

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 27, 2024

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.

OFFICIAL SESSION:

Call to Order

Chairman Lee Hearn called the June 27, 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 Vice Chairman Edward Gibbons

Vice Chairman Edward Gibbons offered the invocation and led the audience in the Pledge of Allegiance.

Acceptance of Agenda

Vice Chairman Gibbons motioned to accept the agenda with the addition of item 2a. regarding the per diem rates for official court reporter services in Fayette County Courts. Commissioner Rousseau seconded. The motion passed 4-0. Commissioner Maxwell was absent.

PROCLAMATION/RECOGNITION:

1. Recognition of the Fayette County State Court Summer Interns.

State Court Judge Jason Thompson, recognized State Court law school student interns. Fayette County State Court had the opportunity to host several internships during the 2023-2024 school year. Judge Thompson acknowledged the hard work and dedication of high school students: Baine Thompson, Benjamin Smith, Rayondra Wilson, Errol Buggs, Winstonlyn Cephas, Abigail Morris, Addison Harrelson, Noelle Sullivan, Diti Desai, Keanu McCayan, and Qiyi Lin.; college interns: Ruth Oluwatobi Tony-Alabi, Lauren Chan, Jamie McCarthy, Sephora Ngwangu, John Fleming, Andy Nichols, Yaprak Gozel, and Anjena Duhan.; and Law School interns: Caroline Carle, Daina Dove, Courtney Manuel, Quynh Phan, Dresden Day, and Elizabeth Warzecha.

2. Request to approve Resolution 2024-08 to increase the per diem rates for official court reporter services in both criminal and civil cases in the Griffin Judicial Circuit from \$200 to \$400.

County Attorney Dennis Davenport stated that this request was to increase the per diem rate for contract court reporters in the Fayette County Superior Court to \$400.00 per day for both criminal and civil cases, and request the counties of Spalding, Pike, and Upson to join Fayette County in effecting an increase in the per diem rate for contract court reporters for their respective superior courts to \$400.00 per day for both criminal and civil cases in the Griffin Judicial Circuit.

Chairman Hearn stated that the purpose of this resolution was to help raise the contract court reporters per diem pay rate to be more competitive for recruiting.

County Administrator stated that was correct. The contract rate was \$400 in surrounding areas, and this was hindering our efforts in finding court reporters.

Vice Chairman Gibbons asked if he needed to make separate resolution votes for each court- civil and criminal.

Mr. Davenport stated no, the resolution before the Board would cover the Griffin Judicial Circuit and serve the specified courts as outlined in the resolution within the circuit.

Commissioner Rousseau stated that he had some reservations and concerns and asked why the other counties within the circuit had not confirmed agreement to the pay rate increase.

Mr. Davenport explained that whenever there was a circuit-wide application/initiative then each county was at the mercy of the process. He noted that all we could do was advise the other counties of the urgency of the situation and request they respond with the same level of urgency.

Mr. Rapson stated that he had spoken with all three of his counterparts and they understood that their respective jurisdictions would have to adopt the resolution before it would go into effect. With this in mind, this would only take effect once the last county within the circuit adopted the resolution.

Commissioner Rousseau stated that technically we could alternatively make an amendment to the budget once all parties were in agreement to this resolution as well.

Mr. Rapson stated that technically yes, we could, but someone had to be first and historically it's been the County.

Commissioner Rousseau stated that he'd like the circuit to demonstrate true partnership and do it together. He continued asking about how many employees this pay rate increase would affect.

Mr. Rapson stated this would impact five (5) full-time employees and future contract court reporters.

Vice Chairman Gibbons moved to approve Resolution 2024-08 to increase the per diem rates for official court reporter services in both criminal and civil cases in the Griffin Judicial Circuit from \$200 to \$400. Commissioner Oddo seconded. The motion passed 3-0-1, with Commissioner Rousseau abstaining. Commissioner Maxwell was absent.

2a. Request to approve Resolution 2024-09 to increase the per diem rates for official court reporter services in Fayette County Courts from \$200 to \$400.

County Attorney Dennis Davenport stated that on the dais there was Resolution 2024-09 regarding the same issue but related to the other courts within Fayette County that use court reporters. He noted that this did not involve any employees but all contract court reporters and would serve State, Juvenile, and Probate courts. This request was to increase the per diem rate for contract court reporters in the Fayette County courts to \$400.00 per day for both criminal and civil cases.

