



Minutes

Board of Commissioners

July 9, 2015

7:00 P.M.

The Board of Commissioners of Fayette County, Georgia, met in an Official Meeting on July 9, 2015 at 7:00 p.m. in the Public Meeting Room of the Fayette County Administrative Complex, 140 Stonewall Avenue, Fayetteville, Georgia.

Commissioners Present:

Charles Oddo, Chairman
David Barlow
Steve Brown
Randy Ognio

Staff Present:

Steve Rapson, County Administrator
Floyd L. Jones, County Clerk
Dennis Davenport, County Attorney

Staff Absent:

Tameca P. White, Chief Deputy Clerk

Call to Order

Chairman Oddo called the July 9, 2015 Board of Commissioners meeting to order at 7:01 p.m. He acknowledged that Vice Chair Coston was not at the meeting due to her recent passing away, and he said the Board was still in shock at her loss.

Invocation by Chairman Charles W. Oddo

Chairman Oddo asked Mr. Brian K. Coston to offer the Invocation. Mr. Coston offered the Invocation. After the Invocation, Chairman Oddo asked for the song *Amazing Grace* to be played. A YouTube video of *Amazing Grace* entitled *Andrea Bocelli conmueve al Papa Francisco al cantar Amazing Grace* was played.

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 as published. Commissioner Ognio seconded the motion. No discussion followed. The motion passed 4-0.

PROCLAMATION /RECOGNITION:

There was no Proclamation / Recognition on the Agenda.

PUBLIC HEARING:

There was no Public Hearing on the Agenda.

CONSENT AGENDA:

Commissioner Brown moved to approve Consent Agenda #1-4 with the corrections made to Consent Agenda #2. Commissioner Ognio seconded the motion. No further discussion followed. The motion passed 4-0.

- 1) **Approval of staff's recommendation to award RFP #940-P - Public Works' Engineer of Record to Tetra Tech, Inc. for a one-year contract expiring on June 30, 2016 and with provisions for two 12-month extensions. Copies of the request and contract, identified as "Attachment 1," follow these minutes and are made an official part hereof.**
- 2) **Approval of staff's recommendation to award Chemical Bid #985-B, to seven companies who bid on chemicals used by the Fayette County Water System for water treatment for a one-year period in an amount not to exceed \$307,185.80, and authorization for the Chairman to sign any contracts or related documents related to this request.**

Commissioner Brown pointed out that Chairman Oddo had read that there were eight companies who bid on chemicals but that there were seven companies. Chairman Oddo acknowledged that he was using a previously drafted Agenda and he re-read Consent Agenda #2 into the record. County Administrator Rapson verified that only seven companies were recommended for award of Bid #985-B. Copies of the request and contract, identified as "Attachment 2," follow these minutes and are made an official part hereof.

- 3) **Approval of the Water Committee's recommendation for Southeastern Pressure Grouting, Inc. to perform spillway repairs in an amount not-to-exceed \$10,000.00 and approval for Piedmont Geotechnical Consultants, Inc. to perform a post-construction analysis in an amount not-to-exceed \$1,600.00 at the Lake Peachtree Dam Spillway. Copies of the request and contracts, identified as "Attachment 3," follow these minutes and are made an official part hereof.**
- 4) **Approval of the June 25, 2015 Board of Commissioners Meeting Minutes.**

OLD BUSINESS:

There was no Old Business on the Agenda.

NEW BUSINESS:

- 5) **Consideration of the Selection Committee's recommendation to appoint Mr. Terrence Williamson to the Fayette County Recreation Commission for a four-year term beginning January 1, 2015 and expiring December 31, 2018.**

Commissioner Brown stated that both he and Vice Chair Coston had interviewed Mr. Williamson and found him to be a capable candidate for the position.

Commissioner Brown moved to approve the appointment of Mr. Terrence Williamson to the Fayette County Recreation Commission for a four-year term beginning January 1, 2015 and expiring December 31, 2018. Commissioner Ognio seconded the motion. No discussion followed. The motion passed 4-0. A copy of the request, identified as "Attachment 4," follows these minutes and is made an official part hereof.

- 6) **Consideration of staff's recommendation to award Bid #960-B- Filtration System Improvements Project to Lakeshore Engineering, LLC, for a not-to-exceed amount of \$4,523,281.00, including a \$200,000 contingency allowance, with authorization to utilize existing bond proceeds, and authorization for the Chairman to sign the contract and all related documents.**

County Administrator Steve Rapson stated this request was a combination of seven major Capital Improvement Projects that will complete the Environmental Protection Division's (EPD) Consent Order requirements. He added that this is an eighteen-month project that will dove-tail behind the liquid-lime project.

