

The Board of Commissioners of Fayette County, Georgia met in Official Session on October 11, 2001, at 7:00 p.m. in the public meeting room of the Fayette County Administrative Complex, 140 Stonewall Avenue, Fayetteville, Georgia.

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

STAFF MEMBERS PRESENT: Chris W. Cofty, County Administrator
 Carol Chandler, Executive Assistant
 William R. McNally, County Attorney
 Linda Rizzotto, Chief Deputy Clerk

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

PRESENTATION/RECOGNITION:

FAYETTE COUNTY DEVELOPMENT AUTHORITY ACCREDITED:

Chairman Dunn recognized the Fayette County Development Authority as a group of people who work diligently in our community and are not very often in the newspapers or don't get credit very often for what they do. He asked Randy Hayes, Chairman of the Authority to come and say a few words.

Fayette County Development Authority Chairman, Randy Hayes, stated that the Authority received designation as an Accredited Economic Development Organization by the International Economic Development Council. He commented that a representative from this organization of economic and community development professionals presented the Authority with the Accreditation during the Annual Awards Banquet of the Georgia Economic Developers Association meeting on September 19. He said this award follows their May announcement that the Fayette County Development website was selected as the third best website, nationwide, among more than 1,000 entered Economic Development Agencies. He said one of our marketing efforts, our Developers Luncheon Invitation, won second place in a nationwide competition also. He mentioned that Fayette County joins fewer than twenty communities across this country and becomes the first Development Authority in the State of Georgia to be accredited. He said IEDC provides the Accredited Economic Development Association program as a means of recognizing a professional excellence of economic development entities throughout North America. He remarked the goals of the AEDA Program were to provide economic development organizations with independent feedback on their operations, structure, procedures and recognize excellence in local economic development planning. He said this process of accreditation consists of two phases, a documentation review and onsite visit. He said each was designed to elicit specific and verifiable information about the structure organization, funding program and staff of the candidates' development organization. He commented the site visit team interviewed local officials, plant managers, statewide economic developers, staff and board members during

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their two days stay. He stated the documentation period itself took more than 100 staff and board member hours and lasted for more than three months. He said as this Commission knows, we were for the first nine years of our existence, an organization focused on industrial recruitment. He said it now focused on multiple fronts in order to better develop a sustainable and diverse economic base to better serve the taxpayers and citizens of Fayette County. He said the member's work hard serving our existing industry, helping entrepreneurs, targeting high end and low impact industrial and office projects, as well as a variety of other special projects that they feel add to the quality of life for the Fayette County citizens. He said he would like to thank the Commissioners and their partners for their continued leadership, vision and support. He also thanked his Board of Directors who give their time and energy to serve in this important capacity. He thanked his staff, Chris Clark, Kelly Pano for their hard work, diligence and dedication on behalf of the citizens and businesses and for helping the Board to be the first accredited Development Authority in the State of Georgia.

Chairman Dunn introduced members of the Fayette County Development Authority who represent every community in Fayette County. He said when he was first introduced to the Authority, he understood their mission was to bring industry to Fayette County. He said they did this and did it very well, but what we didn't see was that these people were totally dedicated to maintaining the quality of life for Fayette County as we know it. He added that part of their job was not only to bring only the best industry here but they also discourage industries that you and I don't want as neighbors, from coming here. He commented there were some Development Authorities around the nation that will take business from anyone and our group would not do that.

Chairman Dunn announced the roster of members: Tom Farr, not present, from Peachtree City's Development Authority, Phil Smelley, a county appointee, Dr. Bryan Edwards, a county appointee who was not present, John Moody from the Tyrone Development Authority who was not present, Cathy Nelms from the Peachtree City Airport Authority, Mike Wheat from the Fayetteville Authority, Dot Kite, an at-large member, and Jack Smith, an at-large member. He invited the President and CEO of the Development Authority, Chris Clark to come forward and say a few words.

Chairman Dunn said we have Development Authorities all over Georgia but ours apparently was the premier Development Authority and the only one in Georgia. He commented there was only a handful across the United States to receive this recognition. He read and presented the Plaque of Accreditation which read, "The Fayette County Development Authority has been designated the Accredited Economic Development Organization in recognition of organizational excellence in professional achievement by the American Economic Development Council, July 19, 2001".

Mr. Clark said he enjoyed working with the Development Authority and being part of this Board. He said we always think about the kind of folks you want to work with and the perfect job, and being able to work with these folks and for the County Commission really makes it worth while.

OLD BUSINESS:

REQUEST TO PAVE QUARTERS ROAD:

Dan Hudson thanked the Board for allowing him to speak tonight concerning a partial paving of Quarters Road. Mr. Hudson said he represented a small group of homeowners that live on or in close proximity to a portion of Quarters Road that was close to High Grove. He asked the Board to consider paving that portion of Quarters Road where the county currently maintains an eighty-foot right-of-way which extends from a paved portion of Quarters that comes out of High Grove and extends to Alexander Ware Way. He commented the residents he represents were the homeowners that front on Quarters Road that actually has an address containing Quarters Road. He said those individuals that live on Alexander Ware and several individuals that live in High Grove that are in close proximity to Quarters Road also.

