



# The Buckhead Council of Neighborhoods

## Board Meeting

January 14, 2016

Peachtree Presbyterian Church

6:45 – 8:15 PM

Meeting Minutes

### Attendees

	<u>Full Name</u>	<u>Neighborhood/Organization</u>	<u>Email Address</u>
1	Gordon Certain	North Buckhead	gcertain@comcast.net
2	Jim Garcia	North Buckhead	jim.g@reagan.com
3	Ron Grunwald	Loring Heights	Rgrunwald@bellsouth.net
4	Robert Helget	Peachtree Heights West	bbhelget@bellsouth.net
5	Cathy Helms	Collier Hills North	cahelms1@gmail.com
6	Ken Hoogs	Paces	khoogs@CommercialCapitalAI.com
7	Ben Howard	Buckhead Condo Alliance	benhoward@gatech.edu
8	Barbara Kennedy	Collier Hills	bar2010@aol.com
9	Walda Lavroff	North Buckhead	waldalavroff@gmail.com
10	Francine Lowe	Pine Hills	Francine@lowetravel.net
11	Mark McDonald	Ardmore Park	markcmcd@gmail.com
12	Lee Morris	Fulton Commission 3rd District	lee.morris@fultoncountyga.gov
13	Mary Norwood	Atlanta City Council, Post 2	mnorwood@atlantaga.gov
14	Robb Pitts	Chastain Park	-
15	Jennifer Rose	Mt. Paran-Northside	jenprose@gmail.com
16	Mercy Sandberg-Wright	Tuxedo Park	mercywright@msn.com
17	John Schaffner	Buckhead View	jfschaffner@gmail.com
18	Harriet Thomas	Lee Morris' office Chief of Staff	Harriet.Thomas@fultoncountyga.gov
19	Tom Tidwell	West Paces Northside	tom@tidwell-law.com
20	Marie Tvaroch	Pine Hills	marietvaroch@bellsouth.net
21	Debra Wathen	Paces	6wathens@bellsouth.net

### Attendance by Neighborhood

	<u>Neighborhood</u>	<u>Attendees</u>
1	Ardmore Park	Mark McDonald
2	Buckhead Condo	Ben Howard
3	Chastain Park	Robb Pitts
4	Collier Hills	Barbara Kennedy
5	Buckhead Condo	Ben Howard
6	Collier Hills North	Cathy Helms
7	Paces	Debra Wathen, Ken Hoogs
8	Pine Hills	Francine Lowe, Marie Tvaroch
9	North Buckhead	Gordon Certain, Walda Lavroff, Jim Garcia
10	Mt. Paran-Northside	Jennifer Rose
11	Ardmore Park	Mark McDonald
12	Tuxedo Park	Mercy Sandberg-Wright
13	Chastain Park	Robb Pitts
14	Peachtree Heights	Robert Helget
15	Loring Heights	Ron Grunwald
16	West Paces Northside	Tom Tidwell

# BCN Board Meeting Minutes – January 14, 2016

## BCN 2015/16 Officers (Executive Committee)

<u>Office</u>	<u>Officer</u>	<u>Neighborhood</u>	<u>Email</u>
Chairman	Tom Tidwell	West Paces Northside	tom@tidwell-law.com
Vice-Chairman	Ron Grunwald	Loring Heights	rgrunwald@bellsouth.net
Secretary	Gordon Certain	North Buckhead	gcertain@comcast.net
Treasurer	Debra Wathen	Paces	6wathens@bellsouth.net
Communications	Jeff Clark	Garden Hills	jeffbclark@gmail.com

## BCN Standing Committees

<u>Committee</u>	<u>Chair</u>	<u>Email</u>
Executive Committee	Tom Tidwell	tom@tidwell-law.com
Education	Tom Tidwell	tom@tidwell-law.com
Development and Infrastructure	Ron Grunwald	rgrunwald@bellsouth.net
Transportation	Debra Wathen Elizabeth Scattergood	6wathens@bellsouth.net betsy.scattergood@gmail.com

**Other** (Legislative, NPU, Parks, Voter Education/Registration, etc.)

### I. Welcome & Introductions

Tom Tidwell called the meeting to order at about 6:45 PM. A quorum was present.