Commissioner Brown moved to approve staff's recommendation to award Bid #960-B- Filtration System Improvements Project to Lakeshore Engineering, LLC, for a not-to-exceed amount of \$4,523,281.00, including a \$200,000.00 contingency allowance, with authorization to utilize existing bond proceeds, and authorization for the Chairman to sign the contract and all related documents. Commissioner Ognio seconded the motion. No discussion followed. The motion passed 4-0. Copies of the request and contract, identified as "Attachment 5," follow these minutes and is made an official part hereof.

7) Discussion of proposed intersection controls and tunnel along Veterans Parkway to serve Pinewood Studios and the proposed Pinewood Forrest development.

County Administrator Steve Rapson stated there would be three presenters for this project, namely, Mr. Bill Foley, President of Foley Design, City of Fayetteville Assistant Manager Alan Jones, and Fayette County Public Works Director Phil Mallon. Mr. Rapson then turned the floor over to Mr. Foley.

Mr. Bill Foley gave a twenty-five minute presentation utilizing a PowerPoint entitled *Roundabout: Pinewood Atlanta Studios*, and he spoke about the basics, safety factors, and various locations of existing roundabouts. He stated that the City of Fayetteville was asking to amend the Intergovernmental Agreement to construct a roundabout instead of a tunnel. He stated that the proposed roundabout would be built as a two-lane roundabout but eventually would be expanded to a four-lane roundabout.

Commissioner Brown asked how unauthorized access into Pinewood Studios would be prevented from the roundabout and he asked how a "stacking situation" would be handled with vehicles being checked into Pinewood Studios. Mr. Foley stated that the plan was to add a slip lane to accommodate traffic, to move the security gate back to allow for more vehicles, and to add a turnaround point for vehicles that accidentally turn into Pinewood Studios property.

Mr. Rick Halbert, owner of Halbert Development, stated that when the City of Fayetteville entered into the Intergovernmental Agreement with Fayette County there was not a clear understanding of what the project would be since it was in its initial stages, and he spoke about the progress that has been made since 2013. Mr. Halbert reported that the first movie that was filmed in Fayetteville, Georgia, specifically *Ant-Man*, produced 3,579 new jobs in Georgia, more than \$106,000,000 was spent in Georgia, and it used 22,413 hotel rooms. He said Pinewood Studios is a jewel in the state, that more than \$100 million was spent developing Pinewood Studios, and three major motion pictures have been filmed at the studios. He mentioned that the Georgia Film Academy and the Georgia Military College were moving to the area. He stated that the developers were going to contribute \$60,000.00 to the development of the tunnel. He spoke about the development at Pinewood Studios and the many expenditures that the developers have made to date for the betterment of Fayette County. Mr. Halbert stated that a roundabout would be the best fit for

Pinewood Studios and Pinewood Forrest. He said the main goal was to make a decision between a roundabout and a tunnel. He said a tunnel would exceed more than \$1 million and that a roundabout would cost less money. He said there were many who were in favor of the roundabout and he was offering the county a cost savings with the roundabout.

Commissioner Barlow commented on what is required in the Intergovernmental Agreement and he concluded that he supported the proposed roundabout.

City of Fayetteville Assistant Manager Alan Jones stated that the City Council unanimously supported the option to revisit the Intergovernmental Agreement to reconsider the tunnel for a roundabout. He asked the Commissioners to accept the roundabout alternative. He said the City Council wanted to make sure that a safety study would demonstrate that the roundabout was safe. Commissioner Ognio asked if Mr. Jones was trying to state traveling at grade was as safe as traveling underground. Mr. Jones stated that tunnels bring safety challenges of their own. Commissioner Ognio asked if there have been accidents in tunnels in Peachtree City, and Mr. Jones said he was not aware of Peachtree City's statistics but that he would defer to the third-party safety study.

Mr. Rapson reminded the Board that City of Fayetteville Mayor Greg Clifton came to the June 25, 2015 Board of Commissioners meeting and asked for the Board to approve a change to the Intergovernmental Agreement.

Public Works Director Phil Mallon gave a seventeen minute presentation using a PowerPoint entitled *Intersection Controls Along Veterans Parkway for the Pinewood Developments*. He pointed out that once Veterans Parkway is completed it will become a major corridor to move traffic in the area. Mr. Mallon stated that his cost estimate for the tunnel was substantially cheaper than the estimate provided by Pinewood Studios. Mr. Rapson interjected that Mr. Mallon's estimate was the net estimate based on the \$60,000.00 contribution from Pinewood Studios meaning the gross estimate was \$896,000.00.

Commissioner Ognio stated that the Intergovernmental Agreement was in place when the utilities were put in and it seemed that the developers did not do adequate planning and did not want a tunnel in the first place. Mr. Halbert returned to the public comment podium and explained that there was planning involved and he got a permit for his plans.

