

## 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

June 13, 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 June 13, 2024 Board of Commissioners meeting to order at 5:02 p.m. A quorum of the Board was present. Commissioner Maxwell was absent.

#### **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**

Commissioner Oddo motioned to accept the agenda as written. Vice Chairman Gibbons seconded. The motion passed 4-0. Commissioner Maxwell was absent.

### PROCLAMATION/RECOGNITION:

1. **Recognition of Leah Williamson, Water Guardians citizen volunteer, for winning the National Society Daughters of the American Revolution (NSDAR) Conservation Award.**

Bonnie Bobbitt with National Society Daughters of the American Revolution Conservation recognized Leah Williamson, Water Guardians citizen volunteer for her hard work and dedication. The Water Guardians is a volunteer program where local citizens remove trash from the local water reservoirs that supply drinking water as well as the adjacent recreational areas. She noted that tons of debris had been removed from the reservoirs and taken to appropriate disposal sites since the program began in 2016. Ms. Bobbitt stated that a program like Water Guardians could not exist without the leadership of Leah Williamson and the tireless efforts of citizen volunteers.

### PUBLIC HEARING:

2. **First of two Public Hearings on Fayette County's proposed annual budget for Fiscal Year 2025 which begins on July 1, 2024 and ends June 30, 2025.**

Assistant Chief Financial Officer Amanda Schoonover presented an overview of the proposed FY2025 Budget. She stated that the Board had already seen some of the slides outlined in the Budget presentations at the May 29, 2024 Special Called Meeting. In review of the General Fund Balance financial projections, she stated that the projected total Fund Balance would be \$30.7M.

Mrs. Schoonover stated that this amount included the CIP for next year, as well as Stabilization Fund in the amount of \$19.9M, leaving the unassigned fund with \$2.4M. In reviewing the Budget Summary, the positive impact for the General Fund was \$403,203. Mrs. Schoonover stated that this had been updated from what was previously presented to the Board and the change was impacted by the following two items being proposed, that staff needed the Board to vote on individually.

Mrs. Schoonover stated that the first item was regarding Public Defender staff. Included in the proposed FY2025 budget was an increase of \$12,338 to provide Public Defender staff a 6.25% increase. The 6.25% was the maximum merit increase allowed under the proposed forced merit for Fayette County employees.

Commissioner Rousseau asked if the vote had to be taken now or could it wait be voted on during the second public hearing in addition to any other budget changes that may develop.

County Administrator Steve Rapson stated historically this was the process the Board typically used. When there were any budget changes the Board would vote on the outlined changes as presented throughout the budget process. This allowed the Board the opportunity to review each change and its impact to the budget. He noted that each change would need to be voted on individually. The Board could wait until the second public hearing to vote on budget changes if they elected to do so. This decision was at their discretion.

Vice Chairman Gibbons moved to approve budget discussion Item #1 Public Defender. Commissioner Oddo seconded. The motion passed 3-0-1, with Commissioner Rousseau abstaining.

Mrs. Schoonover stated that the second item was regarding the Sheriff's Office. She stated that included in the proposed FY2025 budget was an increase of \$12,507 for an additional promotion within the Sheriff's Office, bringing the total of promotions for the Sheriff Office to eight. This promotion would be a Captain to a Major, the Major would serve as the Director of a newly formed Division.

Vice Chairman Gibbons moved to approve budget discussion Item #2: Sheriff's Office. Commissioner Oddo seconded. The motion passed 3-0-1, with Commissioner Rousseau abstaining.

Mrs. Schoonover concluded the presentation with the following budget highlights:

- Millage Rate Rollback / No Tax Increase
- General Fund impact from maintenance & operations is positive.
- Proposed Budget increases General Fund Balance \$403,203
- Funds Rolling 5 Year Capital Improvement Program of \$6,061,021
- Changes in Personnel levels protect the existing outstanding service delivery to our Citizens.
- Budget continues to maintain the commitment to balance current year revenues with current year expenses.
- Maintains Employee Benefits – Medical/Dental/Vision & Retirement
- County-Wide departmental cooperation continues to yield positive results.

The second public hearing and budget adoption will be held Thursday, June 27, 2024 at 5:00 p.m.

Mr. Rapson advised the Board of known changes to the budget that would be presented at the second public hearing on June 27<sup>th</sup>. He highlighted a change via the American Recue Plan Act grant award for State Court for \$65K that was not approved, a modification in the Griffin Judicial Circuit, and a change for four Co-op Extension employee to go toward a 4% allowance.

