

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

November 14, 2024
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.

OFFICIAL SESSION:

Call to Order

Chairman Lee Hearn called the November 14, 2024, Board of Commissioners meeting to order at 2:00 p.m. A quorum of the Board was present. Commissioner Charles Rousseau was absent.

Invocation and Pledge of Allegiance by Chairman Lee Hearn

Chairman Hearn offered the invocation and led the audience in the Pledge of Allegiance.

Acceptance of Agenda

Commissioner Charles Oddo moved to accept the agenda. Vice Chairman Edward Gibbons seconded. The motion passed 4-0. Commissioner Rousseau was absent.

PROCLAMATION/RECOGNITION:

- Recognition of the winning seniors of the five high schools that participated in the Fayette County Delta Sigma Theta Sorority, Incorporated Alumnae Chapter "Why I Vote" Digital Competition.**

Mrs. Crooks and Mrs. Sheryl Brown of the Fayette County Delta Sigma Theta Sorority, Incorporated Alumnae Chapter expressed their appreciation to the high school students from Fayette County School System who participated in the "Why I Vote" Digital Competition. Mrs. Brown, Chapter President, noted that via this competition students expressed their views on voting through various forms of artistic expression in a 3-minute video submission. The accepted formats included: speeches, monologues, spoken word, poetry, storytelling, songs and rap. She announced that both Alexis Holmes and Shayla Cox from Sandy Creek High School were the winners of the competition and received a \$750 scholarship. Mrs. Brown congratulated them for their efforts and creativity. She concluded thanking everyone who participated and assisted them in making the competition a success.

PUBLIC HEARING:

PUBLIC COMMENT:

Laura Line of Fayetteville expressed her appreciation for the increase in security during the past election. She noted that it was very calming to know that law-enforcement was present and comforting knowing they [elections staff] were well protected. Ms. Line, speaking as an animal advocate, stated that laundry was an issue at the Shelter and maybe it was something the Board and/or staff could review to improve processing laundry at the facility.

CONSENT AGENDA:

Vice Chairman Gibbons moved to approve the Consent Agenda with the exception of item #4, which was moved to the December 12th BOC Meeting agenda. Commissioner Oddo seconded. The motion passed 4-0. Commissioner Rousseau was absent.

2. **Approval of the 2025 County Commissioner Meeting schedule.**
3. **Approval to add Liberty North subdivision to Fayette County's Street Light Program.**
4. **Approval of the second amendment and renewal of a contract between Fayette County and the Judicial Correction Services (JCS), LLC for probation supervision and rehabilitation services beginning January 1, 2025 and terminating December 31, 2025, with an option to renew for five (5) additional one-year terms.**

This item was moved to the December 12th BOC Meeting.

5. **Approval of the proposed Micro Surfacing Project Agreement between the Town of Brooks and Fayette County.**
6. **Approval of a Purchase Order in the amount of \$95,396.83 to Staples for office furniture at the new Fire Training Classroom Building at the Fire Training Facility; 340 Hewell Road, Jonesboro.**
7. **Approval of a Purchase Order in the amount of \$81,871.59 to Staples for office furniture and equipment for the new Public Health Facility at 245 Booker Avenue, Fayetteville.**
8. **Approval of ACCG-IRMA Bid Proposal for First Responder PTSD Coverage.**
9. **Approval of the October 24, 2024, Board of Commissioners Meeting Minutes.**

OLD BUSINESS:

NEW BUSINESS:

10. **Request to approve Contract #2503-S; USGS Water Flow and Stream Monitoring-FY2025, in the amount of \$263,700, for an annual agreement with the U.S. Department of the Interior Geological Survey (USGS) for surface water monitoring.**

Water System Director, Vanessa Tigert, stated that this item was a request to approve the USGS water flow and stream monitoring contract, in the amount of \$263,700. She noted that this was an annual agreement with the U.S. Department of the Interior Geological Survey (USGS).

Vice Chairman Gibbons moved to approve Contract #2503-S; USGS Water Flow and Stream Monitoring-FY2025, in the amount of \$263,700, for an annual agreement with the U.S. Department of the Interior Geological Survey (USGS) for surface water monitoring. Commissioner Oddo seconded. The motion passed 4-0. Commissioner Rousseau was absent.

