



Action Agenda

Board of Commissioners
November 14, 2013
7:00 P.M.

The Board of Commissioners of Fayette County, Georgia, met in Official Session on November 14, 2013 at 7:00 p.m. in the Public Meeting Room of the Fayette County Administrative Complex, 140 Stonewall Avenue, Fayetteville, Georgia.

Commissioners Present:

Steve Brown, Chairman
Charles Oddo, Vice Chairman
David Barlow
Allen McCarty
Randy Ognio

Staff Present:

Steve Rapson, County Manager
Floyd L. Jones, County Clerk
Tameca P. White, Deputy County Clerk
Dennis Davenport, Interim County Attorney

Call to Order, Invocation, and Pledge of Allegiance

Chairman Brown called the November 14, 2013 Board of Commissioners meeting to order at 7:02 p.m.

Commissioner Barlow asked the Veterans to stand and be recognized in honor of Veterans Day. He also informed everyone that he had been asked to judge at the Patriot Pen's essay contest where there was a young man who wrote an essay from St. Paul's Lutheran Church. He said he asked the young man to come to the meeting to talk to the people about patriotism. Commissioner Barlow said examples like this young man "bode well for the United States," and he referred to former United States President Theodore Roosevelt who said "Patriotism stands by the County. It does not mean to stand by the President or any other public official." Commissioner Barlow then asked Mr. Jacob Richardson to read his essay to the audience. Mr. Richardson did so. After Mr. Richardson read his essay, a brief video was shown concerning veterans and patriotism.

Commissioner Barlow asked Pastor Rob Maulella of St. Paul's Lutheran Church to offer the Invocation, and Pastor Maulella did so.

Commissioner McCarty led the audience in the Pledge of Allegiance.

Acceptance of Agenda

Chairman Brown moved to accept the Agenda, to move New Business Item #22 before Public Comment, that New Business Item #23 be moved before Public Comment, to remove New Business Item #24, and to add New Business Item #25– Highway 85 sewer line easement to the Agenda. Commissioner Barlow seconded the motion. No discussion followed. The motion passed unanimously.

PRESENTATION / RECOGNITION:

1. Recognition of the 7th Annual Chair-ity for The Children's Village at Christian City.

Commissioner Barlow presented the recognition of the 7th Annual Chair-ity for The Children's Village at Christian City to Ms. Heidi Becker on behalf of the Fayette County Board of Commissioners. Ms. Becker showed a video about the 7th Annual Chair-ity event, and commented about the need to contribute to those in need.

2. Giving Thanks and Donating in Fayette County: Recognition of a few organizations in Fayette County that provide food and clothing donations and thanking them for their service to the community.

Commissioner Oddo recognized the following charitable organizations on behalf of the Fayette County Board of Commissioners: Real Life Center; Bloom; the Fayette Samaritans; Grandparents and Kin Raising Children; and Mid-West Food Bank. Representatives from each recognized charitable organization were given an opportunity to talk about their work and needs. A representative for Mid-West Food Bank was not able to attend the meeting.

Commissioner Barlow asked Parks and Recreation Director Anita Godbee to stand and be recognized for her department's work with Special Olympics in Fayette County.

3. Recognition of Fayette County Public Safety's Agreement with the Georgia Department of Public Safety and the Georgia Department of Transportation regarding the Open Roads Policy.

Chairman Brown asked Fire Chief David Scarbrough and the Deputy Sheriff on duty to come to the front of the room to be recognized. He reminded everyone that there is a lot of traffic congestion in metropolitan Atlanta, and that one thing that the Georgia Department of Transportation (GDOT), the Atlanta Regional Commission (ARC), and the Georgia State Patrol was trying to do was to work out a system to move vehicular accidents out of the right-of-ways as quickly and safely as possible. He told the audience that the Sheriff and Fire Chief had signed a resolution telling the GDOT, the State Patrol, and Governor's Office that Fayette County would work with them in their endeavor in what is known as the Georgia Open Road's Policy.

4. Proclamation honoring a Fayette County couple who is celebrating their 50th Wedding Anniversary.

Chairman Brown and the Board honored Mr. and Mrs. Darrell and Karen Hatton who was celebrating their 50th Wedding Anniversary.

