

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

May 13, 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 May 13, 2021 Board of Commissioners meeting to order at 6:30 p.m. A quorum of the Board was present.

Invocation and Pledge of Allegiance by Chairman Lee Hearn

Chairman Lee Hearn 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 Gibbons seconded. The motion passed 5-0.

PROCLAMATION/RECOGNITION:

- 1. Recognition of Katye Vogt and Anita Godbee for completion of the Association County Commission of Georgia County Official Certification program.**

County Administrator Steve Rapson, on behalf of the Board, acknowledged Fayette County 911 Communications Director Katye Vogt and Fayette County Parks and Recreation Anita Godbee for completion of the Association County Commission of Georgia County Official Certification program.

- 2. Recognition of Vice Chairman Edward Gibbons for completion of the Association County Commission of Georgia CORE Certification program.**

County Administrator Steve Rapson, on behalf of the Board, acknowledged Vice Chairman Edward Gibbons for completion of the Association County Commission of Georgia CORE Certification program.

PUBLIC HEARING:

PUBLIC COMMENT:

Susan Sampson of Fayetteville stated that she felt the Board was in a rush to vote on how the American Rescue Plan funds should be distributed in Fayette County. Mrs. Sampson stated that in reviewing the American Rescue Plan she did not feel that the disbursement plan proposed by Fayette County appropriately followed the guidelines and requirements nor did it address the actual needs of county residents who had been adversely affected by the COVID-19 Pandemic. Mrs. Sampson stated that she

understood that Fayette County had absorbed some extra cost due to the Pandemic; but felt that most of the funds received via the American Rescue Plan should be used to directly help the people and businesses that were sorely affected over the last year. She continued stating that she did not feel funding project that had already been planned and could be funded via taxpayer dollars was the most beneficial way to use the American Rescue Plan funding. Mrs. Sampson stated that she felt there should be public education regarding the American Rescue Plan and public comment on how the County planned to use the funding. Mrs. Sampson ended her comments encouraging the Board to consider a period of public involvement regarding how the County planned to use the American Rescue Plan funding, stating that "it's the right thing to do."

Angela Bean of Fayetteville thanked the Board for their efforts and started that she understood how difficult it may be for the Board to appropriately use the \$22M provided via the American Rescue Plan. Ms. Bean stated that she appreciated Commissioner Rousseau asking to table the initial decision on how to use the funds received via the American Rescue Plan at the Special Called Meeting held on May 6, 2021. She stated that this allowed time for more consideration from not only the Board but also from the citizens. Ms. Bean stated that at the previous Special Called meeting there was a lot of citizens in attendance requesting to remove the purchase of Smart meters for the Fayette County Water System from the American Rescue Plan disbursement proposed by Fayette County. Ms. Bean stated that many in attendance had a lot of question regarding the Smart meters. She continued stating that there had been no public forums or outreach session to educate county residents on the new Smart meters. Ms. Bean stated that she wanted to know the economic merit of the new Smart meters and also wanted to ensure that this new infrastructure would not end up costing customers more money than the meters that were currently in place. Ms. Bean reiterated comments Ms. Dawn Oparah noted in a letter in the Citizen newspaper, she stated that the GFCRA encouraged those who received federal funds to take "adequate time to carefully consider all alternatives for the prudent use of the American Rescue Plan funding, prior to committing resources to ensure the best use of the temporary funding." Ms. Bean asked the Board "are we taking adequate time, what is the rush on this decision?" Ms. Bean stated that Ms. Oparah also noted in her letter that Mr. Rapson stated that the Board had voted not to provide funding to non-profits and said that "he could not recommend spending these funds on non-budgeted line items." Ms. Bean asked if there was a budget line item to subsidize the Fayette County Water System project. Ms. Bean reiterated her concern with using the funding appropriately and not creating a burden on the Fayette County Water System customers because there were so many unknowns regarding the Smart meters. Ms. Bean stated that she loved the other projects outlined in the American Rescue Plan disbursement proposed by Fayette County, but suggested waiting on the Smart meter funding allowing time for consideration and citizen input.

