

## 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 14, 2022

5:00 p.m.

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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 2<sup>nd</sup> and 4<sup>th</sup> Thursday of each month at 5:00 p.m.

### **Call to Order**

Chairman Lee Hearn called the April 14, 2022 Board of Commissioners meeting to order at 5:00 p.m. A quorum of the Board was present.

### **Invocation and Pledge of Allegiance by Chairman Lee Hearn**

Chairman 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 Edward Gibbons seconded. The motion passed 5-0.

### **PROCLAMATION/RECOGNITION:**

### **PUBLIC HEARING:**

### **PUBLIC COMMENT:**

**Randy Ogino of Fayetteville** expressed his concern regarding not knowing the total costs of two of the items on the April 14, 2022 Board of Commissioners' agenda and stated that he felt the citizens should be aware of this type of information. He also expressed his concerns about item #4 regarding the Intergovernmental Agreement between Fayette County and the Coweta County Water and Sewerage Authority. Mr. Ogino stated that in reading the request he noticed it did not discuss a way to adjust County costs if water costs increased during the 5-years of the contract. He also stated that he felt it would be prudent to have Peachtree City as part of the discussions regarding this project.

**A Fayetteville citizen (name inaudible)** stated that he felt it would be a good idea for there to be a county community center. He also expressed his concerns regarding representation within the Fayette County School System as it related to teachers and faculty in the district. He stated that as a citizen of 20 years, he felt that the faculty of the district should be representative of the citizenry of the whole county. He also expressed his concerns about Patriot Park located in the city of Fayetteville.

### **CONSENT AGENDA:**

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

**1. Approval of the March 24, 2022 Board of Commissioners Meeting Minutes.**

**OLD BUSINESS:**

**NEW BUSINESS:**

**2. Consideration of staff's recommendation to approve Bid No. 2086-A, Kedron Dam Fabriform Repairs, to the Helix Group in the amount of \$86,159.60 to repair degraded concrete that reinforces the integrity of Kedron Dam.**

Water System Director Vanessa Tigert stated that this request was seeking approval to repair and replace degraded concrete that functioned as a soil erosion control of Kedron Dam that had been in place since 1986.

Vice Chairman Gibbons moved to approve Bid No. 2086-A, Kedron Dam Fabriform Repairs, to the Helix Group in the amount of \$86,159.60 to repair degraded concrete that reinforces the integrity of Kedron Dam. Commissioner Oddo seconded.

Chairman Hearn asked Mrs. Tigert if the Helix Group had completed this kind of work before and if she was confident in their ability to adequately complete the project.

Mrs. Tigert stated yes and added that their references had been vetted.

Commissioner Eric Maxwell asked if Lake Kedron would have to be lowered.

Mrs. Tigert stated yes, the lake would need to be lowered.

Commissioner Maxwell encouraged engaging in a public relations campaign on the front end to ensure citizens were made aware that the lake would be lowered during the project.

Vice Chairman Gibbons moved to approve Bid No. 2086-A, Kedron Dam Fabriform Repairs, to the Helix Group in the amount of \$86,159.60 to repair degraded concrete that reinforces the integrity of Kedron Dam. Commissioner Oddo seconded. The motion passed 5-0.

**3. Consideration of staff's recommendation to approve TO 22-11 to review the existing SCADA (Supervisory Control and Data Acquisition) system and to identify SCADA system improvements at both Crosstown and South Fayette Water Treatment Plants for a not-to-exceed amount of \$141,720.**

Mrs. Tigert stated that this request was a 3-year Task Order with the County Engineer of Record to review the existing SCADA (Supervisory Control and Data Acquisition) system and to identify SCADA system improvements at both Crosstown and South Fayette Water Treatment Plants in a not-to-exceed amount of \$141,720. She stated that currently the SCADA was in disarray. She stated that the SCADA system was a centrally located hardware integration system that allowed the equipment to systematically communicate and function and assisted operators in setting proper processes in place and maintaining security. She stated that the current software that managed the system was outdated. She added that this 3-year contract would provide the expertise needed to make informed decisions on how to bring the SCADA system up to date.

Chairman Hearn outlined a few of the capabilities of the SCADA system.

Commissioner Oddo stated as a point of clarification that this request was only the cost for the first step to review the existing SCADA system and to identify system improvements which would then be presented before the Board and considered for approval.

Mrs. Tigert stated that was correct.

Chairman Hearn stated that he felt it was much needed and that he looked forward to seeing the progress of this project.

Commissioner Charles Rousseau asked if the County should be considering hiring a full-time employee with the expertise needed to manage this system in the future or was maintaining a consultant in this role more beneficial.