Mr. Hudson there was eight houses affected by this and seven were in agreement with going forth with the paving if the Commissioners saw fit to do so. He said all of the residents that live on Alexander Ware were in favor as well as seven or eight that live in High Grove. He stated the reason for this request was mainly for health and safety issues of the residents that live in that area. He said the houses on that end of the road were extremely close to the road. He commented the traffic levels had gone up significantly over the last few years with all of the development that has gone on between High Grove, and the new subdivisions that have been cut through from Quarters Road. He said there were a couple of places on the road where it was quite dangerous and only one car could pass, and the visibility was very restricted coming around a bend in the road. He said he and his neighbors would like to see some of these issues addressed.

Gene Martin, 232 Quarters Road, Fayetteville, said he was the lone dissenter to paving the road because of the speeders. He said he wondered what would happen if the road was paved. He commented that when he sat on his front porch, late in the afternoon before it got dark, cars passed by going anywhere from 35 - 50 mph. He said he has three teenage sons that drive and so far they have been very good drivers, but he was concerned about anyone driving on Quarters Road where it was paved.

Grover Kneece, 259 Quarters Road, Fayetteville, stated his main concern was the safety because the bend Mr. Hudson was talking about was directly in front of his house. He said further that as one came around this bend there was more than one hundred feet where the road narrowed to sixteen feet, four inches. He mentioned that school buses come through that area, they have the center of the road right at the sign as there was no way they could be over to one side of the road. He said he had seen two times in the past three years of near misses with the school bus. He commented that he thought the public safety there of our children and the school bus really needed to be addressed. He said he had sent the Commissioners two letters over the past two years about the safety of this particular area of the road and he felt this was a main concern there. He remarked he had some beautiful trees in this area which he hated to lose but he was willing to sacrifice his trees to look out for the safety of our citizens on this road.

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Chairman Dunn asked Mr. Hudson how many families lived on the portion of Quarters Road that was requested to be paved and Mr. Hudson replied there were eight houses that fronted the eighty-foot right-of-way.

Chairman Dunn said he wanted to let Mr. Hudson know that the Board had received a petition from the neighborhood not to pave the road there and that was signed by twenty-four people. He said from what he could tell here, it looked like they represented thirteen households.

Robert Garrett, 280 Old Ivy, Fayetteville, (High Grove Subdivision) on the corner of Quarters Road and Old Ivy and there were at least eight houses there that were affected by the dust blowing off of the roadway. He said he understood it was a dirt road from the beginning but now that the county had put something on the gravel to keep the dust to a minimum, there was nothing but gray dust that flies across that whole section and it coats every house, inside as well, and for him, it had been a health problem because he nor his wife had a problem before moving to this house. He said he just got the signatures of the people who own the houses and if the Board wanted to see more signatures than those living in the homes there, and he could get a lot more names of people that were having problems with this dust.

Chairman Dunn said this could be done on both sides of the issue. He said this was a passionate issue as both sides felt strongly about paving and not-paving the road.

Mr. Garrett said it was his understanding that his side was asking for that portion from Alexander Ware down to be paved. He asked where were the thirteen houses on that section of the street.

David Tucker, 190 Alexander Ware Place, Fayetteville, stated he was one of eight petitioners to sign for paving. He said one of the things that he wanted to bring up again was probably no homeowner here would dispute the fact that the reason they moved there off of Quarters Road was because of the majestic beauty of that area of the county. He remarked there were fifty-four homes that presently connect to one and one-half mile of road. He said the amount of traffic generated off of that just simply cannot be supported by a gravel road. He remarked the health concerns with the dust were real, the dust was silica dust which produces a life long health hazard to you and it didn't go away. He said these were things that the people there had to live with. He said it would be wonderful if more people there owned more land and it wasn't developed as it was, but it has been and will continue to be further developed with more expansion to High Grove.

Dan Hudson said he wanted to make sure it was clear because he thought some people had reservations about what he was asking for. He commented that the houses that front on the eighty-foot right-of-way, basically we have seven out of eight that support paving, these people were in favor of paving. He added that anybody who opposes the paving was beyond the intersection at Quarters Road and Alexander Ware. He said everyone was aware with the issues that came along with that. He said this was the big reason they were asking to stop the paving at Alexander Ware, because he knew how passionate the people were at the other

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end of that road about maintaining the property they owned to the middle of the road and they wanted to keep it the way it was. Mr. Hudson said he was happy when he moved there six years ago, three years ago he was fine, but 500 - 700 cars a day going past his house now, it wasn't fine anymore. He commented the development had far outstretched what that road could handle. He said the people located on this stretch of road felt it was time that something was done.

Commissioner Frady said the last time we discussed the surface treatment that we put down he said if that didn't work that he would be in favor of paving that road. He said he lived on a dirt road when he was a kid and he didn't like it. He said he was aware there were people who lived on this road that didn't want it paved but it was getting to the point now in his opinion that the traffic was getting so heavy, it was more dangerous then it would be if it was paved. He said he would certainly support paving that road for that particular reason. He commented that Quarters Road was a great road in our county. He said he remembered when the county had 400 miles of dirt roads and now we only have about 40 miles so he didn't think people expected it to stay unpaved forever. He said how much longer that would last he couldn't say, but he would support surfacing the road.

Commissioner VanLandingham said the county recently received some correspondence from Enviroseal when we reported the failure of that treatment to work, and not knowing what took place, the company has consented to furnish the material to try this again. He stated since we have come this far it would not require all of the work that was done before and the impact on traffic would be to a lesser degree. He said he would rather see this done before the Board decided to do anything else. He said he felt it would be counter productive to go ahead to plan on paving when we have this available to us and we've already paid for it.