Commissioner Rousseau moved to approve Resolution 2024-09 to increase the per diem rate for contract court reporters in the Fayette County courts to \$400.00 per day for both criminal and civil cases. Vice Chairman Gibbons seconded. The motion passed 4-0. Commissioner Maxwell was absent.

PUBLIC HEARING:

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

3. Second 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 and to approve Resolution 2024-05 to adopt the Fiscal Year 2025 Annual Budget.

Fayette County Chief Financial Officer Sheryl Weinmann provided the Board a repeat overview of the complete proposed Fiscal Year 2025 Budget as presented at the May 29th Special Called Meeting, highlighting budget updates/decisions from the first Public Hearing on June 13th. She discussed the economic outlook, budget principles, financial planning guidelines, and county benefit highlights. She also reviewed the General Fund numbers, provided a budget summary, discussed county funds revenues and expenditures, proposed personnel changes, proposed forced merit, FY2025 Maintenance & Operations numbers, and other significant operational budget considerations. She concluded reviewing the FY2025 five-year Capital Improvement Plan budget outlining proposed projects.

Ms. Weinmann continued with the Second Public Hearing presenting an overview of the proposed FY2025 Budget. She stated that the Board had already seen some of the slides being outlined in previous budget presentations. She continued stating that the estimated fund balance for FY2024 was expected to be \$30.7M. In review of the FY2025 Budget summary she stated that the positive net impact to the general fund balance of \$402,479 and had changed since the previous public hearing due to some adjustments that she would present before the Board for consideration.

Ms. Weinmann stated that Budget discussion item #3 involved State Court and would adjust State Court technical services budget. She stated that the State Court technical services budget decreased by \$65K due to a grant application that was not awarded as anticipated. Originally there was a request of \$38,500 for State Court in technical services for visiting judges and court reporters but the budget was placed at \$25K. She stated that the \$13,500 was being added back to the expense budget for visiting judges. She advised that it would be a net reduction of \$51.5K.

Vice Chairman Gibbons moved to approve to adjust the State Court technical services budget as shown in discussion item #3; Commissioner Oddo seconded. The motion passed 4-0. Commissioner Maxwell was absent.

Ms. Weinmann stated that Budget discussion item #4 involved the Cooperative Extension and would increase the University of Georgia Cooperative Extension contract to include a 4% increase for Cooperative Extension personnel and this would be an increase of approximately \$4,375.

Vice Chairman Gibbons moved to approve the 4% increase for Cooperative Extension personnel. Commissioner Oddo seconded. The motion passed 4-0. Commissioner Maxwell was absent.

Ms. Weinmann stated that Budget discussion item #5 involved the Griffin Judicial Circuit and would decrease the proposed 6.25% increase for Griffin Judicial Circuit employees to 4.80%. This would be a net reduction of \$10,243 for the Griffin Judicial Circuit (GJC).

Commissioner Oddo moved to approve to decrease the proposed 6.25% increase for Griffin Judicial Circuit employees to 4.80%. Vice Chairman Gibbons seconded. The motion passed 4-0. Commissioner Maxwell was absent.

Ms. Weinmann stated that Budget discussion item #6 was for the Sheriff's Office and involved a net reduction of Sheriff's Office personnel expenses of \$6,908. This adjustment would be a reduction of one (1) Detention Officer in the Jail and establish one (1) Criminal Justice Information System (CJIS) Network Operator.

Commissioner Oddo moved to approve the reduction of the Sheriff's Office personnel expenses of \$6,908. Vice Chairman Gibbons seconded. The motion passed 4-0. Commissioner Maxwell was absent.

Ms. Weinmann stated that Budget discussion item #7 was regarding the Court Reporters and related to the previously approved resolutions in items 2 and 2a. She stated that Resolution 2024-08 was regarding the Griffin Judicial Circuit employee court

reporters per diem rate for criminal cases will remain at \$200 but will increase to \$400 for civil cases; and contract court reporters per diem rate will increase to \$400 for both criminal and civil cases.

Vice Chairman Gibbons moved to approve the court rate per diem as shown for Budget discussion item #7 for the Griffin Judicial Circuit. Commissioner Oddo seconded. The motion passed 3-0-1, with Commissioner Rousseau abstaining. Commissioner Maxwell was absent.

Vice Chairman Gibbons moved to approve the court reporters per diem pay rate as shown for Budget discussion item #7 for Fayette County Courts contract employees. Commissioner Oddo seconded. The motion passed 4-0. Commissioner Maxwell was absent.