### II. Approval of Minutes

Minutes for the December meeting, with revisions, were approved.

### III. Admit New Member Neighborhoods

No neighborhoods asked to be considered for BCN membership.

A BCN Neighborhood Census form was distributed at the meeting. **All BCN neighborhoods are requested to complete the form.** The form ensures that BCN has contact information for each neighborhood and explicit identification of each neighborhood's BCN representative and alternates.

Buckhead Council of Neighborhoods 2016 Neighborhood Census				
Neighborhood Name				
Association Name				
Association Web Site				
Next Ass'n Officer Election				
	Name	Email	Phone	Cell
Association President				
BCN Representative				
BCN Alt Rep #1				
BCN Alt Rep #2				
BCN Alt Rep #3				
BCN Alt Rep #4				
Notes/Comments:				

Please return completed form to Gordon Certain, BCN Secretary, at gcertain@comcast.net or at BCN Board meeting.

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## IV. Election of 2016 BCN Officers

Elections for 2016 BCN officers were conducted by online votes by 15 BCN neighborhoods. All the incumbents stood for reelection. While write-in votes were permitted for all offices, none were cast and all officers were reelected unanimously, as follows:

<u>Office</u>	<u>Candidate</u>	<u>Neighborhood</u>
Chairman	Tom Tidwell	West Paces Northside
Vice-Chairman	Ron Grunwald	Loring Heights
Secretary	Gordon Certain	North Buckhead
Treasurer	Debra Wathen	Paces
Communications	Jeff Clark	Garden Hills

## V. BCN Standing Committee Reports

- **Communications** – No report
- **Education:**

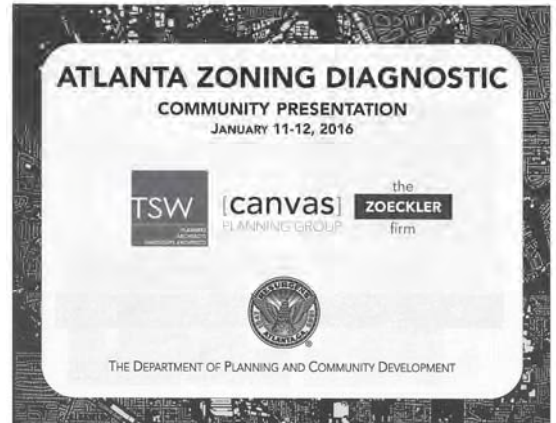
**Tom Tidwell** reported on several items related to the Georgia Legislature:

**Opportunity School District / State Funding (QBE)** – Tom said that one of Governor Deal's initiatives was the funding of schools. Tom was unsure of the impact on Atlanta Public Schools (APS) but suspects it will be the same or better for the schools without resulting in higher property taxes.

- **Development/Infrastructure**

**City Beltline Payment to APS** – Tom said the City was going to be in default of the Beltline agreement as of January 1 since it had not paid APS the required amounts. The city made a \$9 million payment on December 31 to avoid default. He said that City Councilmember **Felicia Moore** had issues with the payment. City Councilmember **Mary Norwood** discussed these issues. The basic problem, according to Mary, is that the \$9 million payment had not been authorized by the City Council. Felicia determined that a \$1.9 million payment was made to APS in 2013 as "Beltline Special TAD Funds". (The documents Mary referred to in the discussion of this issue have been posted on the BCN web site.). At the end of the City Council budget process in June of 2015, the City Council approved an additional \$4 million payment to APS. The City's \$9 million payment in December was called a "Good Faith Payment" to APS and was made from the General Fund, not the Beltline Tax Allocation District (TAD). Mary provided Felicia's analysis of why \$5 million of the payment was not legal. Mary thinks that analysis is correct. At the latest City Council meeting the City's Law Department and Finance Department, disagreeing with Felicia, took the position that the payments were legal. Mary said the December payment was not disclosed to the City Council in a timely manner even though she said there was ample opportunity to do so. Tom asked what could be done to keep the Mayor from making future payments not approved by the Council. Mary said that the City needs to put its financial books (accounts payable & accounts receivable) online like other cities have done. As it stands today according to Mary, "The Council does not see the books."