11. **Request to adopt Resolution 2024-12 to update a Rate and Fee Schedule kept and maintained at the Fayette County Water System.**

Water System Business Operations Manager, Carrie Gibby, provided a brief presentation regarding the Fayette County Water System Rate and Fee Schedule. She stated that in January 2020 the Board approved an interconnectivity initiative with Integrated Science and Engineering. Components of this initiative included: hydraulic model development, safe yield analysis for long-term water supply demand, and service delivery rate for wholesale water sales. Mrs. Gibby stated that this initiative correlated with compliance with the Water System Interconnection, Redundancy, and Reliability Act, which ensured water

systems could share and/or receive water with adjacent providers. She stated that in 2021, in working with Raftelis, a municipal financial advisor, a wholesale rate analysis was conducted. The analysis evaluated two major components operating costs and capital cost. Operating costs would recover cost jointly attributable to both retail and wholesale customers. While capital cost would recover annual depreciation which represented renewal and replacement of Water System assets. Based on the analysis in October 2022, the Board approved the recommended wholesale rate of \$2.67, reflecting a 10% increase from the previous rate. Mrs. Gibby also advised that at the same time an intergovernmental agreement (IGA) with Coweta County was secured and reflected the \$2.67 wholesale rate. She stated that the Water System staff utilized the Raftelis model to perform a wholesale rate analysis for the Water System based on 2024 data. Based on the analysis of that model, the recommended wholesale rate was \$3.15, reflecting an 18% increase from the previous rate of \$2.67 established in 2022. Mrs. Gibby noted that this wholesale rate was reviewed and approved by the Fayette County Water Committee and would impact City of Fayetteville, Coweta County Water and Sewerage Authority, City of Peachtree City accounts, and future wholesale customers.

Vice Chairman Gibbons moved to approve to adopt Resolution 2024-12 to update a Rate and Fee Schedule kept and maintained at the Fayette County Water System. Commissioner Oddo seconded. The motion passed 4-0. Commissioner Rousseau was absent.

12. Request to increase the Water System's wholesale rate to \$3.15 per 1,000 gallons and send notice of the wholesale rate increase to the City of Fayetteville and City of Peachtree City.

Mrs. Gibby stated that this item was to approve to increase the Water System's wholesale rate to \$3.15 per 1,000 gallons and send notice of the wholesale rate increase to the City of Fayetteville and City of Peachtree City.

Vice Chairman Gibbons moved to approve to increase the Water System's wholesale rate to \$3.15 per 1,000 gallons and send notice of the wholesale rate increase to the City of Fayetteville and City of Peachtree City. Commissioner Oddo seconded.

Commissioner Eric Maxwell stated, as a point of clarity, that the intent of this increase was to cover costs. No profit would be gained via the increase.

Mrs. Gibby stated that was correct.

Vice Chairman Gibbons stated that if there was not a wholesale rate increase then those costs would have to be passed on to other retail customers.

Mrs. Gibby stated that was correct.

Vice Chairman Gibbons moved to approve increase the Water System's wholesale rate to \$3.15 per 1,000 gallons and send notice of the wholesale rate increase to the City of Fayetteville and City of Peachtree City. Commissioner Oddo seconded. The motion passed 4-0. Commissioner Rousseau was absent.

13. Request to amend the Intergovernmental Agreement (IGA) between Fayette County Water System (FCWS) and Coweta County Water and Sewerage Authority (CCWSA) to remove the numerical value for the rate charged for water from the IGA and replace it with the phrase, "wholesale rate."

Mrs. Gibby stated that this request was to amend the intergovernmental agreement (IGA) between Fayette County Water System (FCWS) and Coweta County Water and Sewerage Authority (CCWSA) to remove the numerical value for the rate charged for water from the IGA and replace it with the phrase, "wholesale rate."

Vice Chairman Gibbons moved to approve to amend the Intergovernmental Agreement (IGA) between Fayette County Water System (FCWS) and Coweta County Water and Sewerage Authority (CCWSA) to remove the numerical value for the rate charged for water from the IGA and replace it with the phrase, "wholesale rate." Commissioner Oddo seconded. The motion passed. Commissioner Rousseau was absent.