Mr. Hudson said his major concern was the dust but he knew there were people who had other issues out there, and that was fine. He remarked he was under the mistaken impression that we were out of the dust control business and that was why he went forward with this petition, but he was for anything that would make the dust go away at this point.

Chairman Dunn commented that based on Mr. Hudson's and other continued complaints, the County Manager contacted the company because the treatment Enviroseal promised didn't work. He said the company said it should have worked and they were willing to try once again. He said we should let Enviroseal try again and even though this may not be a permanent solution obviously, hopefully it would be better in the short run.

Commissioner Pfeifer said he was out there the other day and said he would agree, it hasn't work. He said he drove down Nelms Road and could not tell the difference between the two roads.

Commissioner Frady said he was in favor of Enviroseal trying again to fix the problem and if they couldn't then he would support paving the road.

Commissioner VanLandingham commented that he lived on a dirt road and went through the same things as those folks here tonight. He said it was dusty and they paved it. He remarked that paving a road would not build in a safety factor. He said that road being a dirt road, had not created a safety problem, it was the people driving down the road that did that. He promised those here tonight that if the road was paved and they were doing fifty now, they would do seventy when the road was paved.

Chairman Dunn said he shared the Commissioner's concern quite a bit because it would be one of the few ways to get from Redwine Road to Highway 54 and it could become a high speed thoroughfare when the teenagers and adults move their vehicles through there. Commissioner Frady remembered Spear Road was a concern too, and he thought the Sheriff's Department took care of that and slowed them down there. He said, however, the safety factor he was speaking about when he talked about Quarters Road was it was easier to get two buses, or a car or truck and bus on a twenty-four-foot paved road then it was on an unpaved road with ditches.

Chairman Dunn cited one of the Board's considerations would be the cost effectiveness, and a concern was did we solve the problem by just paving a small piece of that road. He said he felt it was more likely a question whether to pave the entire road, or pave none of it. He said this was the way he would look at it because if we did that we then would have a short piece of road and immediately thereafter we would have the same dust problem. He said some people would hate it while others would not. He mentioned that he had talked to some people who were passionate and probably would tie themselves to a tree if we tried to take out their trees. He said the county would have to remove the trees from the right-of-way there in order to put a paved road in. He stated he did not know what the ultimate outcome would be here, but rest assured we understand the problem was not solved and this was not the end. He cautioned Mr. Hudson that if the Board decided tonight to add this to the county's road list for paving in this county, he and his neighbors would not see a paved road for quite a while, because we have other roads which have priority over Quarters Road.

Mr. Hudson commented he understood the process took a while but his concern once again was the dust. He said personally paving was the lessor of two evils for him. He stated he didn't move to Quarters Road thinking that he would be standing in front of the Board asking to have it paved one day. He said he had four children and their health had been affected. He said the problem there was that the effect this was going to have on people's health was not going to be seen today, tomorrow, or next year. He said this would be a long term process. He remarked there were literally days when he would walk out on his front porch and could taste the dust in his mouth. He commented it hung over the entire area there for twenty-four hours a day and never settled unless it rained. He said this was his sole concern with what was going on out there with the road and if we could apply any type of treatment, he would love to see it.

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Chairman Dunn said a couple of other counties in the State had been successful with Enviroseal and he didn't know what the difference in the dirt or the rock was on Quarters Road but it certainly didn't work here.

Chuck Ellyson, 160 Alexander Ware Place, Fayetteville, stated he disagreed with Commissioner VanLandingham a little bit. He said safety was one of the biggest concerns out there and one thing paving a road did away with, was the dust that reduces the visibility. He mentioned two times in the past week, he had nearly been run over once running along that road, and nearly hit in his vehicle a second time. He said he attributed this totally to the reduced visibility. He claimed where Mr. Hudson's house was, he ran that short stretch of road between Alexander Ware and High Grove. He said he used to run in the other direction because it was quieter but had to stop because of the dust. He said the visibility both times was cut to less than a football field in length, only because of someone going out that road twenty-five to thirty-five mph. He said he would agree that it was not going to cut down on the speed at all but it would certainly approve the visibility. He remarked that if cost was a factor, we now have seventeen homes there paying somewhere between eighty thousand and one hundred thousand dollars a year just in property taxes along that road. He said like Commissioner Frady pointed out, at some point in time a decision was made to pave 90 percent of what use to be dirt roads here in the county and he submitted that for health and safety reasons, it was well worth paving that one quarter of a mile of road. He commented he understood the concerns of the people on the other end and very well respect that and that was why he and his neighbors were requesting only to pave this small portion of Quarters Road.

Commissioner VanLandingham thanked Mr. Ellyson for pointing out what he had said because he did not want anyone to think that safety was not a concern, but there was a law that a lot of people did not understand, and that was driving to the conditions of the environment. He added what he said still stood.

Mr. Ellyson said he understood what Commissioner VanLandingham was saying. He remarked that most people did not like the way he drove on Quarters Road because it was 8 to 10 mph, partially because of the Hudsons and others living in the homes along this road. He said when he was growing up he lived on gravel roads for eighteen years knowing the conditions, etc. and this was also a good reason he didn't travel the one and a quarter mile in the other direction at 10 mph.

