Minutes

Board of Commissioners
October 24, 2013
7:00 P.M.

The Board of Commissioners of Fayette County, Georgia, met in Official Session on October 24, 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 Administrator Floyd L. Jones, County Clerk Tameca P. White, Deputy Clerk Dennis Davenport, Interim County Attorney

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Call to Order, Invocation, and Pledge of Allegiance

Chairman Brown called the October 24, 2013 Board of Commissioners meeting to order at 6:59 p.m.

Commissioner Barlow gave his third presentation on the United States Constitution and the third Principal of Liberty of the Constitution. A copy of Commissioner Barlow's PowerPoint presentation, identified as "Attachment 1", follows these minutes and is made an official part hereof. Commissioner Barlow then asked Dr. William Holmes Robinson, pastor of Olivet Baptist Church to offer the invocation, and Pastor Robinson did so.

Commissioner Oddo led the audience in the Pledge of Allegiance.

Acceptance of Agenda

Chairman Brown moved to Accept the Agenda as published, to accept a new Agenda Item referred to as New Business Item #14- Water Committee recommendation to rescind the action taken on May 9, 2013 on the Water Committee recommendation to allow the City of Fayetteville to use the waterline easement on Highway 85 to service 1391 Highway 85 with sewer, and to move New Business Item #12 right after the Presentation / Recognition section of the Agenda. Commissioner Barlow seconded the motion. No discussion followed. The motion passed unanimously.

PRESENTATION / RECOGNITION:

1. Proclamation of November 2013 as Epilepsy Awareness Month in Fayette County.

Commissioner Barlow presented the proclamation declaring November 2013 as Epilepsy Awareness Month in Fayette County. Ms. Claudia Woodworth and Ms. Susan Dean received the proclamation on behalf of the Epilepsy Foundation of Georgia. Copies of the request and proclamation, identified as "Attachment 2", follow these minutes and are made an official part hereof.

2. Recognition of the Fayette County School Board's VITAL (Volunteer Initiative to Assist Learning) program.

Commissioner McCarty presented the recognition of the Fayette County School Board's VITAL program. Ms. Sharon Walters, representing the VITAL program, gave a brief PowerPoint presentation on the beginning of the program and its work. Copies of the request, recognition, and PowerPoint presentation, identified as "Attachment 3", follow these minutes and are made an official part hereof.

3. Proclamations honoring Fayette County residents who are celebrating milestone wedding anniversaries.

Chairman Brown read a proclamation recognizing and celebrating milestone wedding anniversaries for the following couples:

Mr. and Mrs. Mercer and June Fisher's 60th Wedding Anniversary. A copy of the proclamation recognizing the Fisher's anniversary, identified as "Attachment 4", follows these minutes and is made an official part hereof.

Mr. and Mrs. Lamar and Sandra Feagan's 51st Wedding Anniversary. A copy of the proclamation recognizing the Feagan's anniversary, identified as "Attachment 5", follows these minutes and is made an official part hereof.

Mr. and Mrs. Thomas and Shirley Sullivan's 65th Wedding Anniversary. A copy of the proclamation recognizing the Sullivan's anniversary, identified as "Attachment 6", follows these minutes and is made an official part hereof.

A copy of the proclamation read by Chairman Brown, identified as "Attachment 7", follows these minutes and is made an official part hereof.

Fayette County Awarded the "Deal of the Year Award: Chairman Brown announced that Fayette County is the recipient of the "Large Development of the Year" award, and that the award was related to Pinewood Studios. He told of all the work and intergovernmental cooperation involved in bringing Pinewood Studios to Fayette County, and he introduced Ms. Emily Poole who represented the Fayette County Development Authority and who commented on Fayette County's award.

PUBLIC HEARING:

4. Consideration of Petition No. 1229-13, Olivet Baptist Church, Owner, and Dr. Maurice Ukadike, Agent, request to rezone property from A-R Agriculture-Residential to R-45 Single-Family Residential District to expand an existing Church Facility, with one recommended condition, and with said property consisting of 10.408 acres located in Land Lot 250 of the 5th District and fronting on SR 279.

Community Development Director Pete Frisina read the Public Hearing rules into the record. A copy of the *Introduction to Public Hearings*, identified as "Attachment 8", follows these minutes and is made an official part hereof.

