

## **BOARD OF COUNTY COMMISSIONERS**

Lee Hearn  
Edward Gibbons  
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

## **ACTION AGENDA**

January 9, 2025  
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.

### **OATH OF OFFICE:**

**Probate Court Judge Angela Landgaard to administer the Loyalty Oath and Official Oath of County Commissioner of the State of Georgia to Commissioner-Elect Lee Hearn.**

Judge Angela Landgaard administered the Loyalty Oath and Official Oath of County Commissioner of the State of Georgia to Commissioner-Elect Lee Hearn.

**Probate Court Judge Angela Landgaard to administer the Loyalty Oath and Official Oath of County Commissioner of the State of Georgia to Commissioner-Elect Charles Oddo.**

Judge Angela Landgaard administered the Loyalty Oath and Official Oath of County Commissioner of the State of Georgia to Commissioner-Elect Charles Oddo.

### **ORGANIZATIONAL SESSION:**

#### **Call to Order by County Attorney Dennis Davenport**

County Attorney Dennis Davenport called the January 9, 2025, Board of Commissioners meeting to order. He stated that in accordance with Section 252 of the Fayette County Code of Ordinance, he had the duty and responsibility to open the first meeting of the year.

#### **Election of Board Chairman for the year 2025**

Mr. Davenport stated the process for election of the Chair of the Board. He opened the floor for nominations.

Commissioner Edward Gibbons nominated Commissioner Lee Hearn as Chairman.

Commissioner Eric Maxwell moved to close the nominations for Chair. Commissioner Gibbons seconded. The motion passed 5-0.

Commissioner Gibbons moved to elect Lee Hearn as Chairman. Commissioner Maxwell seconded. The motion passed 5-0.

Mr. Davenport turned the meeting over to Chairman Hearn.

#### **Election of Board Vice Chairman for the year 2025**

Commissioner Hearn opened the floor for nominations for Vice Chairman.

Commissioner Maxwell nominated Edward Gibbons as Vice Chair.

Commissioner Charles Oddo moved to close the nominations for Vice Chair. Commissioner Maxwell seconded. The motion passed 5-0.

Commissioner Oddo moved to elect Edward Gibbons as Vice Chairman. Commissioner Maxwell seconded. The motion passed 5-0.

**OFFICIAL SESSION:**

**Invocation and Pledge of Allegiance by Commissioner Charles Rousseau**

Commissioner Charles Rousseau offered the Invocation and led the audience in the Pledge.

**Acceptance of Agenda**

Chairman Hearn moved to add, to the Consent Agenda, the following:

Approval of authorization to sign checks combining any of the following two signatures for transactions at or above \$5,000.00: Chairman, Vice-Chairman, County Administrator.

Approval of authorization to sign checks for transactions in the amount of \$4,999.99 or less: Chairman, Vice-Chairman, County Administrator.

Approval of the Chairman, Vice-Chairman, and the County Administrator to execute contracts, resolutions, agreements, or other documents approved by and on behalf of the Board of Commissioners.

Commissioner Oddo moved to accept the agenda with the added items as read. Vice Chairman Gibbons seconded. The motion passed 5-0.

**PROCLAMATION/RECOGNITION:**

**1. Recognition of the Fayette County Merry Wreath Decorating Contest winners.**

County Administrator Steve Rapson recognized the winners of the 2024 Merry Wreath Decorating Contest. Third Place - Assessor's Office; Second Place – Information Technology; First Place – Public Works Department.

Public Works Director Phil Mallon accepted on behalf of Public Works. He thanked Mr. Rapson and the Board, stating that it was a fun activity, and it brought different people within the departments, that did not get to work together, a chance to work together and show their creativity. He thanked Leslie, Paola, the Sign Department, Fleet and the Road department.

**2. Presentation for discussion related to HB 581, Statewide Floating Homestead Exemption and Floating Local Option Sales Tax (FLOST), and the impacts to Fayette County.**

Finance Officer Sheryl Weinmann gave a presentation regarding House Bill 581. No vote was taken.

**PUBLIC HEARING:** None.

**PUBLIC COMMENT:**

*Speakers will be given a five (5) minute maximum time limit to speak before the Board of Commissioners about various topics, issues, and concerns. Speakers must direct comments to the Board. Responses are reserved at the discretion of the Board.*

Lotta Commerford, Alexa St. Julien, Alice Jones, State Representative Derrick Jackson, Steve Sappington, Laura Line, Elaine Kilgore, Mariam, and Paul made comments of various topics to include, conditions at the Fayette County Animal Shelter, working together as a community, the passing of Charles Persons, taxes, HB581, zoning code changes, changing the Board meeting time, and increasing the number of members on the Election Board.

