

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

ACTION AGENDA

June 23, 2016
7:00 p.m.

Call to Order

Chairman Oddo called the June 23, 2016 Board of Commissioners meeting to order at 7:00 p.m.

Invocation by Commissioner Charles Rousseau

Commissioner Rousseau offered the Invocation.

Pledge of Allegiance

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

Acceptance of Agenda

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

PROCLAMATION/RECOGNITION:

There were no proclamation / recognition items on the Agenda.

PUBLIC HEARING:

- 1. 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.**

Community Development Director Pete Frisina read the *Introduction to Public Hearings for the Rezoning of Property* into the record.

Mr. Frisina briefed the Board that a group of citizens at the intersection of State Route 74, Highway 85 and Padgett Road came to the Planning Commission and requested that the Commission look at the land use plan in the area. The Planning Commission decided to hold off any work at the intersection until SR 74 was completed. Mr. Frisina stated that SR 74 has been completed and the Planning Commission staff started working on what is being presented to the Board. He stated that the items include: a zoning ordinance amendment, color and brick pallet options and a land use plan text and future land use plan map amendment. He stated that agenda items #1, #2 and #3 are related to what is being called the Starr's Mill Historic

Overlay District and Overlay Zone. Mr. Frisina gave a PowerPoint presentation to include visual examples of the overlay district that is being suggested. He further explained that item #2 is what will be used as the official book that will be kept in the Planning and Zoning office to reference. He stated that item #3 is the land use plan. He showed a map that shows the area that will be identified as the Starr's Mill Historic Overlay District.

Chairman Oddo asked if there was anyone who wished to speak in favor of this Public Hearing item. No one spoke in favor of this item. Chairman Oddo then asked if anyone would like to speak in opposition of this item. The following individuals spoke regarding this item:

Mr. Michael Faulkner asked the Board to delay the vote until such time that the Board could make some of the changes to the ordinance that he mentioned.

Mr. Tim Powers would like to have a RaceTrac gas station added to this area. He stated that it is time for the zoning to be changed.

Mrs. Elaine Powers spoke in opposition the way the zoning is currently written. She stated that she would like to ask the Board to "re-do" some of the zoning that is included. She stated that the convenience store on that end of the county is something that those who live there would like to have.

Ms. Melissa Harris stated that she represents the property owners who introduced the area and who proposed the enhancing, protecting and designing and development of the south gateway of Fayette County. She further stated her position on this item. Mr. Faulkner returned to the podium to state that from a listing stand point he represents the Powers. He stated that he was also contacted by some of the other property owners who also wanted him to speak on their behalf. He reiterated that it was just the issues he mentioned that they objected to and not the overall concept.

Mr. Dennis Shell stated that he actually lives in Meriwether County, but he represents his mother and father who own a portion of the property which is Limited Commercial II on the opposite side of Highway 85. He stated that this area had a gas station at one time. He stated that his question is why it is being pushed to the Starr's Mill Historic Overlay District side instead of the Highway 85 connector side.

Chairman Oddo closed public comments for this public hearing item.

Vice Chairman Ognio stated that the Board needs to find out about some of the issues before making a motion. He asked if this item was not approved by the Board, could it be taken back to the Planning Commission for further evaluation.

County Attorney Dennis Davenport stated that it is the Board's prerogative to send it back to the Planning Commission for further evaluation. He stated that it is good to give specific direction on why it is being sent back to give them and an idea of the focus of the issues. Vice Chairman Ognio asked Mr. Frisina to go over the square footage issue that was mentioned.

Mr. Frisina briefed the Board on the setback and square footage concerns that was mentioned.

Commissioner Rousseau asked if the issues addressed need to go back before the Planning Commission to incorporate them into the document or if the Board was on "good footing". Mr. Frisina stated that he believes "we are on good footing."

Commissioner Brown stated that his major concern is that he does not want the gas stations out there. He stated that a gas station can be placed anywhere else close to the intersection. There was further discussion on this item.

Commissioner Rousseau asked Mr. Davenport if any of the issues that Mr. Faulkner raised, put up a "red flag" for him. Mr. Davenport stated that he would have to consider the context in which the issues were made. He stated that for example, not having a 100 foot buffer versus changing it to a 100 foot buffer could be an area of concern, but by the same token the ordinance is not rezoning a piece of property. The ordinance is establishing a zoning district and an overlay district and the

issues discussed are applying to non-residential development. He stated that Mr. Faulkner does raise some good concerns and these are issues the Planning Commission have probably debated over a period of time and what is presented is the result of their debate and Public Hearings. He stated that based on what is presented he does not see anything from his perspective that gives a "red flag" to stop.