Chairman Brown asked those who were in favor of the petition to address the Board.

Dr. Maurice Ukadike spoke in favor of the petition. Pastor William Holmes Robinson spoke about God's work and blessing at Olivet Baptist Church, and how the church's ministry is growing. He said the church felt it was time to expand, and that the church has the heart of the community, and that the community was in the church's heart. He told the Board that the church wanted to expand the Kingdom of God, and that this effort would help in the work.

Chairman Brown asked for those who were in opposition to the petition to address the Board. No one spoke in opposition.

Commissioner Brown asked Mr. Frisina if the requested use was in Fayette County's Comprehensive Plan, and Mr. Frisina replied that it was. Chairman Brown then asked Mr. Frisina to read the recommended condition into the record. Mr. Frisina read the following condition into the record:

1) The property owner will work with staff during the Site Plan process to place a gate or other traffic controls on the property to reduce the potential of cut-through traffic between State Route 249 and State Route 314.

Mr. Frisina pointed out that the Agenda read that the zoning would be changed from AR-45, and he corrected the Agenda saying it would change simply to R-45.

Commissioner Barlow moved to approve Petition 1229-13, Olivet Baptist Church, Owner, and Dr. Maurice Ukadike, Agent, request to rezone property from A-R Agriculture-Residential to R-45 Single-Family Residential District to expand an existing Church Facility, with one recommended condition as listed in the agenda request that is listed as Condition 1 and reads "the property owner will work with staff during the Site Plan process to place a gate or other traffic controls on the property to reduce the potential of cut-through traffic between State Route 279 and State Route 314", and with said property consisting of 10.408 acres located in Land Lot 250 of the 5th District and fronting on SR 279. Commissioner McCarty seconded the motion. Chairman Brown asked Dr. Ukadike if he was agreeable to the condition as stated, and Dr. Ukadike replied that he was agreeable to the condition. The motion passed unanimously. Copies of the request, Ordinance 1229-13, and Resolution 1229-13, identified as "Attachment 9," follow these minutes and are made an official part hereof.

5. Consideration of staff's recommendation to adopt Ordinance 2013-15 approving proposed amendments to the Fayette County Code of Ordinances, Chapter 20. Zoning Ordinance, regarding Article XII. Planning Commission.

Community Development Director Pete Frisina spoke about staff's recommendation to approve Ordinance 2013-15 approving proposed amendments to the Fayette County Code of Ordinance, Chapter 20. Zoning Ordinance, regarding Article XII. Planning Commission. He informed the Board that the proposed amendments affected the Chapter that deals with the Planning Commission and that staff was recommending changing the requirements for the Planning Commission so that they are the same for Zoning Board of Appeals; meaning Planning Commissioners only have to live in Fayette County. He explained that the proposed amendments allow for one member of the Planning Commission to serve on the Zoning Board of Appeals. Mr. Frisina added that the Planning Commissioners recommended that, in the future once the districts' situation is settled, that the Board of Commissioners may want to revisit this issue and revert back to assigning the Planning Commissioners by districts since there could be a better sense of representation.

Chairman Brown replied that the proposed amendments meant that, if the County has a real super star in its midst, the Board could choose that person regardless of where they live in the County. He said the County needs good people, and that Fayette County has an incredibly deep pool of human capital, and that the Board intended to take full advantage of those who want to serve.

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

Commissioner Oddo moved to approve staff's recommendation to adopt Ordinance 2013-15 approving proposed amendments to the Fayette County Code of Ordinances, Chapter 20. Zoning Ordinance, regarding Article XII. Planning Commission. Commissioner Barlow seconded the motion. No discussion followed. The motion passed unanimously. Copies of the request and Ordinance 2013-15, identified as "Attachment 10", follow these minutes and are made an official part hereof.

6. Public Hearing to gain public input on the regulation of sexually oriented businesses and consideration of Ordinance 2013-16 for the amendment of the Fayette County Code of Ordinances, Chapter 6. Business Licenses to now be titled Regulation of Specific Occupations and associated Fee Schedule.