Commissioner Barlow pointed out that a tunnel would not mitigate traffic on Veterans Parkway, but that a roundabout would mitigate traffic. Mr. Mallon agreed with Commissioner Barlow's observation, but he added that there is not a design of the roundabout to such an extent that anyone could review it for traffic volumes so a study was needed. Commissioner Ognio stated he did not want to see people crossing a four-way road since it could cause a bad accident.

Chairman Oddo opened the floor for public comment.

Aaron Wright: Mr. Wright spoke in favor of the roundabout saying he has cycled across the United States and has cycled in roundabouts. He stated once the general populace gets use to roundabouts then roundabouts are not a big deal.

Derryl Anderson: Ms. Anderson stated that she slows down at roundabouts. She said she was concerned about tunnels during major, heavy rainstorms since they have their own issues. She stated a roundabout would be more attractive and suited to the development and that the roundabout makes sense.

Commissioner Ognio replied that the choice was not between a roundabout or a tunnel but rather was a choice between a roundabout with a tunnel or a roundabout without a tunnel.

Walter Hopewell: Mr. Hopewell stated that tunnels brought other safety problems since they are low, dark places. He suggested that a bridge would have to be incorporated to move traffic while allowing the ability to cross the street.

Brian Coston: Mr. Coston, a resident of New Albany, Ohio, spoke about the benefits roundabouts have brought to his area by reducing traffic congestion while increasing safety dramatically.

John Reed: Mr. John Reed stated that golf carts are a function of the studio's transportation system. He thought Pinewood Studios would not want Ben Affleck cross a four-lane roundabout so he suggested there would be a study. He thought the discussion should be about a study to determine if the land is feasible for a roundabout or a tunnel before talking and budgeting for them.

Roy Bishop: Mr. Bishop said he did not favor either a roundabout or a tunnel since they made no difference to him, but he reminded the Board that the road was built as a bypass. He stated that putting a roundabout on a bypass did not make sense. He mentioned that the developers came across rock in the location, and he suggested that the Transportation Department would show them how to drill holes.

Commissioner Ognio stated that a bridge could be considered so long as it would keep people from crossing at-grade.

Mr. Rapson stated he received an email from the Fayetteville City Manager asking if Mr. John Walker of Kimley-Horn Associates wanted to speak. Mr. Walker said his unbiased opinion was that if the only goal was to keep a golf cart from being hit by a car then a tunnel is safe, but he added that vehicles and other forms of transportation can cross the road at-grade safely with roundabouts. He suggested that multiple forms of transportation are possibly not safe solely with a tunnel. He added that there are a lot of design options available to help traffic cross roads at-grade. He also mentioned that the Georgia Department of Transportation prefers roundabouts and that many roundabouts will be constructed in Georgia in the next twenty years.

Commissioner Brown stated that the Development Regional Impact (DRI) study stated there was traffic that would be created and mitigated on Veterans Parkway regardless of how it is mitigated. He concluded that something would happen to mitigate traffic regardless of the Board's decision. Mr. Halbert asked the Board not to prompt another study, but he reiterated that he was offering a cost savings so that he could offer either a tunnel or a roundabout. Commissioner Brown repeated that the DRI study concluded that the roundabout would be done at the intersection, but the other agreement was to build a tunnel. He said this was not choosing between a tunnel or a roundabout.

Michael Shane: Mr. Shane asked for the Board to stop discussing this issue and for the Board to be sensitive to the fact that there are 150 people who do not care about the project and who want to get back to their lives.

Chairman Oddo moved to approve the use of funds to construct a roundabout, contingent on a study per the suggestion of the Public Works Department, and that the roundabout be capped at \$688,000.00. Commissioner Barlow seconded the motion.

Commissioner Brown stated that Mr. Halbert did not want the study so he wished there was no study in the motion. He stated that the DRI is a study conducted by both the Atlanta Regional Transportation Authority and the Atlanta Regional Commission that informs developers what they need to do to mitigate the regional impact. He said the Pinewood Development was much larger than first anticipated. He said the people likely will travel from Pinewood Forrest to Pinewood Studios via bicycles and ATVs and golf carts, so this is not a typical work-type situation. He said the impact has to be mitigated or the Pinewood Forrest project cannot be built. He said the issue is not whether or not a roundabout or other mitigation effort will take place. He stated that the tunnel is an entirely separate entity and that it was agreed at-grade crossings are not the way to go since they bring safety concerns. He said the mitigation has to be done at the developer's cost. Commissioner Brown said the DRI and the tunnel have two separate uses, and the original plan took citizen safety into consideration. He said the roundabout may not work, but tunnels provide 40 to 50 years without interference with automotive traffic and with 100% safety guarantee. He said the bicycles and golf carts introduce a different traffic-dynamic and there are no studies on the matter.