**CONSENT AGENDA:**

- 3. Approval of authorization to sign checks combining any of the following two signatures for transactions at or above \$5,000.00: Chairman, Vice-Chairman, County Administrator.**
- 4. Approval of authorization to sign checks for transactions in the amount of \$4,999.99 or less: Chairman, Vice-Chairman, County Administrator.**
- 5. Approval of the Chairman, Vice-Chairman, and the County Administrator to execute contracts, resolutions, agreements, or other documents approved by and on behalf of the Board of Commissioners.**
- 6. Approval to authorize the Fayette County Solicitor's Office to accept a continuing grant award from the Criminal Justice Coordinating Council in the amount of \$57,752.00 with the continuing grant award period beginning October 1, 2024 and expiring September 30, 2025.**
- 7. Approval for Fayette County Fire and Emergency Services to accept the FY2025 Trauma Equipment Reimbursement Grant from the Georgia Trauma Commission in the amount of \$10,679.90.**
- 8. Approval of the Fayette County Parks and Recreation Department to accept the Georgia Recreation and Park Association (GRPA) - Hawks Grant in the amount of \$2,380.00.**
- 9. Approval of a supplemental grant award for the DUI Accountability Court for Law Enforcement in the amount of \$10,000.**
- 10. Approval of the proposed South Sandy Creek Road Resurfacing Project Agreement between the City of Fayetteville and Fayette County.**
- 11. Approval of the December 12, 2024, Board of Commissioners Meeting Minutes.**

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

**OLD BUSINESS:**

- 12. Request to accept the 2019 Transportation Improvement Program (TIP) grant award for the construction phase of the FY 2022 Fayette County Resurfacing SPLOST project 21TAC (GDOT PI 0017812) in the amount of \$3,742,256.30, to digitally execute the Construction Agreement with Georgia Department of Transportation (GDOT), and to issue a check payment for GDOT Construction Oversight. This item was tabled at the December 12, 2024 Board of Commissioners Meeting.**

In accordance with the Americans with Disabilities Act, accommodations are available for those who are hearing impaired. The Board of Commissioners Agenda and supporting material for each item is available on-line through the County's website at [www.fayettecountyga.gov](http://www.fayettecountyga.gov). This meeting will be telecast on Comcast Cable Channel 23 and on the internet at <https://vimeo.com/user133262656>.

Public Works Director Phil Mallon stated that this was an administrative item dealing with federal aid and a multi-jurisdiction resurfacing contract. He stated that the design was complete, and the construction contract has been awarded. He stated that this item was requesting the Board to accept the grant through Atlanta Regional Commission (ARC) and Georgia Department of Transportation (GDOT) for the construction funds, approval of the construction agreement with GDOT, and the approval of payment to GDOT for construction oversight.

Attorney Dennis Davenport stated that this was a tabled item and that a motion was on the floor.

Vice Chairman Gibbons moved to approve the 2019 Transportation Improvement Program (TIP) grant award for the construction phase of the FY 2022 Fayette County Resurfacing SPLOST project 21TAC (GDOT PI 0017812) in the amount of \$3,742,256.30, to digitally execute the Construction Agreement with Georgia Department of Transportation (GDOT), and to issue a check payment for GDOT Construction Oversight. Commissioner Rousseau seconded. The motion passed 5-0.

**13. Consideration of Option #1, to have the Fayette County Marshal's Office to occupy the Old Courthouse or Option #2, to enter an agreement to have the Fayette County Historical Society occupy the additional space on the 2<sup>nd</sup> and 3<sup>rd</sup> floors. This item was tabled at the December 12, 2024 Board of Commissioners Meeting.**

Vice Chairman Gibbons moved to withdraw his original motion to allow Commissioner Maxwell to make a motion for the purpose of discussion. Commissioner Rousseau withdrew the second.

Commissioner Maxwell moved to grant the Historical Society to occupy the additional space in the Old Courthouse, 2<sup>nd</sup> and 3<sup>rd</sup> floors. Motion died for lack of second.

Vice Chairman Gibbons moved to approve Option #1, to have the Fayette County Marshal's Office to occupy the Old Courthouse. Commissioner Rousseau seconded.

Commissioner Oddo stated that there was more to this decision than it seemed. There are ramifications for changing policies. When a policy is changed for one, it is changed for all. He stated that the Board had to be careful in situations such as this one. He stated that both options were good, but the Board had to choose the one with the least potential harm.

Commissioner Rousseau stated that this discussion gave the Board the unique opportunity to revisit something he offered some years ago to have an evaluation completed on how the County supported the non-profit service providers that fill the gap and void where the County did not offer that service delivery. He stated that while the Historical Society found itself as a non-profit because of their status, there are others working on behalf of the community with food insecurities, lack of healthcare options, as examples, and to not have a process for those non-profit organizations that might want to use the space, and selection one over the other, presents the current challenges. He stated that he was disappointed that when the decision was made to not take on non-profits, there was still an entity using space with no fees and without giving others the opportunity to say they would like to use the space. He stated that he had serious issues with that. He expected staff, that when the Board said that was the position to take, that staff would take that position fully to avoid ambiguity and possible tension with other service providers. He stated that he would like staff to revisit looking at a process or policy because the space is taxpayer space and if a dollar amount was assigned per square foot, this organization would be getting it when others would not. He stated that as a history major, he valued the Historical Society and understood their importance, however, he wanted the County's process and procedures to be fair and clear when making decisions. He stated that the Historical Society currently occupied the first floor, Starr's Mill, and the Lee Street building. He stated that his final point was that he would like to revisit putting something in place to safeguard the Board the next time something like this happened.

