

## **BOARD OF COUNTY COMMISSIONERS**

Lee Hearn, Chairman  
Edward Gibbons, Vice Chairman  
Eric K. Maxwell  
Charles D. Rousseau  
Charles W. Oddo



## **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**

March 14, 2024

5:00 p.m.

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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 2<sup>nd</sup> and 4<sup>th</sup> Thursday of each month at 5:00 p.m.

### **OFFICIAL SESSION:**

#### **Call to Order**

Chairman Lee Hearn called the March 14, 2024 Board of Commissioners meeting to order at 5:01 p.m. All members of the Board were present.

#### **Invocation and Pledge of Allegiance by Commissioner Charles D. Rousseau**

Commissioner Charles D. Rousseau offered the invocation and led the audience in the Pledge of Allegiance.

#### **Acceptance of Agenda**

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

### **PROCLAMATION/RECOGNITION:**

#### **PUBLIC HEARING:**

#### **PUBLIC COMMENT:**

Laura Line, of Fayetteville, expressed her concern regarding the lack of accessibility via handicap ramp at the library, specifically for access to the community room where voting was held. She stated that this was a major concern that needed to be addressed.

### **CONSENT AGENDA:**

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

- 1. Approval of the Georgia County Internship Program Grant Agreement from Association County Commissioners of Georgia (ACCG) Civic Affairs Foundation, Inc. to the Fayette County Assessor's Office for award of the General Georgia County Internship Program (GCIP) Grant in the amount of \$1,759.50 for one intern.**
- 2. Approval of the Georgia County Internship Program Grant Agreement from Association County Commissioners of Georgia (ACCG) Civic Affairs Foundation, Inc. to the Fayette County State Court for award of the General Georgia County Internship Program (GCIP) Grant in the amount of \$3,259.50 for one intern.**

3. **Approval of the Georgia County Internship Program Grant Agreement from Association County Commissioners of Georgia (ACCG) Civic Affairs Foundation, Inc. to the Public Defender's Office for award of the General Georgia County Internship Program (GCIP) Grant in the amount of \$3,259.50 for one intern.**
4. **Approval to appoint Emergency Management Director Brian Davis as the voting delegate to the Association of County Commissioners of Georgia (ACCG) for consideration of three statewide Georgia Opioid Settlement Advisory Commission Members (GOSAC) and Regional Advisory Council Members (RAC).**
5. **Approval to acquire all fee simple right-of-way and easements for the proposed roundabout of Veterans Parkway and Eastin Road (2004 SPLOST R-5i).**
6. **Approval to acquire all fee simple right-of-way and easements for the 2017 SPLOST Stormwater Category II, Tier II Project: 130 Darren Drive Culvert Replacement (19SBJ).**
7. **Approval to award Contract 2371-S, EagleView Aerial Pictometry, to Pictometry International Corporation dba EagleView for a total contract amount of \$155,711.70; and to transfer \$40,000 from Project 241AC, and \$16,000 from General Fund Project Contingency to Project 231AG; Flight Over Fayette County, to fund the balance of the six-year contract.**
8. **Approval of the February 22, 2024 Board of Commissioners Meeting Minutes.**

**OLD BUSINESS:**

**NEW BUSINESS:**

9. **Request to approve Change Order 1 of Contract 2337-P, MEJA, to set the Guaranteed Maximum Price (GMP) of \$5,671,105 for the construction of the Fire Training Classroom Building & Training Tower.**

Project Manager Tim Symonds stated that this request was seeking Board approval for Change Order 1 of Contract 2337-P, MEJA, to set the Guaranteed Maximum Price (GMP) of \$5,671,105 for the construction of the Fire Training Classroom Building and Training Tower. He stated that since being appointed, MEJA had reviewed the design and developed a Guaranteed Maximum Price (GMP) through pricing received from their sub-contractors. Mr. Symonds noted that the GMP did fall within the available funds budgeted for the work. He added that one reason they needed to have this approved quickly was because the lead time on securing materials for the training tower was significant and MEJA needed to submit the order and finalize a place in the queue. Mr. Symonds also stated that although the building budget came in slightly under the original forecast, the tower (steel) cost had increased.