Commissioner Brown stated no one knows what will be developed in the area on the future meaning a roundabout could be overwhelmed in the future. He stated that there were many out-of-town employees who are not familiar with roundabouts and golf carts so there is a lot of unpredictability that is reduced with a tunnel. He stated that the City of Peachtree City's biggest problem is at-grade crossings, and he asked why repeat a mistake that is already known. He concluded saying the tunnel is the safest and most effective option available.

Chairman Oddo said there is more than safety to consider, but he added that the County is limited in its budget. He said it is unknown how safe a roundabout is compared to a tunnel, and he said traffic control and traffic safety are two separate issues. He said the County is stretching its budget to do many things. He stated that the Intergovernmental Agreement does not place a spending cap on the tunnel with no limit on how much can be spent. He suggested that the roundabout would save significant money to take care of other needs. He said it was unknown if a tunnel is accident proof and he said tunnels are not crime proof, so there is more to the matter than safety alone. He said a tunnel would serve residents only while a roundabout would serve everyone on the road. He suggested that the County could build a roundabout and Fayetteville could eventually build its tunnel. He said experience shows roundabouts work and will cost less money. He said the county needs to be responsible with its money. He suggested that if the savings can fix another intersection then two problems are solved potentially saving lives. Chairman Oddo said there was an excellent offer from the developer.

Commissioner Brown said there was no design for the roundabout so the savings could not be determined at this time. He said he drives tunnels every day in Peachtree City, and he reminded the Board that the developer asked not to do the study despite the motion on the table. He said the developer is responsible for the roundabout and the county would build the tunnel. Chairman Oddo replied that there is no spending cap on the tunnel while there is a spending cap for building the roundabout in the motion.

Mr. Halbert stated that if he talks to the owners of Pinewood Studios and if they are willing to do the roundabout for \$680,000.00 could the matter be put to bed. He said he would have to get the approval, but if he could get approval then he would propose the idea.

Chairman Oddo amended his motion to include Mr. Halbert's proposal. Commissioner Barlow seconded the amended motion.

The motion to approve the use of funds to construct a roundabout, contingent on a study per the suggestion of the Public Works Department, to include Mr. Halbert's proposal, and that the roundabout be capped at \$688,000.00 failed 2-2 with Commissioners Brown and Ognio voting in opposition. A copy of the request that includes the two PowerPoint presentations, identified as "Attachment 6," follows these minutes and is made an official part hereof.

PUBLIC COMMENT:

Bernie Coston: Mr. Coston thanked the Board, staff, and citizens for showing love and support for his wife, Commissioner Pota Coston. He asked the Board to reconsider a decision that was recently made to conduct a Special Election to fill Commissioner Coston's seat through the at-large vote. He stated that district voting was to allow citizens to be heard. He stated that while Commissioner Coston was serving the people were energized, looking forward to a bright future, and were postured for success. He said citizens wanted to serve at unprecedented levels. He said the charter allows the Board to hold Special Elections through the at-large process, but he said the judge overlooked the charter for Special Elections. He said the Board could continue to exercise the spirit and intent of the law without lawyers and additional costs. He said Commissioner Coston loved Fayette County and he stood in the background supporting what she did in any capacity he could. He said now was the time to take the lead in memory of his wife and he asked the Board to lead with him. He said Commissioner Coston gave her life for Fayette County and now is the time for the Board to give back to her. He said Commissioner Coston always took the high road and he asked if the Board was taking the high road. Mr. Coston reminded the Board that they will give an account to God for the service they have done. He stated that each Commissioner asked him what could be done, and he said the answer was to reverse the decision to hold the at-large Special Election. He asked for the spirit and legacy of Pota Coston to lead them to do the right thing.

Joe Beasley: Mr. Beasley agreed with Mr. Coston's comments. He said when *Amazing Grace* was played earlier in the meeting it only showed white people and not a true representation of Fayette County. He said Fayette County was his home. He said over \$1 million was spent running away from doing what is right and he asked the Board to try to do the right thing. He said he did not want to come back to Fayette County but was prepared to do so unless Fayette County does the right thing.

Larry Younginer: Mr. Younginer stated that his home state of South Carolina voted to remove the Confederate flag from the capitol and he asked Fayette County not to pull its Confederate flag back out again.

