

BOARD OF COUNTY COMMISSIONERS

Charles W. Oddo, Chairman
Randy Ognio, Vice Chair
David Barlow
Steve Brown
Charles D. Rousseau

FAYETTE COUNTY, GEORGIA

Steve Rapson, County Administrator
Dennis A. Davenport, County Attorney
Floyd L. Jones, County Clerk
Tameca P. White, Chief Deputy County Clerk



140 Stonewall Avenue West
Public Meeting Room
Fayetteville, GA 30214

MINUTES

July 28, 2016
7:00 p.m.

Welcome to the meeting of your Fayette County Board of Commissioners. Your participation in County government is appreciated. All regularly scheduled Board meetings are open to the public and are held on the 2nd and 4th Thursday of each month at 7:00 p.m.

Call to Order

Chairman Oddo called the July 28, 2016 Board of Commissioners meeting to order at 7:01 p.m.

Invocation by Commissioner David Barlow

Commissioner Barlow offered the Invocation.

Pledge of Allegiance

Chairman Oddo led the Board and audience in the Pledge of Allegiance.

Acceptance of Agenda

Commissioner Brown moved to accept the Agenda with the addition of a "Discussion of the Board's consideration of a Moratorium on residential rezonings prior to the Public Hearings being placed on an agenda." Vice Chairman Ognio seconded. The motion passed 3-2 with Chairman Oddo and Commissioner Barlow voting in opposition.

PROCLAMATION/RECOGNITION:

1. Recognition of State Court Interns.

The Board of Commissioners and Judge Jason Thompson recognized Jumoke Aremu, Matt Chrzanowski, Brandon Price-Crum and Erin Dietrich for their work with the Fayette County State Court Internship Program. Copies of the request and certificates, identified as "Attachment 1," follow these minutes and are made an official part hereof.

ITEM ADDED TO AGENDA

1a. Discussion of a Moratorium on residential rezonings prior to the Public Hearings being placed on an agenda.

Commissioner Brown stated that there were additional documents added to the dais that was not in the meeting package and that the documents can be obtained from the County Clerk's office. The documents on the dais included an article from the *Sandy Springs Times* entitled "Zoning Moratorium: New Zoning Applications Halted For Six Months" and a draft resolution entitled: "The Board of Commissioners of Fayette County, Georgia Authorizing a Temporary Moratorium on the Acceptance of Applications for the Rezoning of Property and to all Residential Zoning Classifications Including Mixed Uses with Residential".

Commissioner Brown spoke on the "unprecedented number of applications for annexations and rezonings" in the counties and municipalities and how he would like for the Board to be proactive by creating language in a moratorium that would require a series of meetings. The meetings would include the public, municipalities, and local citizens from every zoning

classification, to discuss the county's Land Use Plan and to determine how to proceed with the Land Use Plan for the future. He stated that there are advertising requirements on moratoriums to advertise for a certain period of time prior to enacting a moratorium.

Commissioner Brown moved to ask staff to proceed as expeditiously as possible on the advertising component for the moratorium with any required Special Called Meetings and to begin the process to be placed on the next possible meeting agenda for a vote of the Board of Commissioners. Vice Chairman Ognio seconded. Discussion followed.

Commissioner Rousseau said he was not certain about directing staff to proceed right now since he would like to digest the information presented and to ask critical questions of staff. He explained that he has been involved in moratoriums and as with anything, moratoriums have their pros and cons. He wanted to be cautious of sending the wrong message that Fayette County is not open or welcome to growth and businesses. He said his primary concern is that a moratorium can have an unintended consequence if the Board is not careful and proceed deliberately.

Commissioner Brown clarified the advertising would be posted so that the Board could have a vote at the next possible meeting. He stated that the advertising has to be done in order for there to be a vote. He explained that the Board would not be voting to have a moratorium or not have a moratorium but rather would be voting to proceed with the proper advertisements to begin the process.

Commissioner Rousseau asked Community Development Director Frisina and County Attorney Dennis Davenport if that was how the process worked. He specifically asked Mr. Frisina if the process, in his professional opinion, was the right step to take to accomplish the goal of discussing whether or not the Board wants to enact a moratorium.

Mr. Frisina stated that there has to be an advertisement for a public hearing to put a moratorium in place.

Mr. Davenport responded that a moratorium of any length of time, other than a brief period of 30 days for an emergency measure, could be viewed as a final legislative action and would have to follow the Zoning Procedure Law. He stated that it would be handled in the same manner as a rezoning issue and he understood that the motion would limit the timeframe for it to be brought back to the Board so that the vote to begin a moratorium could happen as soon as reasonable possible. He stated that the Board could proceed as long as the minimum requirements for advertising and the necessary public hearings are conducted, per state law.

Commissioner Rousseau reminded the Board that at the last meeting there was a motion and approval to begin the requirements for reevaluating the Land Use Plan. Mr. Davenport confirmed. Commissioner Rousseau pointed out that staff is already moving in that direction and this moratorium would shrink that effort into a compressed time frame. He asked Mr. Frisina how that would impact what is already being done.

Mr. Frisina stated that a lot of work would have to be completed in the required 150 days of the moratorium. He stated that if the time limit was given, then his staff would have to work within that time frame.

Commissioner Brown explained the draft resolution called for 150 days, but there was provision given that if additional time is needed, then the time could be added. He stated that the process that Commissioner Rousseau was referring to would take a year to complete but he did not think the Board could wait a year before moving forward. He stated that the draft resolution called for a transparent public process with a joint meeting of the Board of Commissioners and the Planning Commission allowing citizens to give input.

Mr. Davenport informed the Board that moratoriums are closely scrutinized by the courts and, if an extension was needed beyond the 150 days, the Board should keep in mind that the reason and the time of the extension may require the process to start over in order to enact the extension.

Commissioner Rousseau stated that Mr. Davenport's explanation touched on his concern of moving cautiously. He stated that because he had only had the materials for his review in the last few hours, his concern was determining if this was the right approach. He was also concerned that this would require a massive amount of work. He stated that the critical piece of the process for him was the input from citizens, businesses, schools and neighboring municipalities.

Mr. Rapson stated that the schedule for the Comprehensive Plan was predicated on having multiple meetings with the public, mandated meetings with the State, elected officials, and the municipalities in Fayette County. He stated that the time table to complete the Comprehensive Plan would be June 2017, but there was nothing preventing staff from making amendments to the existing Comprehensive Plan. He stated that this could be done in parallel to the Comprehensive Plan that would be completed in June. He stated that to be inclusive and transparent, staff would have to consider the holidays when scheduling the different meetings with the businesses, municipalities and residents. He stated that 150 days seems like a lot of time, but it is not a lot of time. He stated that he wanted to be sure the Board had a picture of what the process would look like and what was being requested of the staff.

Mr. Davenport warned, should the Board decided to extend the time beyond 150 days, that the moratorium was not a "catch all" to give the Board a chance to take a deep breath for over a year. He continued that there are applicants with property who want to come before the Board to develop the property. He suggested that the Board clearly define why it is doing what it is doing, to include a purpose, and to limit the moratorium to as short of a time frame as possible. He stated that the longer the moratorium, the more subjective it is to being challenged. He stated that the Board should look at it with an eye toward answering the questions: "What is the problem, What is being resolved, and Why it is being done by way of a moratorium as opposed to the normal process of amending the zoning ordinance."

Commissioner Brown stated that the draft document was crafted with all the things Mr. Davenport mentioned in mind and that it utilized language from the City of Sandy Springs, Georgia.

Mr. Davenport cautioned that Sandy Springs was different from Fayette County. He further stated that the city's resolution was cobbled together by using ordinances from Fulton County as the baseline document. He noted that the Fayette County Board of Commissioners did not have that same starting point. He advised that the Board ran the risk of having the moratorium called into question when heavily borrowing language from Sandy Springs' document.

Commissioner Brown stated that he was aware of the first moratorium that Mr. Davenport was referring to and that the moratorium he was presenting had nothing to do with that first moratorium. He stated that the one he presented was from 2015, and that it did have the noted conditions He stated that the Board needs to consider the infrastructure in the county. As an example, he referenced the growth along Veteran's Parkway to include the movie studio, a new Pinewood Forest development that will have large population and attractions that will bring traffic to the area, the Georgia Military College, and a large area of land that will be developed soon. He stated that the area would be filled to capacity by the time Pinewood Forest is built. He stated that one of the questions in the moratorium was to determine the capacity of infrastructure as currently zoned and to make a justification for how to increase the infrastructure or explain why the infrastructure cannot be increased and include that for the future land plan. He stated that Fayette County has been a quality of life oasis for Metropolitan Atlanta, and the County cannot let the zoning and quality of life "slip".

Chairman Oddo stated that he understood some of the concerns addressed, however there were documents on the dais that were not on the Agenda that had not been vetted. Commissioner Brown interrupted that the Board would not be voting on this and would only be agreeing to publish the advertisement so that a vote can be made at a future meeting. Chairman Oddo stated that he understood, however he had not decided if a moratorium was even needed. He stated that he would like to look at the issue further before deciding. He mentioned that the current number of rezonings was not unprecedented. He continued that he had been in the county for years; during a time when the county went through massive growth and these rezonings do not compare to past years. He stated that he was not saying that the number of rezonings was not something to be concerned about, but that the Board should not rush through the decision to have a moratorium. He stated that there had not been considerable growth for six to eight years and now that was changing and that it is normal.

Vice Chairman Ognio stated that the idea was probably a good one. He stated that once the process goes through the Planning Commission the draft may change from what was before the Board. He stated that it would also be reviewed by the County Attorney. He stated that with the amount of development in Fayetteville and Peachtree City, the road structure was going to be a disaster.

