

BOARD OF COUNTY COMMISSIONERS

Lee Hearn, Chairman
Edward Gibbons, Vice Chairman
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

MINUTES

April 8, 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.

Call to Order

Chairman Lee Hearn called the April 8, 2021 Board of Commissioners meeting to order at 6:30 p.m. A quorum of the Board was present. Commissioner Charles Rousseau attended the meeting virtually via Microsoft Teams as allowed during the pandemic.

Invocation and Pledge of Allegiance by Commissioner Eric Maxwell

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

Acceptance of Agenda

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

PROCLAMATION/RECOGNITION:

PUBLIC HEARING:

PUBLIC COMMENT:

CONSENT AGENDA:

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

- 1. Approval of staff's recommendation to ratify an emergency procurement through Contract #1861-S, Change Order #3, for enhancements to the audio-visual systems in various court rooms in the amount of \$25,841.20 and to authorize the transfer of this amount from General Fund Project Contingency to Project #212AB for this purpose.**
- 2. Approval of staff's recommendation to ratify an emergency procurement through Contract #1955-A, Justice Center Holding Cells Toilet Replacement for eight (8) toilet fixtures in the holding cells at the Justice Center in the amount of \$46,037.00 and to authorize the transfer of this amount from General Fund Project Contingency to 213AR for this purpose.**
- 3. Approval of the March 25, 2021 Board of Commissioners Meeting Minutes.**

OLD BUSINESS:

NEW BUSINESS:

4. **Consideration of staff's recommendation to accept the 2019 Transportation Improvement Program (TIP) grant award for the PE phase in the amount of \$265,029 for the Realignment of SR 279 at Corinth Road, transportation SPLOST project 17TAD, execute the Project Framework Agreement and associated documents and for staff to seek additional federal funds from the Atlanta Regional Commission.**

Public Works Director Phil Mallon stated that this project had a long history and began in May of 2017 when the Board agreed to apply for funding to study the Realignment of SR 279 at Corinth Road and developed what is similar to a Georgia Department of Transportation (GDOT) concept report. Mr. Mallon stated that in 2019 the Board approved to apply for funding/aid for the Realignment of SR 279 at Corinth Road project. He added that funding for the Realignment of SR 279 at Corinth Road was awarded. Mr. Mallon stated that what was before the Board today was the Georgia Department of Transportation (GDOT) Project Framework Agreement which was the contract that stated that the Georgia Department of Transportation (GDOT) would provide eighty (80%) percent for the design or PE phase and Fayette County would pay the matching twenty (20%) percent. Mr. Mallon stated that this item would provide Board approval to execute the Project Framework Agreement and associated documents, provide Board permission to accept funding; and approval for staff to seek additional federal funds from the Atlanta Regional Commission.

Commissioner Oddo asked for a brief overview of the Realignment of SR 279 at Corinth Road project.

Mr. Mallon stated that this was a very significant project that was developed as a result of a multi-year analysis of State Route 279. Mr. Mallon stated the intent of the project was to align State Route 279 at State Route 85 with Corinth Road. Mr. Mallon stated that the goal was to provide a better and more efficient way for individuals to move in the northwest direction. Mr. Mallon stated in reviewing the concept map with the Board that the Realignment of SR 279 at Corinth Road project would have impacts on several homes. Mr. Mallon stated this had been mentioned in the past while developing the project, but he wanted to reiterate this point both for the Board and for the public to be aware. Mr. Mallon stated that the project would involve possibly the elimination of one traffic signal and the modification of the existing traffic signal at Corinth Road and construction of new road to tie the two roadways together.

Commissioner Maxwell expressed his concern for the homes that would be impacted by this project. Commissioner Maxwell asked if the citizens who lived in the area were aware of the proposed project.

Mr. Mallon stated that while the corridor study was being conducted in 2019, an extensive community outreach was conducted to ensure homeowners were informed of the proposed project. Mr. Mallon stated that once the contract starts Fayette County would be mandated by Georgia Department of Transportation (GDOT) to conduct extensive public meetings both face-to-face and virtually to ensure that the citizens in that community are informed of the pending project at the earliest opportunity.

Commissioner Maxwell reiterated his concerns for the homeowners who would be affected by the Realignment of SR 279 at Corinth Road project.

Mr. Mallon stated that public input would be requested from the community to help steer the final design of the Realignment of SR 279 at Corinth Road project.

Commissioner Rousseau concurred with Commissioner Maxwell's thoughts stating that he would encourage extensive community outreach to ensure homeowners were informed of the pending project and to garner their concerns, input, and/or objections.

Commissioner Oddo advised as clarification that the Fayette County Public Works Department had worked on several projects in the past where community outreach was conducted, and input was gathered. He wanted to acknowledge that although he understood why outreach for the Realignment of SR 279 at Corinth Road project was being emphasized, he wanted the public to be aware that this was a practice they typically follow.

Chairman Hearn reiterated the need for communication and outreach, be it letters and signage, for the homeowners who would be affected by the Realignment of SR 279 at Corinth Road project.