Commissioner Barlow asked Mr. Faulkner to come back to the podium. He asked Mr. Faulkner if anyone has ever done a collaboration. He stated that the properties will have to be assembled in order for it to work. Mr. Faulkner stated that he concur and that assemblage is not his issue. He stated that his issue is some of the things stated in the ordinance. He stated that he is asking the Board to delay the vote and send this back to the Planning Commission.

Chairman Oddo moved to approve 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. Vice Chairman Ognio seconded the motion. There was further discussion. Commissioner Barlow called the vote. The motion failed 1-3-1 with Chairman Oddo voting to approve, Commissioners Brown, Barlow and Vice Chairman Ognio voting against and Commissioner Rousseau abstained.

2. Public Hearing of the proposed Color and Brick Palette Resolution for the Starr's Mill Historic Overlay District and Overlay Zone.

Commissioner Rousseau moved that the Public Hearing of the proposed Color and Brick Palette Resolution for the Starr's Mill Historic Overlay District and Overlay Zone item be deemed moot based on the vote of 1-3-1 on Item #1. Commissioner Brown seconded the motion. The motion passed 5-0.

3. 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.

Commissioner Rousseau moved that the 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 item be deemed moot based on the vote of 1-3-1 on item #1. Commissioner Brown seconded the motion. The motion passed 5-0.

4. Consideration of Petition No. 1250-16, Ron Zappendorf, Owner, request to rezone 2.45 acres from C-H to M-1 to allow for an auto repair, paint and body shop located in Land Lots 200 and 201 of the 5th District and fronts on SR 85 North with one (1) Condition.

Mr. Frisina stated that both the staff and Planning Commission recommended approval with one (1) condition.

Mr. Ron Zappendorf stated that he owns property south of Dixie Land on the same side of the road. He stated that his property is zoned C-H in an island of M-1 properties. He stated that he is requesting approval of M-1 to do internal small body repair on vehicles for the car lot. He stated that the condition is a variance for setback because of the difference between C-H to M-1. He stated that he would comply with this condition.

There were no comments in favor of this petition. There were no comments in opposition to this petition.

Commissioner Rousseau moved to approve Petition No. 1250-16, Ron Zappendorf, Owner, request to rezone 2.45 acres from C-H to M-1 to allow for an auto repair, paint and body shop located in Land Lots 200 and 201 of the 5th District and fronts on SR 85 North with one (1) Condition. Commissioner Barlow seconded. Discussion followed. The motion passed 4-1 with Commissioner Brown voting in opposition.

5. Consideration of Petition No. 1256-16. Claudine B. Morris, Christine B. Thornton, & Betty S. Shubert, Owners and Randy Boyd, Agent request to rezone 100.967 acres from A-R to R-50 to develop a single-family residential subdivision with 68 lots located in Land Lots 104 of the 7th District and fronts on Dogwood Trail.

Mr. Frisina stated that staff recommends approval, the Planning Commission recommends denial and there are no conditions.

Mr. Randy Boyd stated that he represents Betty Shubert, Claudine Morris and Christine Thornton in this rezoning request. He stated that the property is located on the south side of Dogwood Trail and it is east of Crabapple and backs up to Peachtree City and is about 100.967 acres. He stated that Mrs. Shubert and her husband took title of the property in 1960. He further explained that Claudine Morris's and Christine Thornton's uncle took title in 1947. He stated that the property is zoned A-R and they are asking for an R-50 rezoning request. He stated that this is the same property that went before Peachtree City for an annexation which is a two phase process. He stated that R-50 is a one acre minimum with a house size of 2,100 sq. ft. He asked that the Board consider this request as presented.

There were no comments in favor of this petition. The following individuals spoke in opposition of this petition.

Mr. Russ Korn stated that he is a board member of the Kedron Hills Homeowners Association (HOA). He stated that he is speaking in opposition of this petition on behalf of the neighborhood.

Mr. Scott Beamer stated that he is the president of the Kedron Hills HOA. He stated that he represents 194 homes. He stated that he does not recall anyone saying that they like this idea. He supports the points that Mr. Korn stated.

