

BOARD OF COUNTY COMMISSIONERS

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

FAYETTE COUNTY, GEORGIA

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



140 Stonewall Avenue West
Public Meeting Room
Fayetteville, GA 30214

MINUTES

May 26, 2016
7:00 p.m.

Call to Order

Chairman Oddo called the May 26, 2016 Board of Commissioners meeting to order at 7:01 p.m.

Invocation by Chairman Charles Oddo

Chairman Charles Oddo gave the Invocation.

Pledge of Allegiance

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

Acceptance of Agenda

Commissioner Brown moved to accept the Agenda as published. Commissioner Rousseau seconded the motion. The motion passed 5-0.

PROCLAMATION/RECOGNITION:

1. Proclamation of May 26 as "Adrian Romoff Day" in Fayette County.

On behalf of the Board of Commissioners, Commissioner Steve Brown presented Adrian Romoff with a proclamation proclaiming May 26, 2016 as "Adrian Romoff Day" in Fayette County. Commissioner Brown spoke of Adrian's numerous accolades and accomplishments. Adrian shared his experience on the Lifetime Network show, "Child Genius," and also of his experience performing for the show, "America's Got Talent". Copies of the request and proclamation, identified as "Attachment 1," follow these minutes and are made an official part hereof.

2. Recognition of Rick and Joanne Minter as the Farm Bureau Georgia Farmer of the Year.

On behalf of the Board of Commissioners, Vice Chairman Randy Ognio recognized Rick and Joanne Minter for being named Farmer of the Year by the Farm Bureau. Mr. Minter thanked the Board for the recognition. Copies of the request and recognition, identified as "Attachment 2," follow these minutes and are made an official part hereof.

3. Recognition of the Fayette County Water System for receiving the Gold Award for both the Crosstown Water Treatment Plant and the South Fayette Water Treatment Plant, and for receiving the Best Tasting Water Award for District 3 in Georgia from Georgia Association of Water Professionals.

Chairman Oddo requested that the Georgia Water Association of Professionals Chairperson Keisha Lisbon-Thorpe, Water System Director Lee Pope and his staff, and County Administrator Steve Rapson come forward to present the awards to the Water System. Ms. Lisbon-Thorpe gave background information and the requirements for the Gold Award and the Best Tasting Drinking Water Award for District 3 in Georgia. Mr. Pope and Mr. Rapson congratulated staff on a job well done and commended staff for bringing a troubled water system to gold award status. Mr. Rapson also commended CH2MHill for the work that they provided for the water system. A copy of the request, identified as "Attachment 3," follows these minutes and is made an official part hereof.

PUBLIC HEARING:

Community Development Director Pete Frisina read the *Introduction to Public Hearings for the Rezoning of Property* into the record. A copy of the *Introduction to Public Hearings for the Rezoning of Property*, identified as "Attachment 4," follows these minutes and is made an official part hereof.

- 4. Public Hearing of Resolution 2016-06 to amend the Land Use Element Text and Future Land Use Plan Map of the Fayette County Comprehensive Plan for the Starr's Mill Historic Overlay District in the area of the Intersection of State Route 74, State Route 85 and Padgett Road. A copy of the request, identified as "Attachment 5," follows these minutes and is made an official part hereof.**
- 5. Public Hearing of Ordinance 2016-07 to amend the Fayette County Code of Ordinances, Chapter 110, Art. I, Sec. 110-3, Art. IV., Sec. 110-145 and Sec. 110-146, Art. V., Sec. 110-169, Sec. 110-173(3), and Sec. 110-174, concerning the proposed Starr's Mill Historic Overlay District and Overlay Zone. A copy of the request, identified as "Attachment 6," follows these minutes and is made an official part hereof.**
- 6. Public Hearing of the proposed Color and Brick Palette for the Starr's Mill Historic Overlay District and Overlay Zone.**

Mr. Frisina stated that Public Hearing items #4, #5 and #6 are related and he read them into the record. Chairman Oddo stated that he would like to get some clarity. He stated that he has questions about how these items should be presented to the Board. He asked County Attorney Dennis Davenport if the format that the items are being presented will open the Board up for any legal questions and if it the items were in the proper format.

