



March 30, 2012

I am being asked by many of you, "What *the heck* happened to HB 956?!" Here is some history to make things a little clearer. Rep. Tom Rice authored a bill last year that created a gargantuan grab of land for a possible new City of Peachtree Corners which extended way up into an area that was strongly identified with Berkeley Lake, many having that in their names, i.e. The Shops of Berkeley Lake. Although he represents our citizens, he made no effort to explore this with our city leaders. I knew they were considering a city because Mike Mason (now Peachtree Corners' mayor) had previously asked for my advice about how to start a new city. I met with him and tried to help him with every question he had, and I told him in that discussion that we had been exploring the annexation of nearby commercial areas. Our city needs to diversify our types of property which had been almost entirely residential. He agreed not to take businesses closest to our homeowners, and based on that assurance to me asked Rep. Rice later to move a very narrow strip of properties to Berkeley Lake legislatively. We appreciated that very much, but it still left a large area close to Berkeley Lake which our planning and zoning commission had advised us to attempt to annex. In an effort to be totally open with all concerned I invited Rice, Mason, and Lynette Howard to hear a very thorough explanation of our annexation plans early last May. Howard did not come but sent an attorney who works for Gwinnett County, although the county has said publicly that it has no part in negotiations between the cities. We presented a lot of data on every parcel of land which we hoped to annex, an estimate of how much it would cost Peachtree Corners in lost taxes if they came to us, and a list of the businesses that had identified themselves in their names as "Berkeley Lake." We answered every question that they had and even sent our Powerpoint presentation to them electronically to use as they wished. I continued to seek to meet with Ms. Howard and ultimately presented the information to her separately on a later date.

Rep. Rice said that we should make our case to these businesses, as would Peachtree Corners, and that we would have until midnight on June 30, 2012 to complete any annexations. This date was not only discussed in the meeting with no disagreement raised by anyone, but confirmed later in an email from Rice. Thanks to the very hard work of three volunteers (Rodney Hammond, Tom Kitchens, and Dick Lackey) contacting businesses, quite a few chose Berkeley Lake. At that point some representatives of Peachtree Corners began to appear on TV expressing shock and out rage as if we had conducted a sneak attack instead of being so open and cooperative

with all for many months. I refrained from snarling back in the media because I hoped and trusted that any disagreements could be better resolved in continuing our Berkeley Lake pattern of positive dialogue and cooperation. In fact, Mike Mason asked to meet with me and bring Wayne Knox to see if we could come to some agreement. In struggling for a compromise we came up with a map of the commercial area which de-annexed some very valuable properties from Berkeley Lake to the south near Peachtree Corners as well as both large parks which seemed important to the citizens of Peachtree Corners. To make that removal fair to the citizens of Berkeley Lake, it was Mason's proposal that some older industrial properties farther north and along Buford Highway would be included in our city. Most of these were smaller parcels of land and so there were more of them. While no one was really very happy with this solution, it seemed at least acceptable to all, would avoid an expensive legal fight, and give needed certainty to businesses for their planning.

In mid-December, Rice agreed after discussing this map with Mason to effect these changes legislatively. Sen. David Shafer agreed to support Rice and the two cities in a legislative resolution, and in trust that this would take place, I agreed to cease any efforts on our part toward further annexation. Our city spent thousands of dollars in legal fees to prepare the bill to Rice's specifications, since Peachtree Corners is not yet incorporated and had no such resources. During the months since, I had no conversation with Rep. Rice, but Sen. Shafer called often to let me know what was happening. Shafer evidently spent a lot of time talking with citizens of both cities and owners of the various businesses. The input he gained in those conversations led him to alter Rice's bill somewhat in the Senate to honor the wishes of a couple of business owners, which we understood although it took away some very valuable property from Berkeley Lake. Shafer emailed Rice, Mason, and me on Tuesday (next to last day of legislative session) saying, *"my emails are running 20 to 1 in favor of Tom's bill (HB 956). I have received over 200 in the last three days since I announced my amendments, and they are virtually 100 percent supportive. We need to be very careful about making major changes to the map at this point, especially if they are not requested by property owners and supported by representatives of both Berkeley Lake and Peachtree Corners. Tom's original bill was publicly advertised and has been debated now for nearly two months. Changes proposed at this point will have no meaningful opportunity for public comment."*

I believe that citizen requests to Mr. Rice were similarly strong (or more so) for passage of HB 956, but on Tuesday night he invited a few leaders of Peachtree Corners to his home to discuss major last minute changes. Our Berkeley Lake leaders were not invited nor shown any information about the proposed changes. Unable to reach him by phone, I left him voicemails repeating the strong feelings of our citizens as expressed to him and to me for passage of HB 956 without unknown and last minute alterations. In spite of the preponderance of citizen support for passage of HB 956, Rice chose to let it die. I think that's very unfortunate for all concerned, but [at least we now know where we stand](#) and can move on.

There is more that I could tell you but I would still like to avoid descending into ugliness. Please just know how grateful I am for your attention to city issues and the willingness of so many of you to work together for our mutual benefit. We will need to do more of

that in the future if you are to get the representation you need and deserve.

Again, my thanks and deepest appreciation to all who tried to help.

Lois D. Salter
Mayor

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