Mr. Boyd gave further clarification of his position for this petition. He stated that he is adhering to the Comprehensive Land Use plan of Fayette County. He stated that the plan calls for anything dedicated to stormwater management be one to two acres and they are at 1.22 acres. He shared a map with the Board to further explain his position.

Commissioner Brown moved to deny Petition No. 1256-16. Claudine B. Morris, Christine B. Thornton, & Betty S. Shubert, Owners and Randy Boyd, Agent request to rezone 100.967 acres from A-R to R-50 to develop a single-family residential subdivision with 68 lots located in Land Lots 104 of the 7th District and fronts on Dogwood Trail. Vice Chairman Ognio seconded. Discussion followed.

Commissioner Brown stated that he would vote for R-70 because of its lighter density. He stated that Fayette County has had more request for changes to higher density and the pass year because the County's housing market is "hot". He stated that it is driving the market up and is causing some to pay more in property taxes. He stated that the beauty of Fayette County, and the reason many moved to the County is the "quality of life". He stated that the sure way to kill the quality of life is to start cramming higher density developments down every street.

Commissioner Rousseau stated that he agreed with Commissioner Brown and that it puts the Board in an awkward position when these request come before the Board. He stated that he would like for those who were in agreement with the statements that were made to remember that they also live in subdivisions that have one acre lots. He stated that the Board has to be careful in regards to putting pressures on the infrastructure.

Vice Chairman Ognio stated that Peachtree City has higher density but the Fayette County area does not have high density. He stated that the County does not have the infrastructure for that type of development. He stated that traffic is currently an issue and denying this petition is the right thing to do.

Chairman Oddo stated that the land use plan does allow flexibility and there is an option of higher density or low density within the zoning. He stated that he understands the owner's desire but that R-70 is more appropriate in this area. He stated that the Board has to look at the entire county and not just this parcel.

Commissioner Brown moved to deny Petition No. 1256-16. Claudine B. Morris, Christine B. Thornton, & Betty S. Shubert, Owners and Randy Boyd, Agent request to rezone 100.967 acres from A-R to R-50 to develop a single-family residential subdivision with 68 lots located in Land Lots 104 of the 7th District and fronts on Dogwood Trail. Vice Chairman Ognio seconded. The motion passed 5-0.

CONSENT AGENDA:

Commissioner Brown requested to remove Consent Agenda Item #11. Commissioner Brown moved to approve the Consent Agenda with the exception of Consent Agenda Item #11. Commissioner Barlow seconded the motion. The motion passed 5-0.

- 6. Approval of the appointment of Peachtree City Battalion Chief Chad Matheny and re-appointment of Peachtree City Assistant Chief Kevin Baggett to the Office of Emergency Medical Services Regional 4 Council for a two (2) year term expiring on June 30, 2018.**
- 7. Approval of staff's recommendation of the maintenance agreement between Fayette County and Motorola for the 800 MHz ASTRO Simulcast System and to authorize the Chairman to sign the renewal contract, in the amount of \$539,196.47 for the term of July 1, 2016 through June 30, 2017.**
- 8. Approval of staff's recommendation to enter into a \$312,500 Subgrant Agreement with the Atlanta Regional Commission (ARC) for an update to the Fayette County Comprehensive Transportation Plan (CTP) and to authorize the Chairman to sign the agreement.**
- 9. Approval of a request from Peachtree City to execute an Intergovernmental Agreement with Fayette County to share costs, not to exceed \$14,987.50, for maintenance work on the pedestrian bridge along Redwine Road near the entrance of the Preserves Subdivision and to authorize the Chairman to sign the agreement.**
- 10. Approval of staff's recommendation to add Flowers Field subdivision to Fayette County's Street Light Program.**
- 11. Approval of the June 7, 2016 Board of Commissioners Meeting Minutes.**

Commissioner Brown was absent for the June 7, 2016 Board of Commissioners meeting.

Vice Chairman Ognio moved to approve the June 7, 2016 Board of Commissioners Meeting Minutes. Commissioner Rousseau seconded. The motion passed 4-1 with Commissioner Brown abstaining.

OLD BUSINESS:

There was no Old Business item on the Agenda.