Motion Concerning New Business Item #25: Chairman Brown moved to consider having New Business Item #25 to be heard prior to Public Comment. Commissioner McCarty seconded the motion. No discussion followed. The motion passed unanimously.

PUBLIC HEARING:

5. Consideration of a transfer of the 2013 and 2014 licenses for the sale of alcoholic beverages (package sales of beer and wine) from Amir Shahzid, Eight Era, Inc. DBA BP Kenwood, located at

1866 North State Route 85, Fayetteville, Georgia, 30214, to John Carter, Park Avenue C-Store II, LLC., DBA Kenwood BP.

County Manager Steve Rapson informed the Board that all the paperwork is in order, and that Code Enforcement Officer Kathy Hobbs was present to answer questions if needed.

No one spoke in favor of or in opposition to this request.

Commissioner Oddo moved to accept the consideration of a transfer of the 2013 and 2014 licenses for the sale of alcoholic beverages (package sales of beer and wine) from Amir Shahzid, Eight Era, Inc. DBA BP Kenwood, located at 1866 North State Route 85, Fayetteville, Georgia, 30214, to John Carter, Park Avenue C-Store II, LLC., DBA Kenwood BP. Commissioner Barlow seconded the motion. No discussion followed. The motion passed unanimously.

6. Consideration of Ordinance 2013-20 amending the Fayette County Code of Ordinances, Chapter 20. Zoning Ordinance, regarding Article III. Definitions, Article V. General Provisions, Sec. 5-45. Standards for Telecommunications Antennas and Towers, and Article VI. District Use Requirements, Sec. 6-22. M-1 Light Industrial District and Sec. 6-23. M-2 Manufacturing and Heavy Industrial District.

Community Development Director Pete Frisina briefed the Board on this request.

No one spoke in favor of or in opposition to this request.

Commissioner Ognio moved to approve Ordinance 2013-20 amending the Fayette County Code of Ordinances, Chapter 20. Zoning Ordinance, regarding Article III. Definitions, Article V. General Provisions, Sec. 5-45. Standards for Telecommunications Antennas and Towers, and Article VI. District Use Requirements, Sec. 6-22. M-1 Light Industrial District and Sec. 6-23. M-2 Manufacturing and Heavy Industrial District. Commissioner Oddo seconded the motion. No discussion followed. The motion passed unanimously.

PUBLIC COMMENT:

The following citizens spoke under Public Comment: Mr. Ken Lindsey; Mrs. Laurie Klonoski; Mrs. Alice Jones; Ms. Dorothy Herring; Mr. Clay Crim; Mr. Gary Hogart; Ms. Debbie Feemster; Ms. Carla Hollins; and Mr. Johnnie Jones.

Mr. Crim spoke about New Business Item #25 and who said the address really was 1391 Highway 85 instead of 1381 Highway 85 as approved by the Board earlier in the meeting. The Board agreed to revisit New Business Item #25 to make the needed correction.

CONSENT AGENDA:

Commissioner Oddo moved to approve Consent Agenda Items 7-13. Commissioner Ognio seconded the motion. No discussion followed. The motion passed unanimously.

7. Approval of staff's request to purchase a custom lighting system that will replace existing peripheral lighting at the Historic County Courthouse, from Universal Concepts, in the amount of \$5,000.00, utilizing Project Contingency Funds.

8. **Approval of staff's request to replace an existing postage machine with a Neopost IN-750 postage machine at the total first-year cost of \$11,265.00, and to transfer \$9,180.00 from Project Contingency funds to pay the unbudgeted balance of the cost.**
9. **Approval of staff's recommendation to accept monetary and non-monetary donations to the Department of Fire and Emergency Services totaling \$25,000.00.**
10. **Approval of a request from the Chanticleer Subdivision Home Owner's Association seeking authorization for the use of motorized cart travel on all streets within the subdivision in accordance with Chapter 10., Article III., Motorized Carts of the Fayette County Code.**

Ms. Joy McElwaney, vice-president of the Chanticleer Subdivision Home Owner's Association, said this was the first she had heard of this issue and asked for clarity on the matter. Community Development Director Pete Frisina addressed Ms. McElwaney's concerns.