Vice Chairman Gibbons moved to approve Option #1, to have the Fayette County Marshal's Office to occupy the Old Courthouse. Commissioner Rousseau seconded. The motion passed 5-0.

### **NEW BUSINESS:**

- 14. Request to approve a recommendation from the Selection Committee comprised of Fayette County Staff, to reappoint Dr. William Yarde to the Fayette County Water Committee for a term beginning January 1, 2025 and expiring December 31, 2028.**

Dr. Yarde thanked the Board for the reappointment. He also thanked the Water Committee for their support.

Commissioner Oddo moved to approve to reappoint Dr. William Yarde to the Fayette County Water Committee for a term beginning January 1, 2025 and expiring December 31, 2028. Vice Chairman Gibbons seconded. The motion passed 5-0.

- 15. Request to award Bid #2475-B Justice Center HVAC Roof Top Units (RTU) Replacements in the amount of \$676,477.00 to Wright Brothers, Inc.**

Mr. Rapson stated that there was an award for the roof top replacement at the Justice Center. The funds from the Special Purpose Local Option Sales Tax (SPLOST) were budgeted for this purpose.

Vice Chairman Gibbons moved to approve to award Bid #2475-B Justice Center HVAC Roof Top Units (RTU) Replacements in the amount of \$676,477.00 to Wright Brothers, Inc. Commissioner Oddo seconded. The motion passed 5-0.

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

Mr. Rapson updated the Board on the projects including the Parks and Recreation Multi-Use Facility, Starr's Mill tunnel, Coastline Bridge Improvements, Cedar Trail Culvert Replacement, Public Health building, and Water System Update on the AMI project.

He stated that he would make a decision about closing due to the threat of inclement weather at 10 p.m. tonight or by morning. He sent the Board information on staffing during inclement weather and about warming stations.

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

**Notice of Executive Session:** County Dennis Davenport stated that there were eight items for Executive Session. Seven items involving threatened litigation, and the review of the December 12, 2024, Executive Session Minutes.

### **COMMISSIONERS' REPORTS:**

**Commissioner Rousseau** extended the invitation to attend the King Day Parade.

He stated that he wanted to salute the library on including books with the Meals-On-Wheel program. He stated that he really liked that and to keep up the good work.

He stated that the article in the newspaper may have caused confusion on when the health building will be open and operational. He stated that he wanted to have the ribbon cutting in February.

He sent condolences to the family and friends of Mr. Charles Persons, who was one of the youngest members of the Freedom Riders. He thanked Mr. Persons for standing in the gap, for someone he did not know, so many years ago.

He offered prayers for those in California dealing with the wildfires. He mentioned that he had family there and all were safe. He stated that so many lost so much.

He stated that he was open to changing the meeting times back to 6:00 p.m. He stated that he was open to entertaining that. He stated that it was true that some residents did not have time to get to the meetings in the evenings. He stated that he would speak to the Board, if open to discuss.

He congratulated Chair and Vice Chair on the appointments and stated that he looked forward to continuing to work with them.

**Commissioner Oddo** stated that he did his swearing-in, and he wanted to say he appreciated the privilege of serving. He stated that this was not a job he did for the fun of it, because some of the decisions made take a lot of thought and he did not make them lightly or can make everyone happy. He stated that he appreciated being elected for another term.

He stated that this was the 22<sup>nd</sup> anniversary of his wife, Pily, coming from Columbia to the United States to marry him.

Chairman Lee Hearn thanked the Board for reappointing him as Chairman and he promised to continue to be fair in all his dealings. He stated that it was an honor to be the Chairman, and he did not take it lightly, but with humbleness.

Regarding public comments, he stated that he and Mr. Rapson spoke about the commercial washing machines at the Animal Shelter.

Chairman Hearn apologized for not recognizing Representative Jackson during the meeting. He stated that he did not mean to omit him.

Commissioner Rousseau also wanted to recognize Phil Frieder on his retirement.

#### **EXECUTIVE SESSION:**

**Seven items involving threatened litigation, and the review of the December 12, 2024, Executive Session Minutes.**

Commissioner Oddo moved to go into Executive Session. Vice Chairman Gibbons seconded. The motion passed 5-0.

The Board recessed into Executive Session at 6:59 p.m. and returned to Official Session at 7:20 p.m.

**Return to Official Session and Approval to Sign the Executive Session Affidavit:** Commissioner Oddo moved to return to Official Session and for the Chairman to sign the Executive Session Affidavit. Vice Chairman Gibbons seconded. The motion passed 5-0.

**Approval of the December 12, 2024 Executive Session Minutes:** Commissioner Oddo moved to approve December 12, 2024, Executive Session Minutes. Vice Chairman Gibbons seconded the motion. The motion passed 5-0.

#### **ADJOURNMENT:**

Vice Chairman Gibbons moved to adjourn the December 12, 2024, Board of Commissioners meeting. Commissioner Oddo seconded. The motion passed 5-0.

The January 9, 2025, Board of Commissioners meeting adjourned at 7:21 p.m.

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Tameca P. Smith, County Clerk