Heidi Danis of Fayetteville stated to the Board that the \$22M Recovery Act funds from the federal government to Fayette County government was intended to help the citizens recover from the problem created by the COVID-19 virus and not to be spent on special projects selected by the Board of Commissioners with their own personal agendas such as the Smart meters, which had nothing to do with citizens needs following the devastation of the COVID-19 Pandemic. Ms. Danis stated that the projects outlined in the disbursement plan proposed by Fayette County should instead be planned and included in the County's budget. Ms. Danis stated that the Recovery Act funds should not be misused and taken from the recovery needs of Fayette County citizens. Ms. Danis stated that she was shocked and appalled when she learned what the funds would be used for and stated that the speed at which these decisions were being made was questionable. Ms. Danis stated that she recalled Commissioner Rousseau's comments at the previous Board Meeting, when he stated that he had only "received the 60-paged proposal two hours prior" to the May 6, 2021 Special Called Meeting which she noted did not include public comments on the agenda. Ms. Danis stated that the strategy the Board was using to decide on the distribution of the Recovery Act funds did not look good on the Board from her point of view. Ms. Danis stated that there were three organizations [among others] including the United Way that had offered to help and were qualified and able to administer recovery aid to citizens. Ms. Danis stated that the federal government encouraged supporting non-profit organizations that served the public's needs. Ms. Danis stated that the Board should allocate the Recovery Act funds responsibly to assist citizens with rent, food, healthcare and small businesses. Ms. Danis urged the Board to be good stewards of the monies they were privileged to distribute and encouraged them to, "do the right thing."

Margaret Ross of Peachtree City stated that she was a Fayette County resident and a technology professional. Ms. Ross expressed her opposition to the disbursement plan proposed by Fayette County, specifically the Smart meters. Ms. Ross stated that in her world [in the tech industry] a smart device was context aware, capable of performing autonomous computing 24/7, able to connect to other systems by either wire or wirelessly and do continual data exchange. Ms. Ross stated that when hackers both

internal and external win they cause negative consequences in the real world. Ms. Ross stated that in recent years hackers had gained control of cars, trains, grids, etc. Ms. Ross stated that the recent data breach at Colonial Pipeline that occurred in Georgia directly affected citizens of Fayette County, she continued stating that “hacking had real world consequences.” Ms. Ross highlighted the increased “hacking” risk that the new Smart meters could have on the 32,000 Fayette County Water System customers. Ms. Ross stated that the decision to purchase the Smart meters was an avoidable risk that should not be taken lightly or in a rush. Ms. Ross suggested that the Board do their “due diligence” as it related to the Smart meters. She continued stating that there were still unanswered questions and urged the Board to take the time to get the answers to all the questions, such as where the independent security audit was or the system penetration audit from counties that currently have the Smart meters in place. Ms. Ross stated that because water was a such critical part of Fayette County infrastructure, she felt that citizens should have an opportunity to vote on this type of decision and that it should be included on a ballot. Ms. Ross asked about a Full-time cyber security expert with an advanced degree specializing in utilities, because utility security was its own unique sub-domain. Ms. Ross encouraged the Board to press pause on the decision to purchase the Smart meters.

Candice Serafin of Peachtree City stated that she learned that the Fayette County Water Committee recently asked to take off \$2M from its budget, which was \$11M now being reduced to \$9M. Ms. Serafin stated that after conversation with members of the Water Committee she found out they were looking into going with the Badger [smart] meter. Ms. Serafin stated according to her research after reviewing the Badger [smart] meter website and reaching out to various customers she determined that \$300 per meter times the 32,000 Fayette County Water System customers the cost of the new Smart meters would be \$9.6M. Ms. Serafin noted that based on the recent budget reduction request all the Fayette County Water System would have money for were the Smart meters. Ms. Serafin asked the Board where the rest of the money for infrastructure for the new Smart meters was would come from. Ms. Serafin reiterating concerns related to the potential of the Smart meters being hacked and the County being unable to access its water supply. Ms. Serafin stated that she determined that from the 32,000 Water System customers combined there would be about 46M pings per day, which would add to the radio frequency transmission output in the community which she worried about. Ms. Serafin asked the Board to take consideration of the Smart meters off the table. She added that she did not want her tax dollars going towards funding a system that was not broken. Ms. Serafin asked, “why was the Board trying to fix something that was not broken, in Fayette County.” Ms. Serafin conclude her comments stating that as a Peachtree City resident she paid \$170 annually for stormwater and stated that she would prefer some of those funds go to stormwater instead.