11. **Approval of Ordinance 2013-18 amending Chapter 12 Offenses and Miscellaneous, Article I in General, to include Sections 12-7 Disorderly Conduct; 12-8 Loitering and Prowling; and 12-9 Public Drunkenness; and to provide for enforcement of said regulations by law enforcement personnel.**
12. **Approval of Ordinance 2013-19 amending Chapter 12 Offenses and Miscellaneous, Article IV Litter, to include Sections 12-91 through 12-98, to meet the mandated requirements of the Metropolitan North Georgia Water Planning District and to provide for enforcement of said requirements.**
13. **Approval of the October 24, 2013 Board of Commissioners Meeting Minutes.**

OLD BUSINESS:

14. **Consideration of staff's recommendation to adopt Ordinance 2013-14 amending the Fayette County Code of Ordinances, Chapter 5, International Property Maintenance Code, Section 302.4 Weeds, to include an allowable height of 14-inches, adding the exclusion of crops. This item was tabled by Commissioner Allen McCarty at the October 10, 2013 Board of Commissioners meeting.**

Community Development Director Pete Frisina spoke about amendments made to Ordinance 2013-14 that were made after it was tabled at the October 10, 2013 Board of Commissioners meeting. County Manager Steve Rapson provided further information on this recommendation. Commissioners McCarty and Barlow spoke about the proposed amendments.

Chairman Brown moved to approve staff's recommendation to adopt Ordinance 2013-14 amending the Fayette County Code of Ordinances, Chapter 5, International Property Maintenance Code, Section 302.4, Weeds, to include an allowable height of 14-inches, adding the exclusion of crops. Commissioner Barlow seconded the motion.

Ms. Linda Sandwich and Ms. Eloise Delaine commented on this matter. Code Enforcement Officer Kathy Hobbs provided additional information on this matter.

The motion to approve staff's recommendation to adopt Ordinance 2013-14 amending the Fayette County Code of Ordinances, Chapter 5, International Property Maintenance Code, Section 302.4, Weeds, to include an allowable height of 14-inches, adding the exclusion of crops passed 4-1 with Commissioner McCarty voting in opposition.

NEW BUSINESS:

- 15. Consideration of staff's request to award the bid for construction of the Emergency Operations Center to Atlantic South Construction, Inc., in the amount of \$785,400.00, utilizing funding from 37530930-541320 2930C.**

Fire Chief David Scarbrough briefly discussed this request with the Board. Chairman Brown commented on this request.

Commissioner Oddo moved to approve staff's request to award the bid for construction of the Emergency Operations Center to Atlanta South Construction, Inc., in the amount of \$785,400.00, utilizing funding from 37530930-541320 2930C. Commissioner McCarty seconded the motion. Discussion followed. The motion passed unanimously.

- 16. Consideration of staff's recommendation to award a contract to CH2M Hill (Engineer of Record for the Water System) as outlined under Task #1 (Eng. Svc 90-Day-NTE) in the amount of \$312,300.00 and Task #2 (Attached-Regulatory/CIP-Hrly Rate) in the amount of \$26,250.00, and for the County Manager to execute said contract and related documents.**

County Manager Steve Rapson briefly discussed this request with the Board. Chairman Brown commented on this request.

Mr. Frank DeStadio, representing CH2M Hill, spoke about this request.

Commissioner Barlow moved to approve staff's recommendation to award a contract to CH2M Hill (Engineer of Record for the Water System) as outlined under Task #1 (Eng. Svc. 90-Day-NTE) in the amount of \$312,000.00 and Task #2 (Attached-Regulatory / CIP-Hrly Rate) in the amount of \$26,250.00, and for the County Manager to execute said contract and related documents. Commissioner McCarty seconded the motion. No discussion followed. The motion passed unanimously.

- 17. Consideration of staff's recommendation to adopt Ordinance 2013-17 amending Chapter 14 Recreation and Parks of the Code of Ordinances for Fayette County, Georgia.**

Parks and Recreation Director Anita Godbee briefed the Board on this recommendation.