Chairman Oddo stated that these were all concerns that would be looked at in the updated Comprehensive Plan. He stated that this process would be duplicating a lot of the efforts being made to complete the Comprehensive Plan which Commissioner Brown was on the Steering Committee for the Comprehensive Plan. He stated that adding the discussion of a moratorium should have been placed on the agenda using the normal process and not put on this agenda.

Commissioner Brown stated that the request is not for a vote. He stated that it was only to begin the advertising requirements.

Chairman Oddo stated that he understood. He reminded the Board that there was a process for putting items on an agenda and there was no reason this item could not have been placed on an agenda using the normal process and to avoid rushing into it during the meeting. He stated that adding the item on this agenda was not following the process that the Board established.

Commissioner Brown stated that items had been introduced on an agenda during the meeting many times in the last two years. Chairman Oddo stated that in his opinion it had not been placed on the agenda properly and that it should have been vetted before being brought before the Board for a vote. He stated that he received the information at 4:54 p.m. and had not had the opportunity to view the information. He continued that this is a serious matter and this was not the proper way to proceed. He stated that he would like to see this reviewed by the County Attorney and not make a decision at the moment.

Commissioner Brown stated that as mentioned by Vice Chairman Ognio, the draft resolution would have to go through the County Attorney before going to the Planning Commission and after revisions or amendments it would go back to the County Attorney and then come before the Board for a vote. He stated that process would take weeks to complete.

Chairman Oddo stated that he was not sure that he wanted to advertise and that he would not know if he wanted to advertise until he had the opportunity to properly review the materials.

Commissioner Barlow stated that he voted that it not be added to the agenda, but there was a 3-2 vote for it to be added and therefore, he would like to call for a vote.

Commissioner Rousseau stated that one of the issues was regarding procedure and the other issue was that he did not think that the Board could brush aside the simplicity and allow staff to proceed when the Board had just received the information prior to the meeting. He stated that he was not in favor of the moratorium or against it. He stated that the question was how to proceed the proper way. He asked Mr. Frisina if he had seen the moratorium.

Mr. Frisina replied he saw it when it was sent prior to the meeting. He stated that it is a basic moratorium that would preclude staff from accepting any applications for residential rezonings for a period of time. He stated that he was not aware if that had ever been done in the past.

Commissioner Rousseau stated that the question becomes if the Board wanted to stop anything from coming in for consideration. He stated that he did not know the answer.

Commissioner Brown stated that the moratorium states that it does not prohibit anybody building anything on a property in the manner that it is currently zoned. He continued that it does not stop the building permit process or an application for inspections. He stated that there are eight Public Hearings on the agenda that had to be advertised. He stated that staff did not have to be told to do that. He stated that technically he could have put the item on the agenda and asked staff to advertise it, instead he would like to have the Board's blessing to move forward with this process.

Commissioner Rousseau stated that he did not want to gloss over the simplicity in saying that staff just put this on the agenda. He stated that it went through a vetting process before being put on the agenda.

Vice Chairman Ognio stated that this process would invite public input.

Commissioner Rousseau stated that he did not disagree, but he recalled at the last meeting, where he was left with the impression that staff had not even identified those homeowner associations, businesses and civic groups, to be involved in the process. He asked Mr. Frisina if he was prepared to identify the key people that could serve to offer input.

Mr. Rapson interjected. He stated that Pete's response would be that he would do what the Board requests of him. He stated that the question to ask was if the product would be a good product at the end of the process. He stated that the answer was no, it would not be a better end result. He stated that Pete has recommendations that could affect a lot of the changes that the Board would like to have done. He stated that the Resolution and the newspaper article written by the Sandy Springs mayor were written toward commercial and apartment applications. He stated that his point was that he was not sure that it was an "apples to apples" comparison. He stated that there was a process in place and Commissioner Brown was on the Steering Committee to guide the process on behalf of the Board. He stated that staff had not had the opportunity to read the moratorium presented and neither had the County Attorney.

Commissioner Rousseau stated that he thinks Commissioner Brown was saying to have staff to begin the process by advertising and when it comes back to the Board, the Board could then decide if they would like to move forward.

Commissioner Brown stated that every time the Board has a rezoning there are 200 people who attend the meeting to complain and the Board has rejected application after application. He stated that there are systemic problems and the problems are not being addressed and that is the wrong, non-professional way to handle the problem. He stated that the current process would take one year to complete. He stated that in one year's time at the current pace there will be so many annexation and rezoning requests coming through that it would be a different ball game at the end of the year. He addressed Mr. Rapson and clarified that he was not saying that the work of one year be completed in 150 days. He stated that at 150 days the key problems would be identified in the zoning ordinances and the Comprehensive Land Use Plan. He stated that he was looking for a short term solution and not a long drawn out process.

Chairman Oddo stated that he is disappointed that the discussion to have a moratorium was not done before the meeting. He stated that the Board was having to vote on something that was being brought to them now. He stated that he had not had the opportunity to review the material and he did not think it should go forward at the moment. He stated he would feel better about voting on this item once he had the chance to sit down and review the information and ask questions.

Commissioner Brown stated that the Board would have several weeks before having to vote on this item. Chairman Oddo stated that he was not sure he would be ready to vote on this item in several weeks because there has been no discussions about the material presented.

Mr. Davenport stated that this was a situation where three Commissioners would say they think it is time to consider a moratorium. He stated that if two other Commissioners along with Commissioner Brown agreed, then the vote would be to start that process. He stated that he did not know what information had been brought before the Board to say that a moratorium is needed. He continued that Chairman Oddo was saying that the Board had not had that discussion and it was being brought before the Board without any lead time to discuss whether three Commissioners think it is a worthy idea to consider a moratorium. He stated that the direction would come from the Board to the Planning Commission to start the process. He cautioned that the Board should not take the vote lightly.

Mr. Rapson suggested that staff be given time to look at the documents and bring a recommendation to the Board. He stated that the process to finalize the Comprehensive Plan would be used parallel to the process for the moratorium and staff already has some ideas regarding the "low hanging fruit". He stated that staff could bring that before the Board for consideration at the August 11 Board of Commissioners meeting to get direction and maybe not in the form of a moratorium, but a Planning Commission item for consideration and staff could enact those issues depending on Board direction.

Commissioner Rousseau asked Commissioner Brown if he was open to a friendly amendment to the motion to suspend the current deadline for the agenda request in order to get this item on the next agenda. Commissioner Brown stated that he would agree to that.

Commissioner Rousseau moved to table the discussion of the moratorium on residential rezonings prior to the Public Hearings being placed on an agenda to the August 11, 2016 Board of Commissioners meeting. Commissioner Barlow seconded. The motion passed 5-0.

PUBLIC HEARING:

- 2. Consideration of Petition No. 1257-16, TSTT Investments, LLC, Owner, and Brent Holdings, LLC, Donna Black & Randy Boyd, Agents request to rezone 212.832 acres from A-R and R-40 to PUD-PRD to develop a Single-Family Residential Subdivision with 91 lots located in Land Lots 4, 5, 28, 29, and 30 of the 7th District and fronting on Ebenezer Church Road and Davis Road with (1) condition.**

Community Development Director Pete Frisina read the *Introduction to Public Hearings for the Rezoning of Property* into the record. A copy of the *Introduction to Public Hearings for the Rezoning of Property*, identified as "Attachment 2," follows these minutes and is made an official part hereof.

Ms. Kathy Zickert of Smith, Gambrell and Russell, LLP, the attorney for the applicants, briefed the Board on the history of the applications for this property. She stated that in 2015 there was an application to rezone the property to R-40 and R-50 with 182 lots and it was denied. In 2007 there was an application to rezone the property to 106 lots and then to 92 lots and seeing that the Board was not in favor of the request, the application was withdrawn. She stated that the current request was to ask for a PUD-PRD to accommodate the larger lot sizes while allowing the development to proceed with 91 lots. She stated that the request was consistent with the current Land Use Plan and was also consistent with an R-40 zoning that is north of the proposed site. She stated that the applicants have responded to all requests made by the Planning Commission. She stated that one of the requests was to show buffers of 100 feet on both eastern and western sides of the property and the other request was to change the location of an entrance at Davis Road. She continued that the larger lots are oriented at the exterior of the property where they would have joined other larger lots. She stated that by orienting those lots the lot sizes were increased. There are 68 lots in the development that are one to two acres in size, 13 lots that are two to three acres, eight lots that are three acres and one lot that is four acres. She stated that a traffic study was submitted with the application and the conclusion was that the amount of traffic generated by the project would have no impact on the surrounding network of streets and the level of service would remain the same. She stated that the project would be in compliance with stormwater management systems. She stated that due to the requirement of a detention pond by the ordinance to improve the situation, there is the potential to alleviate some of the problems that have occurred in the past in terms of flooding. She stated that they were asked to show the 50 x 50 foot print of the houses on the plans to show how they were oriented in large lots. She stated that she would like to point out that the Planning Commission recommendation suggests that the zoning on the property should be different. She asked the Board to accept staff's recommendation for the rezoning.

Commissioner Barlow pointed out there is a Diane Barlow that signed the disapproval of the rezoning request and to his knowledge he is not related to her.