14. Request to approve the Trilith Tank Illumination Plan and the amount donated by Trilith Development, LLC, from \$1,285,857.29 to a not-to-exceed amount of \$1,659,633.00, to include \$49,657.48 for Phase I installation costs.

Water System Director Vanessa Tigert stated that this item was seeking approval of the Trilith Tank Illumination Plan and updating the amount donated by Trilith Development, LLC, from \$1,285,857.29 to a not-to-exceed amount of \$1,659,633.00, to include \$49,657.48 for Phase I installation costs.

Commissioner Oddo moved to approve the Trilith Tank Illumination Plan and the amount donated by Trilith Development, LLC, from \$1,285,857.29 to a not-to-exceed amount of \$1,659,633.00, to include \$49,657.48 for Phase I installation costs. Vice Chairman Gibbons seconded.

Chairman Hearn stated that he did not realize that the tank held 400,000 gallons, which was impressive. He noted that this would help with the county's capacity and an increase in demand around Trilith and the studios. Chairman Hearn stated that one reason for the water tower was so that it could be used as a landmark and the illumination would assist with those efforts.

Commissioner Maxwell stated that he was recently in the area and noticed that water tower had not been lit yet and was anxiously awaiting the completion of this project. He was aware that it was a complex process which translated to the cost for the illumination. Commissioner Maxwell stated that he had not realized how intricate and interesting the world of water towers was. He stated that "there was a lot more to water towers than just water towers; and this was an amazing project."

Commissioner Oddo moved to approve the Trilith Tank Illumination Plan, and the amount donated by Trilith Development, LLC, from \$1,285,857.29 to a not-to-exceed amount of \$1,659,633.00, to include \$49,657.48 for Phase I installation costs. Vice Chairman Gibbons seconded. The motion passed 4-0. Commissioner Rousseau was absent.

15. Request to approve Contract #2036-Q: Fayette County Resurfacing FY2022-Construction; Task Order #2 for EXP US Services, Inc. in the amount of \$201,287.28 for Construction, Engineering, and Inspection (CEI) services for 21TAC Fayette County Resurfacing Project FY 2022.

Public Works Director, Phil Mallon, stated that this was a routine item that had been before the Board several times, regarding the federal aid resurfacing project contract, which included several administrative hurdles. This request was seeking approval to award the contract for construction, engineering, and inspection (CEI) services to the consultant. He advised that they would oversee the construction scheduled to begin in the spring. Mr. Mallon stated that the contract amount for these services was \$201,287.28, however the county would receive reimbursement from the cities on a per mile basis, with an 80% reimbursement through the federal grant. This meant the final cost for the county would be nominal at \$24K.

Chairman Hearn asked what the name of the consulting company was.

Mr. Mallon stated it was EXP US Services, Inc. and noted that they were a group of former Georgia Department of Transportation (GDOT) employees. He stated that they prepared the design plan and helped with the PE phase and will now help with the construction.

Chairman Hearn stated that knowing they had experience, especially being former GDOT employees, gave him confidence in their ability to see this project through the "right way."

Commissioner Maxwell asked for a brief overview of this project because he had said he would not vote for anything that would benefit the City of Peachtree City. He stated that he wanted to understand the history of this project and why the City of Peachtree City was included and if they had to be included or could the project be divided and voted on separately.

Mr. Mallon stated that at this point the project could not be separated. Approval for this project was received in 2019 and preceded some of the current issues with the City of Peachtree City. He stated that the City of Peachtree City was a component

of the nearly 12 miles of roadway to be resurfaced. Mr. Mallon highlighted three roads, specifically Kelly Drive, McIntosh Trail, and Ebenezer Road in Peachtree City that were included in the project and equaled just over 2 miles of resurfacing. He stated that at this point in the project it would cause a major disruption to redo the contract to not include Peachtree City and could potentially cause the County to lose our portion of the federal aid funding.

Commissioner Maxwell stated that he was not an unreasonable person and would not do anything that would cause the County to lose out on funding opportunities. He also stated that in reviewing the contract he noticed that he the City of Peachtree City portion was relatively small.

