport stated that based on the standard of whether the Tax Assessors Office made an error or not, a tax refund request was either approved of denied. If an error was made, the request was approved, if no error was made by the Tax Assessors Office, the request was denied. Making a decision outside of this standard would be precedential and open the Board up for challenges when subsequent requests were received in the future.

Commissioner Rousseau stated that he was sympathetic to the resident, business owner, taxpayer regarding the overpayment and was mindful of a sense of fairness. However, approving this request would set a precedent and require the Board to change its standard/policy in approving/denying tax refund requests. This would potentially cause issues for the Board in the future. He

concluded that although he was sympathetic to the requester, he felt more comfortable maintaining the standard that was in place.

Commissioner Maxwell stated that although he understood Commissioner Rousseau hesitations, he wanted to reiterate that this case was extremely unique and was not the typical residential tax refund request that Board regularly reviewed.

Commissioner Oddo stated that this request was a tough one to decide but he was leaning toward denial. He acknowledged that this was a lot of money, and that it did bother him that it was paid twice. He noted that his intent was to follow the law maintaining the standard for future requests. He noted that if there was another way he could go about receiving and/or applying for the refund he would prefer he used that route, but he did not feel this was the correct way to request this refund and would be voting in favor of the County Attorney's recommendation.

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. 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. 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. 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.

County Administrator Steve Rapson provided the Board an overview of the Crabapple Lane multi-use path options. Based on Board direction, staff evaluated possible solutions with all parties concerning connectivity at Crabapple Lane. He stated that Peachtree City did have the authority to restrict access within Peachtree City limits and had taken official action to close Crabapple Lane to cars and golf carts. He noted that County staff opposed eliminating Crabapple Lane vehicle and golf cart interconnectivity. Mr. Rapson advised that the County FY2023 capital program does have funding for the installation of a cul-de-sac with appropriate grading and ditches to prevent vehicles and golf carts from driving through from either direction. He continued that there were 320 homes within the Town of Tyrone that were adjacent to Farr Road and must cross Dogwood Trail using an at-grade crossing to access Peachtree City. Mr. Rapson presented the following findings to the Board:

- Trent Foster, Residential Developer, offered \$500,000 to assist with a solution they have developed, using City of Tyrone specifications for an alternate access via Bailee Run, Dogwood Trail, and the Dogwood Church property.

- Fayette County evaluated Right-of-Way along Dogwood Trail & Old Highway 74 Roadbed and would be willing to be the Fiscal Agent for a Town of Tyrone Safety Improvement Grant for a proposed \$125,000 HAWK crossing.
- Town of Tyrone has assessed several options and routes for an alternative connection.

Mr. Rapson continued by reviewing the arial map outlining the proposed path options, which included: Crabapple Lane, Dogwood Trail, and Taylor Ridge Court. Mr. Rapson stated that staff developed five different options:

Option #1 – Crabapple Lane1

Remove gate and open Crabapple Lane for car & golf cart access.

Option #2 – Crabapple Lane1

Keep Crabapple Lane closed for cars but allow golf cart access.

Option #3 – Dogwood Trail 2

Construct 1,620 feet of new path construction along Dogwood Trail connecting Bailee Run with Dogwood Church. This option includes a short bridge or culvert extension and significant backfill.

Option #4 – Taylor Ridge Court 2

Construct 1,935 feet of new path with 160 feet of elevated board walk or bridge, also connects to Dogwood Church.

Option #5 – All other Golf Cart Access Options

Not fiscally viable solutions

As a part of the evaluation, Mr. Rapson provided a cost comparison chart of the different proposed path options. He stated that for the Crabapple Lane option, the estimated cost was \$125K and included the HAWK signalized crossing, The Dogwood Trail estimated cost was \$985K, and the Taylor Ridge Court estimated cost was \$1.3M. Mr. Rapson stated that after much discussion with all the concerning parties, Peachtree City was unlikely to agree to reopening Crabapple Lane to vehicle traffic based upon discussions and concerns expressed by their elected officials. He reiterated that this was a City of Peachtree City decision to make. The remaining options included:

Crabapple Lane, Option #2, was a position that warranted further consideration based upon discussions with all parties, and County staff would support Option #2 as a viable alternative.

Reopening Crabapple Lane to golf carts, bicycles, and pedestrians provides the cheapest and safest option for connection between Dogwood Trail and Kedron Village. Costs for this option include a proposed \$125,000 HAWK at-grade crossing at Dogwood Trail.

