

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

May 8, 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 May 8, 2025 Board of Commissioners meeting to order at 5:00 p.m. A quorum of the Board was present.

Invocation and Pledge of Allegiance by Commissioner Charles Oddo

Commissioner Charles Oddo gave the Invocation and led the audience in the Pledge of Allegiance.

Acceptance of Agenda

Commissioner Oddo moved to approve the agenda as presented. Vice Chairman Edward Gibbons seconded. The motion passed 5-0.

PROCLAMATION/RECOGNITION:

1. Recognition of Fayette County 4-H's achievements at the District Project Achievement event.

Youth Development Agent Cara Rhoad, with Fayette County Extension Office, recognized Fayette County 4-H's achievements at the District Project Achievement event. Project Achievement was the cornerstone of the 4-H program. She explained that participants were tasked with developing and presenting a demonstration on a topic of interest. The participants practiced public speaking, writing, research, independence, responsibility, belonging, and processing information. This program promoted all the essential elements of youth development: belonging, mastery, independence, and generosity. Ms. Rhoads noted that the program was offered to fifth through twelfth graders, and learning opportunities increased with age.

2. Recognition of National Public Works Week Proclamation.

Public Works Director, Phil Mallon, on behalf of the Board, recognized the week of May 18 - 24, 2025 as National Public Works Week. Mr. Mallon read the National Public Works Week Proclamation, which outlined that this year's theme, "People, Purpose, Presence," highlighted three cornerstone ideals that motivate public works professionals to serve in their communities every day.

PUBLIC HEARING:

PUBLIC COMMENT:

Victoria Brozales expressed her concerns regarding fair pay for Public Safety and education professionals e.g. police, sheriffs, and teachers.

Commissioner Maxwell thanked young Ms. Brozales for her bravery in speaking and her forethought and interest in community issues.

County Administrator Steve Rapson outlined past initiatives the County put in place, specifically related to increased pay for public safety staff. And stated that there were plans to discuss the possibility for merit/pay increases as we enter the budget season.

CONSENT AGENDA:

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

3. **Approval of the re-appointment of Kevin Baggett to Position 3 of the Region 04 Emergency Medical Services Advisory Council (REMSAC) for a three-year term to expire June 30, 2028.**
4. **Approval of the re-appointment of Scott Roberts to Position 4 of the Region 04 Emergency Medical Services Advisory Council (REMSAC) for a three-year term to expire June 30, 2028.**
5. **Approval of April 22, 2025 Board of Commissioners Meeting Minutes.**

OLD BUSINESS

NEW BUSINESS:

6. **Request to approve Ordinance 2025-02, to revise Fayette County Code of Ordinance, Chapter 104 - Development Regulations, Article III. - Street Design Standards and Specifications; Sec. 104-58. - Utilities, to establish and adopt a Utility Permit Fee Schedule.**

Utility Manager Matt Bergan noted that items #6 & #7 were related. He stated that this item was requesting adoption of the revised Ordinance which would allow staff to utilize the new permit fees. Mr. Bergan requested that the effective date be updated to June 1st. He stated that the utility contractors have been advised of the proposed effective date.

Vice Chairman Gibbons moved to approved Ordinance 2025-02, to revise Fayette County Code of Ordinance, Chapter 104 - Development Regulations, Article III. - Street Design Standards and Specifications; Sec. 104-58. - Utilities, to establish and adopt a Utility Permit Fee Schedule, effective June 1st. Commissioner Oddo seconded.

Commissioner Maxwell asked if someone was doing utility work within a neighborhood, would they receive one permit that would cover the entire neighborhood or would they have to get a permit for each lot.

Mr. Bergan stated that the requirement was one permit per project.

Commissioner Maxwell asked if there was a comparison chart available that outlined current permit rates as well as rates for neighboring Counties.

Mr. Bergan outlined past permit rates and the proposed rates. He noted that currently the permit fee was \$25 and \$12.50 per mile. He highlighted that the first mile was included in the permit fee, which would change with the proposed revisions. Mr. Bergan outlined various permit fees from surrounding jurisdictions in the Metro Atlanta area.

Commissioner Maxwell highlighted that with this permit fee revision, the goal was only to cover costs and not to make a profit.