Terrence Williamson: Mr. Williamson stated that he had just been appointed to the Recreation Commission earlier in the meeting. He said that in the run-up to the election there was very nasty and divisive things that occurred that made him worry. He said he also saw things that made him proud to be a citizen of Fayette County. He said he helped Commissioner Coston run for office. He said he has lived and worked all over the world and seen democracies torn asunder. He said he saw people in Fayette County and the Board come together. He said he saw Commissioner Barlow become a changed man after the election. He said Chairman Oddo stepped up to the plate and that Commissioner Brown does what he does. Mr. Williamson said he was a former citizen of South Carolina and it did him proud to see the Confederate flag come down. He said at the prayer service he saw all sorts of people come together to stand up for Commissioner Coston. He said the Board needs to do the right thing.

Representative Virgil Fludd: Representative Fludd said each time he comes to the podium it is to admonish the Commissioners for not doing the right thing. He said he could not imagine the Board would be so disrespectful to hold at-large voting before Commissioner Coston was laid to rest. He said he too was from South Carolina and that the Confederate flag was going to be removed from the capitol. He said the flag was not a symbol of Confederate honor, and he said symbols and actions matter. He said Fayette County was considering a return to the same symbolism of discrimination that Commissioner Coston was chipping away at. He said if the Board did not reconsider its action then he did not know what kind of men made up the County Commission. He suggested that there would be more litigation with the at-large voting system. He said if the County really wanted to save money then it needed to drop the lawsuit. Mr. Fludd asked the Board to honor Commissioner Coston the way it did at the beginning at the meeting and to treat her service with the dignity and honor that she served Fayette County. He urged the Board to do the right thing.

Sharon DeHaven: Ms. DeHaven said Commissioner Coston was a dear person who touched everyone and who left a legacy in Fayette County for generations to come. She said if the Board reversed its decision and replaced Commissioner Coston as she should be the Board would also leave a legacy for great-great grandchildren since they did the righteous thing.

Derrick Jackson: Mr. Jackson stated that a week ago the room was filled to capacity where words were expressed about a phenomenal wife, mother, sister, neighbor and Commissioner. He said words meant something, and he spoke about when he and Commissioner Coston ran for office in Tyrone, Georgia. He said she told him, "Actions speak louder than words." He said he agreed with her, but he added that actions need to be aligned with your words and that your "say-do" ratio needs to be tight. He said profound words were said last week, but he urged the Board to let its actions be aligned with the words. He said the Board needed to stop the appeal for district voting, and he said the Special Election should be for District Five— not at-large. He said the people would filibuster talking about Commissioner Coston's legacy and would hold the Board accountable.

Rick Halbert: Mr. Halbert said he only knew Commissioner Coston for a short while but that she made a big impact. He told the Board that he did not want to see her efforts go to waste and that it was time for the Board to walk the walk and talk the talk.

John E. Jones: Mr. Jones said by the grace of God he was able to come to the meeting. He addressed the spirit of Commissioner Coston by thanking her for what she did for Fayette County and for bringing everyone together. He said her legacy goes on in the person who replaces her. He said as President of the Fayette County Branch of the National Association for the Advancement of Colored People (NAACP), advancement is what "we do." He said the people would not stand by and let what "we have worked for be erased." He said the room was full and if the Board does not do the right thing then it will bring more attention that it does not want to Fayette County. He said the Board had some great guys, but while some may not like him or what he does, God does.

Charles Rousso: Mr. Rousso offered his deepest condolences and he said it was a sad state of affairs that the family had to be at the meeting for this discussion. He said Commissioner Coston's official picture is not on the wall where everyone meets to deliberate the business of Fayette County. He asked for the picture to be moved to the Public Meeting Room. He further suggested that a boycott of Pinewood Studio's products that are produced in Fayette County.

Melinda Sylvester: Ms. Sylvester said she has met each of the Commissioners and she stated they should honor the legacy of Commissioner Coston. She said when she first met Commissioner Coston it was like the scriptural encounter of Mary and Elizabeth where something took place. She said she and Commissioner Coston shared the same vision and dream for Fayette County. She said she loved the Board and public servants, but she thought this decision was a no-brainer and an easy decision. She said Commissioner Coston brought hope and a blessing to Fayette County, and she should be honored. She said she was ashamed this matter was being discussed tonight. She held a pen in the air and stated that the Board had the power of the pen to make the right decision. She asked the Board to use their power and do the right thing.

Eric Woods: Mr. Woods, a retired Army Lieutenant Colonel, stated that one thing that has been congruent in areas that he lived in across the United States was that those areas with district voting were successful since it allows for everyone to be heard. He said people in leadership positions do not grow or progress when they are filled with people who think and do exactly the same way. He said Commissioner Coston added the diversity needed on the Board and to grow better. He spoke about how he met Commissioner Coston and how he helped with her election. He said Commissioner Coston extended her right hand of friendship to everyone regardless of who they were. He said when she became people there were many who wanted to participate in the government. He said if the Board does not do the right thing then it will "awaken a sleeping giant." He added the sleeping giants that awake will win.