NEW BUSINESS:

- 12. Consideration of a recommendation from the Selection Committee, comprised of Commissioners David Barlow and Steve Brown and Mr. Scott Wolfe to nominate Donald Sission, Taya Scott and Dr. Loida Bonney to the Fayette County Hospital Authority for appointment.**

Commissioner Brown gave explanation of the process for these nominations.

Commissioner Brown moved to approve the recommendation from the Selection Committee, comprised of Commissioners David Barlow and Steve Brown and Mr. Scott Wolfe to nominate Donald Sission, Taya Scott and Dr. Loida Bonney to the Fayette County Hospital Authority for appointment. Vice Chairman Ognio seconded. The motion passed 5-0.

13. Consideration of a recommendation from the Selection Committee, comprised of Commissioners David Barlow and Steve Brown and Mr. Scott Wolfe to nominate Dr. Mark Morehart, Therol Brown and James Oliver, Jr. to the Fayette County Hospital Authority for appointment.

Commissioner Brown moved to approve the recommendation from the Selection Committee, comprised of Commissioners David Barlow and Steve Brown and Mr. Scott Wolfe to nominate Dr. Mark Morehart, Therol Brown and James Oliver, Jr. to the Fayette County Hospital Authority for appointment. Vice Chairman Ognio seconded. The motion passed 5-0.

14. Consideration of a recommendation from the Selection Committee, comprised of Commissioners David Barlow and Steve Brown and Mr. Scott Wolfe to nominate Timothy Etson, Sr., Lavonia Stepherson and Charles Oddo to the Fayette County Hospital Authority for appointment.

Chairman Oddo recused himself from the vote and Vice Chairman Ognio presided over the vote.

Commissioner Brown moved to approve the recommendation from the Selection Committee, comprised of Commissioners David Barlow and Steve Brown and Mr. Scott Wolfe to nominate Timothy Etson, Sr., Lavonia Stepherson and Charles Oddo to the Fayette County Hospital Authority for appointment. Commissioner Barlow seconded. The motion passed 4-1 with Chairman Oddo abstaining.

15. Consideration of a recommendation from the Selection Committee, comprised of Chairman Charles Oddo and Commissioner Charles Rousseau to nominate Charlie Cave, Robert Johnson, Samuel Patton, Heather Cap and Donna Rosser to the Fayette County Public Arts Committee to serve a term of one (1) year beginning June 1, 2016 and expiring May 31, 2017.

Commissioner Rousseau thanked everyone who submitted application for this appointment. He stated that he stands steadfast that this committee can do great things for the county. He also publicly thanked Commissioner Brown for bringing this committee to the forefront and to the residents who have participated in this committee and who see the greater vision and as a result, bring quality services to the county.

Chairman Oddo also offered thanks to Commissioner Brown for initiating the arts committee. He stated that it has matured and has reached a point where the citizens can take it over. He stated that the committee will continue to bring items to the Board for approval.

Vice Chairman Ognio asked the candidates to stand for recognition.

Commissioner Rousseau moved to approve the recommendation from the Selection Committee, comprised of Chairman Charles Oddo and Commissioner Charles Rousseau to nominate Charlie Cave, Robert Johnson, Samuel Patton, Heather Cap and Donna Rosser to the Fayette County Public Arts Committee to serve a term of one (1) year beginning June 1, 2016 and expiring May 31, 2017. Commissioner Barlow seconded. Discussion followed.

Commissioner Brown read a prepared statement into the record regarding the Public Arts Committee. The statement read in part, "The disappointment comes from knowing that three people who were always critical of the committee, never volunteered for anything and even attempted to undermine committee projects got on the appointment list. I refuse to subscribe to such tactics. Since the appointees have been listed for approval en masse instead of individually as we normally

do it, I will abstain from the votes so that it does not appear that I am voting against those on the list whom I think are qualified and capable of giving of themselves in a positive and constructive way.”

Chairman Oddo stated that this is not political and that it is up to the citizens and that he is grateful to all the citizens who offered an incredible amount of talent. He stated that he thinks it is up to the citizens to take this committee and move forward with it. He stated that he appreciates Commissioner Brown’s comments but that he respectfully disagrees.

Commissioner Rousseau moved to approve the recommendation from the Selection Committee, comprised of Chairman Charles Oddo and Commissioner Charles Rousseau to nominate Charlie Cave, Robert Johnson, Samuel Patton, Heather Cap and Donna Rosser to the Fayette County Public Arts Committee to serve a term of one (1) year beginning June 1, 2016 and expiring May 31, 2017. Commissioner Barlow seconded. The motion passed 4-1 with Commissioner Brown abstaining.