Mr. Bergan stated that it was the goal but acknowledged that because this would be the first year with the revised fees, there would be some fluctuations. He also noted that staff discovered there may be issues that would require resolution and that may affect overall cost coverage.

Chairman Hearn asked if this would cover underground or overheard work.

Mr. Bergan stated both underground and overhead work.

Chairman Hearn asked how much revenue this would generate.

Mr. Rapson stated that this would generate about \$45k.

Commissioner Rousseau stated, as a point of clarification, that a couple of years ago there were concerns that the legislature allowed Utility [companies] to do what they wanted without any say or input from the County or local jurisdiction.

Mr. Bergan stated that was correct and if the utility was regulated by the Public Service Commission, (e.g. large power/electric services and natural gas) that still was the case.

Commissioner Rousseau asked if issues related to non-coordination with utilities, were the norm.

Mr. Bergan stated that with this being the first year of the revised fee schedule that could not be determined yet. However, he stated that he did believe this would assist with future coordination with heightened exceptions from the County.

Commissioner Rosseau stated that one of the things he would want staff to pay close attention to was when the DRI's (Development of Regional Impact) were done. To be able to provide adequate input garnering a higher level of scrutiny and influence, specifically as it related to utilities such as power/electricity, as projects were proposed and developed throughout the County.

Vice Chairman Gibbons moved to approved Ordinance 2025-02, to revise Fayette County Code of Ordinance, Chapter 104 - Development Regulations, Article III. - Street Design Standards and Specifications; Sec. 104-58. - Utilities, to establish and adopt a Utility Permit Fee Schedule, effective June 1st. Commissioner Oddo seconded. The motion passed 5-0.

7. Request to approve Resolution 2025-02 to adopt a Utility Permit Fee Schedule for Utility Permits.

Vice Chairman Gibbons moved to approve Resolution 2025-02 to adopt a Utility Permit Fee Schedule for Utility Permits, effective June 1st. Commissioner Rousseau seconded. The motion passed 5-0.

8. Request for approval to submit the County's 2024 Maintenance & Operations millage rate of 3.763 for the Notice of Assessment to be sent in May 2025 by the Assessor's Office.

Chief Finance Officer, Sheryl Weinmann, stated that due to the newly enacted HB 581, a new Notice of Assessment (NOA) would be sent by the Assessor's Office to the taxpayers of Fayette County. She stated that the new NOA would include the County's Maintenance & Operations (M&O), as well as the M&O millage rates for each levying authority in Fayette County, including Fayette, Town of Brooks, City of Fayetteville, City of Peachtree City, Town of Tyrone and the Fayette County Board of Education. She stated that the rate on the NOA had to be either the estimated rollback rate or the existing millage rate for that municipality. After discussions with all municipalities, each jurisdiction decided to use the existing millage rate on the NOA. If the existing rate is chosen, there would be a note on the NOA stating that no estimated rollback rate was provided. In either case, if the final millage calculation was higher than the rate on the NOA, there will be another note stating that the millage rate was higher than provided on the NOA. Also, if the municipality's existing rate was on the NOA, then the NOA would reflect a dollar amount of the bill. If the municipality's estimated rollback rate is on the NOA, then only the millage rate would be reflected. She noted that this will be confusing for taxpayers. Ms. Weinmann advised that also, the NOA would not include special service districts so the NOA would not reflect a full tax bill for each. Each municipality can select the millage rate they choose to provide on the NOA. She stated that she provided the mileage rate of 3.763 to the Assessor's Office in accordance with the law and would be printed on the NOA.

Commissioner Oddo asked if under this new law, the base year, would be this year.

Ms. Weinmann stated that 2024 values would be used as the base year, however the mileage rate could change.

Mr. Rapson stated that this was a state law requiring us to handle it this way. As mentioned, the options were to either provide an estimated rollback rate or the existing millage rate. The approach for the County was to use the current milage rate.

Commissioner Rousseau asked Ms. Weinmann if she could create a millage rate/ Notice of Assessment (NOA) cheat sheet including information that could be easily explained to confused taxpayers.

Commissioner Rousseau moved to approve to submit the County's 2024 Maintenance & Operations millage rate of 3.763 for the Notice of Assessment to be sent in May 2025 by the Assessor's Office. Commissioner Oddo seconded. The motion passed 5-0.