Commissioner Ognio moved to table this item until the January 23, 2014 Board of Commissioners meeting. Commissioner McCarty seconded the motion. Discussion followed. The motion passed unanimously.

- 18. Consideration of staff's request to design and construct a parking lot at the Georgia Department of Driver Services facility, with said parking lot including seventy-three parking spaces, a driveway, and upgrades to the stormwater detention pond, for an estimated materials cost of \$50,938.00, utilizing Project Contingency Funds.**

Public Works Director Phil Mallon explained and discussed this request with the Board. Chairman Brown commented on this item.

Commissioner Barlow moved to approve staff's request to design and construct a parking lot at the Georgia Department of Driver Services, with said parking lot to include seventy-three parking spaces, a driveway, and upgrades to the stormwater detention pond, for an estimated materials cost of \$50,938.00, utilizing Project Contingency Funds. Commissioners McCarty and Oddo seconded the motion. No discussion followed. The motion passed unanimously.

19. Consideration of staff's request to adopt Ordinance 2013-21 amending the Code of Ordinances for Fayette County, Georgia by enacting provisions pertaining to the regulation of on-site sewage management systems.

Interim County Attorney Dennis Davenport briefed the Board on staff's request.

Commissioner Barlow moved to approve staff's recommendation to adopt Ordinance 2013-21 amending the Code of Ordinances for Fayette County, Georgia by enacting provisions pertaining to the regulation of on-site sewage management systems. Commissioner Oddo seconded the motion.

Environmental Health County Manager Robert Kurbes answered questions from Commissioner Ognio and Commissioner McCarty.

The motion to approve staff's recommendation to adopt Ordinance 2013-21 amending the Code of Ordinances for Fayette County, Georgia by enacting provisions pertaining to the regulation of on-site sewage management systems passed unanimously.

20. Consideration of Ordinance 2013-22 amending the Fayette County Code, Chapter 19., Article IV., Stormwater Management and establishing a rate-fee schedule and amendments to the Stormwater Utility Credit Technical Manual referenced in this ordinance.

Environmental Management Director Vanessa Birrell briefed the Board on this item.

Commissioner Oddo moved to amend the Stormwater Ordinance as follows: to establish a late payment penalty removing sections pertaining to filing notice of liens as a payment enforcement method, to remove the credits for rain barrel watershed stewardship and septic tank maintenance, and to add credits for ten and fifteen acre lots, and for residential ponds, with the balance of the actual finalization of the ordinance to be taken up at a later date. Commissioners McCarty and Ognio seconded the motion. No discussion followed. The motion passed unanimously.

Commissioner Oddo moved to establish a date for the finalization of the ordinance to January 23, 2014. Commissioner Barlow seconded the motion. No discussion followed. The motion passed unanimously.

21. Discussion of a Future Land Use Plan study for the State Route 74 Corridor.

Community Development Director Pete Frisina and Ms. Linda Sandwich discussed this matter with the Board. Chairman Brown, Commissioner Barlow, Commissioner Oddo, and Commissioner McCarty commented on this item.

Chairman Brown moved to send this item to the Planning Commission to review for a possible decision on the Future Land Use Plan being amended to allow office in those specific sites that have been mentioned. Commissioners McCarty and Oddo seconded the motion.

Mr. Dennis Chase commented on this item.

The motion to send this item to the Planning Commission to review for a possible decision on the Future Land Use Plan being amended to allow office in those specific sites that have been mentioned passed unanimously.

22. Consideration of a recommendation from the Selection Committee to appoint Mr. Allen Phinney to the Fayette County Development Authority, and for said appointment to begin immediately and to expire on April 9, 2014.

Commissioner Oddo moved to accept the Selection Committee's recommendation to appoint Allen Phinney to the Fayette County Development Authority, and for said appointment to begin immediately and to expire on April 9, 2014. Commissioners McCarty and Barlow seconded the motion. The motion passed unanimously. Discussion followed after the vote.