Fayetteville City Councilman Edward Johnson: Councilman Johnson stated he tried to let the conversation go forth pertaining to be an egregious act on Fayette County's behalf. He said when he heard the Board was considering going back to at-large voting for the Special Election that he was appalled. He said the decision would go back on the law, and that men of courage would not be despicable and deceitful while turning the tables while turning away something that is just and righteous. He said if the Board would disrespect Commissioner Coston and their individual offices as Commissioners if it turns back to open elections instead of district voting.

Walter Triche: Mr. Triche said he met Commissioner Coston at a homeowner's association meeting, and he said Commissioner Coston impressed him and the association. He said she made everyone feel special. He said he received a text earlier in the evening concerning the Board's decision to hold at-large voting for the Special Election. He said he was tired but he thought about Commissioner Coston coming to the meeting and being a real person. He gave his condolences to the family and asked the Board to do the right thing.

Chairman Oddo thanked the speakers for their passion and stated it was a tough time for everyone.

ADMINISTRATOR'S REPORTS:

Notification of FEMA / Homeland Security Grant Award: County Administrator Steve Rapson stated that Fayette County was notified that it received a FEMA / Homeland Security Grant Award for \$136,355.00 for Fire and Emergency Services radios. He gave kudos to the 911 Communications Department to the Fire Chief David Scarbrough for obtaining the grant award.

Change Order for the Lake Peachtree Spillway: County Administrator Steve Rapson stated Fayette County has a Change Order in the amount of \$28,000.00 for grouting the Lake Peachtree Spillway and he said the Change Order would be placed on the July 23, 2015 Board of Commissioners Agenda for approval. He said, in regards to what was approved earlier in the evening with Consent Agenda Item #3, the County would move forward with post-construction analysis with Piedmont Geotechnical Consultants but, at the request of the Peachtree City Council, the County would defer from moving forward with the spillway crack sending change order with Southeastern Pressure Grouting.

GDOT Improvement of the State Route 74 Corridor: County Administrator Steve Rapson stated that the Georgia Department of Transportation (GDOT) has notified Fayette County that it is proposing to put an "R-cut" improvement at the State Route 74 corridor. He said the improvement would cost about \$200,000.00, and that improvement was encompassed with the DRI study involving Pinewood Studios.

West Fayetteville Bypass Study Accelerated: County Administrator Steve Rapson stated that Fayette County was notified that the West Fayetteville Bypass study was being accelerated and that a report would be provided to the Board on August 14, 2015. He said Mr. Tom Waller would be notified about this report as well.

Engineer of Record to Proceed with Redwine Road Golf Cart Path: County Administrator Steve Rapson stated that the Board approved an Engineer of Record earlier in the meeting with Consent Agenda Item #1. He said the Engineer of Record would first proceed with the Redwine Road Golf Cart Path in an effort to expedite that project. He said land would have to be acquired for the project and that process would begin soon.

Personal Remarks about Commissioner Pota Coston: County Administrator Steve Rapson stated that his Vice Chair, Pota Coston, was a class act, and he assured everyone that she is missed. He said her calming hand is missed and that he missed his friend. He said his heart and prayers go out to Bernie Coston and he wished God's grace would carry him this weekend.

ATTORNEY'S REPORTS:

Notification of Executive Session: County Attorney Dennis Davenport notified the Board that he had two items for Executive Session involving Pending Litigation and one item concerning the review of the June 25, 2015 Executive Session Minutes.

COMMISSIONERS' REPORTS:

Commissioner Brown: Commissioner Brown stated that the funeral arrangements for Vice Chair Coston were available on the Fayette County website at the home page. He said she was to be buried at the Hopeful Primitive Baptist Church's cemetery and he thought it was incredible and touching given all the work she was involved in to restore the church and property. Commissioner Brown stated that the County was not disrespecting Commissioner Coston by not having her official picture in the Public Meeting Room, but instead, the picture of the current Board of Commissioners is kept in the County's Administrative Office where business is done every day. He said that was the tradition since the day the Administrative Complex opened and he said the wall in the back of the room is reserved for past Boards of Commissioners. He said the Board of Commissioners would never disrespect Commissioner Pota Coston. He said he was sorry that some in the audience felt the way they do and that he felt for them and for Commissioner Coston's family. He said he wished the Board was not in the scenario to have this type of discussion, and that he did not ask for Commissioner Coston to be in the situation that she was in. He said no one wanted that for her or for anyone else. He wished she was present and sitting in her chair and that whatever the judge orders would allow the County to "go on with it." Commissioner Brown said the Board would go into Executive Session, look at things, and come back with a decision. At this point, a member of the audience shouted "racist." Commissioner Brown said it tore him apart that anyone would use the word racist since he spent ten years with the NAACP. He said when they needed something done at the local government in Peachtree City they came to him and he help get it done. He said when the Magistrate Judge was using the "n-word" while conducting business and he was informed about it by a Peachtree City police officer, he took the matter to the Judicial Qualifications Committee and that he was the only elected official in the entire county who would stand up and say, "He's got to go." He said there were people in the room who could back up what he was saying. Commissioner Brown said his family is "half me and half you" and when you have an African-American wife and African-American kids and someone tells you that you are a racist, that person is telling him that he does not care for his kids and wife. He said the people do not have to agree with what has to be done, but he implored the people to be very careful with the words they choose to "throw out there." He said there were many people in the room who did not attend the NAACP meetings where he was. He said he did not apologize for his political beliefs, the color of his skin, or for who he is. He thought that he has been willing to help anyone who asks for it, and that he listens to what people say. He said he made a pledge when he became a Commissioner and when he was the minority vote for the first two years that if he could get a Board who would support him then the County would put African-Americans on the boards, commissions, and authorities. He said Fayette County now has more than at any time in its history and that there are more than the proportional population of Fayette County. He said he has really tried to bring that type of representation and make the community reflect the

faces on the streets and neighborhoods. He said Commissioner Coston was an adorable woman who did a great job in representing the people and county. He said everyone has a story, been places, and lived through different experiences, but that everyone needed to try to work together and find common ground. He asked everyone to be mindful of who we are and what we say and to give as much as we want to receive and to make Fayette County a better place.

Commissioner Ognio: Commissioner Ognio stated he knew Commissioner Coston for a short period of time while she was on the Board of Commissioners. He said the Board welcomed her and she welcomed the Commissioners. He said she was everything everyone believes she was. He said she worked for the County. Commissioner Ognio said when she was elected no one knew that they would be sitting here today in the situation the County is in today. Commissioner Ognio stated that the Board had not taken a vote for at-large voting, but rather, that the Board had asked about the criteria concerning "a deadline to do something." He said it seemed that the people wanted to make this an issue "right off the bat" before the services for Commissioner Coston took place. He said he was ashamed since he did not want to be in this position to make a decision on replacing someone due to such a tragedy as cancer. He said he lost his sister to the same basic cancer and that it is tragic. He said he felt for the Coston family even though there are no words to adequately describe the feelings. He said the Board would look at the facts and would make a decision even though he did not know the decision at this point. He said the Board would do what it understands to be the right thing even though, regardless of the decision, there would be people who do not like the outcome. He said the Commissioners represented everyone regardless of color and that the Board would be more than happy to work with anyone since it has never been an issue about what color someone's skin is. He said it was hard to come to the meeting and see such aggression toward the Board about something that has not happened. He stated that there are no easy decisions that the Board had to make and that every decision is taken with much thought and investigation. He said he preferred to have Commissioner Coston sitting beside him and leaning over to ask questions. He said for the short time he knew her there was a connection. He said he felt for the family and that he would do what he could for the family.

Commissioner Barlow: Commissioner Barlow said Commissioner Coston was his friend and he described her as "Precious Pota." He said he met her in 2010 when she was campaigning in Tyrone, and that Mr. Derrick Jackson remembers them standing on the street corner in the cold drinking hot chocolate. He said he and Commissioner Coston became friends and discussed faith and family. He said they had their differences about things, but she knew that he went to jail in 1989 saving black children from an abortion clinic in Jackson, Mississippi. He said Commissioner Coston knew he disagreed with the Democratic platform that approves of providing for abortion, and that it was egregious to him for every Democrat in Congress to vote in favor of late-term abortions. He said Commissioner Coston was aware of the differences but there were no "crossed sabers" since she knew his heart. Commissioner Barlow stated he was the Promise Keeper Coordinator for the State of Mississippi in the late 1990s and that the campaign was to bring racial reconciliation. He said the effort was to bring down racial barriers in an effort to bring all people into the fold of Jesus Christ. He said the campaign was to reach out to men of all colors but that women truly get the work done. He said over the years he developed a reputation as being a man of integrity

