Minutes

Board of Commissioners
January 22, 2015
7:00 P.M.

The Board of Commissioners of Fayette County, Georgia, met in Official Session on January 22, 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 Pota Coston, Vice Chair David Barlow Steve Brown Randy Ognio
Staff Present:	Steve Rapson, County Administrator Floyd L. Jones, County Clerk Tameca P. White, Chief Deputy Clerk Dennis Davenport, County Attorney

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Call to Order

Chairman Oddo called the January 22, 2015 Board of Commissioners meeting to order at 7:09 p.m.

Invocation by Commissioner David Barlow

Commissioner Barlow introduced Amara, Jessica, and Angela Onuzo and he asked them to sing The Lord's Prayer. The sisters then sang the song as the Invocation.

Pledge of Allegiance

Commissioner Coston led the audience in the Pledge of Allegiance.

Acceptance of Agenda

Commissioner Ognio moved to accept the Agenda as published. Commissioner Barlow seconded the motion. No discussion followed. The motion passed unanimously.

PROCLAMATION /RECOGNITION:

1. Recognition of the 2014 All-County Volleyball Team.

Chairman Oddo introduced Mr. Christopher Dunn, Sports Editor for Fayette Daily News, and asked Mr. Dunn to help in recognizing the 2014 All-County Volleyball Team. The Board and Mr. Dunn then recognized the 2014 All-County Volleyball Team. The following All-County Volleyball Team Members came to the front of the room for recognition by the Board:

Alexis Broadwater- Player of the Year, Sandy Creek High School
Natalie Cagle
Carson Lamberth
Anna Marie Benson
Simone Cowan
Casey Grant
Maliyah Sokhna
Elon Yates
Savannah Grove

Copies of the request and Certificates of Recognition, identified as "Attachment 1," follow these minutes and are made an official part hereof.

2. Recognition of the 2014 All-County Softball Team.

Chairman Oddo introduced Mr. Christopher Dunn, Sports Editor for Fayette Daily News, and asked Mr. Dunn to help in recognizing the 2014 All-County Softball Team. The Board and Mr. Dunn then recognized the 2014 All-County Softball Team. The following All-County Softball Team Members came to the front of the room for recognition by the Board:

Alysen Febrey- Pitcher of the Year, Starr's Mill High School
Hannah Thomason- Batter of the Year, Whitewater High School
Maci Townsend
Joleigh Tye
Melanie Garlock
DeLayne Rotolo
Katelyn Perry
Sarah Middleton
Hannah Norton
Maggie Marrow
Haley Gill
Ruth Jones
Simone Floyd
Bridget Arquette
Erica Bowers
Amanda Jackson

Copies of the request and Certificates of Recognition, identified as "Attachment 2," follow these minutes and are made an official part hereof.

3. Recognition of Library Assistant Sharon Campbell as winner of the Team Player Award.

Commissioner Barlow briefly spoke about why he initiated the Team Player Award and he reminded everyone of the previous award winners. Commissioner Barlow then recognized Library Assistant Sharon Campbell as the newest winner of the Team Player Award. Library Director Chris Snell and the Chair of the Library Board, Gina Martin, also spoke about the outstanding contributions Ms. Campbell makes to the library. A copy of the request, identified as "Attachment 3," follows these minutes and is made an official part hereof.

4. Presentation by Fayette County's auditing firm, Nichols, Cauley & Associates, LLC, of the results of the Fiscal Year 2014 annual audit.

Certified Public Accountants William Sammons and Gregory Chapman, representing Nichols, Cauley & Associates, LLC, gave a PowerPoint presentation on the results of the Fiscal Year 2014 annual audit. Mr. Sammons and Mr. Chapman stated that both Fayette County and the Fayette County Water System financial statements received unmodified opinions. They said the unmodified opinions state there are no adjustments or anything of a material effect to the financial statements or disclosures. They reported there are no compliance issues to be reported and there are no significant deficiencies or material weaknesses in the systems. Mr. Sammons and Mr. Chapman then answered questions from the Board. The Board did not take action or give direction in this matter. Copies of the request and PowerPoint presentation, identified as "Attachment 4," follow these minutes and are made an official part hereof.

