

The Board of Commissioners of Fayette County, Georgia met in Official Session on March 24, 2005 at 7:00 p.m. in the public meeting room of the Fayette County Administrative Complex, 140 Stonewall Avenue, Fayetteville, Georgia.

COMMISSIONERS PRESENT: Greg Dunn, Chairman
Linda Wells, Vice Chair
Herb Frady
Peter Pfeifer
A.G. VanLandingham

STAFF MEMBERS PRESENT: Chris Venice, Acting County Administrator
Aaron Wheeler, Director of Zoning
William R. McNally, County Attorney
Carol Chandler, Executive Assistant
Peggy Butler, Chief Deputy Clerk

Chairman Dunn called the meeting to order, offered the invocation and led the pledge to the flag.

Commissioner VanLandingham announced that before the meeting began, the Board wanted to recognize some distinguished guests, Boy Scout Troop No. 74, who were in attendance tonight as part of their process of obtaining their merit badge.

PUBLIC HEARING:
REZONING PETITIONS:

Commissioner Wells remarked at this point in the agenda the Board would consider requests for the rezoning of property in the County. She said the policy required at least two public hearings — the first before the Planning Commission and the second before the County Commissioners. She said at this hearing the Board would listen to the concerns of everyone, whether in favor or opposition to the rezoning petition. She pointed out when a rezoning petition was called, the petitioner or representative for the petitioner, would be allowed 15 minutes in which to present the details of the request, followed by anyone who wanted to voice support for the request. She stated that the Chairman would then allow all those individuals who were opposed to the rezoning to stand for a moment to display their opposition. She said the Chairman would then ask those individuals who wished to come to the podium to speak to remain standing so the Board and staff could get an idea of how to allocate its time. She said the Board would allow up to three minutes for each speaker. She said when the persons speaking in opposition had finished, the petitioner would be given an opportunity to rebut any of the points raised. She remarked in fairness to all parties, the petitioner would be entitled to equal time to address the Commissioners in regards to those who spoke in opposition.

Commissioner Wells further remarked that these hearings were part of the permanent record and speaking at the podium with the microphone helped staff with their task of

Minutes
March 24, 2005
Page 2

recording comments and ensured everyone being heard. She remarked when it was an individual's turn to speak that they come to the podium, state their name and address and direct their comments to the Board only. She asked that after the individuals spoke, that they sign the sheet of paper provided by the Marshal in order for names to be spelled correctly for the record.

Commissioner Wells stated that the Board wanted to hear from everyone who had something to say and they would pay close attention to each point raised. She said it would not be necessary for the same point to be raised over and over. She thanked everyone for their participation and announced that the Zoning Administrator would begin introducing each request in the order they appeared on the agenda.

PETITION NO. T-0140-05

Aaron Wheeler, Director of Zoning read the consideration of Petition No. T-014-05, Donald W. and Jane Smith, Owners, and Harry R. Stamper of Sprint PCS, Inc., Agent, request to construct a 180-foot Monopole Telecommunications Tower plus a 12-foot lightning rod. This property is located in Land Lot 33 of the 7th District, consists of 34.5 acres, fronts on Ebenezer Road, and is zoned A-R. Proposed tower does not comply with the 2-mile separation between tower facilities. The Planning Commission recommended approval with conditions 4-1. Staff recommended approval with conditions.

Sean Cash, with Group EMF, said he represented Sprint PCS with a request to construct a 180 foot, four carrier, multi-tenant monopole style tower. He said the proposed tower was to be located at 767 Ebenezer Road, Fayetteville, Georgia, on approximately 34.5 acre tract of land, zoned A-R, owned by Donald and Jane Smith. He said he wanted to explain why they wanted to locate the tower at this location. He said there were no other properties available outside of the two-mile radius where they could possibly put a tower, either due to zoning regulations or property problems such as agreement on a lease. He said the tower was located in the center of the property so that it was as far away from others as possible. He said the reason it was not further back on the property was because of flood plain issues, there was a stream in the back of the property, and to meet the 200 foot set backs from the property lines.