Commissioner Rousseau asked what the cost increases were.

Mr. Symonds stated that costs related to the training tower increased by about 5% and current building prices were still rising in line with inflation.

Vice Chairman Gibbons moved to approve Change Order 1 of Contract 2337-P, MEJA, to set the Guaranteed Maximum Price (GMP) of \$5,671,105 for the construction of the Fire Training Classroom Building & Training Tower. Commissioner Oddo seconded. The motion passed 5-0.

10. **Request from the Georgia Department of Transportation (GDOT) for execution of a Memorandum of Agreement (MOA) for GDOT to replace the McDonough Road Bridge over the Flint River (GDOT PI 0016579); and creation of 2004 SPLOST Project R-10 (McDonough Road Bridge Replacement) with a budget of \$50,000, to fund right-of-way acquisition.**

Fayette County Public Works Director Phil Mallon stated that this request involved the replacement project of the McDonough Road Bridge over the Flint River. He advised that the request was asking for two things: 1.) creation of 2004 SPLOST Project R-10 (McDonough Road Bridge Replacement) with a budget of \$50,000, to fund right-of-way acquisition. 2.) execution of a Memorandum of Agreement (MOA) for Georgia Department of Transportation (GDOT) to replace the McDonough Road Bridge over the Flint River (GDOT PI 0016579). Mr. Mallon stated that GDOT would be performing all aspects of the project to include design, right-of-way acquisition; construction; and construction management. He stated that the estimated cost of this project would be about \$6M, with a county contribution of \$50k to partially cover some of the right-of-way acquisition. Mr. Mallon stated that if approved, he was in the process of seeking a 50/50 split with Clayton County. If successful, it would be brought back before the Board for approval.

Vice Chairman Gibbons moved to approve the creation of 2004 SPLOST Project R-10 (McDonough Road Bridge Replacement) with a budget of \$50,000, to fund right-of-way acquisition. Commissioner Oddo seconded.

Commissioner Rousseau stated that from his recollection the county had reached out to Clayton County some years ago about participating in this project.

Mr. Mallon stated that staff reached out to Clayton County in the past regarding partnership involving a larger McDonough Road project, not necessarily about the McDonough Road Bridge project, other than to advise them that it was in the works. He added that these conversations were had on a staff level, but the final agreement would need to be signed by the elected officials.

Commissioner Rousseau asked if there was a proposed timeline for the project.

Mr. Mallon stated that the design was currently underway and was scheduled to be let for construction, February 2026.

Chairman Hearn stated that currently the bridge was in lousy shape and there were load limits on the bridge.

Mr. Mallon stated that was correct. Fayette along with Clayton County contributed funding to raise the load limits to allow school buses safe passage, but there were still some weight limitations in place.

Vice Chairman Gibbons moved to approve the creation of 2004 SPLOST Project R-10 (McDonough Road Bridge Replacement) with a budget of \$50,000, to fund right-of-way acquisition. Commissioner Oddo seconded. The motion passed 5-0.

Vice Chairman Gibbons moved to approve execution of a Memorandum of Agreement (MOA) for GDOT to replace the McDonough Road Bridge over the Flint River (GDOT PI 0016579). Commissioner Oddo seconded. The motion passed 5-0.

#### **11. Request to approve including time for holiday pay in the calculation for overtime pay.**

Human Resource Director Lewis Paterson stated that this request was seeking Board consideration and approval to include hours in the calculation of overtime for non-exempt employees. He stated that overtime pay was currently based on hours actually worked when they exceed the Fair Labor Standards Act (FLSA) threshold. For the majority of employees, the threshold was 40 hours in a work week, so any hours worked over 40 are paid at time-and-a-half. Situations can occur where employees may be required to work hours that are longer than their normal workday during a week with County observed holidays. In these instances, because holiday time is not factored into the calculation for overtime, the employee does not receive overtime pay at the premium time-and-a-half rate. Mr. Patterson stated that staff felt that although it was in keeping with FLSA standards, the employee was not being compensated for their extra work fairly. Holidays are established and approved by the Board of Commissioners. Staff felt that a change was warranted to include holiday hours in the calculation for overtime pay.