Ms. Weinmann 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 \$402,479
- 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

Ms. Weinman asked the Board to adopt the Fiscal Year 2024 Budget and to approve Resolution 2024-05.

No one spoke favor or opposition.

Commissioner Oddo moved to adopt the Fiscal Year 2024 Budget and to approve Resolution 2024-05. Vice Chairman Gibbons seconded.

Chairman Hearn thank the Finance Department and County Administrator for their hard work in putting this budget together.

Mr. Rapson thank Ms. Weinman for her hard work and dedication.

Vice Chairman Gibbons thanked the constitutional officers and Judicial System for their collaboration in putting this budget together, he noted that this was a team effort.

Commissioner Oddo moved to adopt the Fiscal Year 2024 Budget and to approve Resolution 2024-05. Vice Chairman Gibbons seconded. The motion passed 4-0. Commissioner Maxwell was absent.

4. Consideration of Petition No. 1348-24, Mark Wurster, II, Owner, requests to rezone 7.972 acres from A-R (Agricultural-Residential) to C-H (Highway Commercial) for the purposes of future commercial development; property located in Land Lot 70 of the 5th District and fronts on State Route 85 and Price Road.

Planning and Zoning Director Debbie Bell stated that this request was to rezone 7.972 acres from A-R (Agricultural-Residential) to C-H (Highway Commercial) for the purposes of future commercial development; property located in Land Lot 70 of the 5th District and fronts on State Route 85 and Price Road.

County Attorney Dennis Davenport advised the applicant that they had the option to defer to next public hearing meeting night for this hearing because less than the full Board was present. The applicant can elect to proceed understanding that it would require three affirmative votes to pass any request.

Mark Wurster stated that he would like to proceed with less than a full Board.

Ms. Bell stated that this request did align with the Future Land Use Plan and both staff and the Planning Commissioner recommended approval with no conditions.

No one spoke in favor or opposition.

Commissioner Oddo moved to approve Petition No. 1348-24, Mark Wurster, II, Owner, requests to rezone 7.972 acres from A-R (Agricultural-Residential) to C-H (Highway Commercial) for the purposes of future commercial development; property located in Land Lot 70 of the 5th District and fronts on State Route 85 and Price Road. Vice Chairman Gibbson seconded. The motion passed 4-0. Commissioner Maxwell was absent.

5. Consideration of Petition No. RDP-018-24, Andrew and Catherine Mask, owners, request to revise the development plan for Bakersfield Farms in order to subdivide Parcel #0443 03005 (Lot 11) into two (2) parcels; property fronts on Old Farm Road.

Ms. Bell stated that this request was to revise the development plan for Bakersfield Farms in order to subdivide Parcel #0443 03005 (Lot 11) into two (2) parcels; property fronts on Old Farm Road.

County Attorney Dennis Davenport advised the applicant that they had the option to defer to next public hearing meeting night for this hearing because less than the full Board was present. The applicant can elect to proceed understanding that it would require three affirmative votes to pass any request.

Chairman Hearn asked if she agreed with moving forward as outlined.

Mrs. Mask stated that she would like to proceed with the public hearing.

Commissioner Rousseau asked if she agreed with the outlined condition.

Mrs. Mask stated that yes, she did.

No one spoke in favor or in opposition.

Vice Chairman Gibbons moved to approve Petition No. RDP-018-24, Andrew and Catherine Mask, owners, request to revise the development plan for Bakersfield Farms in order to subdivide Parcel #0443 03005 (Lot 11) into two (2) parcels; property fronts on Old Farm Road, with condition. Commissioner Oddo seconded. The motion passed 4-0. Commissioner Maxwell was absent.

6. Consideration of Ordinance 2024-03 amending Chapter 110. Zoning Ordinance, Article V. Conditional Uses; amending Sec. 110-169. Conditional use approval; (2) Conditional uses allowed; mm. Recreation centers owned by nonprofit organizations as so registered with the Georgia Secretary of State Office; to add a provision for outdoor athletic facility lighting.

Vice Chairman Gibbons moved to table this item to the July 25th BOC Meeting. Commissioner Rousseau seconded. The motion passed 4-0. Commissioner Maxwell was absent.

7. Consideration of a Draft Capital Improvements Element Amendment of the Fayette County Comprehensive Plan relating to the County's Impact Fee Program, to be transmitted to the Atlanta Regional Commission for Regional and State Review pursuant to the Georgia Planning Act of 1989.