Mr. Cash said this facility would be part of a wireless network to provide safe, reliable and uninterrupted PCS service to this portion of Fayette County. He said once constructed, the facility would be unmanned, with only monthly site visits by a maintenance technician anticipated. He said the facility would not use water or the sewer service and would not generate noise or waste. He said they would require electricity and phone service, but would only use about as much as a single family residence. He said the facility would be located within an 125 foot by 80 foot lease area, surrounded by an 8 foot high chain link fence, and three strands of barb wire along the top for security purposes. He said the equipment to be used would consist of three radio cabinets about the size of a refrigerator.

Minutes
March 24, 2005
Page 3

He said the equipment would be placed on a reinforced concrete slab and co-axial cable connecting the radio equipment to the tower would be via an ice bridge. He said the tower and facility had been designed to support a minimum of four co-locators.

Mr. Case said he was respectfully submitting to the Board that this tower did not injure the community and complied with the requirements of the Fayette County, Georgia zoning ordinance except for the two-mile radius separation requirement. He said this request complied with the zoning ordinance and caused no harm to any person or property, was concealed in a deep and large wooded track of land, had received all state and federal approvals including FAA and NEPA, and agreed with all conditions placed on the application by the Fayette County Zoning Department.

Chairman Dunn asked if there was anyone who wished to speak in favor of this petition. No one spoke in favor of the petition.

Chairman Dunn asked if there was anyone who wished to speak in opposition of this petition, and if so please stand. He said there were five people who stood in opposition of this petition. He asked if there was anyone who wished to speak in opposition. He said two people indicated they wished to speak.

Richard Robinson said he and his wife had lived at 507 Quarters Road for 23 years. He said the neighborhood was a nice rural setting and they would like to keep it that way for future generations. He said this was the third time in the past several years he had been before the Board in regards to possible cell towers being installed in his area. He said so far they had all been denied. He said he had a problem with the fact that this petition did not comply with the two-mile separation between towers. He said if they made an exception this time, what would they do next time. He said he had a copy of the tower ordinance and it stated that "one which is to control placement of towers in a way to minimize adverse visual impact to nearby properties locating towers and antennas in nonresidential areas with adverse impact on the community is minimal." He said he felt this would be an adverse impact on their community. He said it also read "locating towers along the following highway corridors rather than residential areas are specifically encouraged." He said this site was was not far from Highway 74.

Mr. Robinson said this was nothing more than a commercial business operating in a residential area. He said the property owners derived income from this and it was not needed.

Barbara Buckley, 783 Ebenezer Road, Fayetteville, said she lived next door to the proposed cell tower site. She said it was a private commercial venture in a residential area. She wanted to know if they tried to co-locate. She said since 1992 she had had four recorded lots and this cell tower would severely impact the selling of the lots. She said the

Minutes
March 24, 2005
Page 4

tower just did not belong in this location. She said she was totally opposed to the tower being placed there.

Sean Cash said the reason they wanted to put this tower at this location was because there was such a lack of coverage in the area and they were trying to fill in the gap. He said the highways where there were towers were covered and they were trying to close it in wherever they could. He said they were trying to work with the community so that the tower would be as least obtrusive as possible. He said they did try to co-locate on the Crown Castle tower. He said he had a radio-frequency engineering statement stating why that would not work out. He said as far as property values were concerned, they generally had not seen property values go down especially in high areas of growth such as Fayette County. He said the towers were actually more visible from a distance than close up.

Motion was made by Commissioner Wells, seconded by Commissioner VanLandingham, to deny Petition No. T-0140-05.

Commissioner Wells said the Board had to look very carefully at any exceptions they made to the ordinances. She said anytime they made an exception, they made it very clear that it needed to be an exceptional situation existing for that to happen. She said she did not see that this was an exceptional situation. She said it looked more like financial gain for certain parties and she did not feel she was in the position to encourage any financial gain at the detriment of the citizens in the area. She said they looked at the two-mile rule very carefully and they did not see any reason to make an exception on that.