PUBLIC HEARING:

5. Public Hearing of Petition No. 1242-14, Earl W. Johnson, Owner, Rick Sewell, Agent, request to rezone 8.18 acres from A-R to R-70 to develop a Single-Family Residential Subdivision, with said property being located in Land Lot 254 of the 5th District and fronting on South Kite Lake Road, with one (1) condition.

Community Development Director Pete Frisina read the *Introduction to Public Hearings for the Rezoning of Property* into the record, and Mr. Frisina introduced Petition No. 1242-14 to the Board. A copy of *Introduction to Public Hearings for the Rezoning of Property*, identified as "Attachment 5," follows these minutes and is made an official part hereof.

Agent Rick Sewell and Mr. Earl Johnson spoke in favor of Petition No. 1242-14. They informed the Board that Mr. Johnson's 8.18 acre parcel has an existing home. Mr. Sewell replied that the intent was to take the 8.18 parcel and make it two 4.09 parcels. He said one of the parcels would have the existing house and the other parcel would be available for future use. No one else spoke in favor of this petition.

Mr. Larry Mapp spoke in opposition to Petition No. 1242-14. No one else spoke in opposition to this petition. Mr. Mapp, President of North Fayette County's Community Association, said the entire parcel does not fit in Fayette County since R-70 houses have a minimum size of 1,500 square feet, and he said the zoning ordinance requires a 50-foot frontage. He said the requirements result in cookie-cutter houses and low-income housing. He said, on behalf of those he represented, they are not in favor of Petition No. 1242-14.

Mr. Frisina replied that there was some misunderstanding since the 50-foot requirement pertained to the setback, not the frontage as stated by Mr. Mapp.

Mr. Sewell was permitted to answer in rebuttal to Mr. Johnson's opposition. Mr. Sewell replied that the intention was not to have cookie-cutter lots, but rather, based on an understanding that the R-70 zoning classification was the next restricted lot under the A-R zoning classification. He said Mr. Johnson was trying to establish "a less than five-acre lot" in order to be in keeping with the rest of the neighborhood.

Chairman Oddo asked what the minimum square footages are for A-R and R-40. Mr. Frisina replied that A-R is 1,200 square feet and R-40 is 1,500 square feet. He stated that the minimum sizes are relatively small, but given the housing market in Fayette County it is very common to have much larger houses constructed than the minimum allowance.

Mr. Sewell stated he felt they were consistent with Fayette County's Land Use Plan.

No one else spoke in favor of or in opposition to Petition No. 1242-14.

Commissioner Ognio moved to approve Petition No. 1242-12, Earl W. Johnson, Owner, Rick Sewell, Agent, request to rezone 8.18 acres from A-R to R-70 to develop a Single-Family Residential Subdivision, with said property being located in Land Lot 254 of the 5th District and fronting on South Kite Lake Road, with one condition. Commissioner Barlow seconded the motion.

Chairman Oddo asked Mr. Sewell if the applicant agreed to the condition of additional right-of-way, and Mr. Sewell replied that the applicant would abide by the condition.

Commissioner Ognio said he had concerns about the size of housing and about development in Fayette County. He said he was worried about the character of the County, but he felt this request met Fayette County's requirements.

The motion to approve Petition No. 1242-12, Earl W. Johnson, Owner, Rick Sewell Agent, request to rezone 8.81 acres from A-R to R-70 to develop a Single-Family Residential Subdivision, with said property being located in Land Lot 254 of the 5th District and fronting on South Kite Lake Road, with one condition passed unanimously. Copies of the request, Ordinance 1242-12 and Resolution 1242-12, identified as "Attachment 6," follow these minutes and are made an official part hereof.