Mr. Davenport stated that the Board is typically reviewing amendments to a Zoning Ordinance that has gone before the Planning Commission for a public hearing and possibly a workshop and then brought before the Board of Commissioners for another public hearing. He stated that what is being presented to the Board are two separate documents that are interrelated; the Land Use Plan and the Zoning Ordinance. He stated that in the Zoning Ordinance there are two major revisions. He stated that the way the document is presented, if the sequencing is not particular, could lead to more than one reasonable interpretation that, as written, could be used against the Board. Mr. Davenport recommended that, due to the complex nature of what is being presented, the Board use this public hearing as a first step to understanding the parameters of the items and for staff to bring items #4, #5 and #6 back to the Board in thirty days with "reworked" language addressing the sequencing and timing of the two documents while limiting the wording to just one reasonable interpretation.

Chairman Oddo asked the Board if they would be in agreement to get more clarity on these items before voting. Vice Chairman Ognio asked if the Board would allow discussion on the items during this meeting. He stated that there are citizens in the audience who came to discuss these items.

Mr. Davenport stated it is the prerogative of the Board to discuss the items. He stated that the Board could also conduct the Public Hearing and have another Public Hearing in thirty days. He recommended that if a substantial discussion was had then for the vote would be taken in thirty days.

Mr. Frisina gave an overview of items #4, #5 and #6. He explained that the Planning Commission (referenced as "Commission") was approached by citizens who reside at the intersections of State Route (SR) 74, Highway 85 and Padgett Road, who wanted the Commission to look at the land use scenario for the intersections. He stated that there were several meetings by the Planning Commission to discuss the matter. He said the Planning Commission looked at creating a Historic Overlay District for this intersection. He stated that currently the intersection is all land use and zoned for residential use and that there is not a non-residential zoning in the area at this time. He stated that one of the major concerns was that Starr's Mill is one of the most iconic images for the county and that the Commission did not want anything to detract from Starr's Mill. He stated that the area is also the southern gateway within the county which is important in terms of the appearance. He explained that there is a Limited Commercial Zoning district in the county and the Commission looked at amending it into two different districts. He stated that the zoning district is a very low-scale and low-use commercial and office zoning district that is limited in size and scope in the type of uses and the size of the buildings. He explained that the only difference between Limited Commercial One and Limited Commercial Two is that Limited Commercial Two allows for a small convenience store with a limit of six gas pumps while Limited Commercial One would not allow that use. Mr. Frisina briefly spoke about the surrounding properties that include a church, a subdivision, and a block of land with houses that is land used for Office-Institutional purposes. He further spoke about an old road bed that has a high-pressure natural gas line and he explained they are in the Comprehensive Plan. He stated that there are areas between the created commercial districts and the existing subdivision which are bound by a power line, and that both areas are currently zoned one-acre and developed as one-acre subdivisions. Mr. Frisina stated the Commission land "used the fringe area" for a one to two-acre development which matches the current subdivisions.

Mr. Frisina stated that, in terms of the two Limited Commercial Districts, the Commission created a Historic Overlay District to address the characteristics of the development. He stated that the Commission considered architecture and decided that everything has to have a historic character meaning the building of something that has the characteristics of Starr's Mill. He added that examples had been provided to the Board that are a one and two-part commercial block that provides an "old time" look. He said some enhancements were added to have the frontage, include fencing, which looks historic in nature. He mentioned that the lighting on the building and in the parking lot are required to have a historic characteristic and the sign structure would have to match the facade of the building. He reported that two pallets were created to control the colors and looks and that the bricks are the typical red clay found on in old buildings in Georgia. He concluded that these are the basics that would involve changing the Land Use Plan, both for the map and the text, to support what is being requested. He closed saying the proposed changes to the zoning ordinance would fulfil the intent of the Land Use Plan.