Commissioner VanLandingham said they were required by law to make sure cell phone coverage was available in every part of the County, but they were not required to make sure that every company had coverage in the County. He said if they did there would be cell towers 100 feet apart. He said the ordinance had been established at 2 miles and this request was at 1.7. He said the next request would be at 1.5 miles and the next at 1 mile and pretty soon the ordinance would be gutted. He said he could not support this because he saw no compelling reason to have a variance on the ordinance.

Commissioner Pfeifer said he agreed with the comments that had been made. He said the restriction they had on distance was there for a reason and he had not seen a reason why it could not be complied with.

Chairman Dunn asked if this tower height went to 192 feet with the antenna on it would it be lighted. Mr. Cash said it would not. Chairman Dunn said he lived in the area where they were looking at placing this tower. He said he had Verizon Wireless Service and in this area he received good reception and he wanted to know why. Mr. Cash said this was a reason they wanted to locate their tower in this area to fill in the gaps.

Minutes
March 24, 2005
Page 5

Commissioner VanLandingham asked Mr. Cash to take a message back to his company. He said to tell his folks to get together and space locations out where they could cover these areas instead of building new towers. He said that could be worked out. He said he thought it would behoove them to be proactive and start working together to improve this situation because there were towers out there that would allow coverage if people would swap around. He said he suggested they do this because he was not going to vote for a request like this.

Mr. Cash said by Federal Law other towers had to allow co-location on their towers. He said if there was one available they would go on it.

Chairman Dunn said he wanted to clarify that the agenda said the staff of Fayette County recommended approval of this request. He said the staff did not do that. He said the staff had a finding, but they did not recommend that they approve it. He said Planning and Zoning recommended that they approve it.

Motion was denied 5-0.

PROPOSED AMENDMENTS, ORDINANCE 2005-06:

Pete Frisina, Acting Director of Planning, read the consideration of proposed amendments to the Fayette County Thoroughfare Plan, the Transportation Element of the Fayette County Comprehensive Plan, and Article III. Street Design Standards and Specifications, Section 8-47. Classification system, Section 8-48. Minimum right-of-way widths and dedication requirements 8-49. Roadway sectional composition standards by use and functional classification, 8-50. Design speed and grade, and 8-54. Acceleration and deceleration lanes of the Fayette County Development Regulations as presented by the Planning Department. The Planning Commission recommended approval 5-0.

Mr. Frisina said one of the reasons he wanted to update the plan was because the original Thoroughfare Plan was produced back in 1985. He said since then they had three minor amendments and with the SPLOST coming on line, he wanted to get the new alignments that would be funded through the SPLOST as recommended in the Transportation Plan or the Thoroughfare Plan. He said there were three categories prior and recommended that they go to five. He said he wanted to break the arterial categories between major and minor. He said collectors would stay the same. He said local roads would be broken into county local and internal local. He said major arterials would only be state highways and minor arterials would be the larger roads that the County controlled. He said collectors would be the same ones that had been designated as collectors. He said a county local road carried a small amount of traffic and connected to either a collector or another county local, and internal local were mainly inside subdivisions that only served that development and did not provide access to anything other than that development.

Minutes
March 24, 2005
Page 6

Mr. Frisina said in terms of what he wanted to amend was the Comprehensive Plan. He said there was a chapter on Transportation and he would like it to reflect the new five categories. He said there were some changes they had to make in the Development Regulations to reflect those five categories. He said in doing this, he met with Engineering and Public Works and there were some housekeeping things that Engineering asked him to do while he was making changes to the Development Regulations.

Mr. Frisina said he had a chance to meet with several of the commissioners and they brought to his attention Section 8-48 which talked about minimum right-of-way and minimum pavement widths. He said he wanted to get this approved as is, but come back with standard minimum pavement widths for minor, arterial and collector streets. He said they would provide these standards within the next 60 days.

