

BOARD OF COUNTY COMMISSIONERS

Edward Gibbons
Lee Hearn
Eric K. Maxwell
Charles W. Oddo
Charles D. Rousseau



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 14, 2021
6:30 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 6:30 p.m.

OATH OF OFFICE:

Probate Court Judge Ann S. Jackson to administer the Loyalty Oath and Official Oath of County Commissioner of the State of Georgia to Commissioner-Elect Lee Hearn.

Probate Court Judge Ann S. Jackson administered the Official Oath and the Loyalty Oath to Commissioner-Elect Lee Hearn. He was successfully sworn-in to the Board of Commissioners.

Probate Court Judge Ann S. Jackson to administer the Loyalty Oath and Official Oath of County Commissioner of the State of Georgia to Commissioner-Elect Eric Maxwell.

Probate Court Judge Ann S. Jackson administered the Official Oath and the Loyalty Oath to Commissioner-Elect Eric Maxwell. He was successfully sworn-in to the Board of Commissioners.

Probate Court Judge Ann S. Jackson to administer the Loyalty Oath and Official Oath of County Commissioner of the State of Georgia to Commissioner-Elect Charles Oddo.

Probate Court Judge Ann S. Jackson administered the Official Oath and the Loyalty Oath to Commissioner-Elect Charles Oddo. He was successfully sworn-in to the Board of Commissioners.

ORGANIZATIONAL SESSION:

Call to Order by County Attorney Dennis Davenport.

County Attorney Dennis Davenport called the January 10, 2019 Organizational Meeting of the Board of Commissioners to order at 6:33 p.m.

Election of Board Chairman for the year 2021.

Commissioner Edward Gibbons nominated Commissioner Charles Oddo as Chairman.
Commissioner Eric Maxwell nominated Commissioner Lee Hearn as Chairman.
Commissioner Maxwell moved to close the floor for nominations. Commissioner Gibbons seconded. The motion passed 5-0.

Commissioner Gibbons moved to elect Commissioner Oddo as Chairman. Commissioner Oddo seconded. The motion failed 2-3, with Commissioner Hearn, Commissioner Maxwell, and Commissioner Rousseau voting in opposition.

Commissioner Maxwell moved to elect Commissioner Hearn as Chairman. Commissioner Hearn seconded. The motion failed 2-3, with Commissioner Gibbons, Commissioner Oddo, and Commissioner Rousseau voting in opposition.

Mr. Davenport re-opened the floor for nominations for Chairman.

Commissioner Edward Gibbons nominated Commissioner Charles Oddo as Chairman.

Commissioner Lee Hearn nominated Commissioner Eric Maxwell as Chairman.

Commissioner Eric Maxwell nominated Commissioner Lee Hearn as Chairman.

Commissioner Gibbons moved to close the floor for nominations. Commissioner Oddo seconded. The motion passed 5-0.

Commissioner Gibbons moved to elect Commissioner Oddo as Chairman. Commissioner Oddo seconded. The motion failed 2-3, with Commissioner Hearn, Commissioner Maxwell, and Commissioner Rousseau voting in opposition.

Commissioner Hearn moved to elect Commissioner Maxwell as Chairman. Commissioner Maxwell seconded. The motion failed 2-3, with Commissioner Rousseau, Commissioner Gibbons, and Commissioner Oddo voting in opposition.

Commissioner Maxwell moved to elect Commissioner Hearn as Chairman. Commissioner Hearn seconded. The motion failed 2-3, with Commissioner Rousseau, Commissioner Gibbons, and Commissioner Oddo voting in opposition.

Mr. Davenport re-opened the floor for nominations for Chairman for the third time.

Commissioner Edward Gibbons nominated Commissioner Charles Oddo as Chairman.

Commissioner Eric Maxwell nominated Commissioner Lee Hearn as Chairman.

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

Commissioner Gibbons moved to elect Commissioner Oddo as Chairman. Commissioner Oddo seconded. The motion failed 2-3, with Commissioner Hearn, Commissioner Maxwell, and Commissioner Rousseau voting in opposition.

Commissioner Maxwell moved to elect Commissioner Hearn as Chairman. Commissioner Hearn seconded. The motion failed 2-3, with Commissioner Rousseau, Commissioner Gibbons, and Commissioner Oddo voting in opposition.

Mr. Davenport re-opened the floor for nominations for Chairman for the fourth time.

Commissioner Edward Gibbons nominated Commissioner Charles Oddo as Chairman.

Commissioner Eric Maxwell nominated Commissioner Lee Hearn as Chairman.