**Zoning Ordinance Rewrite** – Mary continued, switching to the topic of zoning. She handed out an analysis of the strengths and weaknesses of the current system prepared by a task force led by Bob Zoekler, Aaron Fortner, and Caleb Racicot. Mary was pleased with the approach: rather than rewriting the zoning code and soliciting public feedback, the current effort is to prepare an assessment of the code to guide future actions.



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- **Transportation** – No report.

### VI. BCN Goals for 2016

**Tom Tidwell** outlined previous discussions about BCN having a legislative luncheon or breakfast. He'd like it to be in April, after the Legislature's session is over. He asked for help in organizing it, perhaps twice a year.

Lee said the county, like the city and the various school systems, put together a legislative package each year. It is a wish list.

### VII. Speakers – Lee Morris, Fulton County Commissioner District 3

**Fulton Transportation SPLOST:** Lee started (and ended) his discussion with the transportation issue which will come up for a vote in November. He said, for some reason, it is not getting a lot of press coverage, but is potentially a big deal. There is a process going on with Fulton and its 14 cities to achieve a consensus for a transportation sales tax proposal for the November ballot. The amount could be one percent or less, in effect for five years, and could raise as much as \$1.5 billion.



Five meetings have been held. Allocation of the funding seems likely to be based on population, though it might alternatively be allocated based on employment, center-lane road miles, or average road spending for the most recent three years. The tax amount favored so far is around .75%. Each city would devise its own list of projects. Because of the five year duration of the tax, major MARTA projects can't be included because the duration is not long enough to fund bonds. MARTA, however, hopes to get its own .5% tax through 2057 on the ballot to fund its own projects – this is what is driving the Fulton tax to the .75% level. However, state law caps sales taxes a total of 9%. The existing 8% sales tax plus the Fulton .75% and the MARTA .5% would total 9.25%, exceeding the limit. The Legislature is saying

they will not raise the 9% cap. Lee said MARTA may be inclined to propose a .25% tax. Firm agreements have not yet been reached. All 14 cities and Fulton have to agree on the allocation basis and the amount of the tax in order for the issue to appear on the November ballot.

Lee will notify Tom of when the next meetings will be held so BCN members can be notified of future meetings.

**Fulton Fiscal Year:** Lee said when he was on the City Council it drove him crazy as a CPA that they adopted their annual budget in February, after they had spent one sixth of it. So he proposed that the city adopt a fiscal year starting in July. While that change didn't happen immediately, it was ultimately adopted by the city. Fulton is trying to do the same thing, though its situation is not as bad since they adopt a budget at the end of January. It makes more sense to adopt a budget beginning in July since the county will know more about what its tax revenues and reserves will be. He hopes that change will go through this year.

**Annexation:** He said last year it looked like the people in unincorporated South Fulton would get to vote on cityhood. Then he said, the City of Atlanta expressed desire to annex selected portions of that area, effectively killing efforts to incorporate the whole area. Annexations are incurring in that area, which upsets some on the Fulton Commission and raising what Lee described as "incredible issues" with the school system. For example, the Fulton school system just built two new schools in the area that the City of Atlanta is trying to annex. The question is, what will happen to those schools? Will APS take them over? What about students of those schools who are just outside the annexation boundaries – what schools will they attend? The county's position is that they ought to have more "say" in the annexation process.



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Lee thinks the South Fulton issue is an important one for people in Buckhead. There are about 100,000 people in unincorporated parts of Fulton County. The county provides municipal services such as police, fire, zoning, code enforcement, and other city-like services. He said the biggest fights on the Commission are about the levels of funding for those types of services – should funds come out of the general fund (so people in Buckhead will help pay for it) or should the services be financed just by the population in the unincorporated areas? He said the Fulton general fund pays for roads in the unincorporated area. This means that citizens of Atlanta pay city taxes for their own city roads as well as paying Fulton taxes for the roads in South Fulton’s unincorporated areas.

Lee’s position is that it would be wonderful if the County got out of the business of providing city services. His fear is that with the existing process, the cities will cherry-pick which areas to annex, leaving the least viable portions of the unincorporated area as a potential new city doomed to failure – the result would be the county would be in the business of providing municipal services forever.