The following spoke in opposition of the petition:

Colonel (Retired) Jack F. Smith: Colonel Smith stated that his property line adjoins the proposed development and he has been selected by residents of the surrounding neighborhoods to be the spokesperson. He stated that he had been asked to express their desire that the zoning request be denied. He stated that he had numerous communications with residents from across the county, including Peachtree City and Fayetteville, who do not want to see the tone and texture of the county to change to high density subdivisions and who “do not want this in their backyards.” He stated that the zoning should be denied because the plan development violates the Land Use Plan on 70 of the 91 acres. He explained that lot 11 is 1.00 acre, lot 20 is 1.01 acre, and lot 26 is 1.03 acre and he could continue down the list and 70 of the lots would be less than two acres. He stated that this part of the county was zoned A-R to ensure the county would retain its rural nature. He questioned if the developer provided any reason that the A-R zoning should be changed. He disagreed that the proposed development meets the Land Use Plan because 70 of the homes are on lots less than two acres. He stated that the proposal meets an “exception to the Land Use Plan”. He asked the Board to deny the request for PUD-PRD because it is less than two acres on 70 of the homes. He stated that development may be inevitable, but the Board has control over the type of development.

Mr. Dave Hannum: Mr. Hannum stated that he provided pictures for the Board. He stated that his concern was the potential for a worse drainage situation than the one he has currently. He stated that when it rains he gets the runoff onto his property. He stated that the amount of water that would come onto his property from the 91 lots in addition to what is already running onto his property was an issue for him. He stated that his neighbor has an issue with the runoff as well. He asked the Board to deny the request and to stick with an A-R designation or R-80 as recommended by the Planning Commission.

Mr. Michael McClellan: Mr. McClellan asked the Board to deny the current proposal to change the zoning. He stated that he would like to see the existing A-R zoning remain for this property. He stated that during the Planning Commission meeting there were several comments from the Commission and staff that described the zoning proposal as adhering to the Land Use Plan. He stated that may be true in regards to the Plan’s future lot size designation, however it was worth reviewing some of the Comprehensive Plan’s language that might not get full consideration in this decision. He stated that there was nothing in the current language that demands current zonings be changed. He stated that the intention of the plan was to be used to guide local government decisions. He stated that in the introduction to the Land Use Plan it states “the Land Use element focuses on improving quality of life and providing opportunities to protect and preserve rural character.” He stated that the current higher density proposal does not adhere to that intention. The Land Use element of the plan, referring to the potential future density allowances, also states that the final boundaries may vary according to the merits of the development proposal and whether it meets the intent of the Plan’s vision as a whole. He asked if funds had been set aside for the improvements of Davis Road, Ebenezer Church Road or the intersections of these roads with Ebenezer Road. He stated that adding several hundred vehicles to this traffic volume would not be responsible. He stated that the responsible and smart decision would be to fund a complete transportation infrastructure before creating a problem. He asked what compelling reason was there to accommodate this rezoning that the residents disagree with. He stated that he would like to hear the Board address the issue where the proposal does not meet the intent and spirit of the Comprehensive Plan.

Mr. Norm Nolde: Mr. Nolde stated that he would like to address the issue of traffic with this project. He stated that he spoke with Road Department Director Steve Hoffman. He stated that putting additional traffic on Davis Road in its current condition would create a safety problem. He stated that there are at four to five blind areas on Davis Road, depending on the direction of travel. He stated that there are no speed signs on Davis Road. He stated that in the absence of any traffic speed signs, the speed is 25 miles per hour (mph) on any county road. He stated that he has seen trucks travel this road at higher speeds than 25 mph. He stated that his primary issue is the safety to citizens on that road. He stated that if Davis Road is open to traffic from the proposed subdivision it would create a problem. He continued that the bigger problem would be the safety on that road during the construction phase of the project. He stated that heavy vehicles on this road would destroy the road. He stated that sharing the road with large trucks would cause an issue for those traveling on that road. He urged the Board not to allow traffic from the subdivision onto Davis Road if the project is approved.

Mr. John Burns: Mr. Burns stated that there are two retention ponds on his street. He stated that prior to him purchasing his property there was not a bid on the property for five years because of the retention pond. He stated that it stays full and is built to catch the water from the subdivision. He stated that he was the recipient of all the water that comes from everyone’s property. He stated that there was a pipe that goes under the road to feed into the pond and the road was failing between the

road and the pipe. He stated that in the 14 years on his property no one has come to inspect the retention pond. He questioned who would maintain the retention pond once the developers build the retention pond. He stated to the Board that the current retention pond was not built for the extra water and who would be responsible for the pond at that point.

Mr. Anthony DeMont Jr.: Mr. DeMont spoke regarding his concern about stormwater from this project. He stated that the road is being washed out from underneath. He stated that there was going to be a neighborhood cutoff with no way out. He shared his concerns regarding emergency vehicles access onto Davis Road. He stated that there are cyclist that travel Ebenezer Church Road and with more traffic on that road, it would increase the chance of someone getting hit by a car.

Commissioner Barlow asked Mr. DeMont the size of the lots that are in that area. Mr. DeMont's response was inaudible. Commissioner Barlow stated that the lots are about five acres and Mr. DeMont confirmed that they were.

Mr. Robert (Bob) Ross: Mr. Ross stated that he was not directly affected by the proposal and he was not sure if he was speaking for or against the proposal. He spoke about his concerns for the quality of education. He stated that Fayette County was once rated the top system in the state and now the County's schools are not in the top ten. He stated that when high paying jobs look for places to go they do not go to any place ranked lower than the top ten. He stated that the state has consistently fallen short in funding for Fayette County. He classified Fayette County as a donor county. He stated that the county sends more educational dollars to the State than what the State gives back to the County. He stated that he is not sure how many children would reside in the 91 homes, but the cost to the County would be about \$5,000 per student. He stated that when looking at the number of houses there could be a burden placed on the school system of \$850,000 a year. He asked the Board if they had coordinated with the Board of Education who have a stake in this decision. He also asked the impact on the education funding and the current student's education. His final question was would approving this rezoning enhance or reduce the quality of education.

Mr. Art Lally: Mr. Lally spoke regarding his concern about the safety at Ebenezer Church Road and Spear Road. He stated that Davis Road is not suitable for cars and there will be accidents on those roads.

Ms. Evelyn McNeil: Ms. McNeil spoke regarding her concern with traffic once the camp ground opens in the area. She stated that would add to the traffic.

Commissioner Barlow commended Colonel Smith for his presentation.

No one spoke in favor of the petition.

Mr. Randy Boyd, Agent, rebutted comments made regarding the petition. He stated that he continues to hear about the Land Use Plan and how the proposal does not adhere to the plan. He stated that the Land Use Plan does not address lot size. He stated that it speaks of density and the net density as defined in the Land Use Plan text. He stated that the PUD-PRD is a very allowable zoning in the county and it does adhere to the Land Use Plan. He stated that there would not be houses built on a stream. He stated that when the subdivision next to this proposed project was built, a detention basin was on the lot, however that was no longer allowed and the detention basins have to be separate and are inspected yearly. He continued that there was stormwater protection for the predeveloped runoff. He stated that if the flooding was bad it would not get worse because the Stormwater Management would not allow that to happen. He stated that the Planning Commission did not want to come out on Davis Road but there had to be two entrances. He stated that the flow through of the traffic was suggested by Mr. Mallon. He stated that he did not take credit for the decision to exit onto Davis Road. He stated that Davis Road was designated on the Transportation Plan as a collector road. He stated that construction traffic and normal traffic was coming to Davis Road whether or not this project was developed because there is an entrance there and the preliminary plat has already been approved and can be developed as currently zoned. He stated that a level three solar analysis was done on the entire property and there was not an excessive amount of rocks on the property. He stated that he presented this project the past two times to the Board. He stated that the project has come down from 140 lots to 107 lots to 91 lots. He asked the Board to approve the rezoning as it is because it does fit the Land Use Plan. He stated there are one acre lots, but

there are a tremendous amount of one acre lots in the county. He also offered to donate his time as a registered land surveyor and registered engineer from Georgia Tech to assist with the development of a moratorium. He stated that it is a frustrating process to be rejected over and over.

Commissioner Brown moved to deny Petition No. 1257-16, TSTT Investments, LLC, Owner, and Brent Holdings, LLC, Donna Black & Randy Boyd, Agents request to rezone 212.832 acres from A-R and R-40 to PUD-PRD to develop a Single-Family Residential Subdivision with 91 lots located in Land Lots 4, 5, 28, 29, and 30 of the 7th District and fronting on Ebenezer Church Road and Davis Road with (1) condition. Vice Chairman Ognio seconded. Discussion followed.

Commissioner Brown stated that Colonel Smith made his point for the moratorium. He stated that calling a gravel road a collector road is ludicrous. He stated that the engineers create the variable and the assumptions for the traffic studies. He stated that the accumulative effect of the traffic has to be considered. He stated that the Board called out previous Boards for lack of attention to stormwater funding and making sure the stormwater infrastructure was kept up-to-date. He stated that he was not willing to take the wrap for not protecting the road infrastructure and the future stormwater infrastructure. He stated that approving this project would be putting the future residents and the future Board of Commissioners in the same position as this Board complained about from the previous Board. He stated that the Board is not responsible for the developers' profits but that the Board is responsible for protecting the citizens' quality of life.

Vice Chairman Ognio stated that in general he is against zoning when there is no like zoning around the property. He stated that there is no PUD anywhere around the property. He stated that he is sticking to that principle. He stated that he agrees with Colonel Smith that it does not match the County's Land Use Plan.