Community Development Director Pete Frisina spoke about the proposed amendments to the Fayette County Code of Ordinances. He said staff was looking at amending the existing Chapter 6 of the Fayette County Code of Ordinances which is currently called Business Licenses, and that staff is recommending that the title be changed to Regulation of Specific Occupations. He said the changes would include changes to existing amusement activities such as carnivals and fairs, canvassers and solicitors, and personal care homes. He continued that the proposed amendments would introduce additional regulations for sexually oriented businesses and for tattoo and body art regulations. He said the amendments were recently adopted by the Board of Health, which they are governed by the Board of Health, and that they would be regulated by Environmental Health. He said the Board of Health has recommended placing these amendments in the Fayette County Code of Ordinances so that citations can be written if there are violations. Mr. Frisina informed the Board that these amendments were advertised as a Public Hearing so that the Board could get public input especially concerning sexually oriented businesses.

Mr. Frisina informed the Board that the Cities of Fayetteville and Peachtree City, and that the Town of Tyrone all have ordinances in place concerning sexually oriented businesses, and that their three ordinances are very similar. He explained that these businesses entail First Amendment considerations, and that the Board needs to be cognizant that it is not infringing on the freedom of speech or the freedom of expression, while at the same time trying to find a balance in the regulation of these types of businesses. He reminded the Board that staff provided studies from other cities and counties since Fayette County does not have sexually oriented businesses within its jurisdiction. He said the studies show a correlation of an increase in crime with these types of businesses coupled with a decrease in residential and commercial property values, a loss of commerce, and a general negative perception about the businesses. He said staff's recommendation, based on the available studies, is to keep sexually oriented businesses separated from other uses, and to keep a certain distance between them so that there is not a grouping of sexually oriented businesses. Mr. Frisina informed the Board that the recommendation was to limit the establishment of sexually oriented businesses to the Light Industrial Zoning District, which are usually far removed from residential and commercial areas. He told the Board that there are three areas in the county where there is a predominance of M-1 Zoning; namely State Route 85 North Corridor, an area along State Route 314 and an area east of Fayetteville on State Route 54 just before McDonough Road. Mr. Frisina replied that staff has put in setbacks that are similar to what the three jurisdictions have adopted, and that the County had to modify its setbacks because the way the cities measured the setbacks it made it very difficult to find a location. He said the setbacks would mainly measure from the front door as opposed to the property line. Mr. Frisina said that, in terms of the other activities and sexually oriented businesses, the County would require background checks similarly to the way it requires background checks for alcohol licenses.

Chairman Brown asked for people to speak either in favor of or in opposition to the proposed amendments.

Denise Ognio: Mrs. Ognio asked why, if there is no need and no one has asked for use of the sexually oriented business, the county would change its regulations. She informed the Board that she was very much against the proposed amendments, and that she was sad that the black community who had been in attendance had mostly left the meeting. She said it appeared that the County was trying to put these businesses in areas where there are already potential problems.

Fanita Williams: Ms. Williams said she was opposed to the proposed amendments. She did not understand why the amendments would even be considered, and she was concerned about what areas the M-1 Zoning was going to affect. She said she wanted specific information about what those areas in the community are, since she agreed with Mr. Frisina's findings that the businesses bring down the community and encourages crime. Ms. Williams told the Board that one reason she moved to Fayette County was because it is a beautiful county and that there is not that type of business going on. She thought that the County could do without the proposed amendments.

Chairman Brown stated that this was the second time he had dealt with this issue since the first time he had to deal with this issue was when he was mayor in Peachtree City. He suggested that Mrs. Ognio and Ms. Williams had the argument backwards since the County was not trying to implement an ordinance that encourages these types of businesses into Fayette County. He said the County was trying to regulate the businesses to the point that the County could control the businesses if they decided to come into Fayette County. He spoke about Starship, a sexually oriented business in Thomas Crossroads and Sharpsburg in neighboring Coweta County, was allowed in Coweta County. He explained that it was able to set up shop since there was no ordinance in place preventing them from set up; meaning the County had to allow them

to go into that retail space. He explained that the County was trying to look at what is an appropriate place to put these types of businesses that will do the least amount of harm, and that M-1 Zoning is not necessarily where these types of businesses would typically set up. He continued explaining that the County was trying to get ahead of the curve. He pointed out that Peachtree City and Fayetteville have already taken similar measures and that he was surprised that Fayette County had not taken this measure. Chairman Brown acknowledged that there are First Amendment considerations involved, that the business cannot be altogether restricted, but if the businesses do come then the County wants to control it to a certain level.