Hawa Elfayed of Fayetteville stated that the reason she wanted to address the Board was due to the extensive concerns that had begun to arise related to family dynamics and domestic violence issues that had been experienced during the COVID-19 Pandemic; as well as the mental health support that was being made available. Ms. Elfayed stated that as an economist she had frequently specialized in workforce economics and labor-force planning from that she understood that there was a direct correlation between the safety and security of children, women and other vulnerable members of society and economic opportunities in the community. Ms. Elfayed stated that she recognized that not-for-profit initiatives are deemed as not always meeting the direct and immediate needs of the community, however, there had been an influx of mental health issues that was not able to be addressed by the systems currently available as well as an overload on the Department of Family and Children Services (DFACS) and other organizations put in place to keep individuals safe. Ms Elfayed stated that the federal relief funds created an immense opportunity for new innovative solutions around how family dynamics were reestablished, how support was being offered, and how workforce development programs were created. Ms. Elfayed stated that these programs could help women and children become holistically well human beings and continue to be good stewards and in service of the community. Ms. Elfayed stated that she was asking that more consideration to be made to the type of programs that were directly available and the utilization of more technology within these programs. Ms. Elfayed stated that within her own foundation they had been able to implement an immense amount of technology solutions that was creating a bridge in the gap of accessibility. She continued asking that these issues be considered moving forward. Ms. Elfayed stated that she knew that the safety and security of all members of the community was of critical importance and when we neglect the implications of criminal justice issues that can be on the up tic during these types of crisis [a Pandemic]; we neglect to realize how it begins to impact those not as adversely affected by the crisis. Ms. Elfayed stated that it was important for all to understand that the community should work together collectively. She encouraged the Board to continue to look for ways to properly utilize economic development and workforce training to create support and a better pathway to mental health solutions.

Chandra Wright of Peachtree City stated as a point of reiteration that the “American Rescue Plan would provide \$350B in emergency funding for state, local, territorial and tribal governments to remedy the mismatch between rising cost and falling revenue... the Rescue Plan would provide needed relief to state, local, territorial and tribal governments to enable them to continue to support the public health response and lay the foundation for a strong and equitable economic recovery. In addition to helping these governments address their revenue losses as a result of the crises; these funds would help them cover the cost incurred due to responding to public health and emergency and help them provide support for recovery including through assistance to households, small businesses and non-profits, aid to impacted industries and support for essential workers. It would also provide resources for state, local, and tribal governments to invest in infrastructure including water, sewer and broadband service.” Mrs. Wright stated that as a woman of faith she appreciated that the Board Meeting began with a prayer and pointed out that Chairman Hearn asked God for guidance in making the right decision during his prayer over the Board meeting this evening. She continued stating that she felt troubled because most of the Board did not feel it was appropriate to vote to appropriate money to non-profits and that they did not see the need of Fayette County citizens who had been significantly affected by the COVID-19 Pandemic. She added that she was also troubled because the Board was not seeking more input from citizens and community leaders on how best to allocate the [relief act] funds. Mrs. Wright implored the Board to take the responsibility of distribution of the funds seriously and to invest in business that had been impacted, community healthcare workers and non-profits who were the frontline workers and were trying to help individuals recover. Mrs. Wright urged the Board to give the citizens of Fayette County more time to provide input and to take time to consider the unintended consequences of the decisions the Board would make.

John Jones of Fayetteville thanked the Board for their service to the community. Mr. Jones also offered the suggestion that speakers fill out the public speaking comment cards at different location other than the podium. Mr. Jones expressed his concern that that the Board needed to consider public input and involvement a priority. Mr. Jones briefly mentioned recent events that transpired at Kenwood Park in Fayetteville that resulted in the death of a young man. Mr. Jones stated that when the park was established years ago no consideration was given to the public on where the park would be located. He continued stated that they had no idea nor any desire for Kenwood Park to be placed in its current location. Mr. Jones stated that he was trying to tie the two topics together, he noted that when citizen input is not gathered on how funds are distributed unintended situation and consequences would occur. Mr. Jones implored the Board to be careful about how they decided to use the funds because the citizens were all watching. Mr. Jones concluded stating that he noticed an item on the agenda related to redistricting and urged the Board to ensure citizens were aware before any decisions were voted on.

Arthur Blevins of Fayetteville acknowledged that he understood the Board was facing difficult decisions and held very weighty responsibility. Mr. Blevins stated that he agreed with some of the comments made regarding the need to help businesses and the need to assist those struggling with mental health issues. Mr. Blevins stated that he also wanted to bring attention to educational needs. Mr. Blevins stated that as an educator of 23 years, the Board really needed to consider the student of Fayette County. He added that there was often discussion regarding the future and investing in it and now was the time to put “your money where your mouth is”. Mr. Blevins stated that education is one of the things that the Board really needs to consider dedicating funds to.

Jim Poff of Peachtree City stated that he was a new member of the Fayette County Water Committee and a previous Clayton County Water Authority employee and was in favor of the new Smart meters project. Mr. Poff provided four reasons he felt the Water Systems Smart meters was good project. Mr. Poff stated that AMI was a tried-and-true technology and was in service at many Water utilities across the globe. He added stating that mechanical meters were outdated and would gradually become obsolete. Mr. Poff stated that the mechanical meters had a shorter lifespan and under registered. He added that he was in favor of this project because: 1. The new Smart (AMI) meter would assist in regulating consumption mitigating water loss caused by the older under-registering/failing meters which showed water conservation and good water stewardship by the county. 2. The Smart (AMI) meter project was a good return on investment and would bring recovery on the apparent lost revenue of the under-registering meters. 3. The new Smart (AMI) meters would establish a system for the Water Department to charge a fair and equitable rate to all its water customers; and 4. The new Smart (AMI) meters would provide improvement in customer service, the biggest of which being that the new system would provide same day notifications to customers when a leak occurred allowing the customer to take immediate action to repair the leak.