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

Commissioner Gibbons moved to elect Commissioner Oddo as Chairman. Commissioner Oddo seconded. The motion failed 2-3, with Commissioner Hearn, Commissioner Maxwell, and Commissioner Rousseau voting in opposition.

Commissioner Maxwell moved to elect Commissioner Hearn as Chairman. Commissioner Hearn seconded. The motion passed 4-1, with Commissioner Rousseau voting in opposition.

Election of Board Vice-Chairman for the year 2021.

Commissioner Oddo nominated Commissioner Gibbons as Vice Chairman.
Commissioner Maxwell nominated Commissioner Oddo and Commissioner Rousseau as Vice Chairman.
Commissioner Oddo respectfully declined the Vice Chairman nomination.
Commissioner Rousseau respectfully declined the Vice Chairman nomination.
Commissioner Maxwell moved to close the floor for nominations. Commissioner Oddo seconded. The motion passed 5-0.

Chairman Hearn moved to elect Commissioner Gibbons as Vice Chairman. Commissioner Gibbons seconded. The motion passed 4-1, with Commissioner Rousseau voting in opposition.

OFFICIAL SESSION:

Invocation and Pledge of Allegiance by Commissioner Edward Gibbons

Commissioner Edward Gibbons offered the Invocation and led the Pledge of Allegiance.

Acceptance of Agenda

Vice Chairman Gibbons moved to accept the agenda. Commissioner Maxwell seconded. The motion passed 5-0.

PROCLAMATION/RECOGNITION:

1. Recognition of the Fayette County 8th Annual Merry Door Decorating Contest winners.

County Administrator Steve Rapson recognized the Tax Assessor's Office for winning third place. He presented the Administration Office as the second-place winners and the Purchasing Department as the first-place winners with trophies.

PUBLIC HEARING:

PUBLIC COMMENT:

CONSENT AGENDA:

Vice Chairman Gibbons moved to approve the Consent Agenda as written with the exception of items #6, for discussion. Commissioner Maxwell seconded. The motion passed 5-0.

- 2. Approval of Resolution 2021-01: Resolution of the Fayette County Commissioners Pledge to Citizens and County Staff on Core Values and Beliefs.**
- 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 of the December 10, 2020 Board of Commissioners Meeting Minutes.

Vice Chairman Gibbons moved to approve the December 10, 2020 Board of Commissioners Meeting Minutes. Commissioner Maxwell seconded. The motion passed 4-0-1, with Chairman Hearn abstaining because he was not in attendance at the December 10, 2020 Board Meeting.

OLD BUSINESS:

7. Consideration of the appointment of an elected official, or their designee, to the Transportation Committee with a term beginning January 1, 2021. This item was tabled at the December 10, 2020 Board of Commissioners meeting.

Commissioner Rousseau moved to appoint Chairman Hearn to the Transportation Committee with a term beginning immediately through March 31, 2022. Commissioner Maxwell seconded. The motion passed 5-0.

NEW BUSINESS:

Vice Chairman Gibbons recused himself from discussion of item #8 because he is a partial property owner in the item being considered. Vice Chairman Gibbons left the Public Meeting room during the discussion.

8. Consideration of Resolution 2021-02; Deannexation Agreement for the deannexation of 3.78 acres from the Town of Tyrone.

Commissioner Oddo moved to approve Resolution 2021-02; Deannexation Agreement for the deannexation of 3.78 acres from the Town of Tyrone. Commissioner Maxwell seconded. The motion passed 4-0-1.

Vice Chairman Gibbons returned to the Board Meeting.

9. Consideration of the Planning Commission Selection Committee's recommendation to the reappoint Danny England to the Planning Commission for a term beginning January 1, 2021 and expiring December 31, 2023.

Vice Chairman Gibbons moved to approve the Planning Commission Selection Committee's recommendation to the reappoint Danny England to the Planning Commission for a term beginning January 1, 2021 and expiring December 31, 2023. Commissioner Oddo seconded. The motion passed 5-0.

10. Consideration of the Planning Commission Selection Committee's recommendation to the appoint James Oliver to the Planning Commission to fill an unexpired term expiring December 31, 2021 and the subsequent term beginning January 1, 2022 and expiring December 31, 2024 per County Policy 100.19; Board Appointment.

Commissioner Oddo moved to approve the Planning Commission Selection Committee's recommendation to the appoint James Oliver to the Planning Commission to fill an unexpired term expiring December 31, 2021 and the subsequent term beginning January 1, 2022 and expiring December 31, 2024 per County Policy 100.19; Board Appointment. Vice Chairman Gibbons seconded. The motion passed 5-0.