Vicki Leopold of Fayetteville asked if the Budget was available on the website for review.

Mr. Rapson stated yes it was.

**PUBLIC COMMENT:**

Randy Ogino of Fayetteville expressed his frustration of the reallocation of funding specifically from the East Fayetteville Bypass construction. He also relayed concerns regarding not having some of the outlined transportation projects reviewed by the Transportation Committee. He stated that was why the committee was in place and to have projects included in the budget that had not been seen or vetted through the Transportation Committee was a disservice to the community and to the volunteers who serve on that committee.

Bobby Jones of Fayetteville expressed his concerns and frustration with the state of the county and his desire for change in leadership.

**Animal Shelter**

Lotte Commerford, Taryn Prestidge, Cynthia Saracino, Marlot Smith, Cindy Coe, Tracy Florczak, Robin Allgood, Samantha Cook, Nelsonya Graves, Tammie Hurst, Robin Hulse, Debbie Carroll, Tim Boggs, Gail Drouillard,

Comments included concerns and frustration regarding the new animal shelter. Citizens expressed their disappointment with the Board not accepting the expert guidance, the size of the kennels- specifically the RO/holding area, poor treatment of animals and former staff by employees, the lack of outdoor space/runs, the need for more volunteers, outdoor seating accessibility, increase focus on the care of the cats, lack of community input, poor use of taxpayer funds, and lack of strategic design of the facility. Citizens also provided information on an alternative dog kennels at a cheaper price point and a service dog training program for shelter dogs.

**Georgia Power**

Susan Aldana and Doug Fergus,

Comments included concerns and frustration regarding the pending Georgia Power project. Citizens stated that this was a residential area, and the project was not wanted and should be rerouted. Citizens also stated that this project would decrease their property value.

**Flat Creek Baptist Church**

Cathy Vott expressed her concerns regarding Flat Creek Baptist Church pastor having to go to court as a result of a recent ordinance violation.

**Crabapple Lane**

Latecia Biester expressed her and other supporters' appreciation of the Board in their efforts to reopen Crabapple Lane.

Evan Huelfer recognized June 13, 2024 as national "Golf Cart Day" and highlighted the greatness and uniqueness of the community and the opportunities to utilize golf carts. He thanked the Board for their continued efforts in working with Peachtree City leadership to have Crabapple reopen.

**CONSENT AGENDA:**

Vice Chairman Gibbons moved to approve the Consent Agenda. Commissioner Oddo seconded. The motion passed 4-0. Commissioner Maxwell was absent.

3. **Approval of the May 16, 2024 Fiscal Year 2025 Retreat Meeting Minutes.**
4. **Approval of the May 23, 2024 Board of Commissioners Meeting Minutes.**
5. **Approval of the May 29, 2024 Board of Commissioners Special Called Meeting Minutes.**

**OLD BUSINESS:**  
**NEW BUSINESS:**

**6. Request to approve re-allocation of funding within the 2004 SPLOST, including interest earnings, and to close completed projects.**

Mrs. Schoonover stated that the purpose of these reallocation was to identify “cross-over” projects between 2004, 2017, and 2023 SPLOSTs. Mrs. Schoonover provided an overview of the 2004 SPLOST stating that since inception, there had been 25 projects completed totaling \$43.6M. These projects were part of the 70% funding (Fund 321) and were Fayette County projects. She continued highlighting projects that were part of the 30% funding (Fund 320) and are County Wide projects. There were no funds remaining in this portion of the 2004 SPLOST. The 161 completed projects total \$14.7M. She noted that between the two funds total projects completed for the 2004 SPLOST amounted to \$58.3M. Currently, 2004 SPLOST has \$26M available but these funds are assigned to various projects in the SPLOST list. The plan was to realign these funds towards projects that can be completed sooner. Mrs. Schoonover stated that in looking at page 13 of the SPLOST Reallocation presentation this slide displayed the current funding from the last slide in the currently available column. The two columns highlighted in blue and green were where the reallocation occurred. The reallocation of the 2004 SPLOST consisted of two parts. Part 1 was the reallocation of funds within the remaining 2004 SPLOST projects. Part 2 was the reallocation of interest revenues available of \$2.9M.

Mrs. Schoonover stated that that the rationale behind this was to make the most efficient use of the 2004 funds to complete more projects and thus, making more funds available in the 2023 SPLOST.