Greg Clifton of Fayetteville expressed his appreciation of the Board and thanked them for their service. Mr. Clifton stated that he wanted to discuss the pending purchase of 203 Hewell Road by the County. Mr. Clifton stated that it was his understanding that the property had been approved for a purchase price of \$200K, but based on the Tax assessment [Mr. Clifton provided to the Board during the meeting] the value of the home was \$345K last year and the working evaluation for this year was \$378K. Mr. Clifton stated that via his research on the Zillow and Trulia websites the property estimated value was \$400K. Mr. Clifton stated that he felt it was unconscionable that the County would try and take the property at such a low price. Mr. Clifton stated that his parents had done a lot of good in Fayette County donating various pieces land to several agency and offices for the greater good of the community. Mr. Clifton urged the Board to please make a fairer offer for the property and at the least pay what the Tax Assessors Office assessed the property value at.

Randy Ognio of Fayetteville stated that in discussing the new Smart meters project he did not like the fact that the County would be subsidizing an Enterprise Fund. Mr. Ognio stated that the Fayette County Water System had a Water Committee that should make these types of decision then bring recommendations before the Board of Commissioners to approve. He added that he had not seen any minutes from the Water Committee with recommendations regarding the Smart meters. Mr. Ognio stated that he felt the monies could be better spent on infrastructure such as in replacing the waterlines in the Town of Brooks. Mr. Ognio stated in response to comments related to the new Smart meters providing a good return on investment, that in the public sector a good return on investment was usually two years or less. He added that the return on investment on this project would take much longer. Mr. Ognio stated that this was not the right thing to do with these funds. Mr. Ognio stated that he was aware that many citizens wanted the non-profits to receive funding but stated he did not know how the Board would pick and choose which non-profits to provide funding to because there were so many to choose from. Mr. Ognio stated that he knew the Board was in a tough position with this decisions but urged them not to purchase the Smart meters and fund infrastructure instead.

Dawn Oparah of Fayetteville stated that she felt the Board was moving very fast without receiving citizen input and without reviewing the American Rescue Plan in its entirety, which bothered her. Ms. Oparah stated that she was also concerned about the County's process of handling public issues. She added that during the budget review the County conducted budget hearings allowing public input and consideration. Ms. Oparah stated that she would like the Board to provide more time for public input before a decision was made. Ms. Oparah stated that the organization she worked for usually did not provide direct giving, but because the needs were so dire, they did provide funds which helped families in Fayette County stay in their homes. Ms. Oparah provided testimonials letters of three working families that found themselves in need because of the COVID-19 Pandemic, these letters showed how the funds the families received helped them pay for utilities and remain in their homes; and was greatly appreciated. Ms. Oparah reiterated that her organization normally did not provide direct services but did not want families to suffer because of the Pandemic.

Nick Gilberg of Fayetteville stated that he wanted to speak on behalf of the Southern Conservation Trust and American Rivers regarding the new Smart meter project and the improvement of infrastructure. Mr. Gilberg stated that Southern Conservation Trust and American Rivers was in favor of the new Smart metes and anything that helped conserve water and helped in finding water leaks they supported.

Michael Mumper of Fayetteville stated that there had been so many great comments made and that he appreciated everyone's input. Mr. Mumper stated that there was a lot of money included in the American Recovery Act Plan and the number one reason listed for County's was to respond to the Public Health emergency, with respect to the coronavirus disease or its negative economic impacts. Mr. Mumper stated that this included assistance to households, small businesses and non-profits or to aid impacted industries such as tourism, travel, and hospitality. Mr. Mumper stated that even though the American Recovery Act outlined the intent of the funds, Fayette County was deciding to distribute zero dollars to these services or industries. He added that instead the Board was deciding to spend \$9M on automated water meters which was an allowable expense. He added that the purchase of the new Smart meters was a great business decision but had nothing to do with the impact of the COVID-19 Pandemic. Mr. Mumper stated that he was deeply disturbed and expressed his frustration with the Board's decision.