Commissioner Rousseau asked Colonel Smith if the R-80 designation was acceptable to those he represented. Colonel Smith stated no it was not acceptable. Colonel Smith stated that if the Board is set on changing it from A-R then the least amount should be R-80. Commissioner Rousseau stated that it is important to better educate the residents about this process. He stated that he is not opposed to discussing a moratorium in order to approach rezonings in a more comprehensive manner instead of a piece mill type approach. He stated that as he has mentioned before, the Board will continue to receive these request until proactive measures are taken. He stated that to his point of educating the public better about the process; the issues regarding the school board, public safety, environmental staff and transportation people having been advised; he stated that is part of the process staff goes through before bringing it to the Board. He stated that the Board considers all these factors when reviewing these request. He stated that he read that the school population is dwindling in some respect. He stated that his concern is Davis Road and he is not opposed to an R-80 zoning. He stated that the County was behind in bringing the road to a standard that is acceptable for a modern day county the size of Fayette County and providing a higher level of quality to citizens. He stated that the other factor that concerned him was that Water Lakes is already approved and is going to be entering on Davis Road as well. He stated that concerned him in relations to the R-80 proposal that the Planning Commission put together. He stated that he likes R-80 but that Davis Road, in addition to Water Lake throws it out of balance. He stated that he does not neglect to take into account the traffic in that neighborhood. He urged the citizens to actively engage in the process of discussing a moratorium on August 11. He stated that the Board's decision impacts the entire county and not just one neighborhood. He stated that residents show up when it impacts their neighborhood, but not the entire county. He stated that his statement was not to chastise, but to encourage the participation in the process. He stated that he was in favor of an R-80 as recommended by the Planning Commission and acceptable to Colonel Smith as a spokesperson for those in opposition. He informed staff that the issues at Davis Road need to be addressed as well as the stormwater issues mentioned and the failing of the roads.

Mr. Rapson stated that it will be addressed. He stated that he written down five items to be addressed.

Vice Chairman Ognio stated that in addition to those present, there is a petition in the package of over 200 signatures. He stated for a rural area that was a lot of signatures to be considered. He stated that he agreed that Davis Road, Ebenezer and Ebenezer Spear was an issue and the traffic would matter in the area. He stated that he was not in favor of R-80 zoning.

Commissioner Brown stated that Bob Crafts' name was brought up several times. He stated that he was a decorated Vietnam pilot and longtime Delta pilot who fought for the quality of life in Fayette County. He continued that Mr. Craft would be present at meeting after meeting, asking the questions, "what was wrong with the plan as written" and "what was the justification for making the changes." He stated that twenty years ago the citizens would fight for quality of life. He stated that he was trying to get the fire going again with the moratorium. He stated that the issues was not that staff would have a lot of work, because they are going to have a lot of work regardless and that did not matter. He stated that he would put his time in to get the work done. He stated that the citizens need to get fired up about what is happening. He stated that if the citizens do not take a stand, the County will end up like the other counties. He stated that the fact that staff wanted approval on this rezoning was disappointing and that the Planning Commission approved it with a 3-2 vote was disappointing. He stated that like Commissioner Rousseau stated earlier, it was not just about fighting for the community but it was about fighting for quality of life from the Coweta border to the Clayton County panhandle.

Commissioner Barlow stated that the budget and providing safety to the citizens was the main function of the Commissioners. He stated that for the last two years the County has had a rollback because of property gains from the economy improving. He stated that the Board was cognizant that housing was needed to generate revenue for the tax digest but the Board would not do it at the cost of creating harm to those who already reside in the county. He asked the citizens to keep the Board in their prayers because some hard decisions had to be made on the budget so that the citizens would not have a tax increase. He asked the citizens to think about that as the Board strives to keep the property taxes from increasing.

Chairman Oddo stated that in his observation he does not believe that every developer was out to "rape" the County. He stated that there are some issues that have been raised that need to be addressed. He stated that he was prepared to come up with a compromise. He stated that he thought R-80 was an appropriate compromise. He stated that the Board has made the habit of selecting the least dense option in the Land Use Plan. He stated that it does show two to three acres in the area which means it would not go against the Land Use Plan if R-80 was approved. He stated that staff did not push this rezoning. He stated that staff merely looked at the rules and the requisites and said that it conforms to the rules and requisites that are laid out. He stated that their role was to identify projects that meet or do not meet the Land Use Plan. He stated that he does not think R-80 was out of line. He stated that the Board was trying to keep it as low density as possible. He stated that he had spoken with Mr. Frisina and the Commissioners to say the Board needs to look at whether they would like to change it. He asked the petitioners if the concerns had been addressed.

Ms. Zickert stated that they believe that they had addressed all the concerns and that they did do a lot at the request of the Planning Commission including the Davis Road exit that they did not want. She stated that they did a traffic study and now it is in question, they did a hydrology and that was questioned and so the best they can do is to have their experts and staff analyze the factors. She stated that she believes that was why the Planning Commission gave their recommendation of approval.

Chairman Oddo stated that the number of homes was more than if R-80 was approved.

Vice Chairman Ognio stated that the over 200 petitioners did not ask the Board to do anything other than to deny the request. He stated that the Board was elected to represent the citizens and he believes the citizens have spoken.

Chairman Oddo restated that he would be amendable to R-80 if it were to be proposed. He asked for the vote.

Commissioner Brown moved to deny Petition No. 1257-16, TSTT Investments, LLC, Owner, and Brent Holdings, LLC, Donna Black & Randy Boyd, Agents request to rezone 212.832 acres from A-R and R-40 to PUD-PRD to develop a Single-Family Residential Subdivision with 91 lots located in Land Lots 4, 5, 28, 29, and 30 of the 7th District and fronting on Ebenezer Church Road and Davis Road with (1) condition. Vice Chairman Ognio seconded. The motion passed 4-1 with Chairman Oddo voting in opposition. A copy of the request, identified as "Attachment 3," follows these minutes and is made an official part hereof.

Commissioner Rousseau asked for the procedure to make sure that he understood what he had voted for. Mr. Davenport restated the motion. Commissioner Rousseau confirmed that it was for the PUD-PRD. Mr. Davenport confirmed. Commissioner Rousseau confirmed that he voted to deny the petition. He stated that he would had liked to have made a motion to at least discuss the Planning Commission's recommendation for R-80.

Chairman Oddo asked would that be possible. Mr. Davenport stated that once the petition had been denied the six month bar was in place. He stated that as an example, if the motion to deny had been 2-3 it would have automatically been approved and the Board would have had to make another motion to do something with this item. He stated that since the motion to deny was 4-1 that put the six month bar in place to reconsider this property again for rezoning.

The Board recessed at 9:32 p.m. The Board returned from recess at 9:42 p.m.

3. **Consideration of Petition No. 1259-16, Shelly M. Godby & Regina D. Godby, Owners, and Rod Wright, Agent request to rezone 38.995 acres from A-R to R-70 to develop a Single-Family Residential Subdivision with 17 lots located in Land Lots 37 and 60 of the 7th District and fronting on Ebenezer Road and Davis Road with two (2) conditions.**

Mr. Frisina briefed the Board that staff had recommended approval with two conditions and the Planning Commission recommended approval with two conditions and both conditions concerned additional right-of-way on Davis Road and additional right-of-way on Ebenezer Road.

Mr. Rod Wright, Agent stated that he was requesting the Board's approval of R-70 zoning. He stated that he believed this request was one that the Board had said it wanted and would approve. He stated that he was concerned with all that was said earlier. He asked for approval of this request.

Chairman Oddo asked if anyone would like to speak in opposition to this petition.

Ms. Sylvia Nolde: Ms. Nolde asked what size lot was for R-70 and what size house would fit in that development.

Mr. Frisina stated that the minimum lot size would be two acres and the minimum square footage is 1,500 square feet (sq. ft.).

Chairman Oddo stated that the minimum house size was not one that developers built in this county. He asked Mr. Wright if he planned to build 1,500 sq. ft. homes. Mr. Wright responded no, the homes will probably be 2,500 to 5,000 sq. ft.

The following spoke in opposition of this petition:

Ms. Lou Jean McKnight: Ms. McKnight stated that she was opposed to this petition. She stated that this property was close to the other property that was denied earlier in the meeting. She stated that she believed this property should also remain zoned as A-R. She stated that she would like to keep this area of the county rural and agricultural. She does not want to see the lot sizes reduced.

Mr. Michael McClellan: Mr. McClellan stated that he was not going to repeat his previous comments but that he would like to ask the Commissioners to stay consistent with the votes.

Mr. Larry McNeil: Mr. McNeil stated that if the Board allowed this petition to go through it would be setting precedent for the 200 acre project when it comes back before the Board in six months.

No one spoke in favor of the petition.

Mr. Wright stated that the area already has R-70. He stated that he was sadden to say that he wants to declare his Constitutional right to appeal the decision in Superior Court/ in the courts of law. He stated that he heard the oppositions.

Vice Chairman Ognio stated that he does not see a retention pond on the map. Mr. Wright stated that there will be a retention pond if the rezoning is approved. He stated that this was an ideal piece of property for development. Vice Chairman Ognio asked if the location of the mailboxes had been considered. Mr. Wright stated yes and that retention would be addressed in the preliminary plans and in the construction plans.

Chairman Oddo moved to approve Petition No. 1259-16, Shelly M. Godby & Regina D. Godby, Owners, and Rod Wright, Agent request to rezone 38.995 acres from A-R to R-70 to develop a Single-Family Residential Subdivision with 17 lots located in Land Lots 37 and 60 of the 7th District and fronting on Ebenezer Road and Davis Road with two (2) conditions. Commissioner Rousseau seconded. Discussion followed.

Chairman Oddo stated that the petitioner has asked for the lowest density in this area and there are other R-70 properties in the area. He stated that he does not see a reason why this project could not be approved.