Ms. Bell stated that Fayette County's Impact Fee Program was initiated in 2001, with the adoption of a Capital Improvements Element (CIE) and a Development Impact Fee Ordinance. The (CIE) lists public facilities eligible for impact fee funding. The ordinance included the fee amounts authorized to be collected to help pay for those facilities. Since 2001, the CIE had not been changed to update the list of projects. She stated that the purpose of tonight's hearing was to receive any public input on the draft CIE. Ms. Bell stated that the recent study conducted by Ross & Associates and Hatley Plans LLC, reviewed changes in the County's population and growth rates these factors assisted in developing an updated CIE. This draft CIE amendment updated the list of fire protection facilities needed to serve future growth and development. She noted that the CIE was required of all communities that collect impact fees and was a state requirement, our CIE identified fire related improvements needed to serve future growth over the next 20 years and updated the counties and the cities that participate in the impact fee program with the new projects. She stated that this did not address or change the fee schedule. Ms. Bell stated that the CIE prepared a current inventory of the buildings, land, and vehicles used to provide fire protection services in unincorporated Fayette County and in the Towns of Brooks, Tyrone, and Woolsey from this and based on the projected growth and known needs for fire stations it created a new schedule of capital projects to meet the future demand projected thru 2045. She stated that before the amended CIE could be adopted, it must go to Atlanta Regional Commission (ARC) and GA Dept of Community Affairs (DCA) for review and approval. This process would begin after this public hearing and once authorized by the BOC to transmit the draft CIE to ARC/DCA.

No one spoke in favor or opposition.

Vice Chairman Gibbons moved to approve the Draft Capital Improvements Element Amendment of the Fayette County Comprehensive Plan relating to the County's Impact Fee Program, to be transmitted to the Atlanta Regional Commission for Regional and State Review pursuant to the Georgia Planning Act of 1989. Commissioner Oddo seconded. The motion passed 4-0. Commissioner Maxwell was absent.

PUBLIC COMMENT:

Animal Shelter

Bobby Jones, Laura Line, Cynthia Saracino, Debbie Caroll, Taryn Prestidge, Lotte Commerford, Tracy Florczak, Maggie Gott, Alayna Anthansen, Anne Wittenburg, Lynn Lasher, Rae Sansom, Carla Mulkey, Barbara Cokely, Gail Drouillard, Tammie Hurst,

Comments reiterated past concerns and frustration regarding the new animal shelter. Citizens expressed their disappointment with the Board not accepting the expert guidance from UGA, 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.

Animal Shelter Comments Responses

Mr. Rapson presented the Animal Shelter Improvement list which noted 37 evaluated and implemented items, he stated that this was the list that was disseminated to those interested on the off-board meeting weeks regarding the animal shelter. He noted that 37 of those items had been evaluated and implemented which is 77%, 6 were in progress, 8 were being evaluated, and 5 items had been evaluated and rejected. He stated that the whole purpose of the list was to show that the Board and staff was listening to citizen concerns and suggestions. Mr. Rapson also presented an overview and breakdown of the animal shelter construction costs. He highlighted that there were 77 individual line items that made up the \$3.2M used for the facility. Mr. Rapson briefly outlined the costs associated with the animal shelter construction. He noted that discussions regarding needed updates to the animal shelter began in February 2016 with the Board approving \$1M to fund the expansion of the old shelter in 2019, this project had its own design and construction team/company. As discussions continued the plan shifted and the decision was made to build a new facility. Once the new land swap was completed the County worked with the Engineer of Records and Pro Construction regarding the new Animal Shelter facility. This project included turning the building, utilities, water, etc. Mr. Rapson continued stating in addition to the original \$1M the Board again stepped in and allocated an additional \$2M. So, a \$1M project did not go \$2M over budget. Instead, a \$1M renovation project shifted to a new construction project. Mr. Rapson outlined that

Fayette County was a subsidiary of the State and as such had to follow state regulations and guidelines. He stated that because of the heightened attention regarding the Animal Shelter, the County had received six (6) surprise visits/evaluations and have passed all of them with no violations, concerns, or complaints.

He stated 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. Dr. Cannon did respond, and communications had gone back out to her for a 30-day extension to allow the County to get an Animal Shelter Director in place. He advised that Dr. Cannon did agree to the 30-day extension and was still in the mix of respondents. With this in mind the scope of services that would be evaluated had to meet the needs of the Animal Shelter as outlined via state regulations.