Mr. Rapson stated in response to public comments made by Mr. Ogino that this slide highlighted projects already vetted and voted on by the Transportation Committee. He noted that yes funding was being reallocated away from the East Fayetteville Bypass to fund other project that could be fully funded and moved more quickly toward completion.

This reallocation frees up \$6M of 2023 SPLOST for projects where additional funds are or will be needed. These are cross-over projects.

Vice Chairman Gibbons moved to approve the re-allocation of funding within the 2004 SPLOST, including interest earnings, and to close completed projects. Commissioner Oddo seconded. The motion passed 4-0. Commissioner Maxwell was absent.

**7. Request to approve re-allocation of funding within the 2017 SPLOST, including interest earnings, excess collections, and to close completed projects.**

Mrs. Schoonover outlined the 2017 SPLOST completed projects. She stated that completion of 66 projects totaling \$18.5M. She continued stating that the 2017 SPLOST had additional components for reallocation, noted on page 18 of the presentation \$1.9M of contingencies and restrictions along with \$1.4M of available funds from completed projects, \$4.9M of interest earnings, and \$17.8M of collection overage through the 6-year SPLOST. Ms. Schoonover stated that the available balances of projects in progress total \$31M which is currently assigned to the existing projects. Moving on slide 19 of the presentation she stated that due to the volume of projects in the 2017 SPLOST, she would only touch on those projects that were impacted. She highlighted the items in the next to last column will not add to \$58M but all the projects in 2017 SPLOST will add to \$58M. Ms. Schoonover stated that the blue column represents collections over and above the planned amount. All municipalities collected 27.6% more than originally estimated. In Fayette County the total collection overage was \$17.8M. She noted that the majority of the blue funds were used to add funding / fully fund existing projects where costs had increased. These monies were also used to fund cross-over projects in 2023 SPLOST and freeing up those funds in 2023. The gray column represents contingencies and available funds from closed projects that can be reallocated to other 2017 projects = \$3.4M. She stated that the green column was interest revenues of \$4.9M, split between stormwater and transportation projects.

This reallocation frees up \$17M of 2023 SPLOST for projects where additional funds are or will be needed. These are cross-over projects and are represented in the far-right column in green.

Commissioner Oddo moved to approve re-allocation of funding within the 2017 SPLOST, including interest earnings, excess collections, and to close completed projects. Vice Chairman Gibbons seconded.

Commissioner Rousseau asked County Attorney Dennis Davenport if these reallocations were permissible given some of the restrictions associated with SPLOST funds.

Mr. Davenport stated yes, although these funds were being reallocated between SPLOST years the "type" of projects they were being reallocated to was maintained and therefore permissible.

Commissioner Oddo moved to approve re-allocation of funding within the 2017 SPLOST, including interest earnings, excess collections, and to close completed projects. Vice Chairman Gibbons seconded. The motion passed 4-0. Commissioner Maxwell was absent.

**8. Request to approve re-allocation of funding within the 2023 SPLOST based upon reallocated funding within the 2004 and 2017 SPLOSTs.**

Mrs. Schoonover stated that from the 2004 analysis, it was determined that we could "Free Up" funds in 2023 SPLOST totaling \$6M, as shown on the left in yellow on slide 22 of the SPLOST reallocation presentation. From the 2017 analysis, it was determined that we could "Free Up" funds in 2023 SPLOST totaling \$17M, as shown on the right in green. As a result, \$23M of funding was available to reallocate within the 2023 SPLOST projects. The 2023 SPLOST Reallocation Plan as highlighted on page 24 of the presentation the gray columns show the projects being funded in 2004 and 2017 SPLOST. The next column shows staff's recommendations to reallocate the \$23M. Mrs. Schoonover stated that some of the projects to be funded in the reallocation were road maintenance work, the Animal Services Building, Parks and Recreation Building, the Sheriff Office, Fire & EMS, and 911.

Vice Chairman Gibbons moved to approve re-allocation of funding within the 2023 SPLOST based upon reallocated funding within the 2004 and 2017 SPLOSTs. Commissioner Oddo seconded.

Mr. Rapson stated for clarification that the \$500K that was being proposed to be added to the Animal Shelter was for Phase 2- which was for walking trails and a livestock building.

Vice Chairman Gibbons moved to approve re-allocation of funding within the 2023 SPLOST based upon reallocated funding within the 2004 and 2017 SPLOSTs. Commissioner Oddo seconded. The motion passed 4-0. Commissioner Maxwell was absent.