Commissioner McCarty stated that the Board was not moving any M-1 Zoning District, and that the M-1 Zoning District has already been established. He stated that, currently, if someone wanted to apply for these types of businesses anywhere in the county, that technically they would have a legal way of establishing their business in places where the County does not want them. He added that the County does not want the businesses in M-1 Zoning either, but if they do come to Fayette County that is where they would have to go. He said they would also have to meet the regulations and other qualifications associated with M-1 Zoning as well, and that would be a big discouragement. Commissioner McCarty continued saying that this effort was a protective effort for the County.

Commissioner Barlow said the County was trying to take a similar approach to Fayetteville so that these types of businesses could be blocked. He understood that it was better to have the ordinance than to not have the ordinance. Commissioner Barlow asked Mr. Frisina if he highly recommended the proposed amendments to the ordinance, and Mr. Frisina replied that he did highly recommend them.

Fanita Williams: Ms. Williams returned to the podium and stated that she lives north of Fayetteville, and that it seems that the M-1 Zoning was along State Routes, and Mr. Frisina repeated where the M-1 Zoning areas were located. Ms. Williams also asked Mr. Frisina to explain what a setback is, and he explained that it is the distance between the road and the front door of an establishment like a church.

Marissa Williams: Ms. Williams asked if there was a study that shows the crime rate in the areas. She said it was her understanding that State Route 314 has a lot of crime, but she could recall a time when areas around the Fayette Pavilion did not have crime. She suggested that putting these types of businesses on State Route 314 would invite more crime to the County, especially when there are statistics that show bringing sexually oriented businesses, which often draw illegal drugs and legalized herbs, will draw more “customers” to the area. She said she did not understand why these types of stores would be put in areas that typically include lower-income establishments or residents, and that it would ask for more crime to come to the county. She again repeated her question about whether there were any studies around the area that dealt with crime. Chairman Brown and Commissioner Ognio responded to Ms. William’s concerns, and Chairman Brown added that conducting the type of test she was requesting was not feasible since it would require sexually oriented businesses to first locate to Fayette County. Ms. Williams disagreed with Chairman Brown by saying someone could look at the business district and see the crime that has developed in comparison to the crime that is in the residential areas, and she stated that there were many tests that show the relationship of crime in residential areas in relation to commercial settings. She agreed that the County needed to regulate sexually oriented businesses, but she thought the County should look at the M-1 Zonings a little closer. Chairman Brown replied that staff had spent hours and hours of time going over the locations, and he suggested that if Ms. Williams had another zoning designation to suggest, then the Board would certainly listen to what she has to say. Ms. Williams responded that she would do some research for the Board. She said she is 24 years old, has lived in

Fayette County for the majority of her life, and that she has seen Fayette County go down in the past years. She said she wanted to bring her kids back to Fayette County, and that she would hate to bring her kids back to a place where she would have to consider moving to an even more rural area in order to avoid city and county crime. Chairman Brown said he agreed with Ms. Williams and said that was the reason the Commissioners ran for office, and that the people agreed with her too. He said the County was trying to do exactly what she had expressed that she wanted, namely, that the County was trying to severely limit the capacity of the stores to do business in Fayette County. He conceded that there was no perfect answer, but this answer was the best that could be given that would not impact churches, schools, parks, and subdivisions. Ms. Williams stated that she would do some personal research since she did not feel this step was good for the community. Chairman Brown informed Ms. Williams that the Board can always amend this ordinance.

Commissioner Oddo asked Ms. Williams to understand that the County was not in favor of sexually oriented businesses, but that the Supreme Court of the United States has said that communities cannot disallow sexually oriented businesses in their county. He explained that the best the County could do was to find the least conspicuous places, and encourage the businesses to remain over there. He told Ms. Williams that the County does not want these types of businesses in public areas where everyone can see them and where they would attract more customers.