Mr. Rapson stated that the Fayette County Animal Shelter had been a "No Kill" facility since 2018. He outlined the rates for 2018-2023 and thanked the animal advocates for their assistance in reaching this status. Mr. Rapson also stated that the 5-day intake animal hold although seemingly excessive was advised by the County veterinarian Dr. Jeff. Who stated, "the main reason for keeping them in isolation upon intake is that they might have something contagious but not showing symptoms yet, technically most of these concerns would show up before 5-7 day; the other reason is to ensure they are protected from the vaccination before they are put up front". Mr. Rapson stated that the animals are not sitting in isolation for 24-hours in their waste or otherwise. They are walked and staff diligent cleans the kennels when accidents occur. Mr. Rapson advised that Ms. Cokely could perform an evaluation of the dog that was on the euthanasia list as long as its scheduled and performed with staff present; he noted however if the dog was a bite case the animal had to be adopted by rescue. Mr. Rapson briefly outlined the three (3) responsibilities for Fayette County animal control 1. West Nile disease control, 2. rabies control, and rabies observation. Fayette County Animal Control was performing way beyond these responsibilities.

He concluded outlining additional items he pulled from tonight's meeting. He advised that part of Phase 2 of the Animal Shelter was voted on by the citizens of Fayette County and it was outside and included the barn and walking trails and those funds could only be spent on Phase 2 items. He noted that the Board allocated an additional \$500K for Phase 2. Mr. Rapson stated they would purchase additional water hoses for outside. He also noted that there were comments regarding free services, however there had not been any proposal provided regarding said services. The County had to follow the outlined policies, processes, and procedures in place. Mr. Rapson briefly outlined the donation policy. Mr. Rapson stated that there had been discussions regarding a steering committee and the Board decided against it.

Sinkhole Concern

Douglas Brantley of Fayetteville advised the Board of an ongoing issue regarding a sink hole on his property. He stated that he felt this was a county problem and should be corrected by the County.

CONSENT AGENDA:

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

- 8. Approval of Resolution 2024-06 to Transmit the DRAFT Capital Improvements Element Amendment of the Fayette County Comprehensive Plan relating to the County's Impact Fee Program, to be considered for transmittal to the Atlanta Regional Commission for Regional and State Review pursuant to the Georgia Planning Act of 1989.**
- 9. Approval of a request from Fayette Huntcliff Developers, LLC, owner of Huntcliff Manor, seeking authorization for the use of motorized cart travel on all streets within the subdivision in accordance with Article III Motorized Carts of the Fayette County Code.**
- 10. Approval to add Huntcliff Manor Phase One subdivision to Fayette County's Street Light Program.**
- 11. Approval to acquire all fee simple right-of-way and easements for the Ridge Way at Park Hill Lane Stormwater Replacement.**

12. Approval to award prepositioned Contract 2366-P Debris Monitor to Tetra Tech, Inc.
13. Approval to award multi-jurisdictional, prepositioned Contract 2365-P Debris Clearing, Removal & Disposal to Ceres Environmental Services, Inc.
14. Approval to accept Hazard Mitigation Grant Program Award from the Federal Emergency Management Agency through Georgia Emergency Management Agency (GEMA) and to update the plan.
15. Approval of County Attorney's recommendation to approve a disposition of tax refund, as requested by Billie Marie Wood, in the amount of \$110.65 for tax year(s) 2023.
16. Approval of County Attorney's recommendation to approve a disposition of tax refund, as requested by Deanna Sterling, in the amount of \$651.56 for tax year(s) 2021, 2022 and 2023.
17. Approval of County Attorney's recommendation to approve a disposition of tax refund, as requested by Freida Perry, in the amount of \$2,952.36 for tax year(s) 2023.
18. Approval of County Attorney's recommendation to approve a disposition of tax refund, as requested by Howard Gutherie, in the amount of \$579.36 for tax year(s) 2021, 2022 and 2023.
19. Approval of County Attorney's recommendation to approve a disposition of tax refund, as requested by Rosemary Tennant, in the amount of \$3,346.20 for tax year(s) 2021.
20. Approval of County Attorney's recommendation to approve a disposition of tax refund, as requested by Alonzo Price, in the amount of \$205.92 for tax year(s) 2021 and 2022.
21. Approval of County Attorney's recommendation to approve a disposition of tax refund, as requested by Benjamin and Vanessa Maner in the amount of \$4,829.49 for tax year(s) 2023.
22. Approval of County Attorney's recommendation to approve a disposition of tax refund, as requested by Brenda Fuller, in the amount of \$1,556.93 for tax year(s) 2023.
23. Approval of County Attorney's recommendation to approve a disposition of tax refund, as requested by Eric and Marlo Tiede, in the amount of \$461.72 for tax year(s) 2022.
24. Approval of County Attorney's recommendation to approve a disposition of tax refund, as requested by Evie Bowers, in the amount of \$2,622.99 for tax years 2020, 2021 and 2022.
25. Approval of County Attorney's recommendation to approve a disposition of tax refund, as requested by Geraldine P. Carolan in the amount of \$1,601.14 for tax year(s) 2021, 2022, and 2023.
26. Approval of County Attorney's recommendation to approve a disposition of tax refund, as requested by James O'Shields, in the amount of \$2,459.14 for tax year(s) 2023.
27. Approval of County Attorney's recommendation to approve a disposition of tax refund, as requested by Rachel Williams, in the amount of \$4,573.93 for tax year(s) 2023.
28. Approval of the June 13, 2024 Board of Commissioners Meeting Minutes.