Commissioner Brown stated that the lowest density was A-R. He stated that he was troubled by the fact that it loads and unloads on Ebenezer Road although it fronts Davis Road and there is no entrance on Davis Road. He stated that he thought the County was moving away from one-way in and one-way out situations because of emergency services.

Mr. Frisina stated that it was based on the number. Commissioner Brown stated regardless; if there are two roads, why not use both of the roads as a requirement. He stated that in his opinion that should be common practice. Using the map presented, he stated that the property on the top was low density residential and the property on the bottom was the rural residential. He continued that he does not know what creates that "magical" line. He stated that he would love to discuss this as part of the moratorium. He stated that there are R-70 and R-40 in the area. He stated that if all the property above Davis Road was zoned R-70 then Ebenezer Road would be shut down with traffic. He stated that generally there was not a nexus between transportation planning and land use planning. It was why so many counties had fallen. He stated that the people who move there are going to want the roads paved.

Chairman Oddo stated that currently, one-way in and one-way out was permitted. He stated that he had always thought subdivisions should have two ways in or out. He stated that when the issue comes up in a subdivision, the people in the subdivision do not want multiple entrances. He stated that this proposal does conform to the Land Use Plan, it was the lowest density and there are other R-70 properties in the area and he does not see any negatives. He stated that until the study was complete and a different conclusion was made, then this was what the Board had to go by.

Commissioner Brown stated that the County had not taken a global perspective on the lots and it deserved attention.

Chairman Oddo stated that he agrees about the concerns but that is not the situation with the project being presented.

Mr. Rapson stated that in response to the comments regarding one access or two accesses; the development regulations specify that if the development was over 75 lots then staff would consider two entrances. He stated that from a staff's perspective they follow the guidelines that the Board establishes.

Vice Chairman Ognio mentioned the two conditions are about right-of-way and that the right-of way on Ebenezer is 50 feet and the one on Davis Road is 40 feet, but he thinks they should both be 50 feet.

Mr. Rapson stated that it had to do with development regulations that classified the different road structures and if the road was secondary or collector then the easements would change depending on the road.

Commissioner Brown asked if Davis Road was a collector road. Mr. Rapson stated that it was a secondary collector. Commissioner Brown asked that as a collector does it require 50 feet.

Public Works Director Phil Mallon stated that a collector would get 80 feet and normal roads would get 60 feet.

Commissioner Brown asked under that scale what should be the right-of-way for Davis Road. Mr. Mallon stated that it was 40 feet from the side. He asked what was the classification for Ebenezer. Mr. Rapson stated that it was an arterial road. Mr. Frisina stated that it was a minor arterial and a major arterial is a state highway. He stated that a minor arterial was how the County classified all its major roads and a collector was the next classification down. He explained that was 100 feet for a minor arterial, 80 feet for a collector, 60 feet for a county local or an internal local.

Chairman Oddo moved to approve Petition No. 1259-16, Shelly M. Godby & Regina D. Godby, Owners, and Rod Wright, Agent request to rezone 38.995 acres from A-R to R-70 to develop a Single-Family Residential Subdivision with 17 lots located in Land Lots 37 and 60 of the 7th District and fronting on Ebenezer Road and Davis Road with two (2) conditions. Commissioner Rousseau seconded. The motion failed 2-3 with Commissioners Barlow, Brown and Ognio voting in opposition. A copy of the request, identified as "Attachment 4," follows these minutes and is made an official part hereof.

4. **Consideration of Ordinance 2016-15, amendments to the Fayette County Code of Ordinances, Chapter 110., Sec. 110-3., Sec. 110-145., Sec. 110-146., Sec. 110-169., Sec. 110-173., and Sec. 110-174.**

Mr. Frisina briefed the Board that he would read items 4, 5 and 6 to be discussed simultaneously, but that each item will need to be voted on separately. He stated that this item came to the Board a month ago. He stated that the difference between the two zoning districts is that the Limited Commercial (LC)-2 allows for a commercial convenience establishment with gasoline sales and that LC-1 does not allow that one use. He stated that all the three corners are dedicated to a Land Use of LC-1 and it also has some O&I area, some fringe areas that are now considered a non-residential use and one acre lots to the south and a non-residential area to the north up to Millpond Manor. He stated that at the south east corner that was a piece of property that the Department of Transportation (DOT) purchased when realigning Padgett Road. He stated that it was held by DOT and the old Padgett Road bed was there and there was a high pressured gas line in that area. He stated that it would be used as Land Use as transportation, communication and utilities. He stated that staff believed that was the land use that fits for this area and that it would not be used for anything.

Commissioner Brown asked if that had been made an official designation.

Mr. Frisina stated that it already exists. He continued that the Starr's Mill area was a water system facility so it had the same Land Use designation. He stated that these agenda items had been repackaged to remove that one use out of the intersection. He stated that these items are up for reconsideration.

Commissioner Brown thanked the families of the properties for their patience.

Mr. Davenport noted that on Item 4, the Section 110-146 should read Section 110-145.5.

The following spoke in favor of this request.

Mr. Dennis Shell: Mr. Shell stated that he was representing his parents and that they own the property on the side of Pagett Road. He stated that the last petition showed the area as Limited Commercial (LC)-2 and the Board decided not to approve it as a LC-2. He asked the Board to reconsider. He stated that there was a gas station at the corner that was there before most of the member of the Board moved into the county. He stated that the Board wanted an area where people could visit and those people are going to want to purchase drinks, gas and other things. He stated that the traffic was already present and it gave people a chance to stop and use the restroom and get gas instead of riding to Senoia or Peachtree City. He stated that the property was condemned by the State and he wanted the Board to approve the zoning the way it was previously so there could be a gas station there.

Mr. John Lynch: Mr. Lynch stated that he was not sure if he is for this request or against this request. He stated that his concern was the proposed designation of the DOT right-of-way with a Land Use title specifically for utilities, communications and transportation sounds like he would be vulnerable to in-ground and above ground structures that can be built in front of his property even though it was only right-of-way. He continued that he was also concerned that his property that was sitting

behind the right-of-way was not being considered in the proposed zoning changes. He gave a history of some of the issues he had endured since building his home. He stated that DOT has not come to put up right-of-way markers even though it has been four years since the project was completed. DOT had not cut the grass in four years and he had been cutting the grass himself. He stated that he still cuts the right-of-way in front of his home. He stated that he approached the county several times in the attempt to buy the old road bed since the county had abandoned it and let the grass grow. He stated that he was turned down. He stated that the State and the County had put him in a corner and his property value had diminished even more. He stated that he owns nine-and-a-half acres that sit in the intersection of two major state highways. He stated that he had a drawing that says the county would maintain everything south of the line and DOT would maintain everything above the line. He stated that he had not seen them. He stated that he would like for the Board to put pressure on DOT to put the right-of-way markers out. He stated that he reserves the right to make a constitutional challenge if he feels that he does not receive equity concerning the rezoning of the intersection.

Commissioner Brown asked Mr. Lynch if he had requested to be a part of the overlay district. Mr. Lynch stated that he was not present at the last meeting. Commissioner Brown stated that he was asking if he had ever made a formal request to be a part of the overlay district. Mr. Lynch stated that he did not know it was going on until he saw it in the newspaper a month before the meeting.

Commissioner Brown moved to approve Ordinance 2016-15, amendments to the Fayette County Code of Ordinances, Chapter 110., Sec. 110-3. , Sec. 110-145., Sec. 110-145.5., Sec. 110-169., Sec. 110-173., and Sec. 110-174 and to offer formal correspondence from the County to Department of Transportation regarding the placement of the property markers. Vice Chairman Ognio seconded. Discussion followed.

Chairman Oddo asked for clarity. Mr. Frisina stated that Item #4 was for the zoning portion. He stated that it was creating the zoning district and the overlay. Chairman Oddo asked if this was the one that would be approving or not, the type of business that could be placed there. Mr. Frisina stated that it was the zoning portion and that the Land Use was what controlled where the zoning goes, which was Item #6 on the agenda.

Commissioner Brown clarified that the uses are created in Item #4 and the application of the uses was in Item #6. Mr. Frisina confirmed.

Chairman Oddo asked for further clarification. He stated that Item #4 was creating the two different types of zonings but that it was not applying it to the corner.

Commissioner Brown stated that Item #4 was creating the zoning classification.

Mr. Davenport stated that was correct. He stated that nothing applied to the zoning classification to this property. He stated that it just created the Starr's Mill overlay as well and Item #6, as part of the Land Use, was for the LC-1 which was the zoning district created in Item #4.

Commissioner Brown moved to approve Ordinance 2016-15, amendments to the Fayette County Code of Ordinances, Chapter 110., Sec. 110-3. , Sec. 110-145., Sec. 110-145.5., Sec. 110-169., Sec. 110-173., and Sec. 110-174 and to offer formal correspondence from the County to Department of Transportation regarding the placement of the property markers. Vice Chairman Ognio seconded. The motion passed 5-0. Copies of the request and Ordinance 2016-15, identified as "Attachment 5," follow these minutes and are made an official part hereof.

5. Consideration of Resolution 2016-09 for the proposed Color and Brick Palette for the Starr's Mill Historic Overlay District and Overlay Zone.

Commissioner Brown moved to approve Resolution 2016-09 for the proposed Color and Brick Palette for the Starr's Mill Historic Overlay District and Overlay Zone. Vice Chairman Ognio seconded. There was no discussion. The motion passed 5-0. Copies of the request and Resolution 2016-09, identified as "Attachment 6," follow these minutes and are made an official part hereof.

6. Consideration of Resolution 2016-06 to amend the Land Use Element Text and Future Land Use Plan Map of the Fayette County Comprehensive Plan for the Starr's Mill Historic Overlay District in the area of the Intersection of State Route 74, State Route 85 and Padgett Road.