Alice Jones of Fayetteville stated that she spoke with Mr. Rapson regarding the budget. She stated that she wrote the Board a letter as a result of her meeting with Mr. Rapson. From the comments made at the meeting, she agreed with not rushing to judgment and having to face consequences resulting from making decisions on the proposed plan that was presented. She

stated that her reason for speaking was that from last Thursday until now, Mr. Rapson gave her a revised allocation plan, that included moving \$2 million from the Water System's AMI project and putting an additional \$1 million into the Health Department building and \$1 million into the training facilities. She stated that rushing to move \$2 million out of one category and moving it to other categories, meant not much thought had been given to the plan. She could not figure out what caused the reconfiguration of funds to be moved from one category to the other one. She continued that Mr. Rapson mentioned that the package was so voluminous that it was difficult to comprehend, and he was still getting updates on the package. She stated that in all of the allowable uses of the ARPA funds it was not congruent to what was presented. Mrs. Jones stated that she appealed to the Board to table this discussion for the benefit of the citizens of the county. She urged the Board to re-read their value statement on the wall to make a sound decision.

County Administrator Steve Rapson stated that he could understand for a citizen's perspective that it appeared as though we were rushing to make a decision but from a staff perspective, all the projects had been discussed at length. The Advanced Meter Infrastructure project was first brought up in April 2017 and again in 2018 at the retreats. He stated that it was not a new topic. He stated that the Sheriff's training facility, the Fire & EMS training facility and the Health Department were discussed at the April 16, 2021 retreat. He stated that all four projects were on-going projects.

There was a mention of the alternative use of ARPA funding. Mr. Rapson stated that the workshops with the treasury department was giving the County direction on how to spend the funds. The wording associated with that was that the County needed to pay attention to what the federal government was doing as well as what we are doing locally with the money. He stated that under the U.S. Department of Homeland Security there was a food and shelter program that had \$40 million, under the Health and Human Services there was \$23.9 billion for emergency home assistance program; \$4.5 billion, head start program; \$1 billion and under the Housing and Urban Development there were rental assistance of \$5 billion, home investment partnership programs of \$5 billion and under the Department of Treasury there was an emergency rental assistance program of \$21.6 billion, home assistance of \$9.9 billion and state and local business credits of \$10 million. He stated that that there were four core services that staff was recommending that was part of the American Rescue Plan Act and was the best direction he had to-date.

Mr. Rapson continued that the questions about what AMI would look like was a hard question because we had not gone through the RFP (request for proposal). He stated that we had not picked the meter and the cyber security will be addressed and was part of the normal procurement process. He stated that many would be surprised to learn that the current meters have a radio antenna on them. Mr. Rapson stated that it was the same type of technology but a better meter. He stated that there would be two bursts from the meters, one at 6:00 a.m. and one at 6:00 p.m. daily. Mr. Rapson stated, in response to public comments, that the County did not have a stormwater utility. Stormwater utilities are collected through the cities. He stated that the County received an audit every year and there were no programs that the County would enter that was not in compliance with the law and regulations. If anything changed within the regulations, staff would come back to the Board and discuss the changes. He stated that the County had not raised water rates since 2019. This was not a backdoor effort to increase water rates. He stated that it would yield additional revenue.

Mr. Rapson stated that he did not think this was a subsidy because it was not money being sent to the General Fund. It was federal aid grant. The County does not use one-time revenue to balance the budget. He stated that we look at reoccurring revenue with reoccurring expenditures and that was how the budget was balanced. He stated that there were no tax dollars involved and this was not part of the budget process. He stated that in regard to the reallocation of the \$2 million from the Water System, that occurred from direction of the Board at the May 6, 2021 meeting.

CONSENT AGENDA:

Commissioner Oddo moved to accept the Consent Agenda except for item #4. Vice Chairman Gibbons seconded. The motion passed 5-0.

- 3. Ratification of emergency repair Contract #1968-S, Data Center HVAC Repair, to Estes Mechanical Services in the amount of \$19,092.00, and approval to transfer funds from CIP #191AG (Fire Suppression System for the Data Center) to pay for the repairs.**

- 4. Approval of staff's recommendation to award Contract #1861-S, , Change Order #4 to Sound Principles, Pro Multi Media, Inc. for additional cameras and connectivity to the Jail from Superior Court, and to enable live streaming for the State Court, in the amount of \$30,086.88, and to reallocate \$30,087.00 from General Fund Project Contingency to fund the Change Order.**

Mr. Rapson stated that originally this project was being funded from the General Fund Project Contingency, however he was notified by Fayette County Court Administrator Will Simmons that the State would provide a grant to fund this project. Mr. Rapson recommended the Board approval the item accepting the \$30K State funded grant as opposed to using the General Fund Project Contingency funds.