23. Consideration of a resolution from the City of Fayetteville consenting to the inclusion of Certain Fayette County Ad Valorem Taxes in the computation of the Tax Allocation Increment for the City of Fayetteville Tax Allocation District Number One- Highway Corridor.

Fayetteville Mayor Greg Clifton and County Manager Steve Rapson briefly spoke about this item.

Commissioner Oddo moved to accept the resolution from the City of Fayetteville consenting to the inclusion of Certain Fayette County Ad Valorem Taxes in the computation of the Tax Allocation Increment for the City of Fayetteville Tax Allocation District Number One- Highway Corridor. Commissioner Ognio seconded the motion. Discussion followed. The motion passed unanimously.

24. Request for Fayette County to pay for legal representation for Ms. Marilyn Watts.

This item was removed from the Agenda at the Acceptance of the Agenda.

25. Water Committee recommendation to approve the City of Fayetteville to use the waterline easement on Highway 85 to service 1391 Highway 85 with sewer conditioned upon any future ongoing maintenance associated with the waterline under the sidewalk not to be paid for by the Fayette County Water System.

Chairman Brown informed the audience that this item was added to the Agenda at least 24-hours in advance, that the media was notified and supplied with copies of the agenda item. He informed the audience that if anyone wants copies of the material they can contact the County Clerk.

County Manager Steve Rapson gave a brief explanation of this item.

Commissioner Barlow moved to approve the Water Committee's recommendation to approve the City of Fayetteville to use the waterline easement on Highway 85 to service 1391 Highway 85 with sewer conditioned upon any further ongoing maintenance associated with the waterline under the sidewalk not to be paid for by the Fayette County Water System.

Chairman Brown indicated that staff was informing him that the address was 1381 Highway 85.

Commissioner Barlow amended his motion to approve the City of Fayetteville to use the waterline easement on Highway 85 to service 1381 Highway 85 with sewer conditioned upon any further ongoing maintenance associated with the waterline under the sidewalk not to be paid for by the Fayette County Water System. Commissioner McCarty seconded the motion. Discussion followed. The motion passed unanimously.

The Board returned to this item based on Mr. Clay Crim's correct information provided during Public Comment. Mr. Rapson verified to the Board that the property in question is located at 1391 Highway 85 as originally listed.

Commissioner Ognio moved to change the address on the Water Committee recommendation to approve the City of Fayetteville to use the waterline easement on Highway 85 to service 1391 Highway 85 with sewer conditioned upon any further ongoing maintenance associated with the waterline under the sidewalk not to be paid for by the Fayette County Water System. Commissioner Barlow seconded the motion. No discussion followed. The motion passed unanimously.

ADMINISTRATOR'S REPORTS:

Direction Sought on New Business Item #24: County Manager Steve Rapson asked for Board direction on how staff should handle the request. Commissioner Oddo suggested that it would be better to redirect the matter to the County's Insurance Agency, and to let the Insurance Agency analyze the matter and take it out of the Board's hands. Interim County Attorney Dennis Davenport agreed that this is a coverage issue, and that the County typically sends coverage issues to the Insurance Agency.

Chairman Brown informed everyone that he would abstain from the conversation because he was named in the matter.

Commissioner Oddo moved to send the request for Fayette County to pay for legal representation for Ms. Marilyn Watts to the County's Insurance Agency. Commissioner Barlow seconded the motion. No discussion followed. The motion passed 4-0-1 with Chairman Brown abstaining from the vote.

Update on the Core Infrastructure SPLOST: County Manager Steve Rapson informed the Board that there were plenty of rumors and speculation about what the County would do since the Core Infrastructure SPLOST was not passed in the recent election. He explained that staff would take the Category I, Category II, and Category III projects and short-list them according to how the County would like to spend half a million dollars on the needs. He told the Board that Stormwater Utility bills would be issued shortly around Thanksgiving and Christmas. He suggested that this issue would be taken up at the April 2014 Retreat in preparation of next year's budget in regard to what the long-term plan will be.