9. Request to approve Local Road Assistance (LRA) project list for unincorporated Fayette County, authorize the Chairman to sign the application and related documents, and to accept \$1,188,974.20 in LRA funds to be received from Georgia Department of Transportation (GDOT) and allow the Finance Department to amend FY25 / FY26 revenue and expenditures budget appropriately.

Public Works, Phil Mallon, stated that in March the Governor and Legislature amended the state budget for Fayette County to receive an additional \$1,188,974.20 in FY 2025 for roadway maintenance. These funds would require no local match. He advised that in accordance with LMIG program guidelines, County staff had prepared a project list in excess of this amount. The continued focus of the 2025 list was on roadway pavement maintenance: including asphalt resurfacing, milling, patching, micro surfacing and striping. Fayette County LRA application and project list must be submitted to Georgia Department of Transportation (GDOT) by June 15, 2025. A check for the grant funds, up to \$1,188,974.20, would be sent to Fayette County. He noted that the Tyrone Road project was being targeted for these funds.

Commissioner Oddo moved to approve the Local Road Assistance (LRA) project list for unincorporated Fayette County, authorize the Chairman to sign the application and related documents, and to accept \$1,188,974.20 in LRA funds to be received from Georgia Department of Transportation (GDOT) and allow the Finance Department to amend FY25 / FY26 revenue and expenditures budget appropriately. Vice Chairman Gibbons seconded.

Commissioner Maxwell stated that in reviewing the project list which noted Tyrone Road as the project of focus, amongst a few other roads, if this was a priority list, or a list established by the Board.

Mr. Mallon stated that County staff had prepared a project list, which they created for every LMIG program grant application. He noted that he was hesitant to deem it a priority list but stated that the roads outlined are the most in need of repair.

Commissioner Maxwell expressed his concern asking if this was the best time to start this type of project highlighting the current construction work and traffic from QTS. He asked, if approved, when would this tentative project start.

Mr. Mallon stated that if approved the goal was to start this project this summer. He agreed that this would be a tasking few days while the project was ongoing. He noted that the work would be well-coordinated to try and minimize impacts and added that because this would not be a full-depth reformation, it should be a quick turnaround.

Mr. Rapson stated that as part of the FY26 budget that budget line item as allocated for \$1.310M and from this grant the County would receive \$1.188M. As a result, the difference would be funded in this year's budget. With that in mind, the intent was to prioritize Tyrone Road.

Commissioner Maxwell stated that he was not disputing that work was needed on Tyrone Road, however, his concern was that this may not be the best time to conduct this type of project considering the type of work going on in that area, on that road specifically. He stated that he did not want to start receiving phone calls related to traffic due to road work from constituents in the middle of his district.

Mr. Rapson stated that if approved, the projects outlined on the list would be the projects the grants funds were used for. If Tyrone Road was not selected to complete, he was confident they could get close to completing all the other projects listed.

Commissioner Maxwell stated he was not suggesting, not working on Tyrone Road but was concerned about whether this was the best time for that work to be done.

Mr. Mallon stated that it was a valid concern and stated that he would reach out to staff and QTS to determine an appropriate plan. He noted that their construction schedule extended out several years so waiting for QTS construction to be completed would be 5-6 years and Tyrone Road needed repairs now. Waiting that long was not a viable option.

Commissioner Oddo moved to approve the Local Road Assistance (LRA) project list for unincorporated Fayette County, authorize the Chairman to sign the application and related documents, and to accept \$1,188,974.20 in LRA funds to be received from Georgia Department of Transportation (GDOT) and allow the Finance Department to amend FY25 / FY26 revenue and expenditures budget appropriately. Vice Chairman Gibbons seconded. The motion passed 5-0.

10. Request to enter into an Agreement with QTS Fayetteville I LLC, related to Contract #2567-B QTS; Traffic Signal and Guardrail on Tyrone Road project.