Chairman Dunn said it will be an interesting time for us all whenever that road is paved. He commented on the news article in the Atlanta Journal about paved roads in the Metro area that every county has this problem right now because of the growth that we've all had. He said some people wanted to be on these old country roads and now they were complaining about their roads. He said the county would do the best it could for its citizens who live on that road, however, there was no short term solution here. He stated the county would be back out there with another treatment and we will be looking at this road in the long term for road improvements.

Mr. Hudson asked concerning the decision that stood tonight if the Board needed anything further from him.

Chairman Dunn stated that our Road Department and Engineers knew what Mr. Hudson wanted and they didn't need anything further from Mr. Hudson. Mr. Dunn accepted a petition from Mr. Hudson requesting to pave a portion of Quarters Road. This petition, identified as "Attachment No. 1", follows these minutes and is made an official part hereof. A copy of a petition asking that the road not be paved (this is an old petition, undated, but taken from our files to give the Board some of the history of this road), identified as "Attachment No. 2", follows these minutes and is made an official part hereof.

Chairman Dunn said he appreciated, as frustrated as the neighbors have all been from Quarters Road, that Mr. Hudson had always come in here and tried to work with the county's staff. He said Mr. Hudson had been patient and the Board appreciated that.

Mr. Hudson said he also appreciated what the Board had done so far to help solve the problems on this road. He said a special thanks went to Mr. Cofty who had been patient in dealing with him.

NEW BUSINESS:

REQUEST FOR A FOUR-WAY STOP AT THE INTERSECTION OF JENKINS ROAD AND ELLISON ROAD:

Trina Berry said she was representing the Sandy Creek High School PTSO. She said she appreciated the Board taking time to listen to them. She said they needed the Board's help to improve the traffic flow and to increase the safety factor at the Jenkins Road/Ellison Road intersection. She presented a graphic to the Commissioners. A copy of this graphic, identified as "Attachment No. 3", follows these minutes and is made an official part hereof. Ms. Berry said the graphic was not totally accurate as to how the lay of the land was, it was just a general representation. She mentioned the dots on the graphic represented the existing stop signs which were currently on Jenkins Road. She explained that a portion of Jenkins Road was dirt as indicated on the graphic. She stated the three schools that made up the Jenkins Road school complex were Flat Rock Middle School, Burch Elementary and Sandy Creek High Schools.

Ms. Berry further explained that on Ellison Road to the south there was a slight curve and a hill and in the other direction you would be going to Sandy Creek Road. She said this was hazardous because of the traffic patterns, the speed, and the line of sight. She said the line of sight south at Ellison was more difficult because this was not a 90 degree intersection. She stated she and Major Wayne Hannah of the Sheriff's Office were speaking about this intersection a few weeks ago and he said it needed to be realigned because of that line of sight problem. Ms. Berry advised that the Sheriff's Department did a 24-hour speed study in April of this year and found that the northbound traffic on Ellison traveled at an average speed

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of 47 mph and the speed limit was 45 mph. She commented that the bulk of the traffic was Sandy Creek Road to Jenkins Road, in and out, so this put a lot of people at the Jenkins Road intersection trying to make a left turn. She said there was a lot of traffic coming from Sandy Creek and Ellison Road and it could be very difficult to make it. She said there were 30 school buses that went through this intersection multiple times a day and they did not have the speed to be able to scoot out of the way when there was a little hole in the traffic there. She said also, there were more drivers coming through the Gaelic Glen Subdivision and coming out further south on Ellison Road. She said some of the people went south while others went north making this more difficult for you to be able to make a left turn from Jenkins Road onto Ellison Road.

Ms. Berry said they were asking for the Board's help. She explained that they felt making this a four-way stop would increase safety greatly and it would also improve the traffic flow. She said it worked beautifully at Tyrone Road and Flat Creek Trail and at Gingercake and Graves Road. She commented it really made those intersections much safer and she was requesting the Board to do the same for the Jenkins/Ellison Road intersection as well. She presented a petition with almost 600 signatures including those signatures of the Sandy Creek High School PTSO Board. A copy of this petition, identified as "Attachment No. 4", follows these minutes and is made an official part hereof.

Ronnie Cannon stated tonight he was not coming before the Board as a Tyrone Council person, he was coming tonight as a Fayette County citizen and the parent of a freshman at Sandy Creek High School. He said he was familiar with this intersection as his son went to Sandy Creek High School and this was the way he used to come back and forth to Fayetteville. He said more and more people were using these roads rather than coming down the 54 corridor and getting into the traffic they face there. He thanked Commissioners Frady and VanLandingham for their help in the discussions of this intersection over the past 6 - 7 weeks, and also, Mr. Lee Hearn, Ron Salmons and Chris Cofty, all of whom he had spoken with. He said all of these people were helpful in providing him with information and he wished to present some of this information to the Board tonight as he thought it might be helpful.

