

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

February 13, 2025
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 February 13, 2025 Board of Commissioners meeting to order at 5:02 p.m. A quorum of the Board was present.

Invocation and Pledge of Allegiance by Commissioner Eric Maxwell

Commissioner Eric Maxwell offered the invocation and led the audience in the Pledge of Allegiance.

Acceptance of Agenda

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

PROCLAMATION/RECOGNITION:

1. Presentation by Fayette County's auditing firm, Nichols, Cauley & Associates, LLC, of the results of the Fiscal Year 2024 annual audit.

Gregory Chapman with Nichols, Cauley & Associates, LLC provided the Board with a brief outline of the results of the Fiscal Year 2024 annual audit. Mr. Chapman stated that the responsibility of his firm was to perform an audit over the financial statements. He stated that this audit was performed in accordance with Auditing Standards Generally Accepted in the United States of America (GAAS) and Government Auditing Standards (GAS). Mr. Chapman stated that they did consider the internal control structure of the County, however, they did not express an opinion based on the internal control as a part of the audit. He stated that their objective was to provide reasonable, not absolute, assurance that the basic financial statements were free from material misstatement. He noted that the financial statements were the responsibility of the County's management. They do assist with the preparation of the financial statements but only with the information provided. Mr. Chapman continued stating that the audit was an unmodified "clean" opinion on the basic financial statements, presented fairly in accordance with accounting principles generally accepted in the United States of America (GAAP). Mr. Chapman stated that the financial report was provided to the Department of Audits in accordance with state law and submitted to the Government Finance Officers Association (GFOA).

He stated that as a part of the audit they were required to provide certain communications to the Board, those letters along with the audit report was provided in December 2024. He continued stating that they received full cooperation with the County's management, staff, and others. He noted that Nichols Cauley & Associates, LLC was independent with regard to the County and

its financial reporting process. Mr. Chapman briefly outlined the financial highlights discussing various trends as it related to property tax, Local Occupational Sales Tax (L.O.S.T) and the millage rate as well as a high-level overview of General Funds expenditures, the 2024 Capital Investments, and the Enterprise Fund. He acknowledged that Fayette County had received the GFOA Certificate of Achievement for Excellence in Financial Reporting for their 2023 reporting, he noted that this was the 30th consecutive year of Fayette County receiving this recognition. Only 27 counties in Georgia (out of 159 counties) have received this award for 2023. He concluded expressing his appreciation to the Board for the opportunity to serve Fayette County.

Commissioner Oddo stated that although not mentioned Nichols, Cauley & Associates, LLC also participated in a peer review, which he felt was important for the public to know, to help them understand and appreciate the quality of the analysis the County received.

Mr. Chapman stated that this was ultimately an audit of their audits. An independent firm would come in and conduct a "peer review" where his firm goes through an audit-like review to ensure they were following the quality control standards that are in place for financial consulting firms. He noted that they received a clean opinion called a "pass report" with no deficiencies via their last review.

Mr. Rapson asked how many clean reports the County had received over the last 13 years.

Mr. Chapman stated that Fayette County had received 13 clean reports over the past 13 years.

Chairman Hearn expressed his appreciation for Mr. Chapman and his firm for their efforts in conducting the audit. As well as commended the Finance Department for their continued hard work and dedication in getting this reporting done.

PUBLIC HEARING:

PUBLIC COMMENT:

Lotte Commerford, Lynne Lasher, Tracy Florczak, and Cynthia Saracino made public comments.

Commenters expressed concerns and frustration regarding disappointment with some of the plans for the Animal Shelter-Phase II they noted that there was no need for a horse barn in phase II. Other comments expressed the need to review the size and number of kennels and issues with the RO/holding area; the need for increased cat care and programs, capacity issues, and the need for continued county and citizen/community engagement and cooperation. Commenters asked the Board to please do their due diligence in the construction of the Animal Shelter Phase II. Comments also highlighted some improvements at the Animal Shelter over the past several months including adoption programs, increased transparency, heightened community involvement and increased volunteering.