Vice Chairman Gibbons moved to approve to award Contract #1861-S, Change Order #4 to Sound Principles, Pro Multi Media, Inc. for additional cameras and connectivity to the Jail from Superior Court, and to enable live streaming for the State Court, in the amount of \$30,086.88, and to reallocate \$30,087.00 from General Fund Project Contingency to fund the Change Order, employing the \$30,087.00 received as a grant from the State. Commissioner Oddo seconded. The motion passed 5-0.

- 5. Approval of the April 16, 2021 Retreat Meeting Minutes.**
- 6. Approval of the April 20, 2021 Board of Commissioners Meeting Minutes.**

OLD BUSINESS:

- 7. Discussion of American Rescue Plan Act of 2021. This item was tabled at the May 6, 2021 Special Called Meeting of the Board of Commissioners.**

Mr. Rapson stated that the amendment presented to the Board was a total of \$2 million taken from the Water System. One million dollars (\$1 million) was allocated to the final build-out for the training facility for the Sheriff which was now at \$1,603,967 and another \$1 million added to the Health Department to co-locate the mental health services in that building.

Vice Chairman Hearn moved to approve the American Rescue Plan Act of 2021 funding as presented in "Exhibit A". Chairman Maxwell seconded.

Commissioner Maxwell stated that he did not wish to offend anyone that sent letters regarding the non-profits. He stated that he knew about the ARPA funds for about three or five months. He stated that he had received phone calls and emails asking what he was going to do. He stated that he received criticism that the Board was moving too fast, it was not moving too fast for him because the Board dealt with this type thing daily. He stated that there would be another act passed on infrastructure and he spoke with Board members and Mr. Rapson and said that the County needed to be ready with shovel-ready projects if this money was coming. He addressed some of the concerns mentioned during public comments. He stated that the recommendations were well thought out and that it will be money well spent.

Vice Chairman Gibbons stated that he supported non-profits. He stated that he and his wife are veterans, and she runs a non-profit in Fayette County called Healing for Heroes. He stated that they have both put in personal funds and committed their time and efforts to fund raising. Last year was tough on his wife's non-profit but she got through it and she still helped veterans. He stated that he was not voting against non-profits, he was voting for what he believed were good decision on the part of Fayette County.

Chairman Hearn stated that he supported the AMI project.

Vice Chairman Hearn moved to approve the American Rescue Plan Act of 2021 funding as presented in "Exhibit A". Chairman Maxwell seconded. The motion passed 4-1. Commissioner Rousseau voted in opposition.

NEW BUSINESS:

8. Consideration of Ordinance 2021-12 to provide for an advisory committee known as the Courthouse Task Force.

Mr. Rapson stated that what was before the Board was a request to establish the Courthouse Task Force. Mr. Rapson stated that the format used to create the Fayette County Transportation Committee would be used to establish the Courthouse Task Force. Mr. Rapson stated that this format used the ordinance to create the committee and established the committee for the purposes outlined at the County Retreat.

County Attorney Dennis Davenport stated that the biggest difference between this taskforce and a typical committee established by the Board was that the Courthouse Task Force would be in place for a temporary basis. Once Task Force fulfilled its desired purpose to provide recommendation to the Board of Commissioners and the Board accepts the recommendation, the acceptance of the recommendation would in turn dissolve the Task Force.

Vice Chairman Gibbon stated as a point of clarification that the membership of the Task Force was outlined in the Courthouse Task Force ordinance. He continued stating the Board was not only approving the ordinance which would implement the taskforce but also the taskforce membership requirements.

Vice Chairman Gibbons moved to approve Ordinance 2021-12 to provide for an advisory committee known as the Courthouse Task Force. Commissioner Oddo seconded. The motion passed 5-0.

9. Consideration of Resolution 2021-06 for the purpose that a 5.797-acre parcel of land located in land lot 29 of the 6th land district of Fayette County be disposed of through conveyance to Peachtree City in the amount of \$468,000.

Mr. Rapson stated that this was the last piece of the pie to complete the transaction between the County and the City of Peachtree City regarding relocating the Fayette County Animal Control and them purchasing the existing property. He added that this also would put the lease agreement in place while the new Animal Control facility was being built.

Commissioner Oddo moved to approve Resolution 2021-06 for the purpose that a 5.797-acre parcel of land located in land lot 29 of the 6th land district of Fayette County be disposed of through conveyance to Peachtree City in the amount of \$468,000. Vice Chairman Gibbons seconded the motion passed 5-0.

10. Consideration of staff's recommendation to reallocate \$454,550 from the Antioch Road and Goza Road Intersection project (2004 SPLOST I-13) and assign to Veterans Parkway (2004 SPLOST R-5) for installation of water infrastructure within the road's right-of-way.