Chairman Dunn stated that his assumption was that they would provide this to the cities so that what they were doing was consistent and their roads would be labeled similarly. Mr. Frisina said that was correct.

Motion was made by Commissioner Frady, seconded by Commissioner VanLandingham, to adopt the proposed amendments as presented with the understanding that the Engineering Department would be back with pavement widths for minor and collector streets within 60 days.

Chairman Dunn said he was chairman of the Transportation Committee of the ARC and this was totally consistent with what they were trying to do with the entire south side of Atlanta.

Commissioner VanLandingham said they had discussed roads that were abutting the city limits. He said staff was going to meet with these entities and request the same requirements be placed on their part so if the County got ready to four lane a road they would not go back to two lanes and defeat the purpose.

Motion carried 5-0. A copy of Ordinance No. 2005-06 adopting the proposed amendments, identified as "Attachment No. 1", follows these minutes and is made an official part hereof.

PROPOSED AMENDMENTS, ORDINANCE 2005-07:

Aaron Wheeler, Director of Zoning, read the consideration of proposed amendments to the Fayette County Zoning Ordinance regarding Article VII. Conditional Uses, Exceptions and Modifications, Section 7-1. Conditional Use Approval, B. Conditional Uses Allowed, 34. Self-Storage Facility as presented by the Zoning Department. The Planning Commission recommended approval 5-0.

Minutes
March 24, 2005
Page 7

Mr. Wheeler said a few meetings back a proposed amendment was adopted. He said at that time it was requested that they go back and look at a few other items under this conditional use. He said these were the changes they were requested to look at and were being brought back to the Board for consideration.

Mr. Wheeler said these changes were to the self-storage facility conditional use which was allowed currently in M1. He said the changes would be a storage base size of 425 up to 550. He said currently 425 was allowed. He said they were recommending that Item B requirement of having storage bay doors not visible from the public road be taken out. He said Item D for aisle ways, they recommended a standard minimum width of 25 feet from any portion of the building including any overhangs.

Chairman Dunn asked if there was anyone who wished to speak in favor or opposition to these changes. No one spoke in favor or opposition.

Motion was made by Commissioner Wells, seconded by Commissioner Pfeifer, to adopt the proposed changes in Article VII as presented.

Chairman Dunn said he wanted to thank Mr. Huie Bray, who appeared before the Board of Commissioners at their last meeting and made some recommendations that were very helpful.

Motion carried 5-0. A copy of Ordinance 2005-07, adopting the proposed changes, identified as "Attachment No. 2", follows these minutes and is made an official part hereof.

NEW BUSINESS:

COMMERCIAL USE FEE FOR GIS PRODUCTS:

Pete Frisina, Acting Director of Planning, said that in 2003 a fee schedule for the GIS data was set. He said he wanted to amend that fee schedule to add another category, commercial use fee. He said the price was reflected in the agreement that was drawn up by the County Attorney's office. He said they wanted to allow people to buy the County's data and resell or repackage it to third parties. He said right now that was not allowed. He said the fee established for the data for the whole county was \$5,380. He said they would charge an initial commercial fee of \$2,500. He said he determined that fee by rounding off 5,380 to 5,000 and taking one half of that. He said they buy the data once, and as long as they kept it current within 18 months, they would only pay \$2,500 every year after that to keep the data updated.

Chairman Dunn clarified that a fee would be charged to keep the data updated. Mr. Frisina said it would be a fee of \$2,500 each year to keep it updated.

Minutes
March 24, 2005
Page 8

Commissioner Wells clarified that if they did not keep the data current they would have to start over. Mr. Fisina said that was correct.

Commissioner Wells asked if there would be any requirement to make them tell people what date they had gotten the data. She said she could see them selling the data as current data and misleading the public.

Mr. Frisina said the company who was currently interested in the data wanted to use it to build a data base of addresses for the entire United States.

Mr. Frisina said there was a provision in the license agreement that said to the best of their ability the information was correct. He said once they sold it, it became their data and they put it out at their own risk.