The Legislature may act to block current annexation plans to let the voters of unincorporated South Fulton create a single city. If that doesn’t work, the Legislature’s Plan B might be to carve up all of the South Fulton area and assign each portion for annexation by one of the adjacent cities (Union City, Fairburn, Atlanta, Chattahoochee Hills, etc.).










**Justice Reform:** Lee talked about the differences between the City of Atlanta (with a strong mayor and a large city council) versus Fulton (with a county manager and no mayor with veto powers and a smaller, seven member County Commission). But there are other differences, with the many separately elected constitutional county officers: the sheriff, tax commissioner, judges, and clerks of superior court – the County Commission sets their budget but can’t tell them what to do. Lee says this legislative initiative is very vaguely worded. The hope is the county can get legislative clarification of the roles and responsibilities of the courts and county administration. Lee is not sure exactly what is being asked for; Fulton is asking for help.

**Public Health Service Delivery:** Lee said this is potentially a big issue for us. Fulton is the only county in the state with its own separate Board of Health. An audit of the system recommends repealing the legislation that established the separate Fulton board and making the county conform to the rest of the state.

Efforts are also being made with Grady to get a Federal “Waver” whose name he could not recall which could potentially get them \$100 million from the Federal Government to provide indigent care, getting more people on Medicaid, and helping those in Fulton and DeKalb who provide funding support to Grady Hospital.

**911 Telephone Funding:** This initiative deals with various technical aspects of the amount phone companies charge for providing 911 telephone services.

### FULTON COUNTY 2016 LEGISLATIVE PRIORITIES

	<b>SEEK LEGISLATION TO ENHANCE FULTON COUNTY'S ADMINISTRATIVE OPERATIONS</b>	Fulton County supports HB 527, which will allow a change in the County's budget year from a calendar year to a different fiscal year, and requests that such a law take effect January 1, 2017.
	<b>SEEK CHANGES TO GEORGIA ANNEXATION LAW</b>	Fulton County seeks changes to the Georgia annexation law that will broaden opportunities for objection beyond land use, to include issues such as impact on schools and public safety; and allow additional time for review of annexations, to consider impact on service, as well as changes in the petition verification process. Fulton County also supports creation of a de-annexation process that is equitable for cities and counties.
	<b>SEEK JUSTICE REFORM</b>	Fulton County seeks legislative clarification of the roles and responsibilities of the courts and county administration; legislation supporting improved efficiencies in the justice system; and alternatives to incarceration. In addition, Fulton County seeks additional financial support from the State of Georgia for justice programs, particularly juvenile justice programs.
	<b>VOTE ON CITYHOOD</b>	Fulton County supports HB 514, which provides the opportunity for residents of unincorporated Fulton County to vote on possible formation of a new city.
	<b>SUPPORT CHANGES TO PUBLIC HEALTH SERVICE DELIVERY</b>	Fulton County seeks opportunities to enhance delivery of public health and behavioral health services, in collaboration with major public health partners, and to leverage additional state resources to meet the needs of Fulton County residents.
	<b>SEEK BALANCED 911 FUNDING</b>	Fulton County seeks Modernization and Balanced Funding of the E-9-1-1 System. Fulton County aligns its position with the Association of County Commissioners of Georgia, including moving forward with recommendations of the Governor's Commission on 9-1-1 System Modernization, Implementation of a uniform 9-1-1 fee of \$1.50 per line on all wireless and prepaid services.
	<b>PROTECTION OF HOME RULE</b>	Fulton County opposes legislation introduced in 2015 (HB 628 & HB 630) to increase homestead exemptions specifically in Fulton County. Fulton County also opposes any legislation that threatens Fulton County's right to Home Rule.
	<b>REVIEW SPECIAL HOMESTEAD EXEMPTIONS</b>	Fulton County seeks the establishment of an informal legislative study committee to review the numerous varying qualifications for special homestead exemptions.
	<b>HOMEOWNER PROTECTIONS</b>	Fulton County seeks changes to the Property Owners Act to offer greater protections for property owners.