Public Works Director Phil Mallon stated that this item involved the 2004 SPLOST of which there was still a substantial amount of money left that they were working on. Mr. Mallon stated that there were two things he wanted the Board to be aware of. The first was that this request was asking to transfer funds from the Antioch Road and Goza Road project [depicted in the May 13, 2021 agenda packet] that had originally been funded as a roundabout but had remained as an all-way stop. Mr. Mallon continued stating that the second point was that a need had arisen to extend the waterline at Veterans Parkway, the project would extend two existing waterlines connecting them forming a loop to provide service to some of the undeveloped land in the area.

In summary Mr. Mallon stated that the request was two-fold: 1. reallocate the funds from the Antioch Road and Goza Road project to the waterline extension project at Veterans Parkway and 2. approval of the waterline extension project at Veterans Parkway.

Vice Chairman Gibbons moved to approve to reallocate \$454,550 from the Antioch Road and Goza Road Intersection project (2004 SPLOST I-13) and assign to Veterans Parkway (2004 SPLOST R-5) for installation of water infrastructure within the road's right-of-way. Commissioner Oddo seconded. The motion passed 5-0.

11. Consideration of a letter from the Board of Commissioners to the Fayette County Legislative Delegation regarding redistricting within the county based on the 2020 decennial census.

Dennis Davenport stated that this item was a byproduct of the 2020 decennial census. He continued stating that based upon the local act that was adopted in 2016/2017 to place Fayette County Board of Commissioner seats into four districts with one district county-wide seat. He continued stating that those districts had to be reviewed after each census. Mr. Davenport stated that typically the following March after a census occurred was when data would be received allowing the County to redraw the district lines as needed. Mr. Davenport stated that the data from the 2020 census would not be available until September 2021 at the earliest. Mr. Davenport stated that this letter would be the Board opening a line of communication with the local delegation saying that the Board realized the redistricting needed to happen. Mr. Davenport stated that he left the letter very generic intentionally. Mr. Davenport stated he was seeking guidance from the Board as to what message if any they wanted to send.

Vice Chairman Gibbons stated that he read the letter and was good with it.

Commissioner Maxwell stated that he thought there was a few ways that the redistricting could be facilitated. He continued stating that he thought that either the State Legislature could redraw the district or the Board itself could be more active in the decision of redrawing the lines. He asked if he was wrong in his thoughts.

Mr. Davenport stated that the reason he was presenting this item before the Board was because he needed guidance on what message the Board as a body wanted to send. Mr. Davenport stated that however the Board decided to facilitate the redistricting could be included in the letter, but he needed Board input to do so.

Commissioner Maxwell acknowledged that he was not clear on how this process went but assumed the Board would have to go through a preclearance process.

Mr. Davenport stated that the term preclearance was not used anymore but instead the Board would have to ensure its data and information was accurate. He continued stating that the data coming from the census went directly to the House of Reapportionment Office. Mr. Davenport highlighted that the City of Brookhaven recently had to redraw district lines and had to use census estimates because of needing to meet their charter deadline. Mr. Davenports stated that the Board had the capacity and authority to facilitate the redrawing of the district lines as a body but wanted to acknowledge that that the Board had never done it before nor had the local delegation. Mr. Davenport stated he needed guidance from the Board to communicate it's perspective on how they wanted to proceed.

Commissioner Maxwell stated that he wanted the Board to have as much influence on the redistricting decision as possible.

Chairman Hearn stated that one of the things that seemed almost unfair was that this had to be completed by the primaries next year but because the data would not be available until September, they would be losing about six months. Chairman Hearn stated that to gather all of the needed information was a daunting task. Chairman Hearn stated he was reluctant to wanting to take on this responsibility but wanted to ensure it was completed in a fair and impartial manner. Chairman Hearn stated that her would love to get some input for the local delegation.

Vice Chairman Gibbons stated that he would want to discuss the topic with the regional delegation prior to the Board making a final decision and how to facilitate the redistricting.

Commissioner Oddo stated that he had no idea how to do the redistricting and would welcome assistance on it.

Vice Chairman Gibbons moved to approve comprising a letter from the Board of Commissioners to the Fayette County Legislative Delegation regarding redistricting within the county based on the 2020 decennial census. Chairman Hearn seconded. The motion passed 4-1, with Commissioner Maxwell voting in opposition.

ADMINISTRATOR'S REPORTS:

Mr. Rapson stated that they were still getting information related to the gas shortage, he added that they were in the process of filling to the County owned gas tanks capacity. Mr. Rapson advised the Board that they had received notice from the Census that Fayette County citizen count was 115,821, which had increased from the last census which was 106,567. Mr. Rapson advised the Board that the Bicentennial Celebration would be held Saturday May 15, 2021 beginning at 10:00 a.m. it would include a parade, a fly over and fireworks at various location around the county.