Issac Logan of Fayetteville expressed his desire for the Board of Commissioners Meetings to be moved to a more reasonable [back to 6:00p.m] time that would allow for more citizens to attend.

Douglas Brantley of Fayetteville expressed his desire for the Board to review and consider the offer he presented for his property at 150 Honeysuckle Lane. He noted that there had been ongoing issues with the property caused by flooding and his land being washed away over the past several years. His concerns had been brought to the Board. Mr. Brantley stated that all he wanted was a fair price for his property.

Michael Cheyne of Fayetteville expressed his concerns and disappointment regarding the handling of HB581 by the Board. He noted that he would have expected public acknowledgement by the Board of their decision to opt-in to HB581. He stated that he felt there was a different/better approach the Board could have utilized that would have served the citizens. Mr. Cheyne stated that he felt that there should have been more education to the public regarding HB581; prior to the vote via the legislature as well as before the opt in/out deadline. This would have afforded the Board the appropriate time to investigate HB581 potential impacts and assisted in determining if opting in or out was the best decision. He also stated that he'd like to see an annual report

regarding the loss revenue as a result of HB581. Mr. Cheyne also expressed his concern regarding recycling in the County, he asked where citizens could go for recycling.

CONSENT AGENDA:

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

2. **Approval of the annual Budget Calendar for Fiscal Year 2026, which begins July 1, 2025 and ends June 30, 2026.**
3. **Approval of a FY23 Byrne State Crisis Intervention Specialized Court-Based Program Solicitation grant award for a DUI Accountability Court Peer Support Specialist, in the amount of \$5,220, with no match.**
4. **Approval of the January 23, 2025, Board of Commissioners Meeting Minutes.**

OLD BUSINESS

5. **Request to amend Fayette County Code, Chapter 104 - Development Regulations, Article VII. Watershed Protection. This item was tabled at the January 23, 2025 Board Meeting.**

This item was pulled from the agenda

NEW BUSINESS:

6. **Request to approve the updated plans related to the Animal Control building external upgrades for 2023 SPLOST R23AF (Walking Trails and Livestock Building), along with approval to reallocate \$1.2M of 2023 SPLOST to fund the estimated project costs.to approval updated plans related to the Animal Control building external upgrades for 2023 SPLOST R23AF (Walking Trails and Livestock Building), along with approval to reallocate \$1.2M of 2023 SPLOST to fund the estimated project costs.**

Animal Shelter Director, Tracy Thompson, provided the Board an overview of the proposed plans related to the Animal Control Phase II. Ms. Thompson stated that the existing facility updates and repairs would run concurrently with the Phase II projects. Temporary downspout drains have been installed to shed water away from building. Phase II would install a permanent pipe and drainage solution. She noted that commercial grade washers and dryers were being installed. Plans for additional ventilation/exhaust fans were underway and would be installed in the existing building. With completion of Phase II, the indoor kennels would be reconfigured to 16 larger kennels with the option to split the kennels as needed if there was a large intake of animals. The R/O kennels would be reconfigured to allow for safer handling of the animals. Ms. Thompson stated that the Animal Shelter Project Phase II was approved as part of the 2023 SPLOST, with an initial budget of \$500K. The Board approved a reallocation of SPLOST Funds on June 13, 2024, which allocated an additional \$500K to the project, totaling \$1M. The Phase II Concept Plan included 24 new kennels, a livestock barn, walking trails, pavilions, benches, multipurpose fenced areas, and landscaping. The primary focus on this project will be the barn, kennels and a primary hardscape walk trail. Design for Phase II would start immediately upon the Boards approval of a concept. She noted that a Press Release requesting public engagement with links to the Phase II Concept Plan and a comment card was made available on the Fayette County Website. Materials were also distributed by email and social media. The public comment period was open December 13 - January 10, 2025. Display boards and comment cards were available at the Fayette County Library and the Fayette County Animal Shelter. An Open House was held on January 7 from 4 pm – 7 pm in the Board of Commissioners Public Meeting room. Eighteen (18) citizens attended plus press and staff. Mr. Thompson advised that Fayette County received 17 comment cards. Additional public comments were sent via email. Review of public comments and comment cards showed an overwhelming support for improvement of the current facility. She highlighted a summary of the public comments noting that there was strong support for the additional Kennel Building with indoor/outdoor access. There was varying support regarding the need for climate control, most favored ambient air with