Mr. Mallon stated that items #10 and #11 were correlated. This item was seeking approval to fully execute an agreement with QTS Fayetteville I LLC, for the construction of a traffic signal and guardrail on the Tyrone Road project. He noted that the agreement was developed via County staff and vetted through and approved by both County and QTS legal departments. Mr. Mallon briefly outlined details of the agreement and related project. He noted that QTS did the design work and the County took that design package and placed it out for bid. The County would let the contract for construction and oversee the project since it was in the County's right-of-way and QTS would reimburse the County 100% for all costs associated with construction. Mr. Mallon noted that the agreement also discussed how the operation of the signal would be monitored over time and included a sunset period for re-evaluation. Once QTS construction was completed it may be determined that the signal was no longer needed once a study was conducted, with the County making the final decision.

Vice Chairman Gibbons moved to approve to enter into an Agreement with QTS Fayetteville I LLC, related to Contract #2567-B QTS; Traffic Signal and Guardrail on Tyrone Road project. Commissioner Oddo seconded. The motion passed 4-1, with Commissioner Rousseau voting in opposition.

11. Request to award Bid #2567-B to the lowest responsive, responsible bidder, NGT Group LLC, in the amount of \$145,047.59 for installation of a traffic signal, supporting equipment, and guardrail at the QTS Data Center driveway on Tyrone Road.

Mr. Mallon stated that this item was seeking approval to Bid #2567-B to the lowest responsive, responsible bidder, NGT Group LLC, in the amount of \$145,047.59 for installation of a traffic signal, supporting equipment, and guardrail at the QTS Data Center driveway on Tyrone Road. Mr. Mallon extended a thank you to QTS and expressed his appreciation in working with them as a partner within the County.

Vice Chairman Gibbons moved to approve to award Bid #2567-B to the lowest responsive, responsible bidder, NGT Group LLC, in the amount of \$145,047.59 for installation of a traffic signal, supporting equipment, and guardrail at the QTS Data Center driveway on Tyrone Road. Commissioner Oddo seconded. The motion passed 5-0.

ADMINISTRATOR'S REPORTS:

Hot Project Report

Mr. Rapson updated the Board on the projects including the Stormwater and Transportation project, Parks and Recreation Multi-Use Facility, Starr's Mill Tunnel, Coastline Bridge Improvements, Cedar Trail Culvert Replacement, Old Ivey Stormwater replacement, and Water System Update on the AMI project.

Mr. Rapson acknowledged and congratulated the following staff and elected officials who recently received ACCG certifications: Amanda Schoonover, Deborah Bell, Steve Hoffman, Lee Ann Bartlett, Leslie Neiber, Lewis Patterson and Commissioner Charles Oddo

Mr. Rapson reminded the Board and those in attendance that the County would be hosting the Annual Retreat, Friday, May 9, 2025, at Fayette County Chamber of Commerce, with breakfast starting at 7:30 a.m.

ATTORNEY'S REPORTS:

Notice of Executive Session: Assistant County Patrick Stough stated that there were two items for Executive Session. One item involving pending litigation, and the review of the April 22, 2025 Executive Session Minutes.

COMMISSIONERS' REPORTS:

Commissioner Rousseau recognized National Nurses Week, thanking them for all they do. And in recognition of the Fayette County Fire and EMS Training Facility, he extended his appreciation and thanked the family of those serving in that capacity.

EXECUTIVE SESSION:

One item involving pending litigation, and the review of the April 22, 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 5:47 p.m. and returned to Official Session at 5:54 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 April 22, 2025 Executive Session Minutes: Vice Chairman Gibbons moved to approve April 22, 2025 Executive Session Minutes. Commissioner Oddo seconded the motion. The motion passed 5-0.

Workers Compensation Settlement

Mr. Stough advised the Board of a workers compensation settlement for Reginald Jordan, stating that a proposed settlement agreement with Mr. Jordan was in the amount of \$115K. Mr. Stough stated that the agreement included the standard release documents including a confidentially provision, non-disparagement agreement and agreement not to seek employment again with Fayette County, along with the termination agreement.

Vice Chairman Gibbons moved to approve settlement agreement for Reginald Jordan in the amount of \$115,000, with the standard release documents. Commissioner Oddo seconded. The motion passed 5-0.

ADJOURNMENT:

Commissioner Oddo moved to adjourn the May 8, 2025 Board of Commissioners meeting. Vice Chairman Gibbons seconded. The motion passed 5-0.

The May 8, 2025, Board of Commissioners meeting adjourned at 5:56 p.m.

Marlena 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 22nd day of May 2025. Attachments are available upon request at the County Clerk's Office.