Vice Chairman Gibbons moved to approve to accept the 2019 Transportation Improvement Program (TIP) grant award for the PE phase in the amount of \$265,029 for the Realignment of SR 279 at Corinth Road, transportation SPLOST project 17TAD, execute the Project Framework Agreement and associated documents and for staff to seek additional federal funds from the Atlanta Regional Commission. Commissioner Oddo seconded. The motion passed 5-0.

- 5. Consideration of staff's recommendation to accept the 2019 Transportation Improvement Program (TIP) grant award for the PE phase for the FY 2022 Fayette County Resurfacing SPLOST project FA-100C, execute the Project Framework Agreement (PFA) and associated documents with GDOT, and for staff to seek additional federal funds for the construction phase.**

Mr. Mallon stated that this item was a grant from the Atlanta Regional Commission (ARC). He stated that this was a simple resurfacing project of nine different roads totaling a little over 12 miles. Mr. Mallon stated that this was the County's fourth (4th) federal aid resurfacing program, he continued stating that like previous projects the County teamed up with the cities. He stated that this project included two (2) Fayette County roads the 85 Connector and New Hope Road; two (2) roads in the City of Fayetteville: Jimmie Mayfield Boulevard and South Jeff Davis Road; four (4) roads in Peachtree City: Huddleston Road, Kelley Road, McIntosh Trail, and Ebenezer Road; and one (1) road in the Town of Tyrone: Dogwood Trail. Mr. Mallon stated that the request was asking for approval to execute the Project Framework Agreement (PFA) and associated documents with GDOT, permission for staff to seek additional federal funds for the construction phase, and Board permission to accept grant funding.

Vice Chairman Gibbons moved to approve to accept the 2019 Transportation Improvement Program (TIP) grant award for the PE phase for the FY 2022 Fayette County Resurfacing SPLOST project FA-100C, execute the Project Framework Agreement (PFA) and associated documents with GDOT, and for staff to seek additional federal funds for the construction phase. Commissioner Oddo seconded. The motion passed 5-0.

- 6. Consideration of staff's recommendation to approve a \$405,540.17 LMIG application to Georgia Department of Transportation (GDOT) for federal off-system safety program funds and a budget transfer up to \$70,662.05 from contingency to the Road Department to cover the local match requirement for the grant.**

Mr. Mallon stated that this item was a grant acceptance item. Mr. Mallon stated that the Georgia Department of Transportation's (GDOT) Local Maintenance & Improvement Grant (LMIG) program was designed specifically to help local governments with safety improvements. Mr. Mallon stated that the County had this opportunity in the past and had used it. He stated that this year the Georgia Department of Transportation's (GDOT) Local Maintenance & Improvement Grant (LMIG) program was only being sent to counties and not cities. Mr. Mallon stated that Georgia Department of Transportation's (GDOT) Local Maintenance & Improvement Grant (LMIG) program conducted a data analysis which determined higher risk roads with higher-than-average crash rates. Mr. Mallon stated that the program outlined that the funds could only be used on specific roads and only for striping, reflective pavement markers (RPMs), signs, and rumble strips. Mr. Mallon stated that upon reviewing the listing of the specified roads it was determined that several of the roads were in the process of being done or about to be done under another project. He added that of the roads that could be done it was determined that they extended cities - the Town of Brooks, the City of Fayetteville, and the Town of Tyrone. Mr. Mallon stated that as a part of the agenda he was asking staff to seek the full amount of about \$405K. Mr. Mallon stated that currently the amount he knows could be approved was the lesser amount of \$220K, with \$50,770 being the

County's local match. Mr. Mallon stated that one item that had yet to be decided was if the County would cover the local match for the work that would be conducted within the city limits for the various municipalities.

Chairman Hearn stated that after discussion with Mr. Mallon and weighing the critical timeline with the minimal cost he recommended providing the required match for the cities, this would eliminate the need for Intergovernmental Agreements (IGA) and ensure the project moved forward.

County Administrator Steve Rapson stated for clarification that an Intergovernmental Agreement (IGA) would still be needed from each respective city to gain approval to come into their jurisdiction. Mr. Rapson stated that he was certain the County would receive approval if the County was paying the required local match, but the Intergovernmental Agreement (IGA) would need to be in place.

Mr. Mallon stated that the County would be providing the Georgia Department of Transportation's (GDOT) Local Maintenance & Improvement Grant (LMIG) program with an additional list of roads within the County that met the outlined criteria for their review. Mr. Mallon stated that the cities may also want to provide a list of roads; with this in mind the cities would be responsible with providing the local match for the additional roads, if approved.

Vice Chairman Gibbons moved to approve a \$405,540.17 LMIG application to Georgia Department of Transportation (GDOT) for federal off-system safety program funds and a budget transfer up to \$70,662.05 from contingency to the Road Department to cover the local match requirement for the grant. Commissioner Oddo seconded.