Dogwood Trail, Option #3, would be the only other financially viable option to provide an alternate solution and results in a \$385,227 funding shortfall.

Mr. Rapson stated staff recommendation was to submit this presentation to the City of Peachtree City for consideration of the path options as outlined.

Commissioner Oddo asked if this required a vote.

Mr. Rapson stated no, because the County could not require that they to do anything. However, we would submit the presentation to the City of Peachtree City for consideration of the path options.

Commissioner Rousseau comments were inaudible.

Commissioner Rousseau moved to authorize the County Administrator to offer the updated recommendation to the City of Peachtree City and report back with his findings. Vice Chairman Gibbons seconded. The motion passed 5-0.

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 moved to approve 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.

Fire Chief Jeff Hill advised the Board that this request was to award Bid #2332-B, Medic Trucks to Frazer, Ltd. for one new Medic Truck.

Chairman Hearn asked what the lead time was on receiving the truck.

Chief Hill advised 12-18 months.

Chairman Hearn expressed his appreciation to Chief Hill for his forethought and preparation in initiating this request. Commissioner Oddo asked what the Medic Truck was used for.

Chief Hill stated that the medic truck was an ambulance and was used to service emergency calls in the community. This additional truck would assist in efficiency of customer care and emergency service delivery.

Commissioner Rousseau stated that in the future he would like recommendations to the Board and/or Mr. Rapson on what an ideal level of medic trucks would be based on the County's population to ensure we are able to accommodate the needs of our citizens and residents.

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.

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.

Chief Hill stated that this request was to award Bid #2332-B, Medic Trucks to Frazer, Ltd. for three (3) replacement Medic Trucks. He advised that the lead time on these trucks were 12-18 months.

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.

Roads Department Director Steve Hoffman stated that this item was seeking approval 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.

Mr. Hoffman stated that this item was seeking approval 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. Commissioner Oddo seconded.

Vice Chairman Gibbons stated that this request was for High Density Mineral Bond pavement preservation that would be used on 4.53 miles on various roadways and neighborhood streets throughout the County.

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. Commissioner Oddo 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.

Mr. Hoffman stated that this item was seeking approval to award Bid #2312-B Micro Surfacing to Asphalt Paving Systems, Inc. in the amount of \$791,364.80.

Vice Chairman Gibbons stated that this request was for Micro Surfacing that would be used on 8.77 miles on various roadways and neighborhood streets throughout the County.

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.

911 Director Kayte Vogt requested the approval 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.

Commissioner Roussesu asked if any other company could provide these services or was this a sole source.

Ms. Vogt advised that at this time these services were sole-sourced but there were other companies looking into providing this service in the future.

ADMINISTRATOR'S REPORTS:

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

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.

Christmas Door Decorating/Wreath Contest Winners

Mr. Rapson advise the Board on the following winner of the 2023 Christmas Door Decorating/Wreath Contest Winners:

1st Place Door – Building Safety
1st Place Werth - Sheriff Department
Best Overall- Sheriff Department

Extended Employee Holiday

Chairman Hearn expressed his appreciation for the staff of Fayette County and advised that there had been some discussion amongst the Board about extending the Christmas Holiday, instead of the traditional two-day holiday he suggested making it five days. Chairman Hearn stated that this would be a thank you to county employees for their hard work and dedication.

Chairman Hearn moved to approve to extend the Christmas Holiday from two days (December 25 & 26) to five days (December 25-December 29). Vice Chairman Gibbons seconded.

Commissioner Oddo asked, as a point of clarification if the County would still be operating and if this was a one-time deal or a policy change.

Mr. Rapson stated that these would be three additional holidays. There were individuals in various department that would work, and they would be put into holiday mode as they typically are. Staff would handle the accrual and leave modification and logistics of those employees. He reiterated that this would not be a minimal staff/skeleton crew schedule. Employees would be on holiday and office would be closed that entire week. Notices would be posted to advise citizens of the update holiday schedule.

Commissioner Rousseau suggested doing minimal staff/skeleton crew schedule instead. He stated that he was hesitant to do a full closure because there would be residents and business owners also off from work needing to conduct business. Commissioner Rousseau stated that he loved the Fayette County team dearly and appreciated all they did.