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**Home Rule Issues:** This deals with opposition to the Legislature's efforts to limit the county's ability to conduct its own business. This includes opposition to bills which propose to increase homestead exemptions on property taxes. Lee said increases to homestead exemptions might take many Fulton County homes completely off the tax rolls, shifting the tax burden to homeowners in Buckhead and similar areas.

**Review of Special Homestead Exemptions:** Lee said there were 27 exemptions of various kinds for the elderly. These are based on different taxable income amounts using different definitions of income, and for different age categories. The Fulton Board of Assessors has 14 people handling these complicated exemptions and often the exemption rules are not handled correctly. Lee introduced this item and hopes a study committee can be established to simplify the rules.

**Homeowner Protections:** This deals with new subdivisions which might be marketed with common facilities such as pools. Sometimes, when perhaps half the homes are sold, the subdivision's developer might fail, leaving the common areas underfunded. This initiative is intended to prove some kind of relief for such problems.

### **VI. Community Concerns/New Business/Announcements**

No report

### **VII. Next Meeting** February 11, 2016

**IX. Adjourn** - The meeting adjourned at about 8:00 PM.

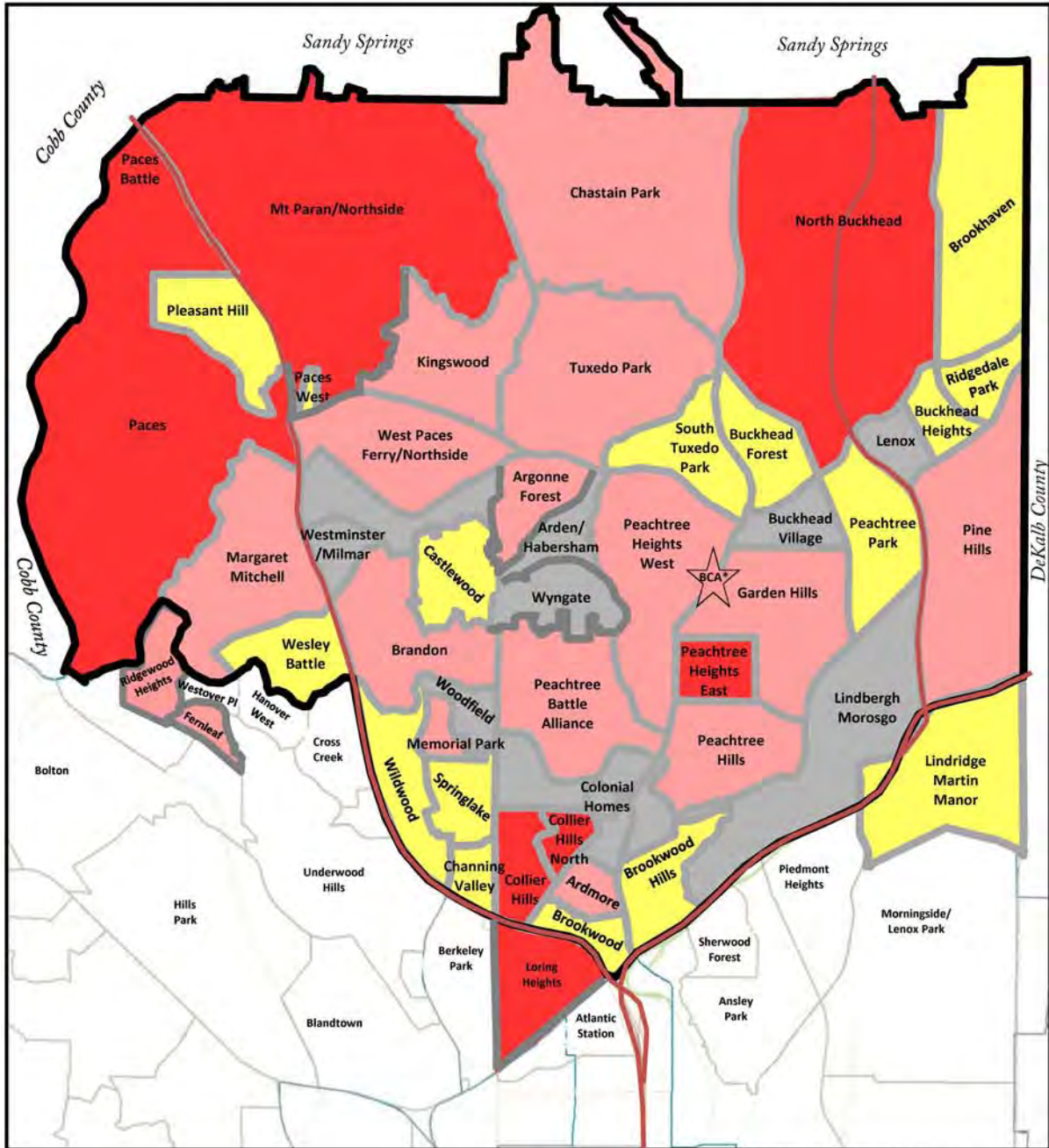
**Note:** *The opinions expressed by the speakers and individual neighborhood representatives in these minutes do not necessarily represent those of BCN or its member neighborhoods.*