Chairman Oddo asked if there were any comments on this item.

Robert Shell: Mr. Shell stated that he owns the south corner of the proposed overlay district. He stated that he heard from the Planning Commission that the south side of Highway 85 was the only side for a convenient store. He stated that on the north side there is "convenience" also. He noticed that a building that has been in the area for 100 years is being torn down, and he said he thought the building was historical. Mr. Frisina stated that he is not sure of what Mr. Shell is referring to.

Mr. Shell stated that he has come before the Board once before trying to get Padgett Road paved. He stated that Antioch Road was going to be paved before and he wanted to know why Padgett Road could not be paved before Antioch Road. He stated that he is a retired mail carrier in that area and that, even though water backs up all over the road, Antioch Road was still going to be paved before Padgett Road. He wanted to know what he could do about the Limited Commercial Two on the south side. He stated that he would like to have something positive that he could look forward to.

No one spoke in favor of this item.

Chairman Oddo asked Mr. Frisina what uses would be allowed for the property if this request was approved. Mr. Frisina stated that there eighteen specified uses. He stated that as a synopsis they include: low-scale or low-level commercial uses, retail, banking facilities, education facilities such as tutoring, art, professional music, and floral, hardware, jewelry, medical dental office, personal services such as barber shops, nails salons and a small convenient gas station. Chairman Oddo reiterated that is if the ordinance is approved.

Commissioner Brown stated that if you Goggle "Fayette County, Georgia" under the images section you will get a page full of Starr's Mill photographs. He stated that it is the most recognized Fayette County feature in the county and that holds a lot of weight for him. He stated that the Board recently salvaged the courthouse with funds to repair the roof because it is a historic heritage. He stated that with Hopeful Primitive Baptist Church the Board threw immense support behind renovating and preserving the structure and the county only has a handful of these type historic buildings in existence in terms of large structure buildings. He said he passionately opposes putting gas stations near the Starr's Mill historic site since gas stations do not need to be next to a historical site because they would belittle the site. He responded to Mr. Shell's comments by saying Mr. Shell should be able to sell his property to somebody to develop and that he should get a good dollar for the property. He stated that the County should not create a list of things the County wants to see on that property but rather that it is better for the County to create a list of ten items it does not want to see on the property that would ruin or destroy the character. He supported the overlay zone and the use of the historic markers for coloring and brick to keep the historical look. He stated that there has been many cases when someone wanted to do a particular use but the zoning does not allow it and they want the Board to change what the zoning says. He stated that he does not think that is the way to handle that type of situation. He asked the Board to look up Andres Duany at Duany Plater-Zyberk who is an expert on historic overlays. He reiterated that he did not approve of a gas station next to that historical site.

Commissioner Brown stated that the Board recently approved putting office space on one of the lots. He stated that there is strong need for it.

Chairman Oddo asked if the ordinance could be revised to say what the Board does not want on a piece of property. Mr. Frisina stated that the ordinance is a permissive ordinance that lists the permissive uses of the permissible aspects of the zoning ordinance. He stated that each category has permitted uses instead of non-permitted uses. He stated that anything that is not listed is not permitted. Chairman Oddo asked if it could be changed to say what is prohibited only. Mr. Davenport stated that should be done with an overlay district. He stated that if an overlay is added geographically that may be a mechanism to address that type of issue but the Board cannot discriminate between zoning ordinances.

Mr. Davenport informed the Board that he would take the information and rework the sequence of the document. He stated that there will not be any substantive changes to the document when it comes back before the Board in thirty days. He stated that after looking at the sequencing, the Board can make changes from the dais or send the document back to the Planning Commission to address areas that are of concern.