and that he was referred to as the "Hallelujah Man" throughout Mississippi. He said when Commissioner Coston became Commissioner and when he nominated and voted for Commissioner Coston to be Vice Chair of the Board of Commissioners, the local GOP vilified him and lied about what he said while the press wrote about him. He said he has been stepped on and stomped on with his good name by the local GOP since he stood up for Commissioner Coston who was a Democrat. He said his stance for Commissioner Coston had nothing to do with her being a Democrat but rather had to do with her being an outstanding lady that he trusted would present Fayette County in a wonderful way. He stated that Mr. Coston could attest to the many times he came by the Coston home to pick Commissioner Coston up but that their work together was never broadcasted. He said he cannot help the perception that the public has since his good name has been tainted by the press in many cases and by lies by the GOP. He said he has not been to a GOP meeting for months due to the way they have treated him. He said his values have never changed: Faith, Family, and Fayette County. He said no Commissioner serves on as many boards as he is at his own expense and that no Commissioner does Meals on Wheels every week. He said he is serving the citizens of Fayette County and that there is one individual who knows it all: Almighty God. He said he is serving the Lord Jesus Christ and that God honors service, but that He does not honor those who vilify others in the paper. He said people do not lift themselves up by tearing others down, irrespective of race or creed. He said Mr. Coston had to minister to him the day he went to see Commissioner Coston at the hospital. He said he touched her and said, "My Precious Pota." He said he knew God would heal Commissioner Coston and she was one of the first people she called to give the diagnosis of cancer. He said he told her, "The Bible says we have to pick up our cross daily and you have a heavy cross to pick up. But you are going to pick it up and God is going to bring you through this because He did not bring you here to die." Commissioner Barlow said his heart went out to the Coston family and that he was sad information got out through the press that the Board had made a decision. He said there has been no vote, but rather, that the Board needs to find out what path needs to be taken. He asked the people to not take things in the paper as gospel, but he thanked *The Citizen* for quoting him accurately.

Chairman Oddo: Chairman Oddo said he could not add much more than what had already been said. He verified that the Board had not made a decision on how to proceed. He said that the Board may make decisions the people do not want to hear. He said he was adamant that he spoke to the County Administrator, a couple of Commissioners, and with the press that the time to make the decision is not while "we are taking care of Pota." He understood the emotions and the feelings expressed by those in the audience and he said the emotions and feelings were mutual. He said he lost his mother 3 ½ years ago and saw how she declined in health. He said it was tough. He said he and his brothers took care of his father and they had a lot of passion when they passed. He said he had a very good report with Commissioner Coston, that she was a marvelous lady, and that he enjoyed her company. He said that does not mean there was agreement on every issue. He said he spoke with Commissioner Coston on the issues and even with disagreement there was respect. He said the country is a nation of laws and that the Board has to work with the laws. He said the Board cannot choose which laws it will obey since the practice brings implications for future actions. He said the Board would talk to its attorneys and make the best decisions it could. He said everyone is free to react but nothing was being done or said that would disrespect Commissioner Coston but would be done to respect

the laws in place. He said people do not always have or get what they want and that it took years to make progress from the bloodshed from the 1960s. He understood that the people want it all now, but that sometimes goals are accomplished by taking small steps. He said Commissioner Coston would be in the Board's hearts and minds as it makes its decisions and that she would not be disrespected by the Board. He said she was a wonderful bridge to the community and that her legacy would not go away. He thanked the people for sharing their heartfelt thoughts.

Commissioner Brown: Commissioner Brown spoke to Mr. Beasley saying he knew his story well since he's heard it several times. He said it was an honor to have him in Fayette County and thanked him for his service.

Chairman Oddo: Chairman Oddo stated that the video of *Amazing Grace* was filmed in Ecuador last week and that the culture is very different there. He said it showed Protestants and Catholics coming together in a mass celebration, and he thought seeing all the people coming together would be very appropriate in honor of Commissioner Coston.

EXECUTIVE SESSION:

Two Items of Pending Litigation and Review of the June 25, 2015 Executive Session Minutes: Commissioner Brown moved to go into Executive Session. Commissioner Barlow seconded the motion. No discussion followed. The motion passed 4-0.

The Board recessed into Executive Session at 10:08 p.m. and returned to Official Session at 11:13 p.m.

Return to Official Session and Authorization to Sign the Executive Session Affidavit: Commissioner Ognio moved to return to Official Session and for the Chairman to sign the Executive Session Affidavit. Commissioner Barlow seconded the motion. No discussion followed. The motion passed 4-0. The Executive Session Affidavit, identified as "Attachment 7," follows these minutes and is made an official part hereof.

Approval of the June 25, 2015 Executive Session Minutes: Commissioner Ognio moved to approve the June 25, 2015 Executive Session Minutes. Commissioner Barlow seconded the motion. No discussion followed. The motion passed 4-0.

ADJOURNMENT:

Commissioner Ognio moved to adjourn the July 9, 2015 Board of Commissioners meeting. Commissioner Barlow seconded the motion. No discussion followed. The motion passed 4-0.

The July 9, 2015 Board of Commissioners meeting was adjourned at 11:13 p.m.

Floyd L. Jones, 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 23rd day of July 2015. Referenced attachments are available upon request at the County Clerk's Office.

Floyd L. Jones, County Clerk