16. Consideration of a recommendation from the Selection Committee, comprised of Chairman Charles Oddo and Commissioner Charles Rousseau to nominate Jeffrey Mellin, Roshier Sbaja, Tina Brown, Donna Thompson, Vicki Turner and Richard Brown to the Fayette County Public Arts Committee to serve a term of two (2) years beginning June 1, 2016 and expiring May 31, 2018.

Commissioner Rousseau moved to approve the recommendation from the Selection Committee, comprised of Chairman Charles Oddo and Commissioner Charles Rousseau to nominate Jeffrey Mellin, Roshier Sbaja, Tina Brown, Donna Thompson, Vicki Turner and Richard Brown to the Fayette County Public Arts Committee to serve a term of two (2) years beginning June 1, 2016 and expiring May 31, 2018. Commissioner Barlow seconded. The motion passed 4-1 with Commissioner Brown abstaining.

17. Consideration of the City of Fayetteville annexation of 29.63 acres east of Price Road Estates Subdivision, and the rezoning of said property from R-40 (Single-Family residential) to RTHC-PUD (Residential Townhouse Condominium).

Mr. Frisina stated that this an overall development plan for an area that is in the City of Fayetteville but included is a portion of property that is in the unincorporated Fayette County. He stated that this is the second phase of the Price Road Estates Subdivision with approximately 20 lots in the area. There are approximately 54 lots in this area that are bisected by the lines. He stated that he, Chairman Oddo and Vice Chairman Ognio met with the City Manager and Planner for the City of Fayetteville and everyone agreed that this was an increase in density and intensity over what the County’s land use or zoning would allow. He stated that one of the issue he had was the crossing of the stream and the number of lots. He continued that a map was resubmitted and it took the lot count down from 54 to 39 lots which is still a much higher density or intensity than what the County would allow but it did eliminate the stream crossing and provided a better buffer for the surrounding county properties. He stated that in his opinion the newly submitted map proposal is a good compromise. He stated that he does not recommend objecting to this portion. He stated that if the Board wishes to object, the objection has to be delivered by June 28, 2016 by either certified mail or statutory overnight delivery and what material burdens would be placed on the county if annexed.

Commissioner Brown questioned if the response had to be given based on the timeline from the submission of the first plan or the second plan. He expressed that he thought it should be based on the second submission and not the first one. Vice Chairman Ognio agreed.

Commissioner Oddo asked Mr. Davenport to clarify. Mr. Davenport stated that the official plan provided to the Board initially is the first plan. He stated that the same people who provided the first plan also provided the second plan. He explained that the Board has the ability to start the clock over and go thirty more days from the second submission. He stated that from his understanding Fayetteville’s proposal in the second plan would be the official plan. He stated that the timeframe of June 28 could be extended if the Board chose to recognize the second submission as of the date submitted.

Vice Chairman Ognio stated that even in the second plan the density is higher than what the County would allow. Mr. Frisina confirmed that both plans are higher. Vice Chairman Ognio stated that he would still object to the annexation.

Chairman Oddo called for comments in favor of the petition. There were no comments in favor of the petition. He called for comments in opposition of the petition. The following spoke regarding this petition.

Tonya Mathis spoke in opposition.

Chairman Oddo clarified that a lot of the emails and correspondence that the Board has received has been regarding this plan. He stated that it is beyond the County's control. He stated that the only thing the Board can take care of is whether not to object to the piece of property and whether or not it meets the County's land use plan. He stated that the Board is happy to listen to the objections but the objections will have to be directed to the City of Fayetteville, who is in charge of this plan with or without the County's annexation of this piece of property. He stated that the City will hold a meeting the following week regarding this project.

Two citizens who did not identify themselves, spoke in opposition.

Brian Rochester with Rochester and Associates, representing Fayette Ventures spoke in favor. He stated that there is no proposed connections to any of the other subdivisions. He continued that this property that is already in the city is currently zoned for townhomes. He stated that the rest of the property is zoned for intense retail use. He stated that it is denser than what would currently be allowed however, he felt like a compromise is offered that would give two thirds of the remaining property open space. He stated that the development is being pushed closer to what is already in the city.

Michael Harris spoke in opposition.