Chairman Dunn asked how often this was updated. Mr. Fisina said the digest was set once a year. Mr. Fisina said aeriels were done every five to seven years.

Commissioner VanLandingham asked if there was any requirement that the County furnish this information to the public. Mr. Frisina said he was not sure if there was a requirement that it be furnished, it was public record. He said Georgia State Legislation did allow communities that had built GIS systems to try to recoup some of that cost by trying to sell it to the general public.

Motion was made by Commissioner Wells, seconded by Commissioner Frady, to approve the commercial use fee for GIS products as presented. Motion carried 5-0. A copy of the License and Commercial Use Agreement, identified as "Attachment No. 3", follows these minutes and is made an official part hereof.

CONSENT AGENDA: Motion was made by Commissioner Wells, seconded by Commissioner Frady, to approve consent items 1,2,3,4,5,7,8,9,10,11,12 with item No. 6 being withdrawn for future study. Motion carried 5-0.

INSTALLATION OF WATER LINE ON OLD SENOIA ROAD:

Approval of recommendation by the Water Committee to install a waterline on Old Senoia Road, under contract that was competitively bid and awarded. A copy of the recommendation, identified as "Attachment No. 4", follows these minutes and is made an official part hereof.

INSURANCE REIMBURSEMENT TO THE SHERIFF'S DEPARTMENT:

Approval of issuance of insurance reimbursement for \$13,755 to the Sheriff's Department Federal Seizure Fund from the General Fund for damage to a Sheriff's

vehicle. A copy of the request, identified as "Attachment No. 5", follows these minutes and is made an official part hereof.

BUDGET ADJUSTMENT TO THE LIBRARY:

Approval of a budget adjustment to increase the Library's donation revenue account to increase the Library Books and Magazines Account by \$75.00 and in order to purchase books. A copy of the request, identified as "Attachment No. 6", follows these minutes and is made an official part hereof.

INCREASE IN THE LIBRARY'S ICLE SATELLITE REVENUE ACCOUNT:

Approval to increase the Library's ICLE Satellite revenue account and the Public Relations expenditure account by \$195 received for use of the Distance Learning Lab. A copy of the request, identified as "Attachment No. 7", follows these minutes and is made an official part hereof.

INSURANCE REIMBURSEMENT TO THE SHERIFF'S DEPARTMENT:

Approval of insurance reimbursement of \$2,547.84 to the Sheriff's Department from the General Fund for damage to a Sheriff's vehicle. A copy of the request, identified as "Attachment No. 8", follows these minutes and is made an official part hereof.

YOUTH PROTECTION HOME SUPPLEMENTAL FY2005 BUDGET:

Approval of Fayette Youth Protection Home Supplemental FY2005 budget request in the amount of \$16,096. This item was withdrawn for future study.

HUMAN RESOURCES DEPARTMENT TO REPORT TO THE COUNTY ADMINISTRATOR:

Approval of request from the Acting County Administrator to remove the Human Resources Department from the Business Services Division and have the department report directly to the County Administrator's office. A copy of this request, identified as "Attachment No. 9", follows these minutes and is made an official part hereof.

TAX ABATEMENT REQUESTS:

Approval of the list of tax abatement requests as recommended. A copy of this list, identified as "Attachment No. 10", follows these minutes and is made an official part hereof.

CONSOLIDATION OF ELECTRIC BILLS:

Approval of request from the Finance Department to consolidate electric bills through the Georgia Power Summary Billing Plan. A copy of the Plan, identified as "Attachment No. 11", follows these minutes and is made an official part hereof.

SALARY ADJUSTMENT FOR THE ACTING COUNTY ADMINISTRATOR:

Approval of salary adjustment for the Acting County Administrator in the amount of \$14,000 per year, retroactive to March 1, 2005.