Mr. Cannon referred to Exhibit A, identified as "Attachment No. 5", which follows these minutes and is made an official part hereof". He mentioned this was a traffic study done in 1998 by LRE/Dames and Moore who he knew from experience were very thorough. He said he did not dispute anything in this traffic study as he felt it was accurate and might be helpful. He referred to Page 3 of Exhibit A and read the last paragraph. He said Page 9 refers to a Site Analysis Study. He called attention to the posted speed limit of 45 mph on Ellison Road and added that a speed study indicated an 85th percentile speed of 56 mph. He said he was sure motorists didn't consider Dames and Moore's staff as a threat like they would if there was a Sheriff's car on the side of the road. He said the table on Page 9 indicates that the traffic on Jenkins Road did not have the minimum required sight distance on either approach to Ellison Road. In referring to Page 18, Mr. Cannon said the Sheriff's Office claimed there were two accidents in the vicinity of this intersection during the year 1996 and they both occurred at peak times of traffic for high school students and school traffic. He said on Page 23, the

conclusion reached by LRE/Dames and Moore was that the available sight distance for vehicles entering Ellison Road from Jenkins Road was not adequate to complete the turning movement, the embankment on the south and trees on the north and south side of Jenkins Road restricted the available sight distance. He said also the vertical and horizontal curves on Ellison Road contributed to the sight distance problem, although this was limited. He stated the following, "Although the existing traffic volumes and accident data do not justify installation of all-way stop signs, installation of such signs as an interim measure will increase safety. If installed, all stop signs should have "all-way" supplementary plates installed under the signs and advance "stop ahead" warning signs should be installed on all approaches".

Mr. Cannon said he found out in discussing this with Mr. Hearn that possibly the reason the intersection was not signalized in 1998 when this issue was brought up before, was because of the discussion of the liability of signalizing an intersection that did not meet the warrants handed down by the State for establishing stop signs. He said it was his understanding that the manual that was used was the Manual on Uniform Traffic Code Devices, and the one that was available in 1998 was the one he labeled Exhibit "B" which is identified as "Attachment No. 6", follows these minutes and is made an official part hereof. He said in 1998, there were no provisions in here that would warrant establishing a stop sign at this intersection. He said there were not enough accidents, there were only two and the State required five. He said though he didn't understand liability, he felt if we had a report that said that you have a dangerous situation that was a little unsafe but you didn't meet the accident requirements, then he thought there might be some liability there. He commented in December 2000, this was revised and was included in these minutes as "Exhibit C" and is identified as "Attachment No. 7", follows these minutes and is made an official part hereof. He stated in 2000, they did give us an opportunity to do something about this intersection. He called attention to Page 2B.11, "Option C" which states, "Locations where a road user, after stopping, cannot see conflicting traffic and is not able to safely negotiate the intersection unless conflicting cross traffic is also required to stop".

Mr. Cannon also presented Exhibits "D" and "E" and briefly discussed other roads where stop signs were requested and granted without studies. These Exhibits are identified as "Attachment No. 8", follow these minutes and are made an official part hereof. He said he thought they had the tools here as far as the Manual for Uniform Control Devices for traffic and also the study that would support the county in any court case and he requested the Board to consider putting these stop signs in. He said he had been at this intersection when school let out, and these students were anxious to get away and they had a tendency to pull out. He said even an experienced driver has difficulty with this intersection. He remarked that the study recommends a realignment. He mentioned he read in the paper where the county was about to spend approximately \$800,000 to realign County Line and McDonough Roads and this was quite an expense. He said the liability issue would be covered and the signs would cost around \$120 and maybe we could save somebody's life - he certainly hoped we did. He stated he has attended several funerals of his class mates and those of his son who were killed in traffic wrecks and he did not want to see any more. He said he appreciated the

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Board's time, the opportunity to speak before the Commissioners, and he hoped the Board would consider their request.

Commissioner VanLandingham presented a brief history of the part he had played in this matter. He said when he received a call from Mr. Cannon several months ago he advised him he would check into the matter to see what could be done. He said he sat there at the school for 45 minutes and there were 410 cars that used that intersection. He said most of the cars turned and went to the high school. He commented the most cars he saw backed up at the intersection was 11 and it took 42 seconds for the 11th car to get through the intersection. He said this was less than 4 seconds per car going through that intersection so he felt traffic had not been impeded in any way. He stated this was one of the warrants in the code book which we were to use. He mentioned the approach he took was to see if we could put a stop sign there, not to see if we couldn't because he was very concerned about the safety, especially around the schools. He said he then talked with the County Administrator who informed him there had already been a traffic study done on this intersection. He said he then received information which he reviewed and from all of this, he thought he had done everything he possibly could to get a stop sign at that intersection. He commented when the county does things like this, it tries to do it in an orderly manner. He said in the very study that just unfolded here, there were some things that were not brought out. He stated the results of the Signal Warrant Analysis indicates that none of the warrants looked at were satisfied which meant that none of the warrants were satisfied. He remarked the study also said it must be recognized that signals may actually increase accidents and the results were often contrary to the intended goal. He remarked this was why the county spent \$5,500 on the study, to get an expert to come and tell us because our emotions would not be sufficient.