Mr. Mallon stated that there was no County money being allocated to Peachtree City. The County would act only as a conduit to facilitate the project.

Commissioner Maxwell stated that there was a clear distinction with this item for him in reference to his statements regarding voting for items that would benefit the City of Peachtree City. He noted that the initiation of this project predated the current issues with Peachtree City and no County dollars would be used for this project in support of Peachtree City roads. He stated that Peachtree City would be funding their portion of this project. He noted that he was in support of honoring commitments since this was previously approved in 2019. However, he would not help Peachtree City as long as they continued handling the issue at Crabapple the way they were.

Commissioner Oddo moved to approve Contract #2036-Q: Fayette County Resurfacing FY2022-Construction; Task Order #2 for EXP US Services, Inc. in the amount of \$201,287.28 for Construction, Engineering, and Inspection (CEI) services for 21TAC Fayette County Resurfacing Project FY 2022. Vice Chairman Gibbons seconded. The motion passed 4-0. Commissioner Rousseau was absent.

Vice Chairman Gibbons stated, as a point of clarification for the citizens, that the approval of this item was for consultant services or program management of the company doing the work. This was not the actual resurfacing contract.

16. Request to approve the Intergovernmental Agreement (IGA) to split the cost of the right-of-way acquisition as billed by the Georgia Department of Transportation (GDOT) for the McDonough Road replacement project (2004 SPLOST Project R-10).

Mr. Mallon stated that this request was related to the Georgia Department of Transportation (GDOT) Local Bridge Replacement Program (LOCBR) for the replacement of the McDonough Road bridge. As a part of the program there was a contribution to offset right-of-way cost which totaled \$50K. This item was seeking Board approval to approve an intergovernmental agreement (IGA) with Clayton County for splitting the costs, 50% / 50%, that GDOT billed to Fayette County. Clayton County would reimburse Fayette County \$25,000, which was 50% of the \$50,000 that Fayette County paid towards the right-of-way acquisition costs. Mr. Mallon stated that Clayton County had agreed to these terms. Mr. Mallon outlined two updates to the intergovernmental agreement (IGA) with Clayton County.

Vice Chairman Gibbons moved to approve the Intergovernmental Agreement (IGA) to split the cost of the right-of-way acquisition as billed by the Georgia Department of Transportation (GDOT) for the McDonough Road replacement project (2004 SPLOST Project R-10). Commissioner Oddo seconded. The motion passed 4-0.

Christmas Holiday

Chairman Hearn noted that last year the Board approved giving County employees the week of Christmas off. He noted that the County was so blessed with such great employees that he would like to offer that to County employees again this year.

Mr. Rapson stated that with this approval the Board would be approving three additional holidays.

Commissioner Maxwell stated that essential staff would still be working including the jail/law enforcement and first responders.

Vice Chairman Gibbons moved to close County offices the Week of Christmas, December 23-27, 2024. Board approved unanimously. Commissioner Rousseau was absent.

Commissioner Maxwell stated that the only complaint he received last year was in reference to someone trying to get their tag and was unaware the office was closed during that time.

Mr. Rapson stated that notices about the extended holiday closing would be posted in advance so that residents would be able to plan accordingly.

ADMINISTRATOR'S REPORTS:

- A: Contract #2378-S: Water System Engineer of Record; Task Order 25-02: Ground & Surface Water Landfill Monitoring**
- B: Contract #2445-A: Outdoor Fire Training Props**
- C: Contract #2446-S GIS Professional Support**
- D: Contract #2449-A: Annual rock Contract**
- E: Contract #2457-S: Asphalt Rejuvenator**
- F: Contract #2184-B: Redwine, Bernhard, and S Peachtree Pkwy Roundabout Change Order**

Mr. Rapson stated as a reminder that the remaining BOC meeting in 2024 was on December 12th and would be held at 2:00 p.m., per the 2024 meeting schedule which was approved last year.

Mr. Rapson extended his congratulation to Commissioner Maxwell, Commissioner Oddo, and Chairman Hearn on their re-election.

Mr. Rapson noted that the County had a very high turnout for elections this year and extended a job well done to Elections Director, Brianna Garrett and her team. 75K people showed up to vote during this election season which was 82% of Fayette County's registered voters. He expressed his appreciation to Building & Grounds and the Sheriff's Office staff for their efforts in helping the elections run smoothly.