OLD BUSINESS:
NEW BUSINESS:

29. Request to close McCurry Park North on November 9, 2024, from 6:30 a.m. to 5:00 p.m. for the Theta Lambda Lambda of Omega Psi Phi Fraternity, Inc. 5K to raise awareness regarding Prostrate Cancer and raise funds for their foundation to continue servicing the communities of Fayette and Coweta.

Parks and Recreation Director Anita Godbee stated that this request was to close McCurry Park North on November 9, 2024, from 6:30 a.m. to 5:00 p.m. for the Theta Lambda Lambda of Omega Psi Phi Fraternity, Inc. 5K to raise awareness regarding Prostrate Cancer and raise funds for their foundation to continue servicing the communities of Fayette and Coweta.

Commission Rousseau asked if this would cause any scheduling conflicts for McCurry Park.

Ms. Godbee stated that she had already spoken with the youth sports associations and had coordinated switching fields for football and soccer and softball would not be in season.

Chairman Hearn asked if this was the first year for this event.

Ms. Godbee state yes, it was.

Commissioner Oddo asked if Highway 54 would be closed during this event.

Lawrence Nelson, representative for Theta Lambda Lambda of Omega Psi Phi Fraternity, advised that yes there would be a short window of road closures that would affect one lane during the race for about 2-hours.

Commissioner Oddo asked if the citizens would be notified and advised of the event and traffic pattern change prior to.

Mr. Nelson stated yes, in working with Georgia Department of Transportation notifications would go out to ensure citizens are aware of the event and traffic charges in advance.

Ms. Godbee advised that McDonough Road will be open at all times, with a partial lane closure on highway 54.

Chairman Hearn stated that he appreciated and thanked Mr. Nelson and his team for bringing this event to Fayette County and raising awareness regarding Prostrate Cancer. He advised that prostate cancer had touched his family, and this cause was close to his heart.

Mr. Nelson stated that one of their founding members Jerome Kirkland recently passed away from prostate cancer and this was an important event. He stated that it would serve two functions 1. to bring awareness regarding Prostrate Cancer, is very treatable when detected early; and 2. to raise scholarship fund. He advised that Theta Lambda Lambda of Omega Psi Phi Fraternity worked hard in the community and had raised over \$250K in scholarships to local high school seniors over the years.

Vice Chairman Gibbons moved to approve close McCurry Park North on November 9, 2024, from 6:30 a.m. to 5:00 p.m. for the Theta Lambda Lambda of Omega Psi Phi Fraternity, Inc. 5K to raise awareness regarding Prostrate Cancer and raise funds for their foundation to continue servicing the communities of Fayette and Coweta. Commissioners Rousseau seconded.

Commissioner Rousseau thanked the organization for their efforts in bringing awareness regarding prostate cancer to the community. He encouraged them to reach out to the Department of Public Health to expand their outreach efforts.

Vice Chairman Gibbons moved to approve close McCurry Park North on November 9, 2024, from 6:30 a.m. to 5:00 p.m. for the Theta Lambda Lambda of Omega Psi Phi Fraternity, Inc. 5K to raise awareness regarding Prostrate Cancer and raise funds for

their foundation to continue servicing the communities of Fayette and Coweta. Commissioners Rousseau seconded. The motion passed 4-0. Commissioner Maxwell was absent.