Chairman Oddo stated that he would be voting against this item because he believes the gas station was appropriate at this intersection.

Chairman Oddo stated that he will be voting against the item because he was in favor of the gas station being in this area. Commissioner Brown moved to approve Resolution 2016-06 to amend the Land Use Element Text and Future Land Use Plan Map of the Fayette County Comprehensive Plan for the Starr's Mill Historic Overlay District in the area of the Intersection of State Route 74, State Route 85 and Padgett Road. Vice Chairman Ognio seconded. The motion passed 4-1 with Chairman Oddo voting in opposition. Copies of the request and Resolution 2016-06, identified as "Attachment 7," follow these minutes and are made an official part hereof.

7. Consideration of Ordinance 2016-12, Amendments to the Fayette County Code of Ordinances, Chapter 110. Zoning Ordinance, Regarding Section 110-3 Definitions, Section 110-25 A-R, Agricultural-Residential District, Section 110-169 Conditional Use Approval, and Section 110-91 Recreational Vehicle.

Mr. Frisina stated that Item #8 is in conjunction with Item #7. He stated that Item #7 was creating a use for a deer processing facility to allow in the A-R zoning district, as a conditional use, with nine conditional uses and also a definition for deer processing facility and adding it under A-R. He stated that it does not allow for the sale of deer meat, but will allow for the Department of Natural Resources (DNR) *Hunters for Hunger Program*. He stated that the facility has to be on a road that is not an internal local and that the waste has to be dealt with as solid waste by disposing of it in a solid waste landfill. He stated that there had to be a permit from the DNR and a National Pollutant Discharge Elimination System (NPDES) permit from the Department of Environmental Management and a vehicle drop off circulation pattern to allow vehicles to return to the street in a forward manner. He stated that there were rules in two different places in the Ordinance dealing with the same issues, so this would put all the rules in the same place under one zoning. He stated that there are some aspects to consider. He stated that he tried to come up with what would be required for A-R as a light use. He stated that when they included the A-R letting and event facility, Environmental Management had some concerns that were not addressed in the development regulations to include providing exemptions for the low level agricultural developments. He stated that included a full site plan, parking requirement or full landscaping requirements for this use.

Commissioner Brown stated that the reason for not requiring these things was to accentuate the character of being in a rural area which was the reason for having a wedding there in the first place.

Mr. Frisina stated that there are similar amendments to the A-R as "housekeeping". He stated that in doing "housekeeping" in the development regulations there was a section within the ordinance for recreation vehicles and in the development regulations was a similar section, so they will be all be placed under the zoning without changing anything. He continued that Item #8 is also housekeeping that would provide the exemptions that would be in the zoning ordinance. He stated that he is adding changes in the development regulations in Section 104-29. He stated that when there was non-residential development there had to be a batter board inspection before the foundation could be poured. He stated that would not be done anymore. He stated that the site plan would be reviewed and the site plan says that the building meets the dimension requirements of the zoning, setbacks and buffers. He stated that a developer would be served by having the surveyor go out

to be sure it meets the requirements before he pours the concrete. He stated one of the global changes was a word change from Stormwater to Environmental Management. He continued that there are a lot of changes dealing with driveways and aspects for development of roads in nonresidential developments in Section 104-211. He stated that there were some parking ratios that had no numbers that were changed.

No one spoke in favor or opposition of this request.

Commissioner Brown moved to approve Ordinance 2016-12, Amendments to the Fayette County Code of Ordinances, Chapter 110. Zoning Ordinance, Regarding Section 110-3 Definitions, Section 110-25 A-R, Agricultural-Residential District, Section 110-169 Conditional Use Approval, and Section 110-91 Recreational Vehicle. Vice Chairman Ognio seconded. Discussion followed.

Vice Chairman Ognio asked that instead of a circular pattern for the vehicle drop off if there could just be a place to turn around. Mr. Frisina stated that was fine. He stated that it was just intended to make sure no one was backing up onto the road. He stated that a lot of times there are people lined up to get into these developments at the same time and as long as they can exit without backing up on the road. Commissioner Brown stated that it could be a concrete elbow where they pull up and turn around. Mr. Frisina stated that it could be gravel.

Commissioner Brown moved to approve Ordinance 2016-12, Amendments to the Fayette County Code of Ordinances, Chapter 110. Zoning Ordinance, Regarding Section 110-3 Definitions, Section 110-25 A-R, Agricultural-Residential District, Section 110-169 Conditional Use Approval, and Section 110-91 Recreational Vehicle. Vice Chairman Ognio seconded. The motion passed 5-0. Copies of the request and Ordinance 2016-12, identified as "Attachment 8," follow these minutes and are made an official part hereof.

8. Consideration of Ordinance 2016-13, Amendments to the Fayette County Code of Ordinances, Chapter 104. Development Regulations, Sections 104-27., 104-28., 104-29., 104-55., 104-63., 104-111., 104-113., 104-114., 104-115., 104-152., 104-153., 104-154., 104-155., 104-212., 104-213., 104-215., 104-217., 104-218. 104-219., 104-220., and 104-221.

Commissioner Brown moved to approve Ordinance 2016-13, Amendments to the Fayette County Code of Ordinances, Chapter 104. Development Regulations, Sections 104-27., 104-28., 104-29., 104-55., 104-63., 104-111., 104-113., 104-114., 104-115., 104-152., 104-153., 104-154., 104-155., 104-212., 104-213., 104-215., 104-217., 104-218. 104-219., 104-220., and 104-221. Vice Chairman Ognio seconded. There was no discussion. The motion passed 5-0. Copies of the request and Ordinance 2016-13, identified as "Attachment 9," follow these minutes and are made an official part hereof.

9. Consideration of Ordinance 2016-14, Amendments to the Fayette County Code of Ordinances, Chapter 110. Zoning Ordinance, Regarding Article III. -General Provisions Concerning Hens in Conjunction with Residential Use.

Mr. Frisina gave a brief history of this agenda item stating that it was the consensus of the Board during the March 10, 2016 meeting to move forward with the residential use of chickens. He stated that this has become very popular in the last few years. He stated that staff and the Planning Commission's recommendation is a limit of three (3) hens per principle dwelling and using a lot size of one (1) acre for each additional acre there can be an additional hen up to a maximum of five (5) hens. He stated that this would be allowed in every zoning district that allows for a single-family residence. There are no roosters or on-site slaughter allowed, the hen house/coup are allowed on the side and rear areas only and should be set back a minimum of 50 feet from property lines, the hens shall be contained on the lot and the containment area shall be on the side and rear areas only and it will be limited to no more than forty percent of the lot. He made a recommendation to make a global change of the word "hen(s)" to "chicken(s)".

Commissioner Brown stated that he believed on-site slaughter of the chicken was acceptable.

Commissioner Rousseau asked if there were any health codes concerns with that statement by Commissioner Brown. Mr. Frisina stated that he did not know. Commissioner Rousseau asked why the proposed ordinance did not allow slaughter. Mr. Frisina stated that in his review of similar ordinances it was common in ordinances for residential areas.

Chairman Oddo stated that it was brought up originally for the purpose of having eggs.

Commissioner Brown stated that eventually the hen would lose its ability to lay eggs and the owner should have the option to clean the chicken on the property. He stated that we should look at is, ABI influenza. He stated that he read where Iowa lost \$975,000,000 of income because of it. He stated that one of the reason the virus sustained itself is because of the chickens on private properties and USDA did not know about them. He stated that he is not sure if there should be a registry for those who have chickens and provide the list to the USDA but it is something to be concerned about.

Mr. Frisina stated that 48 percent of the county is zoned A-R and anybody can have chickens at-will in that area. He stated that if the County keeps track of one...

Commissioner Brown stated that he gets it.

The following spoke in favor of this request:

Mr. Brian Tant: Mr. Tant stated that he is on the Board of Directors for the Farm Bureau of Fayette County and he is on the Fayette County Beekeepers. He stated that he has been a chicken farmer for ten years. He stated that on the point of clarification to Commissioner Brown's statement on registration that was handled through the Georgia Department of Agriculture. He stated that it was a voluntary program on the part of residential homestead. He stated that in regards to the language of chicken versus hens; there are all types of poultry kept in residential areas, such as quail and things of that nature. He stated that it might be limited to poultry of a certain weight or it could state "small poultry".

Commissioner Brown asked Mr. Frisina if that had been considered. Mr. Frisina stated that no one has called him about quail.

Vice Chairman Ognio stated that a Guinea is a bird that people like to have because they are good "watch dogs" and they help control insects. He stated that the chicken designation would not cover the Guinea.

Mr. Frisina stated that most of the people he was dealing with are in residential areas and they want chickens because they want to produce eggs.

Mr. Tant stated that the processing of a chicken is straight forward and not messing. He stated that he is available if the Board has questions.

Commissioner Brown stated that the moment this ordinance is passed someone will say they want to raise quail and the county ordinance only says chicken. He asked if it could read, "livestock fowl". Mr. Frisina stated that a quail is much different from a chicken. He stated that quail do not free range. Mr. Tant stated that quail are much lower impact than chickens.

Commissioner Brown asked if it could say "fowl used for livestock purposes".

Chairman Oddo suggested passing the ordinance as is and then go back and make changes if needed.

Ms. Quilla Swint-Smith: Ms. Smith stated that her concern was why was the chickens limited to the number that is stated. She stated that in addition, when she purchased her land 20 years ago, it was stated in her subdivision that she could have chickens. She stated that she has had them for all this time and have not slaughter any of them. She stated that if that was a part of the ordinance when she moved in, is it possible that she could be grandfathered into the present ordinance and not have to get rid of her chickens. She stated that she loves her chickens and they produce well all year long.