Commissioner Barlow asked if Ms. Williams was familiar with the Starship company located in Coweta County, and he said the Coweta County sued Starship and tried to block them from going into their current location. He stated that Starship won the lawsuit because there was not an ordinance in place. He explained that if the County did not have an ordinance in place, then the sexually oriented businesses could go anywhere. He emphasized that Fayette County had to have an ordinance, as a starting point, and he suggested that Ms. Williams could make a proposal if she has a problem with placing the businesses in M-1 Zoning. He added that if the Board could adopt an ordinance that it could also amend the ordinance. Ms. Williams clarified that she was for the ordinance, but was not in agreement with the areas it specifies. Commissioner Barlow pointed out that the ordinance was properly advertised for two weeks, and that not a single citizen came forward on the matter. He mentioned that approximately 35,000 citizens received the paper, and that it was telling that not a single person came forward with any kind of issues on this matter. He told Ms. Williams that this issue had been vetted successfully. Ms. Williams replied that it was the same as the Facebook Resolution that the Board passed, and she pointed out that virtually no Fayette County students or parents knew about it.

Commissioner McCarty asked Ms. Williams to understand that what everyone was saying was on public record, and that the Board has committed to Ms. Williams that if she brings back something that can be used, then the Board would be glad to see her findings.

Commissioner Ognio stated that Mr. Frisina did a lot of work in checking how lawsuits have been filed, in an effort to create an ordinance that would prevent the County from being sued, and in an effort to make it so that the County could control the issue. He said that was the entire idea, to be able to control the issue. He said he did not see any other way, other than what had been presented, to control the issue.

County Administrator Steve Rapson clarified that the lawsuit was between Coweta County and Starship. Secondly, he clarified that he was confident that staff had done the adequate research, and that staff could sit down with Ms. Williams and explain how the County reached its decision. He stated that Mr. Frisina would contact Ms. Williams and have a meeting with her.

City of Fayetteville Mayor Greg Clifton: Mayor Clifton spoke in favor of the proposed amendments saying he thought the County should approve them. He pointed out that the Board had already stated that it could amend the ordinance, but the situation that the County finds itself in right now is that the barn door is wide open and the horse has not gotten out yet. He suggested the County should close the door before the horse gets out, and that the County could then look at moving the gate to some other location at a later time. Mayor Clifton stated that for those who do not want to see sexually oriented businesses to come to Fayette County, that the land areas were rather small, and he suggested that someone could open a church near to each of those properties, and that would solve the situation.

Denise Ognio: Mrs. Ognio returned to the podium and said she understood more after hearing the explanation. She informed the Board that she was still against the proposed amendments, but that she did understand why the Board probably would and should vote in favor of them. She said she still had a question, namely, if a sexually oriented business or a tattoo parlor were to come to Fayette County, then could a citizen come and protest the business at that time. Chairman Brown replied that anybody could protest anything, but the Board was relegating these businesses to a specific zoning jurisdiction. Commissioner McCarty rhetorically asked, "How many of those businesses want to open up next to a concrete plant?"

Commissioner Barlow moved to adopt Ordinance 2013-16 for the amendment of the Fayette County Code of Ordinances, Chapter 6. Business Licenses to now be titled Regulation of Specific Occupations and associated Fee Schedule. Commissioner McCarty seconded the motion. No discussion followed. The motion passed unanimously. A copy of the request and Ordinance 2013-16, identified as "Attachment 11", follows these minutes and is made an official part hereof.

PUBLIC COMMENT:

Ms. Jeanelle Toddman: Ms. Toddman said she appreciated the Thomas Jefferson quote, as given by Commissioner Barlow at the beginning of the meeting, especially since she is an alumnus of the University of Virginia. She said she had just listened to the previous conversation, and one thing that she wanted to insert was the concrete plant. She asked if the Board had considered "beautification of things," and she asked if it was possible to consider "covering" the concrete plant with trees. She explained that the concrete plant tended to be an eyesore. She thought the Board should consider that as things are built, and as areas are zoned, what the buildings and areas would do to the overall aesthetics of the community. She suggested that the County should maintain a certain level of beautification.

Chairman Brown explained that the concrete plant is a very old establishment, and as can be observed with some of the shopping centers and various older establishments, they were in place before the County had formal zoning. He explained that those locations have been grand fathered into the County, but some are coming to the age where they need to be redeveloped. He told Ms. Toddman that the concrete plant could very well be one of those establishments, and when they get redeveloped then they would fall under the County's current Code of Ordinances including the setbacks, landscaping requirements, facades, building codes and other requirements would then come into play. He pointed out that the City of Fayetteville has a Tax-Allocation District (TAD), and that it includes many of those old shopping centers up and down Highway 85. He said there is a tax incentive where someone could buy one of those old places, raze it, and rebuild it into something that looks a lot better. Chairman Brown said the County is using some of those tools to try to get some new people in and to do new things with those sites, and that the Mayor of Fayetteville is actively looking for people who want to do that.