6. Public Hearing on staff's request to adopt Resolution 2015-02 pertaining to the "Fayette County 2014 Annual Report on Fire Services Impact Fees, including Comprehensive Plan Amendments for Updates to the Capital Improvements Element and Short-Term Work Program (FY2015- FY2019)" and transmit the document to the Atlanta Regional Commission and the Department of Community Affairs.

Community Development Director Pete Frisina briefed the Board on the request to adopt Resolution 2015-02. Mr. Frisina stated this was an annual update and request. Mr. Frisina then gave a high-level update on Fire Services Impact Fees and he reported that the County had collected $126,884.00 in 2014. He reminded the Board that the County collected approximately $131,000.00 in 2013. He said collection of impact fees was based on a joint agreement between Fayette County and the Towns of Tyrone, Brooks, and Woolsey since Fayette County provides fire services to those jurisdictions. Mr. Frisina stated that the

current request was to approve the Annual Report, in concept, and adopt Resolution 2015-02. He said the documents would be transmitted to the Atlanta Regional Commission and the Department of Community Affairs for review and regional public hearing. He said after they approve the Annual Report, then the Board of Commissioners would have to adopt the report by the end of June 2015.

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

Commissioner Barlow moved to adopt Resolution 2015-02 pertaining to the "Fayette County 2014 Annual Report on Fire Services Impact Fees, including Comprehensive Plan Amendments for Updates to the Capital Improvements Element and Short-Term Work Program (FY2015-FY2019)" and to transmit the document to the Atlanta Regional Commission and the Department of Community Affairs. Commissioner Coston seconded the motion. No discussion followed. The motion passed unanimously. Copies of the request and Resolution 2015-02, identified as "Attachment 7," follow these minutes and are made an official part hereof.

CONSENT AGENDA:

Commissioner Barlow moved to approve Consent Agenda Items 7 through 9. Commissioner Ognio seconded the motion. No discussion followed. The motion passed unanimously.

7. Approval of staff's recommendation to adopt Ordinance 2015-01, amending the Fayette County Code of Ordinances, Chapter 104- Development Regulations, as amended, specifically Article VIII. Off-Street Parking and Service Requirements. Copies of the request and Ordinance 2015-01, identified as "Attachment 8," follow these minutes and are made an official part hereof.

8. Approval of the Juvenile Court's request to accept a grant in the amount of $72,000.00 that has been awarded to Fayette County, and authorization for the Chairman to sign all required documents. Copies of the request and grant documentation, identified as "Attachment 9," follow these minutes and are made an official part hereof.

9. Approval of the January 8, 2015 Board of Commissioners Meeting Minutes.

Chairman Oddo mentioned that there were corrections to the January 8, 2015 Minutes that were made after the Agenda was published. He stated that the corrections were presented to the Board and that the vote would be to approve the corrected minutes.

OLD BUSINESS:

There were no items of Old Business on the Agenda for consideration.

NEW BUSINESS:

10. Consideration of staff's recommendation to award Bid #922- Lake Peachtree Dredging, to low-bidder Massana Construction, Inc., in the amount of $1,449,140.00, and to authorize the County Administrator to sign any associated documents related to this request.

County Administrator Steve Rapson briefed the Board on the request to award Bid #922- Lake Peachtree Dredging to Massana Construction. Mr. Rapson reminded the Board that the County went out for a dredging project based on a contractual obligation with the City of Peachtree City. He stated that the bid was issued and eighteen vendors actually talked to the County in regard to the bid, but only three vendors actually submitted bids to the County: Brent Scarbrough & Co., Massana Construction, and Waterfront Property Services. He stated that two of the bids were for $3.7 and $3.8 million, so staff was recommending the bid from Massana Construction for $1.5 million. Mr. Rapson stated that the primary difference between the bids relates to site work, removal of the dirt, and hauling. He said in this case, Massana provided a bid in 2003 and they have a commercial application for the dirt. Massana is lower because they are splitting the cost between the County and those who will purchase the dirt with the commercial application applied to it. Mr. Rapson said this was a good example of a local vendor working with the County. He added that although the Board was being asked to approve a $1.5 million contract, in reality, the cost was closer to $2.8 million based on how the vendors are handling the property. He thanked the representatives for Massana for working with the County. Mr. Rapson added that CH2M Hill was instrumental in facilitating the conversations with Massana.