strong ventilation. Support for walking trails, dog runs, soft surfaces with mulch, shade structures, and a fence around the property. Recommendation for purchase of software to track animal intake and medical history. Comments indicated additional software could assist in optimizing chances of adoption (As of 1/24, software installation was underway). Questions were asked about the need/benefit of the livestock barn, pavilions, and gazebos. Suggestions were made for the barn to be designed to accommodate other uses when not used to house large animals. Sydney Thompson, Landscape Architect with Pond & Company provided a high-level overview of the Animal Shelter Phase II master plan conceptual design reviewing possible placement/layout of the livestock building, kennels, walking trails, pavilions, and agriculture. Ms. Thompson reviewed options for the walking trail materials as well as pavilion and kennel designs.

Mr. Rapson stated that once Phase II was completed the current number of kennels [in the Animal Shelter] would be ratcheted down to sixteen (16) with an additional 24 kennels being constructed in Phase II totaling 40. He noted that because of the flexibility in the design of the kennels that number could extend to 50 available kennels. He continued stating that one of the tasks Ms. Thompson was charged with as the Director was prepping the Animal Shelter to serve Fayette County over the next 20 years and 50 kennels would assist in facilitating that. He stated that once Phase II was completed additional staff would be needed and that would be included in next year's budget. Mr. Rapson noted that with Phase II the goal was to incorporate feedback and input from residents and stakeholders regarding updates needed in Phase I of the Animal Shelter. Mr. Rapson stated that the barn/livestock building was only a small component of the design to house pigs, horses, sheep and would include kennels that could be use for other animals. He noted that this facility would handle all these needs as well as meet agricultural standards. He concluded stated that via all the input and feedback received over the past two years would be addressed in Phase II. Mr. Rapson stated that the 2023 SPLOST Animal Shelter project included a very focused plan since then the project had radically expanded to include the barn/livestock building and the walking trails, pavilions and would address some of the concerns expressed over the past two years.

Commissioner Charles Rousseau asked if the conceptual design was included in the current request.

Mr. Rapson stated that the \$1.2M being requested should address and fund everything outlined in the conceptual master plan.

Commissioner Rousseau asked if there was still some cost savings via various SPLOST projects within the County.

Mr. Rapson stated that was correct and the County was also accumulating interest that had not been allocated.

Commissioner Rousseau asked about the types of surface materials being considered for Phase II construction.

Ms. Thompson stated that she was aware that there had been concerns regarding the types of kennels used in Phase I as it related to durability. She also noted that they were also evaluating the types of materials used along the walking trails, specifically considering summer weather and the safety of the animal paws.

Commissioner Rousseau thanked citizen volunteers and those advocating for their acknowledgement of improvements at the Animal Shelter and for their continued engagement. He also extended a job well done to Animal Shelter Director Tracy Thompson.

Commissioner Oddo asked if the fence at the facility would be completed in Phase II.

Mr. Rapson stated that the black fence on site was actually a WASA property line fence they advised that funds were being allocated to extend it. He added that fencing along the back of the property would be fixed to ensure the site was secure.

Commissioner Oddo asked if some of the kennels proposed in Phase II was open to the outside.

Ms. Thompson (Pond) stated that yes, the kennels would have direct access to the outside. There would be a portion of the kennel separated via guillotine door that would allow a dog access to the outside without direct contact.

Commissioner Oddo also asked if the roof would overhang the open-air kennels.