**9. Request to award Fiscal Year (FY) 2025 Property & Casualty Insurance coverage, in the amount of \$829,859 to the Association of County Commissioners of Georgia (ACCG).**

Mrs. Schoonover stated that this request was to award Fiscal Year (FY) 2025 Property & Casualty Insurance coverage, in the amount of \$829,859 to the Association of County Commissioners of Georgia (ACCG). She stated that FY2024 was the first year that Fayette County used ACCG as the Property & Casualty Insurance provider. The county was able to directly communicate with ACCG for any insurance needs or questions. ACCG offered benefits not offered by other providers, including a 5% premium savings following ACCG/IRMA safety processes after the 1st year. Our Safety Credit this year is \$34,375.00, making the total savings \$131,009.80.

Vice Chairman Gibbons moved to approve to award Fiscal Year (FY) 2025 Property & Casualty Insurance coverage, in the amount of \$829,859 to the Association of County Commissioners of Georgia (ACCG). Commissioner Oddo seconded.

Commissioner Rousseau stated as a point of transparency that he served on the ACCG Board of Trustees for the Defined Benefits and the like.

Vice Chairman Gibbons moved to approve to award Fiscal Year (FY) 2025 Property & Casualty Insurance coverage, in the amount of \$829,859 to the Association of County Commissioners of Georgia (ACCG). The motion passed 4-0. Commissioner Maxwell was absent.

**10. Request to approve Supplemental Agreement #2 with Georgia Department of Transportation (GDOT) to accept an additional \$1,040,000.00 in federal aid for the SR 279 Realignment Project - GDOT PI 0017813 (17TAD), increasing the total funding for the design (PE) phase to \$2,300,000.**

Public Works Director Phil Mallon stated this request was seeking approval of Supplemental Agreement #2 with Georgia Department of Transportation (GDOT) to accept an additional \$1,040,000.00 in federal aid for the SR 279 Realignment Project - GDOT PI 0017813 (17TAD), increasing the total funding for the design (PE) phase to \$2,300,000.

Vice Chairman Gibbons moved to approve Supplemental Agreement #2 with Georgia Department of Transportation (GDOT) to accept an additional \$1,040,000.00 in federal aid for the SR 279 Realignment Project - GDOT PI 0017813 (17TAD), increasing the total funding for the design (PE) phase to \$2,300,000. Commissioner Oddo seconded. The motion passed 4-0. Commissioner Maxwell was absent.

**ADMINISTRATOR'S REPORTS:**

**Flat Creek Baptist Church Responses**

Mr. Rapson stated that there were two separate car show events occurring in the County at the same time. The County had a conditional use permitting process in place. One of these events complied with County ordinance via the conditional use permitting process, and one did not. In following county ordinance, a citation was issued for the event not in compliance.

**Crabapple Lane**

Mr. Rapson noted that the County position had remained consistent, we are not in agreement with Crabapple Lane being closed. The County has tried to work with the City of Peachtree City leadership to have it reopened.

**Georgia Power Transmission Lines Responses**

Mr. Rapson stated that he had an email from Georgia Power outlining the project and the rationale of why the project was being handled the way it was. He noted that Sister Ward was the Georgia Power area liaison and had her contact information available for anyone with additional question. He also noted that the City of Fayetteville would tentatively be hosting a Town Hall meeting regarding this project and once arrangements have been made, he would ensure all citizens interested had the details so they could attend.

**Animal Shelter Comments Responses**

Mr. Rapson stated that anything presented to him to make the Animal Shelter better would be reviewed and evaluated. His focus was to make the shelter better. He noted that his "Animal Shelter action item updates included 48 items. 33 of those items had been evaluated and implemented, 6 were in progress, 6 were being evaluated, and 3 items had been evaluated and rejected. Mr. Rapson stated that this meant 82% of the suggestion provided had been implemented. He noted that from the information that was provided today he had 7 new action items for evaluation and 3 policy issues to be discussed with staff. He noted that any

requests for project pricing details had been and would continue to be sent out as requested. Mr. Rapson stated that the commercial dog kennel information would be reviewed and evaluated for feasibility. He also noted that there were comments regarding free services, however there had been no proposal provided regarding said service. The County had to follow the outlined policies, processes, and procedures in place. Mr. Rapson briefly outlined the donation policy. He outlined the modification that had been made to the kennels at the shelter and, he noted that there had been no euthanasia due to space- which other counties were currently doing.