CONSENT AGENDA:

Commissioner Oddo asked to remove Consent Agenda Item #9 from the Consent Agenda.

Commissioner Barlow moved to accept Consent Agenda Items #7, 8 and 10. Commissioner Ognio seconded the motion. No discussion followed. The motion passed unanimously.

7. Approval of staff's recommendation for an amendment to the final supplemental budget adjustment, in the amount of $2,550.00, to the final amended budget for the fiscal year ended June 30, 2013. A copy of the request, identified as "Attachment 12", follows these minutes and is made an official part hereof.

8. Approval of staff's request to authorize Tank Pro, Incorporated to install a ladder inside both the Ellis Road water tower and the Highway 92 water tower for safe access to each tank's interior, at an aggregate cost of $29,224.00, to be funded from the Renewal and Extension Fund Account. A copy of the request, identified as "Attachment 13", follows these minutes and is made an official part hereof.

9. Approval of staff's recommendation to authorize the Fayette County Water System to lower the water level in Lake Peachtree from January through March 2014.

Commissioner Oddo reminded everyone that he does not have foreknowledge of the future, and that he wanted to ensure that when the time comes that the County has a little safeguard in place. He suggested that the following wording be added: "Approve staff's recommendation to authorize the Fayette County Water System to lower the water level in Lake Peachtree from January through March 24 *conditioned upon the approval of the Water System Director*."

Commissioner Oddo moved to approve staff's recommendation to authorize the Fayette County Water System to lower the water level in Lake Peachtree from January through March 2014 conditioned upon the approval of the Water System Director. Commissioner McCarty seconded the motion. No discussion followed. The motion passed unanimously. A copy of the request, identified as "Attachment 14", follows these minutes and is made an official part hereof.

10. Approval of the October 10, 2013 Board of Commissioners Meeting Minutes.

OLD BUSINESS:

There was no Old Business item on the Agenda.

NEW BUSINESS:

11. Consideration of staff's request to award the bid for renovating the old jail facility to Gleeds USA Incorporated (Bid #887); establish three new jail deputy positions; abolish one records clerk; and convert one Administration Assistant into an Administration Specialist to bring the old Jail fully operational.

County Administrator Steve Rapson reported that staff has been working with the Sheriff's Department, as well as with the Purchasing Department, and with Sheriff Captain Rhodes who runs the Jail on a daily basis. He informed the Board that the County is looking to renovate the existing old jail, use some of the residual bond funds that the County has, and that staff is requesting approval to set aside $1.4 million for that purpose, and to spend the first $50,000.00 on awarding the contract to Gleeds USA Incorporated. He explained that Gleeds USA would "actually come in, do an assessment of the actual old jail in regards to a cost estimate, and then we will actually use that to put it on the street to bid." He said the Sheriff's staff has been outstanding to work with, and that there is a plan on how the old jail would stand up operationally. He said the old jail would require three additional personnel, and those new Jail Deputy positions would not be implemented until the old jail is renovated. He said the jail renovation would likely be included with next's years budget, but that staff wanted to fast-track this project as quickly as possible in order to give the Sheriff's Department the flexibility it needs.

Commissioner Barlow moved to approve staff's request to award the bid for renovating the old jail facility to Gleeds USA Incorporated (Bid #887) for $50,675, utilizing residual bond proceeds to renovate the old jail facility; establish three new jail deputy positions; abolish one records clerk, and convert one Administration Assistant into an Administration Specialist. Commissioner McCarty seconded the motion. No discussion followed. The motion passed unanimously. A copy of the request, identified as "Attachment 15", follows these minutes and is made an official part hereof.

12. Consideration of Chairman Steve Brown's request to adopt Resolution 2013-22 calling on Facebook to protect our teenagers from predators and abuses of privacy.