Chairman Oddo moved to have the County Attorney address the timing of items #4, #5 and #6 and to bring these items back to the June 23, 2016 Board of Commissioners meeting. Commissioner Brown seconded the motion. There was no further discussion. The motion passed 5-0. A copy of the request, identified as "Attachment 7," follows these minutes and is made an official part hereof.

7. Public Hearing of Ordinance 2016-11 to amend the Fayette County Code of Ordinances, Chapter 110. Article IV.- District Use Requirements Sec. 110-149 – Planned Unit Development- Planned Retreat and Lodge concerning Solar Farms.

Mr. Frisina reported that the Planning Commission was approached by a representative of a solar panel company out of North Carolina that is working with Camp Southern Ground. He shared that Camp Southern Ground is a large Planned Retreat and Lodge (PRL) and is the Zack Brown camp that serves children with special needs that was zoned about four years ago. He continued that Mr. Brown is in the initial phase of developing the camp and the solar company wants to supply solar panels in hopes that the camp can be operated using the solar panels. He stated that the issue the Planning

Commissioner had was that the ordinance is very specific regarding where the solar panels are allowed and, based on the definition of the ordinance, solar panels are only allowed in the M-1 zoning district. He stated that this request is to add this one specific use under the Planned Retreat and Lodge which is a sub-category of the Planned Unit Development (PUD) and is limited to a net metered facility. He stated that the Planning Commission is not looking to create a utility. He informed the Board that if the solar panel creates more power than the camp can use then it goes into a solar grid which allows the camp to receive credit for what was put in the grid. Mr. Frisina stated that if Ordinance 2016-11 is approved then Camp Southern Ground would have to go back through the approval process.

Commissioner Brown commended Zack Brown for putting the money back in the community. He stated that he is concerned about the area being "too tight" at the bottom end of the property and that Mr. Brown has developments for buildings at the top side of his property so he would not be able to use that area. Mr. Frisina stated that it is close to Arnold Road. He stated that he will have to present any plans back through the process if this ordinance is approved. Commissioner Brown asked if staff knew of plans to clear cut the trees and buffer section and if that has been reviewed. Mr. Frisina stated he did not know of any such plans and that it is not allowed in the zoning. Commissioner Brown stated that he was part of the decision to make sure that the neighbors adjacent to the property were buffered. Mr. Frisina reiterated that to place this on the property Mr. Brown would have to come back to get the Board's approval.

Chairman Oddo stated that the risk is on Mr. Zack Brown because he has no idea if the Board is going to approve. Mr. Frisina stated that he cannot go through the process until the ordinance is approved.

Commissioner Brown stated that he would like to see language that says there is a certain amount of time required to remove or repair any inoperative equipment from the site. Mr. Frisina stated that could be added to the approval process for the PUD.

Commissioner Rousseau asked about the size of the track. Mr. Frisina stated that they are considering five to eight acres out of about 300 acres. Commissioner Rousseau stated that a couple of his concerns had been answered. He stated that one of the concerns was that they would not be trying to sell the energy and the other was his shared concern with buffers. He stated that the good part is this must come back before the Board for approval. Mr. Frisina stated that as a PUD, any substantial changes made to the development plan goes back through the process. Commissioner Rousseau stated that would give the Board the opportunity to address some of the issues and concerns mentioned. Mr. Frisina stated that also includes the posting of signs like a re-zoning. Commissioner Rousseau asked if Mr. Frisina anticipates this becoming a regular occurrence and if so what impact could that have. Mr. Frisina stated that there are two locations that have this type of zoning: Camp Southern Ground and a Christian Retreat that is located on McBride Road. Commissioner Rousseau asked if the Christian Retreat has done anything out there. Mr. Frisina stated that they have built a few things. He stated that the thing that plays a big part of this request is the company wanting to work and provide the solar panels to the camp.