Mrs. Tigert stated that she did not feel this would warrant a full-time employee and added that the Engineer of Record was put in place for situations like this and would provide the needed expertise, because the Water System, as a whole, did not require those resources on a daily basis.

Vice Chairman Gibbons moved to approve TO 22-11 to review the existing SCADA (Supervisory Control and Data Acquisition) system and to identify SCADA system improvements at both Crosstown and South Fayette Water Treatment Plants for a not-to-exceed amount of \$141,720. Commissioner Oddo seconded. The motion passed 5-0.

**4. Consideration of staff's recommendation to enter into an Intergovernmental Agreement between Fayette County and the Coweta County Water and Sewerage Authority to supply potable water to residents and businesses within Coweta County and to provide one-half the actual costs towards boring under Line Creek at Hwy 54, not to exceed \$425,000.**

Mrs. Tigert stated that discussions of an inner connectivity initiative began in 2020. She added that at the 2021 Retreat she presented to the Board a riveting overview of the Water System's safe yield data, water demand model, and future wholesale rates. She stated that this Intergovernmental Agreement (IGA) was between Fayette County and the Coweta County Water and Sewerage Authority. The agreement would create a mechanism to establish a water connection and then wholesale surplus water to Coweta County. She stated that the connection would be developed along Highway 54 boring under Line Creek. She stated that the reason for boring was because it was the most efficient way to proceed with the project. She continued that the boring costs would be split between the jurisdictions and was capped at a not to exceed amount of \$454,000. Mrs. Tigert stated that from the boring they would connect to a current connection at Wynnmeade Parkway, which was approximately 835 linear feet with a 24-inch diameter pipe installation. The pipe installation cost projections were about \$378K. Mrs. Tiger stated that with this agreement in place she estimated the wholesale water revenue of almost \$1M per year.

Commissioner Maxwell asked if this connection was a requirement.

Mrs. Tigert stated no, currently it was not a requirement, however, having to share water with neighboring jurisdictions would be a requirement in the foreseeable future.

Commissioner Maxwell asked when this new requirement would go into effect.

Mrs. Tigert stated that this requirement was part of SB380, the Interconnection Redundancy and Reliability Act, and was approved in 2011 or 2012 and was working its way down the pipelines.

Commissioner Maxwell stated that he was under the impression that Coweta County also had an alternate option of running a water connection line to the Chattahoochee River.

Mrs. Tigert stated that was a permitted option for Coweta County, however that would be 30-years away project.

Commissioner Maxwell asked about water connections being established on the south side of the county to funnel water from Spalding County through Fayette County then to Coweta County.

Mrs. Tigert stated that was not on anyone's radar. She added that the topography was not conducive for a water connection on the southside of the County.

Commissioner Maxwell asked with so much development being established across the county line in Coweta County, would providing water to them be in the best interest of Fayette County.

Mrs. Tigert stated that Fayette County was unable to control development in Coweta County, but this agreement would create almost \$1M in annual revenue for the Water System that would offset a water rate increase that otherwise, Fayette County citizens would have to carry.

Commissioner Maxwell expressed his concern and the need to maintain and protect the integrity of Fayette County's design and infrastructure. He stated that he understood the need to share but also appreciated the large lots, the structure and positioning of the County and did not want to encourage the potential for increased traffic and development of a neighboring jurisdiction.

Mrs. Tigert stated that this request was not just about sharing but also about keeping the Water System viable and up to standards.

Commissioner Oddo stated that as extensions of the State, he felt it would be wise to get ahead of the curve and to have something already in place when the water interconnectivity mandate was handed down because it was coming. He continued that the development in Coweta County would proceed with or without the water connection but added that he did not think, not taking advantage of the opportunity and not moving forward with the water connection, would be in the best interest of Fayette County. Commissioner Oddo stated that his biggest concern was ensuring and maintaining water availability for Fayette County citizens.

Mrs. Tigert reiterated that the safe yield analysis was completed and Fayette County had enough water through 2070.

Commissioner Oddo suggested acting now while the Board still had relative control over the process before the mandate was handed down and they were given a directive via the State.

Vice Chairman Gibbons asked if either the Board had to proceed with the project, or would have to raise water rates for Fayette County citizens.

Mrs. Tigert stated that was correct.

Chairman Hearn stated that he appreciated the fact that by proceeding with the project the Board would be getting ahead of the curve regarding the water interconnectivity mandate and generating revenue for the Water System.

Commissioner Rousseau asked on what basis was Coweta County guaranteed to purchase water.

Mrs. Tigert stated that it would be on an annual basis.

Commissioner Rousseau asked Mr. Davenport what type of scale the rate should be set at a fixed rate or sliding scale.

