

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

ACTION AGENDA

October 14, 2021
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.

Call to Order

Chairman Lee Hearn called the October 14, 2021 Board of Commissioners meeting to order at 5:01 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

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

PROCLAMATION/RECOGNITION:

PUBLIC HEARING:

1. **Public Hearing involving update of the county's redistricting process and overview based on the 2020 decennial census.**

No one spoke in favor or opposition

2. **Consideration of Ordinance 2021-14, Amendments to Chapter 108. Sign Ordinance, Regarding Sec. 108-3. – Definitions, Sec. 108-30. - Prohibited Signs and Devices, Sec. 108-169. – Changeable Copy Signs and Sec, 108-170 – Signs On Awnings, Canopies, Gasoline Canopies, Marquees, or Other Similar Structures.**

No one spoke in favor or opposition

Vice Chairman Gibbons moved to approve Ordinance 2021-14, Amendments to Chapter 108. Sign Ordinance, Regarding Sec. 108-3. – Definitions, Sec. 108-30. - Prohibited Signs and Devices, Sec. 108-169. – Changeable Copy Signs and Sec, 108-170 – Signs On Awnings, Canopies, Gasoline Canopies, Marquees, or Other Similar Structures. Commissioner Oddo seconded. The motion passed 5-0.

PUBLIC COMMENT:

CONSENT AGENDA:

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

3. Approval to award RFQ #1986-A to Starnes Contracting, LLC, in the amount of \$70,000 for top rail fence installation at McCurry Park Softball Complex and Brooks Park and approval to transfer \$30,000 from the park project contingency to fully fund both fields.
4. Approval to acquire all fee simple right-of-way, easements, appraisals, etc. for the proposed rehabilitation of the Kozisek Lake Dam on Neely Road (2017 SPLOST 5509C).
5. Approval to acquire all fee simple right-of-way, easements, appraisals, etc. for the proposed rehabilitation of the Margaret Phillips Dam on Longview Road (2017 SPLOST 5509F).
6. Approval of the proposed 2022 Local Maintenance & Improvement Grant (LMIG) project list for unincorporated Fayette County and authorization for the Chairman to sign the LMIG Application and related documents.
7. Approval of staff's recommendation to renew the annual agreement with the U.S. Department of the Interior Geological Survey (USGS) that provides surface water monitoring in the amount of \$197,150.
8. Approval of the September 23, 2021 Board of Commissioners Meeting Minutes.

OLD BUSINESS:

NEW BUSINESS:

9. **Consideration of the Board of Elections' request to declare two (2) Absentee Drop Boxes as surplus property and to loan the two drop boxes to another County Elections office.**

Vice Chairman Gibbons moved to approve the Board of Elections' request to declare two (2) Absentee Drop Boxes as surplus property and to loan the two drop boxes to another County Elections office. Commissioner Maxwell seconded.

Vice Chairman Gibbons amended his motion and moved to approve the Board of Elections' request to declare two (2) Absentee Drop Boxes as surplus property and to loan the two drop boxes to another County Elections office, and that the respective county pay for repair and/or replacement of Absentee Drop Boxes (if necessary); and would agree to return drop boxes upon request. Commissioner Maxwell amended his seconded. The motion passed 4-1 with Commissioner Oddo voting in opposition.

10. **Consideration of staff's recommendation to resume design of path and tunnel near the intersection of Robinson Road and Redwine Road (2017 SPLOST project 17TAI).**

Commissioner Oddo moved to approve to resume design of path and tunnel near the intersection of Robinson Road and Redwine Road (2017 SPLOST project 17TAI). Vice Chairman Gibbons seconded. The motion passed 5-0

Vice Chairman Gibbons moved to rescind the \$15,000 for the bridge feasibility study and return the funds to the General Fund. Commissioner Oddo seconded. The motion passed 5-0.

11. **Consideration of Ordinance 2021-16, amendment to the membership of the Fayette County Transportation Committee.**

Vice Chairman Gibbons moved to approve Ordinance 2021-16, amendment to the membership of the Fayette County Transportation Committee. Commissioner Odd seconded.

Vice Chairman Gibbons withdrew his motion.

Commissioner Oddo moved to revise Ordinance 2021-16 to remove all elected officials. Commissioner Rousseau seconded.