Commissioner Brown stated that there was probably not an allowable use in a subdivision prior to this ordinance. Mr. Frisina stated that A-R allows livestock and one of the definitions is a chicken. He stated that the covenant may have allowed it, but the zoning may not.

Mr. Frisina stated that he looked at ordinances that allowed more chickens and some that allowed less. He stated that he thought three was a good number to start with. He stated that with three acres the zoning would allow for up to five chickens. He stated that with one acre it is three chickens and then for an additional acre after the three it is one additional chicken per acre up to three acres.

Vice Chairman Ognio stated that he thinks the zoning should allow for more than five chickens. He stated that he would like to see that number increased.

Ms. Yvonne Smith: Ms. Smith stated that the zoning does not allow for the slaughter of the chicken but chickens are allowed. She stated that her question was why she is raising chickens if she cannot kill them on her property.

Commissioner Brown stated that the current motion if approved would give her the ability to do that.

There were no further public comments.

Chairman Oddo stated that the goal is to maintain the rural nature of the county.

Commissioner Brown moved to approve Ordinance 2016-14, Amendments to the Fayette County Code of Ordinances, Chapter 110. Zoning Ordinance, Regarding Article III. -General Provisions Concerning Hens in Conjunction with Residential Use but to approve Section 110-89 to allow the slaughter of the chickens on the property and to change the term hens to chickens. Chairman Oddo seconded. Discussion followed.

Vice Chairman stated that he would like to see the Ordinance include six chickens with three per acre with a total of twelve chickens.

Commissioner Brown amended the motion to approve Ordinance 2016-14, Amendments to the Fayette County Code of Ordinances, Chapter 110. Zoning Ordinance, Regarding Article III. -General Provisions Concerning Hens in Conjunction with Residential Use but to approve Section 110-89 to allow the slaughter of the chickens on the property and to change the term hens to chickens and to allow six (6) chickens for the first acre and three (3) for each additional one acre up to the maximum of twelve (12) chickens on a three (3) acre lot. Chairman Oddo amended his second. The motion passed 5-0. Copies of the request and Ordinance 2016-14, identified as "Attachment 10," follow these minutes and are made an official part hereof.

CONSENT AGENDA:

Commissioner Brown moved to approve the Consent Agenda as presented. Vice Chairman Ognio seconded. The motion passed 5-0.

10. **Approval of staff's request to approve the Resolution for Trustee Change regarding the 98 Lease Pool Program and Resolution for Amendment to Equipment List related to the 98 Lease Pool Program. A copy of the request, identified as "Attachment 11" follows these minutes and is made an official part hereof.**
11. **Approval to accept a donation from the Fellowship of Love Church; increase the 2017 budget donation revenue account by \$4,000.00; and to increase the Furniture & Fixtures expense account by \$4,000.00 for the purpose of buying tables for the Library's Distance Learning Center. A copy of the request, identified as "Attachment 12" follows these minutes and is made an official part hereof.**

Commissioner Rousseau thanked Pastor Jackson for the donation and he recognized the Pastor and the Church for their model of giving. He stated that when the church does its annual budget they think beyond their operational cost. He stated that it is their model of operation that from their tithes and offerings that a certain percentage goes back into the community. He stated that this was not something that was a onetime thing. He stated that it was done annually and the donations are given around the county.

12. **Approval of staff's recommendation to award annual bid #1137-B for Asphalt Concrete to E.R. Snell of Tyrone as the primary vendor and to the three plants of C.W. Matthews as secondary vendors through the end of fiscal year 2017 with a not-to-exceed amount of \$911,900. A copy of the request, identified as "Attachment 13" follows these minutes and is made an official part hereof.**
13. **Approval of staff's recommendation to allocate \$185,000 of the requested 2016 Special Local Maintenance & Improvement Grant (LMIG) against the FEMA/GEMA December 2015 storm flooding projects. A copy of the request, identified as "Attachment 14" follows these minutes and is made an official part hereof.**
14. **Approval of the July 14, 2016 Board of Commissioners Meeting Minutes.**

OLD BUSINESS:

15. **Consideration and approval for delaying the November SPLOST election and Calling for a Special Called Election in March 2017 for the six-year Special Purpose Local Option Sales Tax. This was approved on July 14, 2016 as "Discussion concerning whether Fayette County seeks to request a four-year or six-year Special Purpose Local Option Sales Tax."**

County Administrator Steve Rapson reminded the Board that it recently called for a six-year Special Purpose Local Option Sales Tax (SPLOST), however, due to the November election cycle there was a compressed timeframe regarding notices to be published. He explained how the notice works. He stated that according to the letter of the law, the County calls for the election, asks the cities to begin working on a SPLOST list and then the County and Municipalities get together and discuss the lists. He stated that there has been yeomen work done on the cities and county in regards to having those discussions, however, the County did not put something on letterhead requesting the meeting. He was confident that the County could have moved forward with a November ballot but the notice would have been in question. He stated that after meeting with the mayors there was enough concern to keep the integrity of the process and move the election to the March cycle. He stated that the Board had already committed to the four year SPLOST but expanding it to six years, at the cities' request, opened up another avenue which included the transportation funding and the Performing Arts Center. He stated that ultimately the Performing Arts Center was removed and all the funds went to transportation. He stated that narrowed the timeframe to get the transportation list to the Transportation Committee for their ratification and review and then to the Board of Commissioners. He stated that after the discussion with the mayors they agreed to recommend moving the November SPLOST and move it to the March 2017 ballot. He shared the current timeline for the process. He explained that the allocation would still be based on population that was already discussed with the cities. He continued that the referendum is scheduled to be held tentatively for March 21, 2017. He stated that the State has not officially adopted that date but everyone is pretty sure that is the date. He stated that the Board of Commissioners would have to issue a call for the official meeting on February 9, 2017 in order to place the SPLOST on the ballot the County must first meet with the cities and the meeting must take place at least 30 days before the call of the referendum. He stated that having the meeting on Thursday, January 5, 2017 would provide a 35 day notice. He continued that in order to conduct the meetings a notice must be sent to the cities at least ten days in advance of the January meeting. He stated that the notice should be sent no later than December 20, 2016. He stated that given the holidays and extra days he wanted to make sure there was adequate time to provide that notice and the notice must contain the date, time and purpose of the meeting. He stated that September 6 would likely be the first time that the Transportation Committee actually gets a recommendation from Phil Mallon. He stated that the County has posted the recommendation for the 911 radio system, the Fire Station #4 and the pumper and the Woolsey Community Center. He stated that the Stormwater information would be posted by Wednesday and the process would start on September 9 with the Transportation Committee. He stated that as the projects are weeded through, the website would be

updated. He stated that the cities have also committed to paying a prorated share for the Special Election. He stated that the intention is to take the election cost and treat it as a reimbursable item for the SPLOST but there is the risk that if the SPLOST does not pass that there would be a sunk cost and the cities have agreed to pay their share based on the same allocations per population.

Commissioner Barlow asked Peachtree City-City Manager John Rorie if they are getting geared up to promote the SPLOST since he believed "Peachtree City is the success of the SPLOST." Commissioner Barlow also asked Mr. Rorie if Peachtree City had begun strategizing or marketing.

Mr. Rorie responded that there are limitations on what the city can do in terms of advocating for or against the SPLOST. He thought the best step forward was to be sure to identify the projects and make them available for citizens to go online and that would generate interest. He stated that Peachtree City has created a brochure with information about the SPLOST. He stated that the current project list is at their public facilities and that the goal is to provide adequate information so that people know they are transparent.

Commissioner Barlow stated that he wanted to do what we can as a County to help offer support.

Commissioner Barlow moved to approve delaying the November SPLOST election and Calling for a Special Called Election in March 2017 for the six-year Special Purpose Local Option Sales Tax. Commissioner Rousseau seconded. Discussion followed.

Vice Chairman Ognio expressed concern that voter turnout would be low for this Special Election. He stated that the County cannot promote the SPLOST and the \$60,000 expense between the County and cities would be thrown out the window. He stated that if it is put off until the following November there will be some municipalities on the ballot and there might be a better turnout. He stated that there are terrible turnouts now with campaign signs everywhere and explained that if SPLOST does not pass then the county would have to wait two more years putting it past the next election cycle.

Mr. Rapson stated that he can relate to Vice Chairman Ognio. He stated that part of the discussion and concern with the Fayetteville and Peachtree City mayors was losing the momentum that had attained with their citizens because they have had 14 or 15 meetings with the residents. He stated that their biggest concerns was that these are critical infrastructural type projects and they expressed concerns of having to raise taxes. He stated that was the major turning point.

Vice Chairman Ognio stated that he understood that but if the SPLOST does not pass they would have the same problem with having to raise taxes. He stated that they are having meetings now and by March it will all be forgotten.

Chairman Oddo stated that there will be a lot of work to be sure the effort does not fade. He added that there is no guarantee SPLOST would pass in November.

Vice Chairman Ognio stated that there is no incentive for the voters to go to the polls.

Commissioner Rousseau stated that those are legitimate concerns. He stated that the county was not limited by educating voters and keeping the alarm sounding. He stated that is a true test to communicate with constituents and educate them about the importance of the SPLOST. He referenced Davis Road and the flooding that took place at Christmas during the heavy rains. He shared some of Vice Chairman Ognio's concern in terms of turnout and explained he would do everything he could to educate the constituency and impress them to vote.