ATTORNEY'S REPORTS:

Notice of Executive Session: County Attorney Dennis Davenport stated there were four items for executive session. There were two items of pending litigation, one item of real estate acquisition, and the review of the April 8, 2021 Executive Session Minutes for consideration in Executive Session.

COMMISSIONERS' REPORTS:

Commissioner Maxwell

Commissioner Maxwell stated that he was unaware of what Mr. Clifton was talking about during public comment and as far as he knew nothing had been presented to him or the Board regarding his property. Commissioner Maxwell expressed his frustration and disgust regarding the murder at Kenwood Park. Commissioner Maxwell posed the question to the Board what could be done at the Parks to maintain citizen safety.

Commissioner Rousseau

Commissioner Rousseau stated in response to the Kenwood Park incident that he offered his condolences to the family of the young man who was killed and also to the family of the perpetrator. Commissioner Rousseau stated that he too was inundated with calls and added that when he received the text message about what happened he went to the park. Commissioner Rousseau stated that as a result of this recent incident, he and Sheriff Babb would be hosting a community meeting/town hall to discuss the park and how it's being used.

Commissioner Rousseau in response to the discussion of the American Rescue Plan Act specifically the issue of providing funding to non-profits, stated that this was his third attempt at offering this as an effort to bring balance to County priorities. Commissioner Rousseau stated that the Board had missed a golden opportunity to do all the things to meet the needs and expectations of this community. Commissioner Rousseau stated that he felt the Board fell short in not being able to do all they could to meet community needs. Commissioner Rousseau stated that the misnomer that was rampant was that the funds could have gone to any non-profit. He added that there were specific criteria that selected non-profits would have had to meet. Commissioner Rousseau stated that there were non-profits that specifically dealt with tangible issues such as mental health, food insecurity, and utilities. Commissioner Rousseau stated that we do not know what the long-term impacts of COVID-19 would be in this community. Commissioner Rousseau stated that he felt that some miss the fact that there are members in this community that are in need during this crisis. Commissioner Rousseau stated that in his humble opinion we don't deal with it [the vulnerable members in need in this community] enough on the "human side" as he mentioned during Retreat. Commissioner Rousseau stated that the Board had agreed to not utilize Operation and Maintenance monies to funds non-profits, however, the American Rescue Plan was not Operation and Maintenance monies. He added that this was a unique opportunity where the Board could have shown some balance. Commissioner Rousseau stated that he was in favor of most of the things included in American Rescue Plan proposal but not the Smart meters because of the costs associated with it.

Chairman Hearn

Chairman Hearn advised the Board he and Phil Mallon traveled to Thomaston and met with Georgia Department of Transportation engineer Tyler Beck. Chairman Hearn stated that he and Phil Mallon had a successful discussion with Mr. Beck

and was working to fostering a good relationship with Georgia Department of Transportation. Commissioner Hearn stated that on Wednesday May 12, 2021 he attended a Transportation and Air Quality Committee (TAQC) Meeting with the Atlanta Regional Committee (ARC). Commissioner Hearn added that he also attended the Atlanta Regional Committee (ARC) Board meeting where they discussed the Regional Transportation Plan update. He continued stating that this plan would take approximately two and a half years to complete and as a part of this plan they would be calling for projects. Chairman Hearn stated that he trusted Mr. Mallon would keep the Board informed when these calls for projects went out.

Commissioner Oddo

Commissioner Oddo offered a belated Happy Mother's Day to all. Commissioner Oddo stated that this week there was Peace Officers Memorial Day (May 15, 2021) and he wanted to acknowledge the first responders and police officers who work to keep the community safe and those have lost their lives on the call of duty.

EXECUTIVE SESSION:

Two items of pending litigation, one item of real estate acquisition, and the review of the April 8, 2021 Executive Session Minutes for consideration in Executive Session. Vice Chairman Gibbons moved to go into Executive Session. Commissioner Oddo seconded. The motion passed 5-0.

The Board recessed into Executive Session at 8:56 p.m. and returned to Official Session at 9:18 p.m.

Return to Official Session and Approval to Sign the Executive Session Affidavit: Chairman Hearn 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 April 8, 2021 Executive Session Minutes: Commissioner Oddo moved to approve the April 8, 2021 Executive Session Minutes. Commissioner Maxwell seconded the motion. The motion passed 5-0.

ADJOURNMENT:

Vice Chairman Gibbons moved to adjourn the May 13, 2021 Board of Commissioners meeting. Commissioner Oddo seconded the motion. The motion passed 5-0.

The May 13, 2021 Board of Commissioners meeting adjourned at 9:19 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 May 2021. Referenced attachments are available upon request at the County Clerk's Office.

Marlena Edwards, Deputy County Clerk