Mr. Rapson reported that there were alternate bids in addition to the base bid, and he said the alternate bids were put into place for the City of Peachtree City so it could have alternate opportunities to dredge as well as do other things associated with the project. He pointed out that the alternate bid prices for Massana were significantly higher than were the alternate bid prices from Brent Scarbrough and from Waterfront. He said the vendor had two meetings with the City of Peachtree City and worked up the alternate bid numbers.

Mr. Rapson stated that the request was to approve the bid as presented with the exception of a change of all the alternate bids under Zones 1 and 2 be lowered from unit prices of $20,000.00, respectively, to $5,000.00. He added that similarly, the alternate bids for Zones 3 and 4 should be lowered from their listed unit prices to $6,500.00 each. Mr. Rapson stated that the City of Peachtree City intends to piggyback off of the contract, although the city is unsure of what it wants to do at the current time.

Mr. Rapson stated if the award was approved then the County would have to get the bonds approved. Once that occurs, he said the vendor would go out and put out erosion control with the work anticipated to begin in early February. He said the dredging work would last until the month of May. Mr. Rapson stated that the last time the lake was dredged, which was a wet dredge, approximately 20,0000 cubic yards of dirt were removed. He stated that this dredging would take approximately 64,000 cubic yards of dirt since this dredging is a dry dredging. He clarified that if a person took a square acre of land and stacked the 64,000 cubic yards of dirt on it then the dirt mound would be roughly 48-feet tall. He added that another way to understand the work is that it would take about 6,400 dump truck loads of material being removed from the lake, averaging about 100 dump trucks a day until May.

Dennis Chase: Mr. Dennis Chase said he was concerned since reservoirs that are similar to the Lake Peachtree reservoir normally have life expectancies of about sixty-five to seventy years before they are dredged for the first time. He pointed out that this recommendation would enact the third dredging of Lake Peachtree, and that it would cost millions of dollars for Fayette County's residents. Mr. Chase stated that the problems with Lake Peachtree were 100% the fault of Peachtree City. He said he could provide details on what contributed to the problems, but he stressed that Fayette County is taking on problems that it should not. Mr. Chase added that the City of Peachtree City had not lived up to its side of the agreement even though Fayette County had lived up to its part of the agreement, and that was a concern to him.

Mr. Rapson stated that this dredging initiative is based on an agreement between Fayette County and the City of Peachtree City that was signed in 1966 and was amended in 1985. He said the agreement was peculiar since the lake is owned by the City of Peachtree City and in return for the County to pull four million gallons of water out for the water plant; the return reciprocal is to dredge the lake every eight to ten years. He said the County is honoring the agreement. Chairman Oddo added that the agreement was written before some in the audience were even born.

Commissioner Ognio moved to award Bid #922- Lake Peachtree Dredging, to low-bidder Massana Construction, Inc., in the amount of $1,449,140.00, and to authorize the Chairman to sign any associated documents related to the request. Commissioner Barlow seconded the motion.

Commissioner Brown asked for an amendment to the motion to include the revised dredging for the City of Peachtree City for the city's amended projects.

Commissioner Ognio amended his motion to include the revised dredging alternates for the City of Peachtree City. Commissioner Barlow seconded the amendment to the motion.

Commissioner Brown stated that the agreement between Fayette County and the City of Peachtree City requiring the lake to be dredged is one of the worst contracts he has seen in his life. He said it was not a professionally written contract, and that one day the County needed to take another look at the contract that provides terms that will serve both Fayette County and the City of Peachtree City much better. Commissioner Brown said he is constantly asked about the lake, and he wanted to make sure everyone understood that the City of Peachtree City owns the lake, the dam, and the tree island that was created from a previous dredging project. He said Fayette County has nothing to do with that island, and that the city agreed to create the island many years ago. He said all the residents who want the county to maintain the islands; they need to know that it is the city's responsibility since they own the property and are accountable. Commissioner Brown thought the request currently before the Board was a good request and would also help the City of Peachtree City through the available alternative bids.