Consent Order from the Environmental Protection Division: County Manager Steve Rapson reported that the County received a draft Consent Order from the Environmental Protection Division (EPD) and that it is under evaluation at the moment. He reported that staff had a meeting with EPD on October 21, 2013 to review the County's comments with regard to the issue, and he reported that the County has a 45-day window to respond to the draft Consent Order. He informed the Board that staff intended to respond to the draft Consent Order right after the Thanksgiving holiday as opposed to taking the entire 45-day window to respond. He stated that an update could be given to the Board at the December 12, 2013 Commissioners meeting. He added that the County has completed 89 out of the 150 deficiencies listed in the Sanitary Survey, meaning 59.3% of the deficiencies have been completed.

ATTORNEY'S REPORTS:

Four Items for Executive Session: Interim County Attorney Dennis Davenport reported that he had four items to be discussed in Executive Session composed of one item of Real Estate, two items of Threatened Litigation, and one review of the October 24, 2013 Executive Session Minutes.

COMMISSIONERS' REPORTS:

Commissioner Barlow: Commissioner Barlow responded to Mr. Hogart's public comments, and he thanked Liberty Baptist Church and Mr. Hogart for keeping the Board in prayer. He said he thought about II Chronicles 7:14, quoted the verse, and submitted that it was prayer that is going to solve the issues in Fayette County. He stated that God was needed in America and that God is needed in Fayette County. He thanked staff for their work, and he said he prayed for staff's safety in travel and he wished staff would have a wonderful time with their families. He also said he prayed for those in attendance and he would pray that they have a good time with their families. Commissioner Barlow closed by thanking the citizens who come to the meeting and express their opinions. He recalled that the first Commissioner meeting that he attended about three years ago had all of about five citizens in the audience. He suggested the reason that was the case was because the Commissioners did not pay attention to what the citizens had to say, so the citizens stopped coming. He said that current Board has turned that matter around, that he was proud of that, and that he was thankful for the people who come to the meetings. He acknowledged that he may not always agree with what a citizen says, but he agrees that they have the right to say it, and that he volunteered and was elected to hear the citizens, and that he gladly does so. He reiterated that he would pray for everyone's safety, and thanked them for coming out.

Commissioner McCarty: Commissioner McCarty stated that Mrs. Emily Louise Burgess, who is the mother of Purchasing Director Ted Burgess, passed away earlier in the week. He informed everyone that she was 92 years of age when she passed, and she left a husband that she had been married to for 72 years. He wished that they had been around so that the Board could celebrate their 73rd wedding anniversary. He said everyone knew, and that the family knew, where Mrs. Burgess is at the moment. He said the Commissioners wanted everyone to know that they were remembering Ted and his family in the prayers. Commissioner McCarty closed his remarks by wishing everyone a Happy Thanksgiving.

Commissioner Ognio: Commissioner Ognio said he wanted to address the Sexually Oriented Businesses that were discussed in public comment. He said he personally did not like where they were going because he has a business in those areas and that he does not want "sex shops" next to his business. He understood that his business is not his home, and he understood that those who live in the area are affected differently. He said that as far as being afraid of being sued over where "sex shops" can be located, the fact is that if the ordinance was not passed and a sexually oriented business decided to come to the County, in most cases the "sex shops" have won the suit and been able to locate anywhere they want. He thought that if the people wanted to address the problem it would be

more beneficial to get with the State legislatures to see if there is a way to prevent them altogether. He explained that the Board of Commissioners does not have the power to prevent sexually oriented businesses from coming to Fayette County, but that it does have the ability to try to limit them to areas. He suggested that if the people had a better way to figure out a limited area, then the Board would be open to those suggestions. He emphasized that the County has to do something and not just open for "sex shops" to locate anywhere they want. Commissioner Ognio closed his remarks by wishing everyone a Happy Thanksgiving and hoped everyone would have a safe holiday.