Ms. Thompson (Pond) stated that the current model had the building fully enclosed but it was likely there would be clearstory windows with open air at the top portion of the wall [at least in some areas] including large fans which would be more hygienic for the dogs.

Vice Chairman Gibbons moved to approve the updated plans related to the Animal Control building external upgrades for 2023 SPLOST R23AF (Walking Trails and Livestock Building), along with approval to reallocate \$1.2M of 2023 SPLOST to fund the estimated project costs. to approval updated plans related to the Animal Control building external upgrades for 2023 SPLOST R23AF (Walking Trails and Livestock Building), along with approval to reallocate \$1.2M of 2023 SPLOST to fund the estimated project costs. Commissioner Oddo seconded.

Chairman Hearn asked Ms. Thompson based on her experience and expertise was she comfortable and confident that this was the right direction and what was needed at the Animal Shelter.

Ms. Thompson stated yes. She noted that she had been through several shelter builds and the open-air ventilation, the outdoor/indoor kennels along with the kennel size all contribute to happier and healthier animals both mentally and physically ultimately making it easier for the animals to be placed.

Chairman Hearn stated that this provided him comfort and stated that he wanted the project done right. He expressed his appreciation for continued improvements at the Animal Shelter and to Ms. Thompson, her leadership and her team and their efforts, it had not gone unnoticed.

Vice Chairman Gibbons moved to approve the updated plans related to the Animal Control building external upgrades for 2023 SPLOST R23AF (Walking Trails and Livestock Building), along with approval to reallocate \$1.2M of 2023 SPLOST to fund the estimated project costs. to approval updated plans related to the Animal Control building external upgrades for 2023 SPLOST R23AF (Walking Trails and Livestock Building), along with approval to reallocate \$1.2M of 2023 SPLOST to fund the estimated project costs. Commissioner Oddo seconded. The motion passed 5-0.

7. Request to award Contract #2506-P in the amount of \$1,047,500.00 to MEJA Construction as the Fayette County Multi-Use Recreational Building Construction Manager at Risk.

Tim Symonds, Project Manager, stated that this was a request to award Contract #2506-P in the amount of \$1,047,500.00 to MEJA Construction as the Fayette County Multi-Use Recreational Building Construction Manager at Risk. Mr. Symonds state that the proposed Multi-Use Recreational Building project located at Kiwanis Park would be delivered through Construction management at Risk (CMAR). The CMAR provided professional services and design advice as part of the project during the design and development of the project. The CMAR developed a Guaranteed Maximum Price (GMP) for the project, and this would be brought back to the Commissioners for approval at a later stage. The CMAR appointment process was managed through the County Purchasing department. An RFP was issued, and eight (8) qualifying returns were received. The proposals were scored for technical merit by the selection after these scored were aggregated the financial part of the proposals were opened, MEJA Construction received the highest score. Given the recent performance of MEJA on two recent County projects and the same project team being proposed it was felt that it was unnecessary to have an additional interview stage.

Commissioner Maxwell raised his concerns regarding the rating and scoring in review of the bids received in an effort to ensure the most qualified proposal was selected.

Mr. Symonds stated that in reviewing the scores Reeves Young scored 57.4 on technical merit with less than two points between them and the top three proposals, with MEJA coming in second with 56.4 and Hogan Construction scoring third 56.2 so at the top the scores were actually very close. He continued stating that the technical merit scoring depended on reviewing the project personnel being proposed as well as their previous experience and the way they would approach the project. He noted that the scoring of the selection committee showed that because Reeves Young had done several similar projects was the reason they came out on top. However, what counted against them was that they were headquartered further away as well as other factors. In considering the financial merits of the proposals Reeves Young were a gigantic construction firm and their overhead was a

contributing factor their price. Conversely MEJA operated in a much more frugal and economic way and headquarters locally and was reflective in their price estimates.

Mr. Rapson briefly provided a scoring breakdown highlighting both the technical and financial merit scoring. He concluded stating that MEJA bet Hogan in all categories on a technical basis and just completed a project in Fayette County \$1M under budget, on time, with no issue and no unnecessary change orders.