Chairman Brown said that if a person has read the national newspapers, including the Atlanta Journal and Constitution, during the course of the past week, then that person will have noticed that Facebook is changing some of their policies and is relaxing some of their standards related to teenagers aged thirteen through seventeen. He explained that currently, if a teenager is in that age range, only your Facebook friends and the friends of your friends can look at your private Facebook postings including pictures, uploaded videos, and personal information. Chairman Brown stated that the viewing protections are going away, and that the problem is that it opens the door for many other problems to occur. He explained that strangers will be allowed to look at children's accounts, and that should make everyone worried. Chairman Brown stated that the Board of Commissioners decided that someone has to say something, and that the Resolution was the Board's expression of concern. He asked everyone in Fayette County, in metropolitan Atlanta, and around the county to get on their Facebook accounts and to ask Facebook to not ruin the privacy standards for teenagers. Chairman Brown then gave a brief PowerPoint presentation on this issue in which he told of a young woman who committed suicide because she was being severely bullied through social media. Chairman Brown concluded his remarks by saying that Facebook, as big and as powerful as it is, does not have the technical expertise that they cannot find a way to connect teen users and advertisers without exposing personal information to strangers and predators. He reminded everyone that public safety is one of the responsibilities of government, and that it is the responsibility of every parent. He suggested that those with Facebook accounts to use their medium to talk back to Facebook, and to tell Facebook to not take away privacy structures from the teenagers.

Commissioner Ognio moved to approve Chairman Steve Brown's request to adopt Resolution 2013-22 calling on Facebook to protect our teenagers from predators and abuses of privacy. Commissioner Barlow seconded the motion. No discussion followed. The motion passed unanimously. Copies of the request, PowerPoint presentation, and Resolution 2013-22, identified as "Attachment 16", follow these minutes and are made an official part hereof.

13. Consideration of the October 16, 2013 Board of Commissioners Special Called Meeting Minutes. Commissioner McCarty was not present for this meeting.

Commissioner Ognio moved to approve the October 16, 2013 Board of Commissioners Special Called Meeting Minutes that Commissioner McCarty was not present at. Commissioner Oddo seconded the motion. No discussion followed. The motion passed 4-0-1 with Commissioner McCarty abstaining from the vote.

14. Water Committee recommendation to rescind the action taken on May 9, 2013 on the Water Committee recommendation to allow the City of Fayetteville to use the waterline easement on Highway 85 to service 1391 Highway 85 with sewer.

Chairman Brown stated that the Board had an additional item on the dais; namely, a County Agenda request from the Water System, and that a copy of the document could be obtained from the County Clerk.

County Administrator Steve Rapson reported that this issue was primarily a housekeeping item. He explained that the circumstances for "this particular business" have changed, basically negating the action that the Board took on May 9, 2013. He explained that the Water Committee unanimously recommended that the Board action be rescinded, and he said a new proposal would be coming back as a recommendation from the Water Committee probably within the next thirty days.

Commissioner Barlow moved to rescind the action taken on May 9, 2013 on the Water Committee recommendation to allow the City of Fayetteville to use the waterline easement on Highway 85 to service 1391 Highway 85 with sewer, with the revised recommendation being finalized with the developer and will be presented for consideration and approval in the near future. Commissioner Oddo seconded the motion. No discussion followed. The motion passed unanimously. A copy of the request, identified as "Attachment 17", follows these minutes and is made an official part hereof.

ADMINISTRATOR'S REPORTS:

Planning Commission: County Administrator Steve Rapson informed the Board that since it approved Public Hearing Item #5, which basically amended the Planning Commission's Ordinance, there are two Planning Commission members seats that actually expire in December. He stated that the positions would be advertised, and he asked the Chairman to appoint a Board member to review the applications. Chairman Brown and Commissioner Oddo agreed to review the Planning Commission applications.

Recreation Department is Revising the Parks and Recreation Ordinances: County Administrator Steve Rapson informed the Board that the Parks and Recreation Department is in the process of revising its ordinances and that there is a meeting that is scheduled for Monday, October 28, 2013 at 6:00 p.m. He said he wanted the meeting to be noted for the official record, and that the Recreation Commission would be running that particular meeting.

Recommendation of Mr. Lee Pope as Water System Director: County Administrator Steve Rapson reported that staff has made a recommendation to Mr. Lee Pope, who is the "number two person" at Rockdale County for the Water Director's position. He stated that no one would be happier than he is to have Mr. Pope in Fayette County, and that while he is a Baptist he was glad the Pope was coming. Mr. Rapson added that Mr. Pope would begin working for Fayette County on November 5, 2013, and that he has eleven years of experience.