TRANSFER OF OWNERSHIP OF THE DDDI COMPUTER TO THE COUNTY:

Approval to transfer the ownership of the DDDI computer, located in the County Extension Office, from the University of Georgia to the County. The County currently provides care of the computer. A copy of the request, identified as "Attachment No. 12", follows these minutes and is made an official part hereof.

BOARD MINUTES:

Approval of minutes for Board of Commissioners meetings held on February 24, 2005 and March 10, 2005.

PUBLIC COMMENT:

Members of the public are allowed up to five minutes each to address the Board on issues of concern other than those items which are on this evening's agenda.

There was no public comment.

STAFF REPORTS:

MARK PULLIUM: Mr. Pullium, Division Director for Business Services, asked for authorization to transfer of \$1,500 from the County's Contingency Fund to the County Extension Department for the purpose of matching a University of Georgia Grant on a 25/75 percent basis. He said the total would be \$6,000 to be used to purchase four computers for use by the County Extension office.

Motion was made by Commissioner VanLandingham, seconded by Commissioner Frady, to transfer the funds from the Contingency Fund to the County Extension Department. Motion carried 5-0. A copy of the request, identified as "Attachment No. 13", follows these minutes and is made an official part hereof.

MARK PULLIUM: Mr. Pullium, Division Director for Business Services, asked for authorization to engage Mallett Consulting to perform geotechnical testing along the proposed sewer line for the Senior Center Facility Project. He said the testing was to determine the amount of rock that may, or may not exist, in the route for the proposed sewer line that would connect the facility to the Fayetteville sewer system. He said the actual cost was not to exceed \$4,000 for this testing.

Commissioner Frady clarified that the reason this was being done was to determine the future cost of this project.

Minutes
March 24, 2005
Page 11

Commissioner VanLandingham asked that in this proposal, if they did locate rock, were they looking for an alternate site or would they go direct to the sewer line.

Mr. Pullium said at this time the scope of the work was just to test that proposed route. He said he assumed if they ran into any problem, they would go back to the Board to report any issues before they would proceed with any alternative work.

Chairman Dunn said because of work that was done in the past on the courthouse and jail site they were aware that the shortest route between the senior center building and the quickest way they could hook up to the sewer system contained rock formations. He said they would have to go around them or get another route.

Commissioner VanLandingham asked while they were doing this could they ask them to do any needed work, and not have to come back.

Mark Pullium said they were just going to find the scope of the issue at this time.

Motion was made by Commissioner Frady, seconded by Commissioner VanLandingham, to authorize Mallett Consulting to perform geotechnical testing along the proposed sewer line for the senior center facility project. Motion carried 4 - 1 with Commissioner Wells voting in opposition. A copy of the request, identified as "Attachment No. 14", follows these minutes and is made an official part hereof.

COMMISSIONER FRADY: Commissioner Frady asked the Board to give authorization to the staff, through the County Administrator, to conduct a multi-use path study. He said they would be doing a lot of roads in the near future, and wanted to know the possibility of conducting a multi-use path system study to see what might need to be done to have paths on streets that they were going to be building. He said he would like to know the feasibility and cost.

Chris Venice, Acting County Administrator, said this was a project that staff was willing to undertake. She said they had discussed the area of multi-use paths along Redwine Road where some work had already been started in that area. She said she thought it was time to decide what kind of involvement the County would have in a path system and that staff would like to investigate such and bring a report back to the Board for their consideration.

Motion was made by Commissioner Frady, seconded by Commissioner VanLandingham, to authorize staff to conduct a multi-use path study.

Commissioner Wells asked if there was a cost to conduct the study.

Ms. Venice said it would be done in house.

Minutes
March 24, 2005
Page 12

Chairman Dunn said there was already a commitment to put in a multi-use path down Redwine Road to Horseshoe.

Motion carried 5-0.

COMMISSIONER VANLANDINGHAM: Commissioner VanLandingham suggested inviting past county commissioners to a reception to recognize them for the contributions they made during their term(s) in office. He said to give them a few minutes to speak to the crowd and talk about their time in office. He said he would like to have light refreshments served.