Mayor Edward Johnson, City of Fayetteville spoke in opposition. He stated that the City of Fayetteville has inundated with request from developers for high density multi-family dwellings. He stated that the City is researching with attorneys on how to abate these request. He stated that the City is not ready to handle a request such as this. He stated that he respectfully request that the Board deny the request for annexation.

Steve Goulas, City of Fayetteville Planning and Zoning member spoke in opposition.

Doug Powell spoke in opposition.

Mary Carroll spoke in opposition.

Gregory Moon spoke in opposition.

Michael Stevens spoke in opposition.

Nick Dowdy spoke in opposition.

Jennifer Ringhoffer spoke in opposition.

Dan Arnett spoke in opposition.

John Cernickey spoke in opposition.

Lindsey Cernickey spoke in opposition.

Chairman Oddo closed public comments.

Commissioner Brown moved to challenge the City of Fayetteville annexation of 29.63 acres east of Price Road Estates Subdivision, and the rezoning of said property from R-40 (Single-Family residential) to RTHC-PUD (Residential Townhouse Condominium) and to request that the City of Fayetteville offer official notification to the developer that they will not accept the property which will end the process. Commissioner Rousseau seconded. Discussion followed.

Commissioner Brown stated that Department of Transportation (DOT) wants to take over McDonough Road. He stated that they need that road for an arterial transportation corridor. He stated that DOT District 13, which is Clayton and Henry County want those projects. He stated that we cannot stop development, but the goal is to minimize the damage.

Vice Chairman Ognio encouraged the citizens to let their voice be heard. He stated that the County does not want to be like other areas. He stated that the County wants open areas and it is inevitable that developers want to come to the County because of the open land. He stated that they come, make their money and leave and the County stuck with the traffic issues. He congratulated the citizens for coming out to speak on this issue.

Chairman Oddo thanked Mayor Johnson for expressing his position. He also thanked Mr. Rochester for attending.

Commissioner Brown moved to challenge the City of Fayetteville annexation of 29.63 acres east of Price Road Estates Subdivision, and the rezoning of said property from R-40 (Single-Family residential) to RTHC-PUD (Residential Townhouse Condominium) and to request that the City of Fayetteville offer official notification to the developer that they will not accept the property which will end the process. Commissioner Rousseau seconded.

After discussion, Commissioner Brown restated the motion to include the word, "object".

Commissioner Brown moved to object the City of Fayetteville annexation of 29.63 acres east of Price Road Estates Subdivision, and the rezoning of said property from R-40 (Single-Family residential) to RTHC-PUD (Residential Townhouse Condominium) and to request that the City of Fayetteville offer official notification to the developer that they will not accept the property which will end the process. Commissioner Rousseau seconded. The motion passed 5-0.

PUBLIC COMMENT:

John Thompson gave a "shout out" to Parks and Recreation Director, Anita Godbee, Deputy Chief Tom Bartlett and the teams in place for the Balloons Over Fayette festival. He stated that it was extremely hot, but that he had a delightful time and kudos to the Commissioners for moving forward with this. He stated that it is nice to know that a family event like this can be held in Fayette County.

ADMINISTRATOR'S REPORTS:

Steve Rapson, County Manager was absent. Chairman Oddo reminded everyone that the Board of Commissioners will hold a Special Called Meeting on Thursday, June 30 at 7:00 p.m. for the purpose of holding the second hearing for the fiscal year 2017 budget.

ATTORNEY'S REPORTS:

Notice of Executive Session: County Attorney Dennis Davenport notified the Board that he had six items for Executive Session. Two (2) items of Threaten Litigation, two (2) items of Pending Litigation, one (1) item of Real Estate and to review of the June 7, 2016 Executive Session Minutes for consideration in Executive Session.

COMMISSIONERS' REPORTS:

Commissioner Brown:

Public Arts Committee: Commissioner Brown stated that he appreciated the time on the art committee and that he hopes it goes well. He stated that he looks forward to seeing what they come up with.

Hospital Authority: Commissioner Brown stated that he and Commissioner Barlow are on the Selection Committee for the Hospital Authority and it is incredible the amount of talent in Fayette County. He stated that the real shame is that he has to turn some of the applicants away. He thanked everyone who applied for the various committees. He encouraged the applicants who are not appointed to continue to look for opportunities to apply.