Mr. Rapson stated that if approved, notices would be immediately posted advising of the updated holiday schedule and any residents and business owners would still have a week to get that accomplished. He noted that there would still be essential staff working and on-call to ensure the County operations ran efficiently.

Chairman Hearn moved to approve to extend the Christmas Holiday from two days (December 25 & 26) to five days (December 25-December 29). Vice Chairman Gibbons seconded. The motion passed 4-1, with Commissioner Rousseau voting in opposition.

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:

Commissioner Maxwell

Commissioner Maxwell recognized the passing of Tony Parrott and extended his condolences to the Parrott Family for their loss. He relayed kind memories of Mr. Parrott.

Chairman Hearn

Chairman Hearn relayed his experiences working with Tony Parrott expressing his condolences for his loss stated that he would be missed.

Commissioner Rousseau

Commissioner Rousseau echoed the sentiments expressed about Tony Parrott and extended his warm regards to his family.

Commissioner Rousseau stated that he wanted to public recognized Animal Control Director Jerry Collins for his leadership and dedication, expressing his appreciation for his hard work and professionalism. He relayed a happy holidays to all in attendance.

Commissioner Rousseau stated that he had noticed an influx in dead hawks throughout the County along the roadway and was concerned and suggested reaching out to the Department of Natural Resources.

He thanked County staff noting that his vote against the holiday extension was not a reflect of his appreciation but the need to maintain the highest level of service to Fayette County citizens.

Commissioner Oddo

Commissioner Oddo acknowledged Tony Parrott and extended his condolences to the Parrott Family. He wished everyone a Merry Christmas and Happy New Year advising everyone to please be safe.

Chairman Hearn

Chairman Hearn expressed his concern regarding resurfacing efforts in the County and his desire to heighten these efforts in line with Georgia Department of Transportation recommendations. He stated that he would like an in-depth discussion about the County's resurfacing program.

Chairman Hearn extended kudos to Jerry Collins and his staff for a job well done. He expressed his appreciation for all Fayette County employees.

EXECUTIVE SESSION:

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.

Mr. Davenport stated that the Board had been advised that Probate Judge Jackson would be resigning her position effective February 29, 2024. As a result, state law required that the position be filled in a certain manner, outlining that if we had an Associate Probate Court Judge that position would transition into the Probate Judge position. He advised that the County did have an Associate Probate Court Judge, Angela Langaard. Mr. Davenport stated that if things continued to go according to plan, effective March 1, 2024, Judge Angela Langaard would transition into the Probate Judge position. Mr. Davenport advised in anticipation of that move occurring, it would be prudent to review her compensation for the year which included the unexpired term through December 31, 2024. He noted that it was up to the Board to determine what that compensation would be.

Commissioner Maxwell moved to annualize the pay of \$123,088.48 per year. Vice Chairman Gibbons seconded. The motion passed 5-0.

Commissioner Maxwell asked if Chairman Hearn wanted to expound on previous statement regarding transportation projects within the County. He stated that he would be in favor of having a full discussion related to transportation issues and goals.

Chairman Hearn stated that there were a lot of elements related to paving and transportation and expressed his desire and the need to discuss and properly prepare an in-depth County resurfacing program. He stated that he would like an analysis for what our current resurfacing efforts were vs what was recommended via the Department of Transportation.

Commissioner Rousseau stated that he was not opposed to a paving analysis being conducted.

Vice Chairman Gibbons stated that he felt that this was outside his expertise and was not necessary and that [the Board] should allow the County Administrator the opportunity to do his job. He concluded that he was not in favor of a review/analysis like this outside the normal budget schedule.

Commissioner Oddo stated that in his opinion this would be a perfect item to be discussed at Retreat. He stated that doing this within the normal process would be the most appropriate and efficient way to handle this type of request and/or analysis. Commissioner Oddo he stated that he felt it was above his expertise.

Vice Chairman Gibbons stated that he did not want to sit through a four-hour long meeting about paving and felt that if it was something he could not understand in an hour or less, then the Board was “too far in the weeds.”

Chairman Hearn stated that he felt it was important to review this type of requests now to determine how it would affect the overall budget. In his opinion, waiting until Retreat was too long and he would like to take a proactive approach and plan ahead.

Further conversation continued.

Mr. Rapson advised that staff was being proactive and maintained a holistic approach when reviewing various projects and programs to include for consideration for each year’s budget. He assured the Board the staff did not wait until budget season or retreat to start their evaluations and analysis of these project.

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