Commissioner VanLandingham said he spoke with the County Attorney after the county received a letter from the Town Manager in Tyrone asking if they could put the stop signs up themselves. He said he asked the County Administrator if there was some way we could transfer this liability to the Town of Tyrone and there was no way this could be done. He said he tried every way in the world to do this and it just did not work out. He commented there had been no accidents there for several months and this was another warrant that was not satisfied. He said Mr. Cannon told him he had a petition and he asked him to bring that before the Commission. He added the efforts that were made and the advice to bring the petition to the Commission was what he thought was going to happen. He stated he then read in the paper and asked if the things he said and did seemed arrogant. He said he did everything he could yet the newspaper was told that he was arrogant. He mentioned the traffic study in the paper said 1988 and it was 1998 and to say that the county was not interested in the welfare of the children that don't sound like the efforts put out by himself, the County Manager, and the Public Works Director. He commented that if we didn't use the manual we have, there would be kayos having him telling Ms. Berry where to put stop signs. He said this would never work and so we have to have a guide. He said if a town did not use this manual, then it was in trouble. He remarked the Board had not refused, as indicated in the paper, this request had never come before this Board. He said he would make no apology if this burned someone's posterior, but he couldn't help that. He said he had a responsibility to everyone

sitting here tonight because if something happened, and there was a lawyer reading the newspaper like everyone else, and if an accident happened at that traffic sign, they were going to sue the citizens out there. He said the Commissioners would be named in the suit but the money for the suit would come from taxpayers' dollars. He commented this was not because this Board was negligent, that we're arrogant, or that we want to burn some's posterior, that was not the case. He mentioned the Board was trying to do what was best for the county. He said he had spent time and effort and came up with zero. He said he thought the petition would come before the Commission and maybe they may have thought of something, but that didn't happen, and instead the newspaper brought it to us. He said there were some things possible that we could do out there but it was going to take some time. He said not one warrant had been satisfied for a stop sign there. He said it would irresponsible of him to vote to put a sign there when the survey said that we could create a greater hazard then we already have. He thanked Ms. Berry and Mr. Cannon for coming tonight.

Commissioner VanLandingham said the county's Public Works Direction, Lee Hearn also did a study hoping that the county could find something.

Ms. Berry asked what time of the day Mr. VanLandingham and Mr. Hearn were there.

Commissioner VanLandingham said he was there at 3:15 p.m. until 4:00 p.m., and Mr. Hearn was there about the same time on a different day.

Ms. Berry said in her experience it was worse in the morning but if Mr. VanLandingham didn't see a problem, he didn't see a problem.

Commissioner Frady stated that he looked into this as well and he had to agree, there had to be some standard in order to put up traffic signals or stop signs. He said the county has shown its concern about these things with the expenditure of \$824,000 to realign McDonough and County Line Road so we were not neglecting what we need to do. He said we just can't go out and pop up a sign to stop the traffic. He said he would be the first to vote for a sign if there needed to be one. He commented that in a community like this the Commission was also obligated to move the traffic and to him, there was a busier intersection at the intersection of Tyrone and Ellison Road. He stated there was a point in time that we needed to look at these things and when they met the requirements that we have then we were going to put a traffic signal up. He agreed there was some limited site distance at Jenkins and Ellison but it wasn't to the point that Dames and Moore said to put a sign there. He said we would have some problems at every intersection eventually.

Commissioner Pfeifer asked Mr. Hearn in looking at the 1998 study and comparing this study to what Mr. Hearn and Mr. VanLandingham did, if it would be possible for us to send somebody out there to duplicate this type of study so we could see what direction the traffic was going in. He said he would like to have counts to compare to this to see whether the traffic had increased.

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Mr. Hearn said Major Hannah has placed pods down on the street that count the flow, the speed and time of day that the traffic comes and he could provide Mr. Pfeifer with that information.

Commissioner Pfeifer said stated he knew that there was a posted speed sign in front of the school and asked if it was possible to locate one of those signs along Ellison Road and bring people down to 30 mph during school peak times.

Mr. Hearn said he thought the county was limited as far as the placement of school zone signs to within 750 feet each side of the driveway to the school.

Commissioner Pfeifer asked if anyone knew what on going on across the street on the northwest side of Ellison Road. He said there were many signs indicating sold and some real estate signs. He asked if anyone knew how many houses were going in there and where the access was.

Commissioner Frady replied there were two-acre lots on Ellison Road and ten-acre lots with 100-foot rights-of-way going into the rear of this area.

Commissioner Frady asked Mr. Hearn if there was anything along the right-of-way that the county needed to trim.

Mr. Hearn commented one result from the 1998 study was that he instructed his mowing crew to keep the embankment there cut more closely back on the other side of the ditch to improve the sight distance. He said when he was out there a couple of weeks ago, the vegetation really wasn't a problem in terms of being able to limit persons from seeing.

Mr. Salmons said concerning the homes being built in the area that Mr. Scarborough has a development in there and all access was off of existing roads. He said this land was platted several months ago.

Vice Chair Wells thanked Ms. Berry and Mr. Cannon for bringing this matter before the Board tonight. She said as you can see the county has spent a lot of time looking at this. She said regardless of what has been said as far as studies and all, her primary concern here was that there was a hill and a slight curve. She mentioned her concern was if the county put a stop sign there and even if we put a warning sign that ahead there was a 4-way stop sign, when you crest the hill and you see a car stopped there she was afraid we would have some very serious injuries. She added we would have far more accidents then we were having now. She stated until she found out otherwise, she could not support putting a stop sign there. She said this would be tantamount to increasing the danger at that intersection for our children.