Vice Chairman Gibbons moved to approve request to approve including time for holiday pay in the calculation for overtime pay. Commissioner Oddo seconded. The motion passed 5-0.

### **ADMINISTRATOR'S REPORTS:**

#### **Library Handicap Accessibility**

In response to public comment, regarding accessibility to the community room at the library, Mr. Rapson stated that staff would be evaluating a curb cut and perhaps putting a handicap access point there; however, there were several factors that needed to be reviewed. He noted that there was a way to get inside that room safely via the main building entrance. He had advised staff to develop signage to help direct residents on how to gain access to the room.

#### **Soccer Federation Meeting**

Mr. Rapson advised that there had been a Soccer Federation community event, that was well attended. He thanked all who attended as well as the Board for their support of the event.

#### **Hot Projects**

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

Mr. Rapson congratulated Sheryl Weinman and Lee Ann Barlett for their efforts in reworking the Capital Improvement Plans Handbook with the Association of County Commissioners of Georgia (ACCG), used by Georgia elected officials. Mr. Rapson also advised that the County's overall ISO rating improved to a 22Y, which was a huge deal and commended his team for a job well done.

### **ATTORNEY'S REPORTS:**

**Notice of Executive Session:** County Attorney Dennis Davenport stated that there were three items for Executive Session. One item involving real estate acquisition, one item involving threatened litigation and the review of the February 22, 2024 Executive Session Minutes.

### **COMMISSIONERS' REPORTS:**

#### **Commissioner Rousseau**

Commissioner Rousseau stated that his first thoughts regarding a handicap ramp was concerns regarding stormwater.

He also asked where plans were for a sidewalk for the overflow parking at the new Elections Office.

Commissioner Rousseau expressed his appreciation to the US Soccer Federation for hosting the recent community event as an in-coming neighbor. Although there were still some serious concerns that needed to be addressed, this was a great effort for a budding partnership.

#### **Vice Chairman Gibbons**

Vice Chairman Gibbons extended kudos to the Fayette County Public Works and Animal Control Office. He stated that he got great joy out of commending staff and appreciated when others see the hard work that the county does as well, he appreciated these two departments for a job well done.

#### **Commissioner Oddo**

Commissioner Oddo expressed his condolences to the McCarty family, with the recent passing of former commissioner Allen McCarty.

**Chairman Hearn**

Chairman Hearn stated that he recently attended the Atlanta Regional Commission (ARC) meeting. He provided a brief overview of the ARC meeting noting that they were in the midst of a TIP amendment, which was an amendment to their short-term work program. He excitedly announced that this program would bring federal funding to transportation project that affect Fayette County, specifically the I-85 State Route 74 interchange project. Chairman Hearn also provided forecasted population growth for Fayette County into 2050 of about 124,500 people. He stated that this was important information to know because these numbers affected our water demands, schools, transportation, and court/criminal justice system.

**EXECUTIVE SESSION:**

**One item involving real estate acquisition, one item involving threatened litigation and the review of the February 22, 2024 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 5:31 p.m. and returned to Official Session at 6:13 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 February 22, 2024 Executive Session Minutes:** Commissioner Oddo moved to approve February 22, 2024 Executive Session Minutes. Vice Chairman Gibbons seconded the motion. The motion passed 5-0.

**ADJOURNMENT:**

Commissioner Oddo moved to adjourn the March 14, 2024 Board of Commissioners meeting. Vice Chairman Gibbons seconded. The motion passed 5-0.

The March 14, 2024 Board of Commissioners meeting adjourned at 6:14 p.m.

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Marlena M. Edwards, Chief Deputy County Clerk

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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 28<sup>th</sup> day of March 2024. Attachments are available upon request at the County Clerk's Office.

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Marlena Edwards, Chief Deputy County Clerk