Commissioner Maxwell expressed his frustration regarding comments regarding deals being made with commissioners from another county. He noted he had no idea what they were referring to. He did know however that this request was vetted through the process, efficiently scored and awarded accordingly.

Vice Chairman Gibbons stated that over 27 years of experience via the military writing and evaluating proposals and awarding contracts and 12 years as a Contractor. He noted that this request was a best value competition which always evaluated technical merit including relevant experience and cost. The scores with based on 70% technical merit and 30% cost and by combining these scores the winner was MEJA. He noted that he had never seen a contract via the government in a best value competition done any other way. He also noted that there were five different evaluators on the selection board, and he was not one of them nor were any of the other members of the Board.

Vice Chairman Gibbons moved to approve Contract #2506-P in the amount of \$1,047,500.00 to MEJA Construction as the Fayette County Multi-Use Recreational Building Construction Manager at Risk. Commissioner Oddo seconded. The motion passed 5-0.

8. Request to accept the FEMA/GEMA (Federal Emergency Management Agency/Georgia Emergency Management Agency) Hazard Mitigation Grant to replace the emergency generator for the Crosstown Water Treatment Plant with a total project cost of \$ 4,156,907.26.

Water System Director Vanessa Tigert stated that this request was seeking Board approval to accept a FEMA/GEMA (Federal Emergency Management Agency/Georgia Emergency Management Agency) Hazard Mitigation Grant in the amount of \$4,156,907.26 for two emergency generators at the Crosstown Water Treatment Plant.

Vice Chairman Gibbons moved to approve to accept the FEMA/GEMA (Federal Emergency Management Agency/Georgia Emergency Management Agency) Hazard Mitigation Grant to replace the emergency generator for the Crosstown Water Treatment Plant with a total project cost of \$ 4,156,907.26. Commissioner Oddo seconded.

Commissioner Rousseau asked if the County would have to build or had already built the underground storage tanks.

Ms. Tigert stated the new generators would be natural gas powered however we do have underground tanks that were inspected annually for the current temporary generators.

Chairman Hearn highlighted that via this grant FEMA share was \$3,741,216.53 the State Share was \$166,276.29; the Local Share was \$249,414.44 totaling a Project Cost of \$4,156,907.26.

Ms. Tigert noted that typically the standard local match was 10%, however, because the Fayette County Fire and Emergency Services maintained such a good Hazard Mitigation Plan approved by FEMA our match was reduced.

The Board expressed a thank you and job well done to Brian Davis with Fire and Emergency Services.

Vice Chairman Gibbons moved to approve to accept the FEMA/GEMA (Federal Emergency Management Agency/Georgia Emergency Management Agency) Hazard Mitigation Grant to replace the emergency generator for the Crosstown Water Treatment Plant with a total project cost of \$ 4,156,907.26. Commissioner Oddo seconded. The motion passed 5-0.

9. Request to approve the Planning Commission Selection Committee's recommendation to reappoint James Oliver to fill an open term expiring December 31, 2027.

Planning and Zoning Director Debbie Bell stated that this request was seeking Board approval to reappoint James Oliver to fill an open term expiring December 31, 2027.

Commissioner Oddo moved to approve the Planning Commission Selection Committee's recommendation to reappoint James Oliver to fill an open term expiring December 31, 2027. Vice Chairman Gibbons seconded. The motion passed 5-0.

10. Request to approve the Zoning Board of Appeals Selection Committee's recommendation to appoint Kyle McCormick to fill an open term expiring December 31, 2027.

Ms. Bell stated that this request was seeking Board approval to appoint Kyle McCormick to fill an open term expiring December 31, 2027.

Vice Chairman Gibbons moved to approve the Zoning Board of Appeals Selection Committee's recommendation to appoint Kyle McCormick to fill an open term expiring December 31, 2027. Commissioner Oddo seconded.

The Board thanked Mr. McCormick for his willingness to serve.