Chairman Dunn stated he was introduced to this problem by reading in the newspaper that he wouldn't pay the money for the stop signs and that he didn't care about children. He said this kind of disinformation and rhetoric did not contribute to anything and it never solved a

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problem. He commented when this appeared in the paper, he talked to two of his colleagues on the Board, both of whom took the time and the energy to research the problem and to provide the accurate information, but nonetheless, it was portrayed that we wouldn't spend a couple of hundred dollars to keep our children safe. He added this was so far from the truth it was absurd. He said he agreed with Mr. Cannon that when he drove around the county sometimes he wondered how stop signs got where they were too. He said placing more signs that don't belong there, according to the studies and engineering, would be just as bad as what some people did in the past. Some people have contributed to the road problems here rather than solve them. He said when the Sheriff's Office did a traffic count they were not sitting out there where everybody coming down the road could see them. He said he hoped not anyway. He commented we have equipment and you can just put it out on the road and nobody even knows it's there, and if the deputy was there personally, he was sure he would be somewhat hidden from view.

Chairman Dunn stated that five or more accidents in a 12-month period were one of the things that were looked at. He said he has been five years since there were any accidents at that intersection. He said this wasn't to say that we didn't have a lot of traffic there. He added if you live near a school you have a lot of traffic a couple of times a day. He said as we drive down there, we have heard people say this was a terrible safety problem and when we looked into it, we couldn't find it. He said what we did find were two fender-benders in 1996 and nothing since then. He said recently there was an accident in the line of traffic on Jenkins Road where one of the students banged into the one in front of him who was sitting there at a stop sign. He remarked if there were two stop signs going the other way that wouldn't have stopped this accident. He commented what we were dealing with here was not having the proper justification to do it and then having to deal with the misinformation as well. Mr. Dunn said in referring to McDonough Road that this Board has been trying to do something to McDonough Road for a couple of years. He said by comparison, that intersection has had 60 accidents during the last several years with no fatalities. He said he read in the paper where it said the county would not do anything until someone was killed at the intersection of Jenkins and Ellison Roads and nothing could be further from the truth. He said further if the conditions warranted it we would spend the money and the traffic control would go there. He commented he understood the frustration the folks in Gaelic Glen were feeling because there was a lot of traffic outside their exit a couple of times a day when they would like to come and go. He said there was the other problem with people cutting through the subdivision causing a backup. He stated the county has this same problem in many places throughout the county and additional stop signs in the other direction won't stop this either. He remarked that no matter how the Commissioners looked at this problem, as Mr. VanLandingham said, there was no justification to do what the Board was being asked to do. He said he could not support putting two more signs up at that intersection.

Chairman Dunn asked that in the future that if there were things that people wanted to discuss, whether they be from the Tyrone Town Council or from the citizens in that area, please come in, sit down and talk to us about it. He said it was much harder for this Board to deal with a human problem when misinformation has cast us as a bunch of unkind and non-caring people.

He stated he hoped that after seeing everything everybody has done, and the subsequent number counts and everything else we did, that at least you won't be able to say we didn't care enough to check into it.

Ronnie Cannon stated that he felt that the Board missed his point. He commented when he first spoke, he said he agreed with everything that was in the 1998 study. He said when you apply the 1998 study to the 1998 standards, the warrants, it meets every criterion for not placing a stop sign there. He said he did not dispute that, but has anyone evaluated this intersection to the December 2000 revised standards. He said this was his point. He said he had something now that he could do something with and he highlighted that option. He stated the revised standards clearly state there was an option there. He said if you have an intersection where somebody must come to a complete stop and look to make sure they can go through that intersection. He said this was shown in Exhibit C, Page 2B-11 under Option "C". He said he didn't think anyone had applied this 1998 study to the 2000 standards. He asked Mr. Hearn if they had and Chairman Dunn said yes, they have. Mr. Cannon asked if Option C was indeed an option. He said the county's study said there was a safety problem in this area. He said to him this addressed the safety issue and gave the county an opportunity to do something.

Vice Chair Wells asked Mr. Hearn to respond to Mr. Cannon's question since he compared the figures.

Mr. Hearn pointed out to the Board in the LRE/Dames and Moore traffic study, one of the things that they were very clear about, at this particular intersection, was the traffic volumes and the accident data to not warrant installation of traffic signal or all-way stop signs. He said our study was very clear as far as what they were recommending. He added there was always room for good engineering judgement when you apply any code, be it a steel manual or a concrete manual or traffic control devices manual. He said this was one of those things you had to look at carefully. He mentioned the code was clear in terms of the warrants, crash information, traffic delays and volume. He noted these were things you had to look at and we have done a good job in looking at each and every one of those warrants. He said he personally had traveled through this intersection and one of the things that he did when he looked at an intersection, especially one brought to his attention, was to test the intersection. He said he asks himself if he would feel comfortable if his wife or children traveled through this intersection during these peak times and after observing this area one afternoon, and looking at the traffic count, he would not have any problem with his wife and children traveling through this intersection.

Chairman Dunn said the Commissioners had not had anybody present to them any information that would indicate a need for signalization. He said we have had personal opinions or folk lore, but when we look at the data, we have an intersection that has been accident free for the past five years. He pointed out that he talked to the School Board and they advised there were 232 less children going to the three schools there then there was in 1998. He said as growth continued in that area, that at some point there might be a need to

go in there and do something else, but anytime there was an issue between any of the groups in the county or the other governments, he would certainly appreciate it if the Commissioners got accurate data to spread around so that it wouldn't make it harder.