30. Request to enter into a Radio Communications Memorandum of Understanding (MOU) with Georgia Bureau of Investigation for radio access.

911 Director Kayte Vogt stated that this request was to enter into a Radio Communications Memorandum of Understanding (MOU) with Georgia Bureau of Investigation for communications. She stated that she had spoken with all five law enforcement agencies within Fayette County and all the chiefs and department heads were in favor of GBI having their primary dispatch channels. She stated that if there was a critical issue in Fayette County, this MOU would facilitate in communications already be in place saving time.

Commissioner Rousseau moved to approve to enter into a Radio Communications Memorandum of Understanding (MOU) with Georgia Bureau of Investigation for radio access. Vice Chairman Gibbons seconded. The motion passed 4-0. Commissioner Maxwell seconded.

31. Request to accept an academic education affiliation agreement with healthcare systems partnering with Fayette County Fire & Emergency Services AEMT and Paramedic training programs, and to delegate Fire Chief Jeffrey W. Hill to sign education affiliation agreements for the training programs on behalf of Fayette County.

Fire Chief Hill stated that this request was to accept an academic education affiliation agreement with healthcare systems partnering with Fayette County Fire & Emergency Services AEMT and Paramedic training programs, and to delegate Fire Chief Jeffrey W. Hill to sign education affiliation agreements for the training programs on behalf of Fayette County.

Commissioner Rousseau moved to approve to accept an academic education affiliation agreement with healthcare systems partnering with Fayette County Fire & Emergency Services AEMT and Paramedic training programs, and to delegate Fire Chief Jeffrey W. Hill to sign education affiliation agreements for the training programs on behalf of Fayette County. Vice Chairman Gibbons seconded. The motion passed 4-0. Commissioner Maxwell was absent.

32. Request to renew Contract #2077-B; Water Treatment chemicals for Brenntag Mid-South, Inc., Chemtrade Chemicals US LLC, and Southern States Chemicals for a total not-to-exceed amount of \$478,953.00.

Water Production & Operations Manager Susan Lee stated that this request was to renew Contract #2077-B; Water Treatment chemicals for Brenntag Mid-South, Inc., Chemtrade Chemicals US LLC, and Southern States Chemicals for a total not-to-exceed amount of \$478,953.00.

Vice Chairman Gibbons moved to approve to renew Contract #2077-B; Water Treatment chemicals for Brenntag Mid-South, Inc., Chemtrade Chemicals US LLC, and Southern States Chemicals for a total not-to-exceed amount of \$478,953.00. Commissioner Oddo seconded.

Commissioner Rousseau asked if this would come out of the Water Systems operating budget.

Ms. Lee stated yes.

Vice Chairman Gibbons moved to approve to renew Contract #2077-B; Water Treatment chemicals for Brenntag Mid-South, Inc., Chemtrade Chemicals US LLC, and Southern States Chemicals for a total not-to-exceed amount of \$478,953.00. Commissioner Oddo seconded. The motion passed 4-0. Commissioner Maxwell was absent.

33. Request to approve Ordinance 2024-04 to revise provision pertaining to the donation of right-of-way as a condition of development in Fayette County's Code of Ordinances.

Public Works Director Phil Mallon stated that this item was requesting approval of Ordinance 2024-04 to revise provision pertaining to the donation of right-of-way as a condition of development in Fayette County's Code of Ordinances. He thanked Mr. Davenport and his team for their assistance in developing this revision. He noted the two biggest changes in this revision are 1. removing the ability of a property owner to request a variance to something within the subdivision regulations; and 2. when the County required right-of-way donation from a property owner. In general, when a piece of property was developed either by building something on it or subdividing it; the existing right-of-way was then compared to the throughfare plan and if it was less than a right-of-way donation was required. This change would reduce the ability to get right-of-way to rezoning; and when it's needed to provide adequate and safe access to the property.

Vice Chairman Gibbons moved to approve Ordinance 2024-04 to revise provision pertaining to the donation of right-of-way as a condition of development in Fayette County's Code of Ordinances. Commissioner Oddo seconded.

Commissioner Rousseau asked if this ordinance would prevent staff from asking property owner for right-of-way donations.