Update on the Water System's Deficiencies: County Administrator Steve Rapson reported that the Water System has corrected 57.3% of the deficiencies, and he asked the Board to recall that at the last meeting that there are four Notices of Violations still outstanding from the ten that the County originally had. He said staff was continuing to work on getting the deficiencies and violations completed. Chairman Brown asked Mr. Rapson to have Mr. Pope go to a Brooks Town Hall Meeting and introduce himself. Mr. Rapson replied that Mr. Pope would definitely be making the rounds.

ATTORNEY'S REPORTS:

Two Items of Threatened Litigation and One Review of Executive Session Minutes: Interim County Attorney Dennis Davenport reported that he had two items of threatened litigation and one review of the October 10, 2013 Executive Session Minutes for consideration in Executive Session.

COMMISSIONERS' REPORTS:

Commissioner Barlow: Commissioner Barlow reminded everyone that at the October 16, 2013 Special Called Meeting, that neither reporters Pat Cooper nor John Munford was present, and that he challenged the *Fayette Daily News* and *The Citizen* to acknowledge the fact that the Board of Commissioners has done everything that it said it would do. He stated that it just so happened that Pat Cooper had already published an article and that its two words started out: "As promised . . ." He explained that Mrs. Cooper had enumerated everything that the Board had been talking about, and so he called Mrs. Cooper and thanked her. He said if he had seen the paper prior to the Special Called Meeting, he never would have said anything. He closed his remarks by thanking Mrs. Cooper.

Commissioner Oddo: Commissioner Oddo wished everyone a Happy Halloween. He pointed out that his brother may be watching, and that while his brother may not want it, he was going to wish his brother a Happy Birthday since his birthday is on Halloween.

Commissioner Ognio: Commissioner Ognio said he was wearing his pink shirt, but this was special since it was in recognition of his sister, whose birthday will be on Saturday, and who would have been 49 years old.

Commissioner McCarty: Commissioner McCarty thanked everyone who came to the meeting. He said it was really exciting to see people come to the meeting, that Fayette County is a wonderful county with wonderful citizens who seem to care a lot. He said the Board was getting a lot done, and it could not be done without the citizen's help.

Chairman Brown: Chairman Brown said he was glad that Ms. Marissa Williams came to speak, and he thanked her for speaking and for staying around and participating. He said it was very refreshing to see someone who was actually raised in Fayette County and who has come back and who says "I want to stay and I want to keep it the way I've always had it." He said the County appreciated her, wished her God's blessings, and asked her to keep coming to the meetings.

EXECUTIVE SESSION:

Two Items of Threatened Litigation and One Review of the October 10, 2013 Executive Session Minutes: Chairman Brown moved to go into Executive Session for two threatened litigation items and the Executive Session Minutes from October 10, 2013. Commissioners Ognio and McCarty seconded the motion. No discussion followed. The motion passed unanimously.

The Board recessed into Executive Session at 8:40 p.m. and returned to Official Session at 9:11 p.m.

Return to Official Session and Approval of the Executive Session Affidavit: Commissioner Ognio moved to exit Executive Session and for the Chairman to sign the Executive Session Affidavit. Commissioners Barlow and McCarty seconded the motion. No discussion followed. The motion passed unanimously. A copy of the Executive Session Affidavit, identified as "Attachment 18", follows these minutes and is made an official part hereof.

Approval of the October 10, 2013 Executive Session Minutes: Chairman Brown moved to approve the October 10, 2013 Executive Session Minutes. Multiple seconds followed. No discussion followed. The motion passed unanimously.

ADJOURNMENT:

Commissioner Barlow moved to adjourn the October 24, 2013 Board of Commissioners Meeting. Commissioner Ognio seconded the motion. No discussion followed. The motion passed unanimously.

The Board adjourned the October 24, 2013 Board of Commissioners Meeting at 9:12 p.m.

Floyd L. Jones, County Clerk

Steve Brown, Chairman

The foregoing minutes were duly approved at an official meeting of the Board of Commissioners of Fayette County, Georgia, held on the 14th day of November 2013.

Floyd L. Jones, County Clerk