Vice Chairman Ognio:

Voters Encouraged to Vote in July 2016 Runoff Elections: Vice Chairman Ognio reminded the audience that a runoff election was upcoming and is very important. He stated that he would challenge Fayette County voters to get out and have a higher voter turnout than the primary election.

Balloons Over Fayette Festival: Vice Chairman Ognio stated that the balloon festival was great. He stated that those who worked it were in the heat and had to handle a lot of the issues that occurred due to this being the first event like this one. He stated that there were a lot more people to attend than expected but that was a good thing. He stated that the County is looking to do it again and possibly in a different location. He thanked the staff and the volunteers that worked all day in the heat. He stated that shows the kind of citizens that are in Fayette County. He stated that maybe the Board could have them recognized at an upcoming meeting.

Commissioner Rousseau:

No comments.

Commissioner Barlow:

Balloons Over Fayette Festival: Commissioner Barlow thanked everyone for attending. He also gave kudos to those who were at the balloon festival. He stated that it was anticipated that 1,250 people would attend and there were 7,000 tickets sold and children under five were free. He stated that he arrived at 10 a.m. with Pete Frisina and he was amazed at the number of staff that were present. He stated that the best part was the families with young children that attended. He stated that the final count was around 10,000 to 12,000 people. He stated that there were a tremendous amount of difficulties, but they were handled.

Board of Health: Commissioner Barlow stated that Dr. Yolanda Wade, who was one of the applicants and she was not selected. He stated that she mentioned that she was a "big walker" and that she wanted to start a walking program. He stated that he recruited her independently and he and Dr. Wade have come up with a walking program called "Walk-About Fayette". He stated that it will meet weekly at the different parks in Fayette County. He stated the official launch will likely take place toward the end of July and the idea is that the Board of Health would lead the walk.

Chairman Oddo:

Balloons Over Fayette Festival: Chairman Oddo stated that he wanted to thank the staff who worked the festival. He stated that he was at the follow up staff meeting with the County Manager and although they were all talking about the glitches, the staff all agreed that they would like to do it again next year.

4th of July: Chairman Oddo wished everyone a Happy 4th of July. He stated that everyone should reflect on the day and celebrate the day.

EXECUTIVE SESSION:

Two (2) items of Threaten Litigation, two (2) items of Pending Litigation, one (1) item of Real Estate and to review of the June 7, 2016 Executive Session Minutes: Commissioner Brown moved to recess into Executive Session. Vice Chairman Ognio seconded the motion. The motion passed 5-0.

The Board recessed into Executive Session at 10:07 p.m. and returned to Official Session at 10:53 p.m.

Return to Official Session and Authorization to Sign the Executive Session Affidavit: Vice Chairman Ognio moved to return to official session and for the Chairman to sign the Executive Session Affidavit. Commissioner Barlow seconded the motion. The motion passed 5-0.

Mr. Davenport briefed the Board that they were able to resolve a condemnation of one of the properties on West Fayetteville Bypass owned by the estate of Graves. He stated that the terms and conditions for the final resolution would require the County to purchase a remnant that was left behind. He stated that the remnant's total acreage is 8.295 acres. He stated that in the terms and conditions stated, they would accept the value of the property as previously agreed to for the other portion of the property which is \$11,000 an acre. He stated that if that is costed out it will total \$91,245, however since the County has already paid for a permanent easement across the same 8.295 acres there will be a credit of \$5,010.50 and in addition the County has already paid consequential damages on those 8.295 acres in the amount of \$9,900. He stated that when those credits are added, the County's net cost is \$76,334.50 and if that meets with the Board's approval he would like some direction.

Vice Chairman Ognio moved to approve the condemnation as described by the County Attorney. Commissioner Barlow seconded the motion. The motion passed 5-0.

Approval of the June 7, 2016 Executive Session Minutes: Vice Chairman Ognio moved to approve the June 7, 2016 Executive Session Minutes. Commissioner Barlow seconded the motion. The motion passed 5-0.

ADJOURNMENT:

Vice Chairman Ognio moved to adjourn the June 23, 2016 Board of Commissioners meeting. Commissioners Barlow seconded the motion. The motion passed 5-0.

The June 23, 2016 Board of Commissioners meeting was adjourned at 10:55 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 14th day of July 2016. Referenced attachments are available upon request at the County Clerk's Office.

Tameca P. White, Chief Deputy County Clerk