The motion to award Bid #922- Lake Peachtree Dredging, to low-bidder Massana Construction, Inc., in the amount of $1,449,140.00, to include the revised dredging alternatives for the City of Peachtree City, and to authorize the Chairman to sign any associated documents related to the request passed unanimously. Copies of the request and contract with Massana Construction, Inc., identified as "Attachment 10," follow these minutes and are made an official part hereof.

11. Approval of the January, 2, 2015 Board of Commissioners Meeting Minutes. Chairman Oddo was not present for this meeting.

Chairman Oddo pointed out that the January 2, 2015 Board of Commissioners Meeting Minutes had corrections made to them after the Agenda was published. He stated that the corrections could be obtained from the County Clerk's Office. He then clarified that the requested vote was to approve the corrected minutes.

Commissioner Brown moved to approve the January 2, 2015 Minutes as amended. Commissioner Coston seconded the motion. No discussion followed. The motion passed 4-0-1 with Chairman Oddo abstaining from the vote.

PUBLIC COMMENT:

Dennis Chase: Mr. Chase said he has much experience in dealing with the Lake Peachtree dam and its downstream water movement. He said there were several times when Flat Creek, below the dam, went dry. He said the first couple of times Flat Creek went dry the city took efforts to restore water but the third time the city took no effort; resulting in fish kills. Mr. Chase reported that the current agreement requires that the County maintains the water at a level that matches the property owners along the west side of Lake Peachtree. He added that the County has the option to not allow any water to flow out of Flat Creek, causing the creek to go dry. Mr. Chase stated that now that the dam is in need of repair, it meets a portion of the Clean Water Act– requiring a revisit of the permit for the dam. He stated that when the dam was built decades ago, its building preceded the Clean Water Act and therefore there was not a permit to require minimal releases. He added that all other lakes, be they Lake Horton or Lake McIntosh, require minimal releases since they were built in 1972 under the Clean Water Act. Mr. Chase added that all dams that take on new aspects, like the County was going to do with Lake Peachtree, also require a Clean Water Act permit. He stated that his point was that the County would need to have a Clean Water Act permit from the Environmental Protection Division. He added that if the County proceeded with the repairs without a permit then it risks running in violation of the Clean Water Act. Mr. Chase recommended that Fayette County stay clear of fixing the dam at all. He suggested that if the people in Peachtree City want a lake then they can fix it and they can get the Clean Water Act permit. He stated that downstream of the Lake Peachtree Dam all the way to State Route 74, Flat Creek is in violation of the State Standards for Water Uses and that it is on the State's 303D List for noncompliance pertaining to dissolved oxygen levels; largely because of the lack of minimal releases down the stream from Lake Peachtree. Mr. Chase stated that Lake Kedron comes into play because Lake Kedron is a main part of the feeding into Lake Peachtree. He stated if the flows to Lake Peachtree were going to be altered then it would require similar alteration to the flows from Lake Kedron, requiring a variation under the Clean Water Act. Mr. Chase requested the Board to stay clear of any expenditures of Lake Peachtree Dam since there are outside organizations looking to take legal actions against both Fayette County and the City of Peachtree City. He said if the County steps into the matter before the issues are cleared up then the County would be looking at legal problems. Mr. Chase agreed that the County should begin the dredging work, but he repeated his request for the County not to repair the dam until it has taken additional considerations.

Larry Mapp: Mr. Mapp stated that County Commissioners are responsible and representative of the county. He urged the Commissioners and the County to rethink funding the appeal process pertaining to representation on the Fayette County Board of Commissioners. He stated that this request was based on the best financial interests for Fayette County. Mr. Mapp stated that the appeals process rolled back the lower court's opinion, and in so doing, it could possibly void or roll back any decisions made by the Board–costing additional money.