Vice Chairman Ognio stated that he thinks the incentive was going to be more for the "nay-sayers".

Commissioner Rousseau stated that he was more concern that the deadline was missed. He stated that he was very disappointed.

Mr. Rapson stated that there can be educational town halls. Commissioner Rousseau stated that he is going to be counting on them. He stated that his vote will be contingent on educating the citizens. He stated that the citizens need to be provided facts of what the County is faced with due to limited resources and/or, in some respects, neglect over the last ten or twelve years. He stated that he did not want to cast disparities because some of it was due to lack of resources. He asked if SPOST passed in March when would funds be collected.

Mr. Davenport stated that it is around 90 to 120 day window. Mr. Rapson stated that he thinks the first collection would be the first of July 2017. He stated that in comparison to the SPLOST efforts that failed the municipalities were not advocating for the county SPLOST. He stated that it did fail but the county was able to get 46 percent of the vote on our own. He stated that instead of showing examples of what happen in North Virginia, there are examples of what actually happened in Fayette County. He was confident the Transportation Plan would be somewhere between \$19.5 million if locally funded from the contribution made from the SPLOST or up to \$95 million if it is leverage with federal dollars.

Commissioner Barlow moved to approve delaying the November SPLOST election and Calling for a Special Called Election in March 2017 for the six-year Special Purpose Local Option Sales Tax. Commissioner Rousseau seconded. The motion passed 4-1 with Vice Chairman Ognio voting in opposition. A copy of the request, identified as "Attachment 15," follows these minutes and is made an official part hereof.

NEW BUSINESS:

16. **Consideration of a recommendation from the Selection Committee comprised of Commissioners Randy Ognio and David Barlow, to appoint Lavonia Stepherson to an unexpired term, replacing Margaret Sisson, beginning immediately and expiring on June 30, 2017, to the McIntosh Trail Community Service Board.**

Vice Chairman Ognio moved to table the recommendation from the Selection Committee comprised of Commissioners Randy Ognio and David Barlow, to appoint Lavonia Stepherson to an unexpired term, replacing Margaret Sisson, beginning immediately and expiring on June 30, 2017, to the McIntosh Trail Community Service Board to the August 11, 2016 Board of Commissioners meeting. Commissioner Barlow seconded. The motion passed 5-0. A copy of the request, identified as "Attachment 16," follows these minutes and is made an official part hereof.

17. **Consideration of staff's recommendation to reduce the General Fund Flood Damage loan to the Stormwater Utility for projects associated with the storm damages (FY2016 December 2015 floods) and revise Stormwater Utility project budgets approved in FY2015 budget.**

Public Works Director Phil Mallon stated that this item is the reorganization of the Stormwater Utility funds to account for the revised cost estimates for the FEMA projects as well as other projects that have been closed. He stated that with the adjustments, the net returned to the General Fund is \$275,214.00 to pay off the Stormwater Utility loan.

Commissioner Brown moved to approve the recommendation to reduce the General Fund Flood Damage loan to the Stormwater Utility for projects associated with the storm damages (FY2016 December 2015 floods) and revise Stormwater Utility project budgets approved in FY2015 budget. Vice Chairman Ognio seconded. The motion passed 5-0. A copy of the request, identified as "Attachment 17," follows these minutes and is made an official part hereof.

18. **Consideration of the Fayetteville annexation of 1373 North SR 85, and the rezoning of said property from A-R (Agricultural-Residential) to C-2 (Community-Commercial).**

Mr. Frisina briefed the Board that this property has a current application for rezoning in the county. He stated that it appeared that there was no space for septic system on the site plan and that the applicants were not aware that there was no sewer in the unincorporated Fayette County. He stated that the applicants have since applied for annexation to the City of Fayetteville

and the County has received a letter of withdrawal for the rezoning in Fayette County. However, since it has been advertised and posted, the withdrawal will be brought before the Board soon. He recommended that the Board not object to the annexation.

Commissioner Brown referenced the map and asked if the red property was in the county. Mr. Frisina stated that it was. Commissioner Brown stated that the County needs to be cognizant of creating the islands where there are two Fayette County parcels and then a Fayetteville parcel. He stated that it creates emergency response problems. He stated that whatever can be done to impress upon the municipalities that we do not need to create the service islands.

Mr. Frisina stated that is more like a saw tooth and not an island. He stated that it is not against the state statute.

Commissioner Brown stated that he understood, but it does cause problems for emergency services.

Mr. Frisina stated that the problem is that if the property does not want to go in they usually do not pull them. He stated that it is on an application bases.

Commissioner Brown moved that the County not impose an objection to the Fayetteville annexation of 1373 North SR 85, and the rezoning of said property from A-R (Agricultural-Residential) to C-2 (Community-Commercial). Vice Chair Ognio seconded. The motion passed 5-0. A copy of the request, identified as "Attachment 18," follows these minutes and is made an official part hereof.

PUBLIC COMMENT:

Yvonne Smith: Ms. Smith spoke regarding some issues she has regarding stormwater in her area. She also spoke of problems in her community, Code Enforcement concerns, and her desire to have community police similar to those in Peachtree City in her community. She stated that there was a very bad case of stormwater in her area and she found out that with the money she was paying for stormwater, no one was doing anything for her area. She stated that she will not pay anymore. She stated that the stormwater problem was there before she came. She stated that everyone she has spoken to said to talk to her Commissioners so that is why she was at the meeting.

ADMINISTRATOR'S REPORTS:

Regatta at Lake McIntosh: County Administrator Steve Rapson advised the Board that Lake McIntosh would have the Regatta on September 17.

Resurfacing of State Route 85: County Administrator Steve Rapson stated that he sent an email to the Board that Georgia Department of Transportation concerning the resurfacing of State Route 85 North, from Georgia Avenue to the Clayton County line. He stated that the resurfacing project was a \$3.9 million project but it did not require Fayette County funds. He stated that he has communicated that to the City of Fayetteville as well.

Briefing on Listed Procurements and Contract Renewals: County Administrator Steve Rapson stated that the procurements and contract renewals listed.

Procurements:

- A. RFP 1082-P: Road Pavement Consulting Services

Contract Renewals:

- A. RFP #916, Renewal 1: Auditing Personal Property Accounts for Compliance
- B. Contract #976-N, Renewal 2: Methane, Groundwater and Surface Water Monitoring
- C. Contract #949-A, Renewal 1: Road Stabilization / Dust Control
- D. Contract #985-B, Renewal 1: Water System Chemicals for Fiscal Year 2017

Response to Public Comments: County Administrator Steve Rapson stated he had never spoken with Ms. Smith. He stated that he will reach out to her and have staff reach out to her. He stated that a lot of reading between the lines is probably on private property. He stated that he would clarify what the issues are. He stated if nothing else he will use this as an opportunity to educate her on what the County does and the fact that the county does not do anything with Peachtree City.

ATTORNEY'S REPORTS:

Notice of Executive Session: County Attorney Dennis Davenport reported that there are three (3) Items of Threaten Litigation, two (2) Items of Pending Litigation and Review of the July 14, 2016 Executive Session Minutes for Executive Session.

COMMISSIONERS' REPORTS:

Commissioner Barlow shared a video of the christening of the RowAmerica boat that was donated to Fayette County. He stated that RowAmerica has donated a \$30,000 eight place boat that they named "Fayette County to the 10th Power".

Commissioner Brown had no comments.

Vice Chairman Ognio shared his disappointment of the low voter turnout for the run-off election and that he hopes everyone will get out and vote during the General Election.

Commissioner Rousseau had no comments.

Chairman Oddo had no comments.

EXECUTIVE SESSION:

Three Items of Threaten Litigation, Two Items of Pending Litigation and Review of the July 14, 2016 Executive Session minutes: Commissioner Brown moved to enter into Executive Session. Vice Chair Ognio seconded. The motion passed 5-0.

The Board recessed into Executive Session at 11:54 p.m. and returned to Official Session at 12:27 a.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. Commissioner Brown seconded the motion. The motion passed 5-0. A copy of the Executive Session Affidavit, identified as "Attachment 19," follows these minutes and is made an official part hereof.

Settlement between Donna Monday and Fayette County: Mr. Davenport briefed the Board regarding a mediation that took place on July 28 for a worker's compensation claim. He stated that Ms. Donna Monday experienced an injury to her knee on two separate occasions at the Sheriff's office. During the mediation both parties came to an agreement to settle her claims for \$90,000 which includes a release by her of any claims she has against the County and her agreement to separate from the County with no eligibility to be rehired and the settlement would be subject to the approval of the State Board of Worker's Compensation. He stated that he offered this information to the Board for favorable consideration.

Vice Chairman Ognio moved to approve the settlement as presented by the County Attorney. Commissioner Brown seconded. The motion passed 5-0.

Approval of the July 14, 2016 Executive Session Minutes: Vice Chairman Ognio moved to approve the July 14, 2016 Executive Session Minutes with one modification to change the date of the last line from June 2, 2016 to June 7, 2016. Chairman Oddo seconded. The motion passed 5-0.

ADJOURNMENT:

Vice Chairman Ognio moved to adjourn the July 28, 2016 Board of Commissioners meeting. Commissioner Brown seconded. The motion passed 5-0.

The July 28, 2016 Board of Commissioners meeting was adjourned at 12:30 a.m.

Tameca P. White, Chief Deputy County Clerk

Charles W. Oddo, Chairman

The foregoing minutes were duly approved at an official meeting of the Board of Commissioners of Fayette County, Georgia, held on the 11th day of August 2016. Referenced attachments are available upon request at the County Clerk's Office.

Tameca P. White, Chief Deputy County Clerk