He concluded stating that an RFP which was a request for proposal (and was a formal business document that provided a comprehensive project overview, described requirements, and solicited vendor bids) was put out online on May 17, 2024 with response due back by June 11, 2024, this was sent to Dr. Cannon and any other suggested consultants. He stated that Dr. Cannon did respond. An RFI which was a request for information (is a general request of a supplier to learn more about their service offerings, features, and potential capacity.) was also issued. A date would be selected to speak with all respondents to the solicitation including Dr. Cannon. He stated that the County had a procurement process in place and would continue to follow it.

### **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, and a Water System AMI project update.

### **NACO Achievement Award**

Mr. Rapson advised that the Public Works Office received the 2024 NACO Achievement Award.

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

**Notice of Executive Session:** County Attorney Dennis Davenport stated that there were three items for Executive Session. Two items involving pending litigation and the review of the May 9, 2024 Executive Session Minutes.

### **COMMISSIONERS' REPORTS:**

#### **Chairman Hearn**

Chairman Hearn stated that he visited that Animal Shelter after the last BOC Meeting, he noted that the kennels were clean, and staff was working. He noted that there were in fact four water spickets at the back of the building, unlike what had been previously notes via public comments. He stated he was disappointed in some of the comments being made regarding the Animal Shelter. He concluded stating that he had visited the Animal Shelter again this week both the facility and dogs were clean. In speaking with volunteers, they relayed that they enjoyed the shelter. He relayed a kudos to Animal Control staff.

Mr. Rapson stated that the county Animal Shelter was regulated via the state through the Department of Agriculture. He stated that the Animal Shelter had a surprise visit/inspection today from the Department of Agriculture with the office supervisor. This was in fact the 4<sup>th</sup> recent visit due to highlighted attention and we again received a clean bill of health.

#### **Commissioner Oddo**

Commissioner Oddo stated in response to comments regarding first responders that the County valued our first responders immensely. Twice in recent year the County voted not to roll back the mileage rate in order to provide pay increases to our first responder. He continued stating that he wanted all to know that the Board was taking their comments and concerns seriously, even if they do not respond immediately. He noted that he was paying attention to commenters and thoroughly taking notes as was his colleagues.

**Commissioner Rousseau**

Commissioner Rousseau started that he would love to be a part of the Town Hall meeting being proposed by the City of Fayetteville regarding the Georgia Power transmission lines. He noted that he sympathized with the community being impacted by this. Although change and growth required some flexibility, he did not believe in harming people and their most expensive investment, their homes. Commissioner Rousseau stated that Georgia Power was an independent entity and had some strong bullying weight. He stated that he was willing to work with that community and trying to develop and alternate route for the transmission lines. Commissioner Rousseau asked for a review of some of the public facilities that hosted elections, particularly the Library with a recent incident concerning safety in mind. He concluded acknowledging the upcoming Juneteenth Holiday encouraging all in attendance to take the opportunity to celebrate with one another recognizing past atrocities, degradation, and inhumane treatment that occurred in the Country and comprising a way to forge forward as a community.

**EXECUTIVE SESSION:**

**Two items involving pending litigation and the review of the May 9, 2024 Executive Session Minutes.** Vice Chairman Gibbons moved to go into Executive Session. Commissioner Oddo Commissioner seconded. The motion passed 4-0. Commissioner Maxwell was absent.

The Board recessed into Executive Session at 7:36 p.m. and returned to Official Session at 8:03 p.m.

**Return to Official Session and Approval to Sign the Executive Session Affidavit:** Vice Chairman Gibbons moved to return to Official Session and for the Chairman to sign the Executive Session Affidavit. Commissioner Oddo seconded. The motion passed 4-0. Commissioner Maxwell was absent.

**Approval of the May 9, 2024 Executive Session Minutes:** Commissioner Oddo moved to approve May 9, 2024 Executive Session Minutes. Vice Chairman Gibbons seconded the motion. The motion passed 4-0. Commissioner Rousseau was absent.

**ADJOURNMENT:**

Vice Chairman Gibbons moved to adjourn the June 13, 2024 Board of Commissioners meeting. Commissioner Oddo seconded. The motion passed 4-0. Commissioner Rousseau was absent.

The June 13, 2024 Board of Commissioners meeting adjourned at 8:03 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 11<sup>th</sup> day of July 2024. Attachments are available upon request at the County Clerk's Office.

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Marlena Edwards, Chief Deputy County Clerk