Commissioner Oddo withdrew his motion.

Vice Chairman Gibbons moved to deny Ordinance 2021-16, amendment to the membership of the Fayette County Transportation Committee. Commissioner Rousseau seconded. The motion passed 5-0.

12. Consideration of Ordinance 2021-17, to provide for an amendment to the membership of the Fayette County Water Committee.

Vice Chairman Gibbons moved to approve Ordinance 2021-17, to provide for an amendment to the membership of the Fayette County Water Committee. Commissioner Oddo seconded. The motion passed 5-0.

13. Consideration of Ordinance 2021-15, establishing the composition and responsibilities of the Fayette County Retirement Committee.

Commissioner Maxwell moved to deny Ordinance 2021-15, establishing the composition and responsibilities of the Fayette County Retirement Committee. Commissioner Gibbons seconded. The motion passed 5-0.

14. Consideration of Ordinance 2021-19, to identify a Local Government Agent as contemplated by the Abandoned Mobile Home Act.

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

15. Consideration of the approval of a Deed of Easement and an Ingress/Egress Easement to be conveyed by the owners of property in Trilith to Fayette County for the purpose of installing, constructing, and maintaining water lines.

Commissioner Rousseau moved to approve a Deed of Easement and an Ingress/Egress Easement to be conveyed by the owners of property in Trilith to Fayette County for the purpose of installing, constructing, and maintaining water lines. Vice Chairman Gibbons seconded. The motion passed 5-0.

16. Consideration of staff's request to apply for State of Georgia Fiscal Recovery Fund/American Rescue Plan Act – Water/Sewer Infrastructure Grant and/or the FEMA Hazard Mitigation Grant to replace and upgrade the emergency generator at the South Fayette Water Treatment plan in the amount of \$970,000 with a county match of \$388,000.

Commissioner Oddo moved to approve request to apply for State of Georgia Fiscal Recovery Fund/American Rescue Plan Act – Water/Sewer Infrastructure Grant and/or the FEMA Hazard Mitigation Grant to replace and upgrade the emergency generator at the South Fayette Water Treatment plan in the amount of \$970,000 with a county match of \$388,000. Vice Chairman Gibbons seconded. The motion passed 5-0.

17. Consideration of an Intergovernmental Agreement between the Town of Woolsey and Fayette County to transfer two American Rescue Plan Act (ARPA) allocations of \$31,182.00 each to Fayette County to use the funds as necessary under the terms of the ARPA program, in conformance with reporting rules, and in a manner that fosters the best interests of both the Town of Woolsey and Fayette County.

Vice Chairman Gibbons moved to approve Intergovernmental Agreement between the Town of Woolsey and Fayette County to transfer two American Rescue Plan Act (ARPA) allocations of \$31,182.00 each to Fayette County to use the funds as necessary under the terms of the ARPA program, in conformance with reporting rules, and in a manner that fosters the best interests of both the Town of Woolsey and Fayette County. Commissioner Maxwell seconded. The motion passed 5-0.

ADMINISTRATOR'S REPORTS:

ATTORNEY'S REPORTS:

Notice of Executive Session: County Attorney Dennis Davenport stated there were three items for executive session. There were two items of threatened litigation and the review of the August 26, 2021 Executive Session Minutes for consideration in Executive Session.

COMMISSIONERS' REPORTS:

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

EXECUTIVE SESSION:

Two items of threatened litigation and the review of the August 26, 2021 Executive Session Minutes for consideration in Executive Session. Commissioner Rousseau moved to go into Executive Session. Commissioner Oddo seconded. The motion passed 5-0.

The Board recessed into Executive Session at 6:35 p.m. and returned to Official Session at 6:52 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. The motion passed 5-0.

Approval of the August 26, 2021 Executive Session Minutes: Commissioner Oddo moved to approve the August 26, 2021 Executive Session Minutes. Vice Chairman Gibbons seconded the motion. The motion passed 5-0.

ADJOURNMENT:

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

The October 14, 2021 Board of Commissioners meeting adjourned at 6:53 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 28th day of October 2021. Referenced attachments are available upon request at the County Clerk's Office.

Marlena Edwards, Deputy County Clerk