ADMINISTRATOR'S REPORTS:

Conflicts with the Established Board of Commissioners Meeting Dates: County Administrator Steve Rapson stated that there were three conflicts with the Board of Commissioners meeting calendar that he wanted to bring to the Board's attention. He stated that the first conflict was on Thursday, March 12 since the ACCG's Leadership Conference conflicts with the Board's meeting schedule. He stated that staff wanted to move the Thursday, March 12 meeting to Tuesday, March 10 and to hold the meeting at either 4:00 p.m. or 7:00 p.m. Mr. Rapson reminded the Board that when it moved the last meeting there were two or three citizens who complained, so he recommended the move be to Tuesday, March 10 at 7:00 p.m. Mr. Rapson stated that there was another conflict on Thursday, February 26, 2015 since AVPride is holding its annual Diamonds in the Rough program at 6:30 p.m., and he recommended moving the meeting's time from 7:00 p.m. to 4:00 p.m. Mr. Rapson stated that the third conflict was

on Thursday, October 8, 2015 when there is a Legislative Leadership Conference in Athens. He recommended moving the meeting to Tuesday, October 6, 2015 at 7:00 p.m. Mr. Rapson concluded his remarks saying he would send an email to the Board with the suggested changes.

ATTORNEY'S REPORTS:

Notification of Executive Session: County Attorney Dennis Davenport stated that he had several items for Executive Session. He stated those items were three items of Pending Litigation, one item of Threatened Litigation, and one item for review of the January 8, 2015 Executive Session Minutes.

COMMISSIONERS' REPORTS:

Commissioner Barlow: Commissioner Barlow stated that Governor Deal declared January 22, 2015 as Georgia Right to Life Day. He said he and his wife went to Atlanta earlier in the day to march with about 1,000 people marching to celebrate life. Commissioner Barlow pointed out that Georgia does not use public funds to provide abortions, and that recently the GOP had introduced legislation to require no government funding for abortion. Commissioner Barlow stated that the keynote speaker at the event was Mr. Molotov Mitchell, a dynamic speaker who grew up in the Right to Life era. Commissioner Barlow asked people to Google a film that was produced by Mr. Mitchell entitled *Gates of Hell*. He said the film reveals the true agenda of Planned Parenthood. He said he prayed over the Capitol and the legislatures, and he stated that approximately twenty-five legislatures came to the Right to Life event and expressed their pro-life stance.

Commissioner Coston: Commissioner Coston thanked everyone for their attendance and she pointed out that it was great to see so many people from the community, as well as the Commissioners, celebrate the life and legacy of Dr. Martin Luther King, Jr. She stated that many people participated in the parade, a program, and a concert entitled *Let Freedom Sing*.

Commissioner Ognio: Commissioner Ognio stated that the County has a great new Emergency Operations Center. He said it took much work to get the center operation, and he thanked Fire Chief Scarbrough and his staff for their work in getting the Emergency Operations Center.

Commissioner Brown: Commissioner Brown pointed out that there was a memorandum on the dais dated January 12, and it is related to a response for the continuation of the Public Arts Committee. He thought, with the change of leadership, to bring this matter to the Board for a consensus to continue the committee. The Board consented to continue with the Public Arts Committee and for Commissioner Brown to continue as Chairman of the Public Arts Committee. Chairman Oddo asked for regular reports of what the Public Arts Committee is doing and for the reports to include cost estimates for proposed projects. Commissioner Brown replied that there are minutes taken for each meeting and that the minutes could be provided to the Board. Commissioner Brown thanked the NAACP for a perfect parade and he was glad to see so many people attend the parade. He thought this parade had the largest attendance, and he said it was followed up by a great program. Commissioner Brown spoke about the *Let Freedom Sing* concert and of Mr. Tyrone Jones' involvement at the concert. Commissioner Brown then spoke about an initiative he has started that will allow certain groups with differing views getting together and civilly discuss various options. He stated that the first meeting will focus on the Common Core Educational Standards, and he invited the people to participate in the meeting. A copy of the memorandum concerning the Public Arts Committee, identified as "Attachment 11," follows these minutes and is made an official part hereof.