Vice Chairman Gibbons moved to approve the Zoning Board of Appeals Selection Committee's recommendation to appoint Kyle McCormick to fill an open term expiring December 31, 2027. Commissioner Oddo seconded. The motion passed 5-0.

ADMINISTRATOR'S REPORTS:

Hot Project Report

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.

Mr. Rapson advised that an email was sent out to the Board regarding emergency repairs for a major roof leak at the Public Health Facility. He noted that they had already went through a competitive bid process to award this project and it would be placed on the upcoming agenda to be ratified by the Board.

ATTORNEY'S REPORTS:

Notice of Executive Session: County Dennis Davenport stated that there were eleven items for Executive Session. Five items involving real estate acquisition, three items involving threatened litigation, two items involving pending litigation and the review of the January 23, 2025 Executive Session Minutes.

COMMISSIONERS' REPORTS:

Vice Chairman Gibbons

Vice Chairman Gibbons extended a congratulations to staff on another successful audit, job well done. In response to comments made regarding HB581 he noted that the Board could not advocate to the voters on how to vote.

Mr. Davenport stated that was correct, the Board as an elected body could only educate the electorate providing information and ensuring they were aware that something was out there. But in no way could the Board influence the vote one way or the other.

Vice Chairman also noted that the County CFO, Sheryl Weinmann, presented an overview presentation regarding HB581 in January 2025.

Mr. Rapson added that she had conducted a couple of HB581 including the presented before the Board in January.

Vice Chairman stated that he had also attended other meetings with elected officials throughout the County regarding HB581, in addition to the HB581 presentation presented to the Board where they also received legal guidance on appropriate actions the Board should take regarding HB581.

Commissioner Rousseau

Commissioner Rousseau asked Mr. Rapson to investigate claims regarding non-Peachtree City residents not being allowed to process recycling at their facility. He noted that he hoped the County was evaluating alternative options for County residents who would like to recycle. Commissioner Rousseau extended his condolences to the law enforcement officer who died in the line of duty in Roswell Georgia and urged all law enforcement to please be careful. Commissioner stated that he anticipated HB581 would cause impacts as it related to the County's service delivery strategy the numbers would fluctuate, and we would not know the full impact until we were in the midst of it. He also advised that the County owned property on Honeysuckle Lane needed to be cleaned up.

Commissioner Maxwell

Commissioner Maxwell expressed his appreciation to Georgia Department of Transportation (GDOT) he noted over his tenure on the Board he had advocated for updates on Interstate 85 and 75 Interchange to be addressed. He was excited to advise that recently work and plans had begun for improvements of those roadways. Commissioner Maxwell stated that this project was 40 years in the making. He extended a huge thank you to Georgia Department of Transportation (GDOT) for the work they had done in Fayette County.

Chairman Hearn

Chairman Hearn stated that at his recent Atlanta Regional Commission (ARC) meeting he was able to personally thank, Russell McMurry GDOT Commissioner for the work they were doing in Fayette County. Chairman Hearn stated that he recently received a compliment for Building Safety Permit Technician Sunny Fitzgibbon and extended a thank you to her for her hard work and dedication.

EXECUTIVE SESSION:

Five items involving real estate acquisition, three items involving threatened litigation, two items involving pending litigation and the review of the January 23, 2025 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 6:39 p.m. and returned to Official Session at 7:55 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 January 23, 2025 Executive Session Minutes: Commissioner Oddo moved to approve January 23, 2025 Executive Session Minutes. Vice Chairman Gibbons seconded the motion. The motion passed 5-0.

ADJOURNMENT:

Commissioner Oddo moved to adjourn the February 13, 2025 Board of Commissioners meeting. Vice Chairman Gibbons seconded. The motion passed 5-0.

The February, 2025 Board of Commissioners meeting adjourned at 7:56 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 27th day of February 2025. Attachments are available upon request at the County Clerk's Office.

Marlena Edwards, Chief Deputy County Clerk