Vice Chairman Ognio stated that his concern is what doors are being opened in regards to the PUD and residential. Mr. Frisina stated that the PUD zoning is controlled by the Board, as well as the PRL is a Planned Retreat and Lodge, so anyone who comes before the Board would have to present that it is a Planned Retreat and Lodge as the principle use. Vice Chairman Ognio stated that he just does not want anyone to try to manipulate the system by putting the solar panels in the middle of the residential areas.

Commissioner Brown stated the PUD is subject to whatever the Board wants it to be. Mr. Frisina stated that a PRL is only for Planned Retreat and Lodges. He stated that there is not an open slate in regards to a PUD for the Board to do what it wants. Commissioner Brown explained that he is speaking in terms of the layout the Board would have to approve the layout. Mr. Frisina agreed.

Commissioner Rousseau asked Mr. Davenport what type doors might be opened if this is approved and others came and it did not fit where the Board wanted. He asked what precedence would be set if the attorney was called to defend the Board on this matter. Mr. Davenport stated within the Planning Unit Development designation there are five different subcategories. He stated that of all the five subcategories only one would be eligible for the solar panels so 80% of the PUD uses are not

eligible. He stated that this one, to be a PUD and have a solar farm, the Board would have to approve the plan. He stated that the reason for such a high level of control of this type of zoning designation is because the Board is getting more flexibility in development as a tradeoff. Commissioner Rousseau stated that if this passes, he would like to do it in a manner that the canopy has its own buffer. He stated that he is comfortable with the information he has received.

There were no comments in favor or in opposition of this item.

Commissioner Brown moved to approve Ordinance 2016-11 to amend the Fayette County Code of Ordinances, Chapter 110. Article IV.-District Use Requirements Sec. 110-149 – Planned Unit Development- Planned Retreat and Lodge concerning Solar Farms and to include a clause that requires any inoperative equipment to be repaired or disposed of in line with the requirements for cell phone towers. Commissioner Rousseau seconded the motion. There was no further discussion. The motion passed 5-0. Copies of the request and Ordinance 2016-11, identified as “Attachment 8,” follows these minutes and are made an official part hereof.

CONSENT AGENDA:

Commissioner Brown moved to accept the Consent Agenda. Commissioner Rousseau seconded the motion. The motion passed 5-0.

- 8. Approval of staff's recommendation to award Bid #1095-B, Emergency Portable Radios, to Motorola Solutions to purchase 58 radios for a total amount of \$188,815.23 and acceptance of Motorola Solutions' offer to buy back 58 old portable radios for the amount of \$26,100.00. A copy of the request, identified as “Attachment 9,” follows these minutes and is made an official part hereof.**
- 9. Approval of staff's recommendation to award annual bid #1106-B to Faultless Business Center as the primary vendor and to Concrete Supply Co, Inc. as secondary vendor for dump truck hauling services to begin upon execution and expire June 30, 2017 with the option to renew for two (2) additional one-year terms. A copy of the request, identified as “Attachment 10,” follows these minutes and is made an official part hereof.**
- 10. Approval of the request to fund the Fayette Chamber of Commerce's "Fayette Visioning" initiative, in the amount of \$25,000.00, for the purpose of developing a county-wide brand and for implementing a marketing strategy for economic development and talent recruitment.**

Commissioner Brown stated that he wanted to let everyone know that the Chamber is in charge of overseeing the process of developing county-wide branding. He stated that a professional marketing firm would be brought in to do the planning and work to put the structure together for the branding. He stated that it would not be a group of average citizens developing the branding and implementing the marketing strategy.

Commissioner Barlow asked Fayette Chamber President and CEO Carlotta Ungaro to come to the podium to speak of her past experience with the branding process. Ms. Ungaro shared her experience and spoke of the citizens that make up the Fayette Visioning Brand Committee. A copy of the request, identified as “Attachment 11,” follows these minutes and is made an official part hereof.

- 11. Approval of the May 12, 2016 Board of Commissioners Meeting Minutes.**

OLD BUSINESS:

There were no items of Old Business.

NEW BUSINESS:

There were no items of New Business.