Mr. Cannon stated the numbers concerning the 1988 versus the 1998 survey, was a misprint in the paper because he used the 1998 survey. He said as far as the \$120 for the cost of the signs, that question was raised at one of Tyrone's meeting. He said someone asked if there was a money problem and that was where that came from. He commented that all he wanted to do was get that intersection signalized. He pointed out as far as opinions went, the Board had almost 600 signatures on a petition that said "yes, there is a problem". He said there was also a daycare center on that road, that was not brought out in this discussion, but like he said earlier, that road was being used more and more since the signal light went up at Jenkins Road and Highway 74 and there was no signalization at Sandy Creek and Highway 74. He said a lot of people were cutting through this area so they got the benefit of that signal light at Jenkins and Tyrone Road. He commented the traffic volume had increased and more and more people were bypassing Tyrone's traffic by cutting parallel to 74 and Ellison Road.

Chairman Dunn said the volume may be increasing but the data says they were doing it safely.

Mr. Cannon said the data indicates that we haven't lost anybody there yet and that was what concerned him. He said he was trying to avoid losing someone. He said it was our job to look at something and to try and prevent it. He stated the perception in Tyrone was that we don't do enough for traffic until somebody's gets killed. He said someone had to die at the intersection of Highway 74 and Tyrone before the State offered a signal light, and Jenkins Road had to have a very serious accident.

Chairman Dunn said he hoped that Mr. Cannon did not attribute these accidents to the County Commissioners for what the DOT did.

Mr. Cannon stated he told Chairman Dunn that he was not directing that statement to the Board, but the perception was that we wait as far as government until something bad did happen. He said he still wanted to go back to that one statement, that option C, and it was an option where the Commissioners had a choice and with that December 2000 revision, the Board of Commissioners had that option to put a stop sign there. He said he wanted the Board to consider this and he appreciated their time.

Chairman Dunn thanked Mr. Cannon for his input.

Vice Chair Wells said she wanted to reiterate that she knew the Board had an option but she was not sure it was a safe option for the Board to do as it would increase the potential danger for our children. She said she felt the Board had to be very responsible about exercising those options at every busy intersection. She said once again that she could not support this because of the lay of the land.

CONSENT AGENDA: On motion made by Vice Chair Wells, seconded by Commissioner VanLandingham to approve the Consent Agenda as presented. The motion carried 5-0.

FAYETTE SENIOR SERVICES: Approve request from Andy Carden with Fayette Senior Services to erect a sign on the northwest corner of the Old Courthouse lawn from February 4, 2002 until February 16, 2002 to advertise the 6th Annual Country Music Concert.

BID AWARD TO SHOCKLEY PLUMBING FOR WATERLINE INSTALLATION ALONG HIGHWAY 314 TO HIGHWAY 138: Approve request from the Water Committee to award the bid for installation of the Highway 138 water line to Shockley Plumbing. The water line will be installed along Highway 314 to Highway 138 via Highland Hills. The estimated cost is \$112,000.

BOARD OF EDUCATION'S MENTOR PROGRAM: Approve request from Donna Worcester with the Board of Education's Mentor Program requesting a letter of consent from the Board of Commissioners and to authorize Chairman Dunn to sign the Certification of Compliance Form.

FAYETTE COUNTY PUBLIC LIBRARY REQUEST FOR SIGN APPROVED: Approve request from Friends of the Fayette County Public Library to place one sign on the northwest corner of Heritage Way and one sign at the southeast entrance. (Note: Their request for a sign on the courthouse lawn has already been filled for the dates in question).

MINUTES APPROVED: Approval of minutes for Board of Commissioners Special Called meeting held on September 27, 2001. .

PUBLIC COMMENT:

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

There was no public comment.

STAFF REPORTS:

Attorney McNally requested Executive Session to discuss two items of real estate acquisition and two legal items.

EXECUTIVE SESSION:

On motion made by Vice Chair Wells, seconded by Commissioner Pfeifer to adjourn to Executive Session to discuss two items of real estate acquisition and two legal items after a brief recess. The motion carried 5-0. It was 8:25 pm.

REAL ESTATE ACQUISITION:

The County Attorney briefed the Board concerning a matter of real estate acquisition.

The Board authorized the County Attorney to handle this matter.

REAL ESTATE ACQUISITION:

The County Attorney briefed the Board concerning a matter of real estate acquisition.

On motion made by Commissioner Frady, seconded by Commissioner Pfeifer to authorize the County Attorney to proceed in this matter. The motion carried 5-0.

LEGAL:

The County Attorney briefed the Board concerning a legal matter.

The Board authorized the County Attorney to handle this matter.

LEGAL:

The County Attorney briefed the Board concerning a legal matter.

There was no action taken by the Board.

EXECUTIVE SESSION AFFIDAVIT:

On motion made by Vice Chairman Wells, seconded by Commissioner VanLandingham to authorize Chairman Dunn to execute the Executive Session Affidavit. The motion carried 5-0. A copy of the Executive Session Affidavit, identified at "Attachment No. 9", follows these minutes and is made an official part hereof.

There being no further business to come before the Board, the meeting was adjourned at 8:50 PM.

Linda Rizzotto, Chief Deputy Clerk

Gregory M. Dunn, Chairman

The foregoing minutes were duly approved at an official meeting of the Board of Commissioners of Fayette County, Georgia, held on the 25th day of October, 2001.

Linda Rizzotto, Chief Deputy Clerk