Mr. Davenport stated that he would caution against that. As the government anytime we asked an individual for property its done under the threat of condemnation and it's not seen as an at "arm-length" transaction and they may feel they are coerced to do so. He advised that the County did its best to

Vice Chairman Gibbons moved to approve Ordinance 2024-04 to revise provision pertaining to the donation of right-of-way as a condition of development in Fayette County's Code of Ordinances. Commissioner Oddo seconded. Commissioner Oddo seconded. The motion passed 4-0. Commissioner Maxwell was absent.

34. Request to approve Resolution 2024-07, for the purpose of establishing a reasonable and timely procedure for the receipt and processing of tax refund request.

Mr. Rapson stated that Resolution 2024-07 was seeking approval to establish a reasonable and timely procedure for the receipt of processing tax refund request. This resolution would change the process back to the Assessor's Office and the Board of Assessor's, with only those requests being recommended for denial or that the Assessor's Office recommended for legal review, be sent to the County Attorney's office for review and recommendation to the Board of Commissioners.

Vice Chairman Gibbons moved to approve Resolution 2024-07, for the purpose of establishing a reasonable and timely procedure for the receipt and processing of tax refund request. Commissioner Oddo seconded the motion passed 4-0. Commissioner Maxwell was absent.

ADMINISTRATOR'S REPORTS:

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.

July 4th Holiday

Mr. Rapson reminded all in attendance that the County would be closed on Thursday July 4th in observation of the 4th of July Holiday.

ATTORNEY'S REPORTS:

Notice of Executive Session: County Attorney Dennis Davenport stated that there were four items for Executive Session. Two items involving pending litigation, one item involving threatened litigation and the review of the June 13, 2024 Executive Session Minutes.

COMMISSIONERS' REPORTS:

Commissioner Oddo

Commissioner Oddo stated 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. He extended a job well done to staff for putting the Budget together it was not an easy task he thanked everyone involved in that process. He extended a Happy 4th of July to everyone, specifically highlighting that it was his 22nd wedding anniversary. He concluded wishing his wife a Happy Anniversary.

Chairman Hearn

Chairman Hearn stated that he was at the Animal Shelter before the BOC meeting today unannounced. He noted that the kennels were clean and staff was working. He stated that the Board cared about the animals and were listening and taking citizen concerns and suggestions to heart. He noted that he was still open to meeting with the animal advocates.

Commissioner Rousseau

Commissioner Rousseau in speaking to the animal advocates thanked them for their advocacy. He urged them to also be mindful of the stress being placed of the team/staff; considering their physical, mental, and spiritual wellbeing as they work to address the various issues and concerns being relayed.

Commissioner Rousseau moved to approve to allow County employees, barring public safety staff, to be off on Friday July 5, 2024. Vice Chairman Gibbons seconded. The motion passed 4-0. Commissioner Maxwell was absent.

EXECUTIVE SESSION:

Two items involving pending litigation, one item involving threatened litigation and the review of the June 13, 2024 Executive Session Minutes. Commissioner Rousseau 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 8:42 p.m. and returned to Official Session at 8:57 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 4-0. Commissioner Maxwell was absent.

Approval of the June 13, 2024 Executive Session Minutes: Commissioner Oddo moved to approve June 13, 2024 Executive Session Minutes. Vice Chairman Gibbons seconded the motion. The motion passed 4-0. Commissioner Rousseau was absent.

Workers Compensation Settlement

Mr. Davenport advised the Board of a workers compensation settlement for Starling Johnson. Mr. Davenport stated that there was a proposed settlement agreement for Mr. Johnson in the amount of \$234,865 this would be paid in both cash and via annuities. Mr. Davenport stated that Mr. Johnson had agreed to sign off on the necessary releases as part of the package which include a confidentially provision, non-disparagement agreement and agreement not to seek employment again with Fayette County, along with the voluntary resignation agreement.

Commissioner Rousseau moved to approve the workers compensation settlement agreement for Starling Johnson in the amount of \$234,865 including, with the standard release documents. Vice Chairman Gibbons seconded. The motion passed 4-0. Commissioner Maxwell was absent.

ADJOURNMENT:

Vice Chairman Gibbons moved to adjourn the June 27, 2024 Board of Commissioners meeting. Commissioner Oddo seconded. The motion passed 4-0. Commissioner Maxwell was absent.

The June 27, 2023 Board of Commissioners meeting adjourned at 8:59 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 July 2024. Attachments are available upon request at the County Clerk's Office.

Marlena Edwards, Chief Deputy County Clerk