Motion was made by Commissioner VanLandingham, seconded by Commissioner Pfeifer, to invited former commissioners to a reception to recognize them for contributions during their term(s) in office. Motion carried 5-0.

COUNTY ATTORNEY MCNALLY: Attorney McNally said the City of Griffin was running a water line down Hollywood Road, which was past one of the County's wetland mitigation sites, and they had requested that Fayette County grant them a water line easement of 146 feet of road front on the property owned by Fayette County. He said this was part of their reservoir and water supply system. He said he checked that out with the Water System and there was no problem with it being granted to them. They also asked for a 10 foot temporary slope easement which ran approximately 180 feet along the road.

Motion was made by Commissioner Wells, seconded by Commissioner Frady, to grant the City of Griffin an 146 foot water line easement and a 10 foot temporary slope easement. Motion carried 5-0. A copy of the Easement Agreement, identified as "Attachment No. 15", follows these minutes and is made an official part hereof.

ATTORNEY MCNALLY: Attorney McNally requested an Executive Session for 3 legal items.

CHAIRMAN DUNN: Chairman Dunn announced that today at the Legislature and House of Representatives House Bill 856, which was Representative Fludd's bill in favor of district voting for County Commissioners, was defeated. He said Board members had a meeting on Saturday night to sign a Resolution of Opposition of this bill. He said he wanted to thank the Representatives who helped defend Fayette County at the Statehouse. He said they were Representatives Dan Lakly, Representative John Yates, and Senator Ronnie Chance. He said it never got to the Senate but Senator Chance was ready for it if it had.

Chairman Dunn said he would also like to thank some of the folks who were advocating for this. He said even though they disagreed with them, by in large the vast majority of people who did this were persistent but professional. He said they handled themselves quite well. He said their was no nonsense or false charges by the people who were interested in this.

MINUTES
MARCH 24, 2005
PAGE 13

Chairman Dunn said it was very obvious that the majority of the people were happy with the way the voting existed in this County right now. He said everyone in Fayette County could vote for all five commissioners. He said the attempt was to make it otherwise, to vote only for someone in your district. He said then each commissioner would only have 20% of the people voting whether or not a commissioner should be on the Board. He said because voting was done at large, every citizen in the County voted for each commissioner, the Board felt a much greater responsibility to each and every citizen regardless of where they lived in the County. He said he felt this served the public much better than having people in each district fighting over every dollar.

Chairman Dunn said the legislature voted to uphold the constitution of the state of Georgia which encouraged home rule, that is the people closest to the people they served should make the decisions rather than the Statehouse in Atlanta.

EXECUTIVE SESSION: Motion was made by Commissioner Wells, seconded by Commissioner Frady, to adjourn to Executive Session to discuss three legal items. Motion carried 5-0. __

LEGAL: Attorney McNally discussed a legal item with the Board.

The Board took no action on this matter.

LEGAL: Attorney McNally discussed a legal item with the Board.

Motion was made by Commissioner Frady, seconded by Commissioner VanLandingham, to authorize the County Attorney to proceed in this matter. Motion carried 5-0.

LEGAL: Attorney McNally discussed a legal item with the Board.

Motion was made by Commissioner Wells, seconded by Commissioner Frady, to authorize the County Attorney to proceed in this matter. Motion carried 5-0.

EXECUTIVE SESSION AFFIDAVIT: Motion was made by Commissioner Wells, seconded by Commissioner VanLandingham, to authorize the Chairman to execute the Executive Session Affidavit affirming that three legal items were discussed in Executive Session. Motion carried 5-0. A copy of the Affidavit, identified as "Attachment No. 16", follows these minutes and is made an official part hereof.

Minutes
March 24, 2005
Page 14

There being no further business to come before the Board, Chairman Dunn adjourned the meeting at 8:30 p.m.

Peggy Butler, Chief Deputy Clerk

Gregory M. Dunn, 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 April 2005.

Peggy Butler, Chief Deputy Clerk