PUBLIC COMMENT:

Frank Gardner: Mr. Garner spoke regarding his concerns about the zoning that is to take place at Davis Road. Mr. Frisina stated that the zoning had been advertised for June 2 but has since been re-advertised and new signs have been posted.

There were no further public comments.

ADMINISTRATOR'S REPORTS:

Selection Committees: County Administrator Steve Rapson stated that a Selection Committee is needed for the following boards and authorities: One (1) appointment to the Region Six Mental Health Board. Commissioners Brown and Ognio agreed to serve as the Selection Committee. Three (3) appointments to the Public Facilities Authority. Chairman Oddo and Commissioner Brown agreed to serve as the Selection Committee. Three (3) appointments to the Department of Children and Family Services Board. Commissioners Barlow and Rousseau agreed to serve as the Selection Committee.

Region 4 EMS Council: County Administrator Steve Rapson reported that a position on Region 4 EMS Council is set to expire in June. He stated that this is a Professional Services Board so there is no need to advertise for vacancies or to establish a Selection Committee. He stated that historically there are two members from Fayette County and one from Peachtree City. He stated that Peachtree City will need to be advised that the Council will need to appoint someone and that the recommendation will be presented in June.

Promise Place Event: County Administrator Steve Rapson announced that Promise Place is having a Walk-a-Mile in Her Shoes ® event on June 1, 2016 at Heritage Park. He stated that participants are asked to wear a pair of women's shoes and literally walk a mile. He stated that everyone can register and buy a ticket if they prefer not to walk a mile.

Meeting change reminder: County Administrator Rapson reminded everyone that the next Board of Commissioners meeting will be held on Tuesday, June 7 at 7:00 p.m. because there was conflict with the ACCG training.

Upcoming Fiscal Year 2017 Budget Hearings: County Administrator Steve Rapson reminded the Board that the first Public Hearing would be held on the proposed Fiscal Year 2017 Budget Hearings on June 7, 2016. He stated that the second Public Hearing on the budget would be held at a Special Called Meeting held on June 30, 2016.

ATTORNEY'S REPORTS:

Notice of Executive Session: Mr. Davenport reported that he had one item involving Pending Litigation, one item of involving Real Estate and consideration of the Executive Session minutes for May 12, 2016.

COMMISSIONERS' REPORTS:

Commissioner Rousseau:

Congratulations to the Water System: Commissioner Rousseau congratulated the Water System and Mr. Pope for the safety and well-being of the County's drinking water.

Midwest Food Bank: Commissioner Rousseau shared that the Midwest Food Bank is trying to raise dollars to build a loading dock. He gave current statistics regarding the organization and the importance of supporting this organization in Fayette County. He stated that the Midwest Food Bank is rated the number two charity in the country based on individual donations. The website for more information is peachtree.midwestfoodbank.org. He encouraged the faith-based community, the civic community, the business community, and all others to connect with this organization and find a way to assist in their efforts going forward.

Commissioner Barlow:

Thank You: Commissioner Barlow thanked everyone for attending the Board meeting. He stated that on Tuesday he was given his seven-month termination notice and that it is with great joy and honor that he served the Fayette County community. He stated that he served under Faith, Family and Fayette County and he will be leaving serving his Faith, Family and Fayette County. He extended a congratulations to Eric Maxwell.

Chalk Art Festival: Commissioner Barlow shared a video he made showcasing the 1st Annual Chalk Art Festival in Fayette County.

Commissioner Brown:

Chalk Art Festival: Commissioner Brown thanked Public Arts Committee members Heather Cap, Kate LaFoy, Vicki Turner, Charlie Cave and others for their hard work on the Public Arts Committee.

Water Guardian: Commissioner Brown shared that the second Water Guardian project will take place on Saturday, May 28, 2016 at 9:00 a.m. at Lake Horton. He stated that he will be cooking on the grill for the volunteers.