County Attorney Dennis Davenport stated that under this agreement there was a 5-year term. With that in mind the goal was to ensure there was enough time to recoup the County's costs associated with the project. The 5-year term was also a good trial period in determining specifics of the agreement. Mr. Davenport stated that the 5-year term was a starting point to see if the agreement would work for both jurisdictions.

Commissioner Rousseau asked if this was a guaranteed annual purchase with the County's cost recouped within the 5-year term.

Mrs. Tigert stated yes.

Commissioner Rousseau asked if the water could be sold anywhere else after establishing the connection if Coweta ended the agreement.

Mrs. Tigert stated no.

Mr. Davenport stated as a point of clarification that there was no guarantee language as a part of the agreement as far as a guaranteed purchase amount. He stated that the guarantee was that the County would make up to a million gallons/ day available to purchase and can go up to 1.5 million gallons under certain circumstances. Mr. Davenport stated that Coweta County would only pay for what they took.

Commissioner Rousseau stated that with this clarification in mind, it could take over five years for Fayette County to recoup their cost.

Mr. Davenport stated yes it could.

Chairman Hearn asked if the water purchased would be metered.

Mrs. Tigert stated, absolutely.

Mr. Davenport stated that he did not want to speak on a return-on-investment timeframe but wanted to ensure that the agreement met the expectation of each jurisdiction.

Chairman Hearn stated that as a point of clarification that the current wholesale rate for water in Fayette County was \$2.42, which meant there was money built into the new rate.

Mr. Davenport stated that yes, it was built to the \$2.67 in an effort to update the wholesale rate, so that Fayette County was not selling water at a cost less than what it took to make. Mr. Davenport reiterated that the language within the agreement stated that water was available to a certain amount for Coweta County, however they were not required to purchase it. The agreement did not include any purchase amount guarantee.

Commissioner Rousseau asked if this request was on an emergency timeline.

Mrs. Tigert stated no.

Commissioner Rousseau suggested tabling this item.

Mr. Davenport again reiterated that the agreement did not include any purchase amount guarantee. He added that Coweta County did not want to agree to a purchase guarantee.

Vice Chairman Gibbons moved to approve the Intergovernmental Agreement between Fayette County and the Coweta County Water and Sewerage Authority to supply potable water to residents and businesses within Coweta County and to provide one-half the actual costs towards boring under Line Creek at Hwy 54, not to exceed \$425,000. Commissioner Oddo seconded. The motion passed 3-2, with Commissioner Maxwell and Commissioner Rousseau voting in opposition.

#### **ADMINISTRATOR'S REPORTS:**

#### **ATTORNEY'S REPORTS:**

**Notice of Executive Session:** County Attorney Dennis Davenport stated that there were three items for Executive Session. One item involving real estate acquisition, one item involving threatened litigation, and the review of the Executive Session minutes for March 24, 2022.

**COMMISSIONERS' REPORTS:**

**Commissioner Maxwell**

Commissioner Maxwell stated in response to public comments, that the citizen may want to reach out to the Fayette County School Board regarding representation in the school system's faculty and staff. He also advised that Patriot Park was within the City of Fayetteville and stated he could contact them regarding his concerns regarding the Patriot Park. Commissioner Maxwell stated that the County was in the beginning stages of developing a Recreational Center and hopefully this would meet his needs. He thanked the citizen for his attendance and comments.

**Commissioner Oddo**

Commissioner Oddo extended his congratulation to the eleven new Fayette County firefighters that graduated on April 13, 2022. He reminded all in attendance of the event at the county's 911 center and commended them for the work that they do. Commissioner Oddo wished everyone a Happy Easter and reminded everyone that April 18, 2022 was the tax deadline

**EXECUTIVE SESSION:**

**One item involving real estate acquisition, one item involving threatened litigation, and the review of the Executive Session minutes for March 24, 2022.** Commissioner Rousseau moved to go into Executive Session. Vice Chairman Gibbons seconded. The motion passed 5-0.

The Board recessed into Executive Session at 5:59 p.m. and returned to Official Session at 6:15 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 March 24, 2022 Executive Session Minutes:** Commission Oddo moved to approve the March 24, 2022 Executive Session Minutes. Vice Chairman Gibbons seconded the motion. The motion passed 5-0.

**ADJOURNMENT:**

Commissioner Oddo moved to adjourn the April 14, 2022 Board of Commissioners meeting. Vice Chairman Gibbons seconded the motion. The motion passed 5-0.

The April 14, 2022 Board of Commissioners meeting adjourned at 6:15 p.m.

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Marlena M. Edwards, Chief Deputy County Clerk

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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 26th day of April 2022. Referenced attachments are available upon request at the County Clerk's Office.

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Marlena Edwards, Deputy County Clerk