11. Consideration of the Zoning Board of Appeals Selection Committee's recommendation to the reappoint Marsha Hopkins to the Zoning Board of Appeals for a term beginning January 1, 2021 and expiring December 31, 2023.

Commissioner Oddo moved to approve the Zoning Board of Appeals Selection Committee's recommendation to the reappoint Marsha Hopkins to the Zoning Board of Appeals for a term beginning January 1, 2021 and expiring December 31, 2023. Vice Chairman Gibbons seconded. The motion passed 5-0.

12. **Consideration of a recommendation from the Selection Committee, comprised of Commissioner Eric Maxwell and Commissioner Edward Gibbons, to appoint Luis Matta to the Joint Development Authority of Coweta, Fayette and Meriwether to serve a term beginning December 15, 2020 and expiring December 14, 2024.**

Commissioner Maxwell moved to approve to appoint Luis Matta to the Joint Development Authority of Coweta, Fayette and Meriwether to serve a term beginning December 15, 2020 and expiring December 14, 2024. Vice Chairman Gbbons seconded. The motion passed 5-0.

13. **Consideration of the approval to transfer \$323,927 (\$250,427 plus \$73,500) from 2017 SPLOST transportation contingency to the Brogdon & New Hope Roads intersection improvement (17TAM) and award of Bid #1894-B to McLeRoy, Inc. for construction of a roundabout in the amount of \$1,225,364.86.**

Vice Chairman Gibbons moved to approve to transfer \$323,927 (\$250,427 plus \$73,500) from 2017 SPLOST transportation contingency to the Brogdon & New Hope Roads intersection improvement (17TAM) and award of Bid #1894-B to McLeRoy, Inc. for construction of a roundabout in the amount of \$1,225,364.86. Commissioner Maxwell seconded. The motion passed 5-0.

14. **Consideration of staff's recommendation to award Bid # 1885-B: 2017 SPLOST; Stormwater Category II, Tier II; Brockton Court Culvert Replacement to the lowest responsive, responsible bidder, Williams Contracting Company LLC, in the amount of \$272,200.00 and approval to reallocate \$307,633 from the General Stormwater Contingency to project 17SAT.**

Vice Chairman Gibbons moved to approve staff's recommendation to award Bid # 1885-B: 2017 SPLOST; Stormwater Category II, Tier II; Brockton Court Culvert Replacement to the lowest responsive, responsible bidder, Williams Contracting Company LLC, in the amount of \$272,200.00 and approval to reallocate \$307,633 from the General Stormwater Contingency to project 17SAT. Commissioner Oddo seconded. The motion passed 5-0.

ADMINISTRATOR'S REPORTS:

- A. **Contract #930-P: Preliminary Engineering for Redwine Road Multi-Use Path Supplemental #3: Construction Inspection**
- B. **Bid #1865-B: Playground Shade Structures**

ATTORNEY'S REPORTS:

Notice of Executive Session: County Attorney Dennis Davenport stated that there were six items for involving property acquisition, four items involving threatened, one involving pending litigation and the review of the Executive Session minutes for December 10, 2020.

COMMISSIONERS' REPORTS:

Commissioner Maxwell, Vice Chairman Gibbons, Commissioner Oddo, Commissioner Rousseau and Chairman Hearn made comments.

EXECUTIVE SESSION:

Six items for involving property acquisition, four items involving threatened, one involving pending litigation and the review of the Executive Session minutes for December 10, 2020. Commissioner Oddo moved to go into Executive Session. Vice Chairman Gibbons seconded. The motion passed 5-0.

The Board recessed into Executive Session at 7:33 p.m. and returned to Official Session at 7:48 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. The motion passed 5-0.

Approval of the December 10, 2020 Executive Session Minutes: Vice Chairman Gibbons moved to approve the December 10, 2020 Executive Session Minutes. Commissioner Oddo seconded the motion. The motion passed 4-0-1, Chairman Hearn abstained because he was not in attendance at the December 10, 2020 Board Meeting.

ADJOURNMENT:

Commissioner Gibbons moved to adjourn the January 14, 2021 Board of Commissioners meeting. Commissioner Oddo seconded the motion. The motion passed 5-0.

The January 14, 2021 Board of Commissioners meeting adjourned at 7:55 p.m.

Marlena M. Edwards, Chief Deputy County Clerk

Lee Hearn, Chairman