Chairman Oddo: Chairman Oddo thanked everyone for the support they have given him over the past weeks. He stated he and his wife attended *The Gatsby Affair*, which was put on by Ms. Debbie Parrish, and he spoke about how enjoyable it was to see the event. He marveled at the work that Ms. Parrish was doing and he hoped it would gain greater publicity.

EXECUTIVE SESSION:

Pending Litigation, Threatened Litigation and Review of the January 8, 2015 Executive Session Minutes: Commissioner Barlow moved to recess into Executive Session. Commissioner Ognio seconded the motion. No discussion followed. The motion passed unanimously.

The Board recessed into Executive Session at 8:37 p.m. and returned to Official Session at 10:23 p.m.

Return to Official Session and Executive Session Affidavit: Commissioner Ognio moved to exit Executive Session and to authorize the Chairman to sign an Executive Session Affidavit. Commissioner Barlow seconded the motion. No discussion followed. The motion passed unanimously. A copy of the Executive Session Affidavit, identified as "Attachment 12," follows these minutes and is made an official part hereof.

Kennedy Mediation: County Attorney Dennis Davenport stated that about a week ago, the County entered into mediation pertaining to one of the outstanding West Fayetteville Bypass properties, and this particular mediation was in the case of Fayette County vs. Kennedy. He said the Case number of 2011V-1311. He said in the condemnation the County had paid $1,818.00 for the court's registry of permanent easement. He added that the County had also paid $33,525.00 of court registry for fee simple title for the portion of property needed for the West Fayetteville Bypass. Mr. Davenport stated that in the mediation that occurred, the parties agreed in principle to settle all issues by the County purchasing fee simple title to the remnant for an additional $12,420.00. He stated that for the property needed for the West Fayetteville Bypass, the County has agreed to pay an additional $68,475.00. Mr. Davenport summarized that the total additional amount that Fayette County has agreed to pay is $80,895.00. He concluded that the total amount agreed to, once coupled with what the County has already paid to the court, is $116,238.00. Mr. Davenport stated that another portion of the mediation is that the condemnees had requested consideration favorably if they chose to rezone their property from R-70 to A-R. He said the County agreed to waive the rezoning application fees. Mr. Davenport also informed the Board that there were some outstanding property tax issues that need to be adjusted for several years based upon property taken by the county and not adequately corrected. Mr. Davenport closed his report saying those were the terms and conditions agreed to at mediation.

Commissioner Ognio moved to approve what County Attorney Dennis Davenport put forth. Commissioner Barlow seconded the motion. No discussion followed. The motion passed unanimously.

Beck Mediation: County Attorney Dennis Davenport stated there was a second mediation based on a condemnation of the Beck property. He stated that the Case Number was 2011V-1312. He stated that during this condemnation the County had paid $5,700.00 into the court's registry at the time condemnation was filed. He said during mediation the County agreed to pay an additional $7,800.00 for a grand total of $13,500.00. He said this mediation would include the County receiving the remnant on the east side of the road while Ms. Beck would keep the remnant on the west side of the road. Mr. Davenport added that property taxes would be "trued-up" if in fact they are an issue.

Commissioner Ognio moved to approve the Beck agreement that County Attorney Dennis Davenport put forth. Commissioner Coston seconded the motion. No discussion followed. The motion passed unanimously.

January 8, 2015 Executive Session Minutes: Commissioner Ognio moved to approve the January 8, 2015 Executive Session Minutes. Commissioner Barlow seconded the motion. No discussion followed. The motion passed unanimously.

ADJOURNMENT:

Commissioner Brown moved to adjourn the January 22, 2015 Board of Commissioners meeting. Commissioner Barlow seconded the motion. No discussion followed. The motion passed unanimously.

The January 22, 2015 Board of Commissioners meeting was adjourned at 10:27 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 12th day of February 2015. Referenced attachments are available upon request at the County Clerk's Office.

Floyd L. Jones, County Clerk