Thank You to Water System: Commissioner Brown thanked Mr. Pope for a great job. He stated that a lot of the water plant enhancements were made in-house by Mr. Pope and his staff, thereby saving the County millions of dollars. He stated that Mr. Pope is doing things with technology that no one else in the country is doing at the Water System.

Vice Chairman Ognio:

Thank You: Vice Chairman Ognio thanked all his supporters for their prayers and time during the election. He thanked District 2 for another four years in office. He also thanked Mr. Pope for his efforts saying he has done a great job with the Water System.

Congratulations to the graduates: Vice Chairman Ognio congratulated all the high school graduates. He wished them luck in their new endeavors.

Chairman Oddo:

Thank You: Chairman Oddo thanked everyone for their votes on Tuesday and for "putting their necks out". He thanked Commissioner Barlow for serving his term and doing a fine job. He believed that everyone that is running for office is doing so by believing in the Fayette community and with the belief that they can help. He asked everyone to remember that and that everyone is in this to make Fayette County the best that it can be. He asked for those who won to take it with humility and for those who lost to know it is not the end of the road. He concluded that he is thankful to serve four more years.

EXECUTIVE SESSION:

Pending Litigation, Real Estate and Review of the May 12, 2016 Executive Session Minutes: Commissioner Brown moved to go into Executive Session. Commissioner Rousseau seconded the motion. The motion passed 5-0.

The Board recessed into Executive Session at 8:40 p.m. and returned to Official Session at 8:58 p.m.

Return to Official Session and Executive Session Affidavit: Commissioner Ognio moved to return to Official Session and to authorize the Chairman to sign the Executive Session Affidavit. Commissioner Brown seconded the motion. The motion passed 5-0. A copy of the Executive Session Affidavit, identified as "Attachment 12," follows these minutes and is made an official part hereof.

Worker's Compensation Settlement- Lance Peeples: Mr. Davenport reported that there is currently a worker's compensation claim with an employee named Lance Peeples in the Public Works department for an injury that he sustained "a while ago." He stated that the county is being represented by Attorney Robert Goldsmith and Mr. Peeples has an attorney named Tom Holder that is representing his interest. He informed the Board that there was a mediation recently and the terms and conditions of a settlement were reached subject to the Board's approval and the approval of the State Board of Worker's Compensation. He stated that the terms and conditions of the settlement are for the injury and medical expenses due to the injury. He stated that the County will pay Mr. Peeples a sum of \$125,000. He stated that in exchange for that payment it will cut off all future medical bills and that as of the date of the approval by the State Board of Worker's Compensation, Mr. Peeples will agree to sign a standard release that resolves any and all claims that could have arisen from this series of events and it also marks the separation of his employment with Fayette County. He stated that if the proposed settlement meets with the approval of the Board he would like direction to take back to Mr. Goldsmith to be sent to the State Board of Worker's Compensation.

Chairman Oddo moved to direct County Attorney Dennis Davenport to contact Mr. Goldsmith of the Board of Commissioners' approval of the settlement to be sent to the State Board of Worker's Compensation. Commissioner Brown seconded the motion. There was no further discussion. The motion passed 5-0.

Approval of May 12, 2016 Executive Session Minutes: Vice Chairman Ognio moved to approve the May 12, 2016 Executive Session Minutes. Commissioner Brown seconded the motion. The motion passed 5-0.

ADJOURNMENT:

Vice Chairman Ognio moved to adjourn the May 26, 2016 Board of Commissioners meeting. Commissioners Barlow seconded the motion. The motion passed 5-0.

The May 26, 2016 Board of Commissioners meeting was adjourned at 9:00 p.m.

Tameca P. White, Chief Deputy County Clerk

Charles W. Oddo, Chairman

The foregoing minutes were duly approved at an official meeting of the Board of Commissioners of Fayette County, Georgia, held on the 7th day of June 2016. Referenced attachments are available upon request at the County Clerk's Office.

Tameca P. White, Chief Deputy County Clerk