ATTORNEY'S REPORTS:

Notice of Executive Session: Assistant County Ali Cox stated that there were four items for Executive Session. One item involving pending litigation, one item involving real estate acquisition, one item involving personnel and the review of the October 24, 2024, Executive Session Minutes.

COMMISSIONERS' REPORTS:

Vice Chairman Gibbons

Vice Chairman Gibbons echoed Mr. Rapson's comments and congratulated Commissioner Maxwell, Commissioner Oddo, and Chairman Hearn on their reelection. He stated that it was a pleasure to be able to continue to serve with them.

Commissioner Maxwell

Commissioner Maxwell stated that he did have one personnel item he wanted to add to executive session for discussion. He also extended a thank you to all for his re-election. He stated that this was a very experienced Board and noted that he was pleased with the position the County was in. He announced his desire to run again in four years because he enjoyed serving Fayette County. He concluded stating that he was looking forward to the next four year.

Commissioner Oddo

Commissioner Oddo thanked everyone that voted for him and congratulated both Commissioner Maxwell and Chairman Hearn, as well as everyone else who ran. He noted that this was not an easy feat and running required hard work and continuous effort, win or lose, and stated that they did it because they loved the community. He wished everyone a Happy Thanksgiving.

Vice Chairman Gibbons

Vice Chairman Gibbons noted that Veterans Day was recently celebrated on November 11, and he wanted to extend a thank you to everyone who had served.

Chairman Hearn

Chairman Hearn reiterated comments made regarding everyone's re-election and extended a heartfelt thank you. He noted that he looked forward to continuing to work with his fellow Board members, expressing his appreciation for his colleagues. Chairman Hearn briefly recounted conversation at his recent Atlanta Regional Commission (ARC) meeting regarding data centers. He noted that they discussed the increased demand for power and potential increase in water demand these facilities require.

EXECUTIVE SESSION:

One item involving pending litigation, one item involving real estate acquisition, one item involving personnel and the review of the October 24, 2024, Executive Session Minutes. Commissioner Oddo moved to go into Executive Session. Vice Chairman Gibbons seconded. The motion passed 4-0. Commissioner Rousseau was absent.

The Board recessed into Executive Session at 2:50 p.m. and returned to Official Session at 3:47 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 Rousseau was absent.

County Administrator Amended Contract

Vice Chairman Gibbons moved to approve an amended contract for the County Administrator. The terms of the amendment would apply to the term of the contract that trigger vacation time, 24-months' severance, and a vehicle allowance (which would include a liability waiver clause). Commissioner Oddo seconded. The motion passed 4-0. Commissioner Rousseau was absent.

Commissioner Maxwell stated that he was very proud to work with Mr. Rapson and valued his expertise, professionalism and experience. Commissioner Maxwell stated that he would be happy to support this motion. He noted that he hoped Mr. Rapson would continue at least another 4-years and hopefully beyond. He stated that he not only appreciated Mr. Rapson but also the comradery amongst his staff.

Vice Chairman Gibbons thanked Mr. Rapson for his leadership. He stated that a great indicator of true leadership was the retention of staff and in this case, it was obvious he was a leadership professional. Vice Chairman Gibbons stated that he was grateful he was in that position and that his contract was being extended.

Commissioner Oddo stated that Fayette County had a great County Manager. He noted that Mr. Rapson had not asked for a salary increase this approval was for a contract extension, which he supported.

Chairman Hearn reiterated previous comments and noted that Mr. Rapson had exceed his expectations. He stated that he appreciated Mr. Rapson's leadership which was demonstrated in the comradery and respect of his staff.

Approval of the October 24, 2024 Executive Session Minutes: Commissioner Oddo moved to approve October 24, 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 November 14, 2024 Board of Commissioners meeting. Commissioner Oddo seconded. The motion passed 4-0. Commissioner Rousseau was absent.

The November 14, 2024 Board of Commissioners meeting adjourned at 3:55 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 12th day of December 2024. Attachments are available upon request at the County Clerk's Office.

Marlena Edwards, Chief Deputy County Clerk