Prepared by Gordon Certain, BCN Secretary  
February 6, 2016, updated February 8, 2016

BCN's completely remodeled web page is at [www.BuckheadCouncil.org](http://www.BuckheadCouncil.org).  
*The Buckhead Council of Neighborhoods is a 501(c)(4) nonprofit organization.*

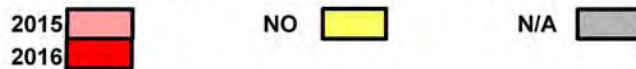
# Buckhead Council of Neighborhoods

Paid Membership as of 02/06/16



## LEGEND

Paid Membership as of 02/06/16



\* BCA = Buckhead Condo Alliance



**BCN Board Meeting Minutes – January 14, 2016**

**BCN Status as of February 6, 2016**

Neighborhood		Dues		Data	Neighborhood Representation at Board Meetings																	
		2015	2016	2015 Census	2014	2015	2016															
					10 meetings	10 meetings	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec				
1	Arden/Habersham																					
2	Ardmore Park	✓		✓	60%	70%	✓															
3	Argonne Forest	✓			60%	30%																
4	Brandon	✓			50%	0%																
5	Brookwood																					
6	Brookwood Hills				30%	10%																
7	BuckheadCondoAlliance	✓			50%	90%	✓															
8	Buckhead Forest				0%	0%																
9	Buckhead Heights																					
10	Buckhead Village				10%	20%																
11	Castlewood																					
12	Channing Valley				10%	0%																
13	Chastain Park	✓			30%	10%	✓															
14	Collier Hills	✓	✓	✓	20%	30%	✓															
15	Collier Hills North		✓	✓	10%	20%	✓															
16	Fernleaf	✓			10%	0%																
17	Garden Hills	✓			60%	80%																
18	Grant Estates				0%	20%																
19	Historic Brookhaven				30%	10%																
20	Kingswood	✓				20%																
21	Lindbergh																					
22	Lindridge Martin Manor					10%																
23	Loring Heights	✓	✓	✓	30%	70%	✓															
24	Margaret Mitchell	✓			0%	20%																
25	Memorial Park				40%	50%																
26	Mt. Paran-Northside	✓	✓		40%	20%	✓															
27	North Buckhead	✓	✓	✓	100%	100%	✓															
28	Paces	✓	✓		60%	60%	✓															
29	Paces Battle																					
30	Paces West																					
31	Peachtree Battle Alliance	✓			30%	40%																
32	Peachtree Heights East	✓	✓		20%	60%																
33	Peachtree Heights West	✓		✓	70%	80%	✓															
34	Peachtree Hills	✓			0%	10%																
35	Peachtree Park				10%	10%																
36	Pine Hills	✓			70%	60%	✓															
37	Pleasant Hill																					
38	Ridgedale Park																					
39	Ridgewood Heights	✓				20%																
40	Springlake				10%	20%																
41	Tuxedo Park	✓			50%	50%	✓															
42	Wesley Bohler					10%																
43	West Paces Northside	✓		✓	70%	100%	✓															
44	Wildwood																					
45	Wyngate																					
<b>Totals</b>		<b>21</b>	<b>7</b>	<b>7</b>	<b>Avg:10</b>	<b>Avg:10</b>	<b>16</b>															