Commissioner Oddo: Commissioner Oddo agreed with Commissioner Ognio's remarks. He suggested that the Board's recent action can be fixed or changed or amended, but that the Board's action did put protections into place. He wished the Burgess family well. He told the audience that each Commissioner went to the visitation, that Ted and his wife, Del, are great people. He said he understood how Ted feels, and wished him well. Commissioner Oddo wished everybody a Happy Thanksgiving. He said he was very thankful that Fayette's citizens gave him the opportunity to represent them this year by being a Commissioner. He understood that everything he did may not have exactly accorded with what everyone wants, but he suggested that he did not think anyone could find others who are trying as hard as the Board is trying to do what is right by the County. He said serving was a great privilege, that he appreciated the opportunity, and that he looked forward to the rest of his term.

Chairman Brown: Chairman Brown strongly advised everyone to use the internet and look at the October 24, 2013 Board of Commissioners Minutes and recordings to see the discussion that was had concerning sexually oriented businesses, or "sex shops." He corrected a misconception by saying that there are no proposed "sex shops" currently coming to Fayette County, and that the Board's action was strictly a preventive action in an effort to head off the issue. He reminded the people that there have been many lawsuits concerning this issue in the past throughout metropolitan Atlanta, and that the jurisdictions have lost almost all of them. He said the County had to do something, and that the Board is determined to do something about this issue. Chairman Brown told everyone that when he was mayor of Peachtree City this issue came up around 2002 or 2003. He said the city rushed on the matter since several jurisdictions had just lost lawsuits, and it did the same exercise that the County just did recently. He told everyone that the area that was designated was the closest to his subdivision as it was across the street from his subdivision in the industrial area. He said the decision did not go over well at his house or street, but something had to be done. He pointed out that to date, not a single "sex shop" has moved into Peachtree City, and he hoped it was because the County took the right action at the right time. He encouraged the citizens to give the Board alternatives that could be considered, and if better alternatives can be found, then there would be five Commissioners who would go back and change the current ordinance. He reminded everyone that there would be no easy choices, that there are no easy alternatives, and that somebody would feel pain no matter what zoning classification is used. Secondly, Chairman Brown stated that he accepted the 2013 Democracy Award, and it was for trying to improve State Ethics. He said the Board had passed a resolution on the matter and that he had testified at the state level. He stated that at the award ceremony that he told everyone that Senator Josh McKoon was the only person in the entire State Senate willing to do the ethics changes and that Senator McKoon took much abuse and was maligned for taking that stand. He said if Senator McKoon had not had the courage to put forth ethics reform into legislation, under fierce retribution, then there would have been nothing to talk about. Chairman Brown said he owed Senator McKoon a great deal of gratitude. He added that had it not been for the four County Commissioners who sit at the dais with him and who also voted for the resolution that he drafted for consideration, then he would again have nothing to talk about. Chairman Brown said he was very proud of the Board that he serves with, acknowledged that they stood with him on this matter, and that Fayette County was the only local jurisdiction in the State of Georgia who called for ethics reform for the State Legislature. Chairman Brown said he owed a debt of gratitude to the Board of Commissioners, and that the award that he received goes five times over all the way across the dais. He said he was grateful to serve with the Board, that their hearts are in the right place, and they do the right things.

EXECUTIVE SESSION:

Four Items of Executive Session: Chairman Brown moved to recess into Executive Session for one Real Estate Item, two items of Threatened Litigation, and to consider the Executive Session Minutes from October 24, 2013. Commissioner McCarty seconded the motion. No discussion followed. The motion passed unanimously.

The Board recessed into Executive Session at 9:51 p.m. and returned to Official Session at 10:16 p.m.

Return to Official Session and Executive Session Affidavit: Commissioner Ognio moved to exit Executive Session and for the Chairman to sign the affidavit. Commissioner Barlow seconded the motion. No discussion followed. The motion passed unanimously.

Approval of the October 24, 2013 Executive Session Minutes: Chairman Brown moved to approve the October 24, 2013 Executive Session Minutes. Commissioner Ognio seconded the motion. No discussion followed. The motion passed unanimously.

ADJOURNMENT:

Commissioner McCarty moved to adjourn the November 14, 2013 Board of Commissioners meeting. Commissioner Barlow seconded the motion. No discussion followed. The motion passed unanimously.

The Board of Commissioners adjourned the November 14, 2013 Board of Commissioners meeting at 10:17 p.m.

Floyd L. Jones, County Clerk