Commissioner Rousseau asked as clarification if the \$70K mentioned in the motion was the municipalities portion.

Vice Chairman Gibbons stated that, "that was correct".

Commissioner Rousseau asked if the provision that any additional roads would be covered by the respective city needed to be added to the motion or was the current motion sufficient.

Mr. Rapson stated that the current motion was sufficient and reiterated that the \$70K was a budget transfer from contingency to the Road Department to cover the local match requirement for the grant. Mr. Rapson stated that if any adjustments were needed they would be reflected in an Intergovernmental Agreement (IGA) with the respective city and would be brought before the Board for review and approval.

Commissioner Rousseau asked as clarification what was the portion of the local match that the County would be covering for the cities.

Mr. Rapson stated that based upon what we currently know the amount the County would be covering for the three cities - the Town of Brooks, the City of Fayetteville, and the Town of Tyrone combined was \$15,307.

Commissioner Rousseau stated that he agreed that \$15K was a "drop in the bucket" but added that he would like the amount the County covered for the municipalities to be reflected so that the public was aware, Commissioner Rousseau asked for a friendly amendment to the motion to reflect that.

Vice Chairman Gibbons amended his motion to approve a \$405,540.17 LMIG application to Georgia Department of Transportation (GDOT) for federal off-system safety program funds and a budget transfer up to \$70,662.05 from contingency to the Road Department to cover the local match requirement for the grant; if any additional roads requested by the cities outside the original list provided in the LMIG application, the respective City would be responsible for one hundred percent (100%) of the local match. Commissioner Oddo amended his seconded. The motion passed 5-0.

ADMINISTRATOR'S REPORTS:

Selection Committees

Mr. Rapson advise the Board that a selection committee was needed for the Region Six Mental Health, Developmental Disabilities, and Addictive Diseases (MHDDAD) Regional Advisory Council.

Commissioner Oddo moved to nominate Commissioner Rousseau and Vice Chairman Gibbons to serve on the Region Six Mental Health, Developmental Disabilities, and Addictive Diseases (MHDDAD) Regional Advisory Council. Commissioner Maxwell seconded. The motion passed 5-0.

Mr. Rapson advise the Board that a selection committee was needed for the Fayette County Board of Family and Children Services (DFACS).

Commissioner Oddo moved to select Chairman Hearn and Commissioner Gibbons to serve on the Fayette County Board of Family and Children Services. Commissioner Maxwell seconded. The motion passed 5-0.

Hot Project

County Administrator Steve Rapson advised the Board that an updated "Hot Projects" listing was sent out via email to the Board to keep them abreast of the status of various projects throughout the county. He highlighted the Kenwood Road culvert replacement, Mercedes Trail culvert replacement, and Fire Station #2.

Governor Kemps Executive Order Update

Mr. Rapson advised the Board that the Governor's Executive Order that instituted the social distancing requirements, the ban of gatherings of more than fifty people unless six feet between each person and mandatory criteria for businesses had lapsed effective April 8, 2021. He added that from a County perspective this meant that the four (4) high-risk County employees, still sheltering-in-place were approved to return to work. Mr. Rapson stated that the County would still conduct temperature checks as a measure of cautions and security and to work in harmony with practices being conducted via the Courts at the Justice Center. Mr. Rapson stated that the Public Health State of Emergency was still in place through April 30, 2021 which allowed for the virtual meetings provision for scheduled Commission meetings and other public meetings/hearings.

ATTORNEY'S REPORTS:

Notice of Executive Session: County Attorney Dennis Davenport stated there were three items for executive session. There was one item of pending litigation, one item of real estate acquisition, and the review of the March 25, 2021 Executive Session Minutes for consideration in Executive Session.

COMMISSIONERS' REPORTS:

Vice Chairman Gibbons

Vice Chairman Gibbons stated that he had received his first COVID-19 vaccine last month and wanted to congratulate and commend the Fayette County Public Health Department and Fayette County Fire and Emergency Management for a smooth and organized operation.

Commissioner Oddo

Commissioner Oddo advised the public that although the deadline for their federal income tax filing was extended to May 17, 2021, the deadline for estimates for the first quarter was still next Thursday April 15, 2021.

EXECUTIVE SESSION:

One item of threatened litigation, one item of real estate acquisition, and the review of the March 25, 2021 Executive Session Minutes for consideration in Executive Session. 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 7:17 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 March 25, 2021 Executive Session Minutes: Commissioner Oddo moved to approve the March 25, 2021 Executive Session Minutes. Vice Chairman Gibbons seconded the motion. The motion passed 4-0-1.

ADJOURNMENT:

Commissioner Oddo moved to adjourn the April 8, 2021 Board of Commissioners meeting. Commissioner Maxwell seconded the motion. The motion passed 5-0.

The April 8, 2021 Board of Commissioners meeting adjourned at 7:17 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 20th day of April 2021

Referenced attachments are available upon request at the County Clerk's Office.

Marlena Edwards, Deputy County Clerk