

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

AGENDA

September 24, 2015
7:00 p.m.

Welcome to the meeting of your Fayette County Board of Commissioners. Your participation in County government is appreciated. All regularly scheduled Board meetings are open to the public and are held on the 2nd and 4th Thursday of each month at 7:00 p.m.

Call to Order

Invocation by Commissioner Randy Ognio

Pledge of Allegiance

Acceptance of Agenda

PROCLAMATION/RECOGNITION:

1. Recognition of Drive Phase Track Club athletes who competed and won at the 2015 AAU Junior Olympics in Norfolk, Virginia.
2. Presentation from Executive Director Scott "Rock" Donahue of the Georgia Military College.
3. Presentation of the Georgia Forestry Commission's Annual Report for Fayette County.
4. Presentation of the Government Finance Officers Association Distinguished Budget Award for Fayette County's annual budget document for the fiscal year beginning July 1, 2014 and ending June 30, 2015.

PUBLIC HEARING:

5. Public Hearing of Petition No. 1249-15, Betty S. Allen, Owner, and Vee Jokijphor, Agent, request to rezone 29.491 acres from A- R to R-40 to develop a Single-Family Residential Subdivision, with said property being located in Land Lot 70 of the 7th District and fronting on SR 54 and Dockstreet Alley.
6. Public Hearing of Petition No. RP-057-15, Betty S. Allen, Owner, and Vee Jokijphor, Agent, request to add 24 lots to the Final Plat of Longboat Subdivision. This property is located in Land Lot 70 of the 7th District and fronts on SR 54 and Dockstreet Alley.

7. Public Hearing of Ordinance 2015-11- Administrative Variances, amending the Fayette County Code of Ordinances by adding in its entirety Section 110-106. Administrative Variances to Article III. General Provisions.

CONSENT AGENDA:

8. Approval of staff's recommendation to accept the 2015 Georgia Association of EMS (GAEMS) grant in the amount of \$15,811.86, to be used in purchasing emergency medical equipment, and authorization for the Chairman to sign any documentation associated with this grant request.
9. Approval of the disposition of tax refunds, in the aggregate amount of \$15,722.16, as recommended by the Tax Assessor's Office.
10. Approval of the September 10, 2015 Board of Commissioners Meeting Minutes.

OLD BUSINESS:

NEW BUSINESS:

11. Consideration of a recommendation from the Selection Committee comprised of Commissioner David Barlow and Commissioner Randy Ognio, to appoint both Sharon White, with a three-year term beginning July 1, 2015 and expiring June 30, 2018, and Margaret Sisson, with an unexpired term beginning immediately and ending on June 30, 2017, to the McIntosh Trail Community Service Board.
12. Consideration of a recommendation from the Selection Committee comprised of Chairman Charles W. Oddo and Commissioner Barlow, to appoint Pete Daniel to the Region Six Mental Health, Developmental Disabilities, and Addictive Diseases Regional Planning Board for an unexpired term beginning immediately and expiring on June 30, 2016.
13. Consideration of the Public Art Committee recommendation to approve the concept design to prominently display the national motto, "In God We Trust" in the Board of Commissioners Public Meeting Room.
14. Consideration of Ordinance 2015-09- Ethics, amending Fayette County's Code of Ordinances pertaining to ethical standards.

PUBLIC COMMENT:

ADMINISTRATOR'S REPORTS:

- A. Notification of the awarding of Bid #1006-B to Remac, Inc. for Crack Sealing Services in an amount not to exceed \$7,030.00; Bid #1012-B to Middle Georgia Outdoor Lighting for lighting Kiwanis Park Athletic Field #9 in an amount not to exceed \$85,885.00; and Bid #1018-P to Peach State Ambulance for the purchase of a Type I Ambulance in an amount not to exceed \$147,090.00.

ATTORNEY'S REPORTS:

COMMISSIONERS' REPORTS:

EXECUTIVE SESSION:

ADJOURNMENT:

COUNTY AGENDA REQUEST

Proclamation / Recognition #1

Department: Board of Commissioners

Presenter(s): Chairman Charles W. Oddo

Meeting Date: Thursday, September 24, 2015

Type of Request: Proclamation/Recognition

Wording for the Agenda:

Recognition of Drive Phase Track Club athletes who competed and won at the 2015 AAU Junior Olympics in Norfolk, Virginia.

Background/History/Details:

Drive Phase Track Club is based in Fayetteville, GA and is a youth-based, track team serving athletes ages 7-19. The club trains at McCurry Park and competes in track meets all over the country. Athletes train 2 hours/day, 3 days/week from February through July to prepare. This past season, Drive Phase Track Club had 48 athletes on the team and 32 of them qualified to compete at the Amateur Athletic Union (AAU) Junior Olympics in Norfolk, VA at Norfolk State University on August 2-8.

One of the highest achievements in youth track and field is to be recognized as an All-American. To earn this recognition, athletes must finish in the top 8 places overall in their event at the National Junior Olympics. The Drive Phase Track Club had 16 All-American performances this year.

Those being recognized include: Isis Grant, Kenya Conner, Jasmine Harmon, Ma'ilah Moore, Imari Johnson, Amara Nwajagu, Haley Miller, Imani Moore, Tia Williams, Aerin Summers and Ayden Anderson.

What action are you seeking from the Board of Commissioners?

Recognition of Drive Phase Track Club athletes who competed and won at the 2015 AAU Junior Olympics in Norfolk, Virginia.

If this item requires funding, please describe:

Not Applicable.

Has this request been considered within the past two years? No

If so, when?

Is Audio-Visual Equipment Required for this Request?* No

Backup Provided with Request? Yes

*** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.**

Approved by Finance Not Applicable

Reviewed by Legal

Approved by Purchasing Not Applicable

County Clerk's Approval Yes

Administrator's Approval

Staff Notes:

Drive Phase Track Club and Youth Athletes

Recognition

- WHEREAS,** The Fayette County Board of Commissioners is proud to recognize the Drive Phase Track Club; and
- WHEREAS,** Drive Phase Track Club, a youth-based track team servicing athletes ranging from ages 7 through 19, was established in June 2014 by Lamar and Tameka Grant in Fayetteville, Georgia; and
- WHEREAS,** Drive Phase Track Club's athletes train two hours per day, three days a week from February through July at McCurry Park and competes in track meets all over the country; and
- WHEREAS,** On August 2-8, thirty-two of the track club's forty-eight young athletes qualified to compete at the Amateur Athletic Union (AAU) Junior Olympics in Norfolk State University; and
- WHEREAS,** To earn the highest achievement in youth track and field as an All-American, athletes must finish in the top eight places overall in their event at the National Junior Olympics; and
- WHEREAS,** This year's Drive Phase Track Club had sixteen All-American performances: three first place National Champions, six second place National Runner-Ups, and seven fifth and sixth place winners; and
- WHEREAS,** The team's accomplishments at the AAU Junior Olympics demonstrates that Drive Phase Track Club manifests athletes who achieve their individual goals while disciplining athletes to excel at their highest levels of competition;

NOW, THEREFORE, The Fayette County Board of Commissioners applauds Coach Lamar and Mrs. Tameka Grant, and their board members, for the vision to provide the youth of Fayette County with the opportunity to use their athletic abilities with growing confidence, perseverance, character and values that will cultivate productive individuals and citizens

So recognized this 24th day of September 2015

BOARD OF COMMISSIONERS
FAYETTE COUNTY, GEORGIA

Charles W. Oddo, Chairman

COUNTY AGENDA REQUEST

Proclamation / Recognition #2

Department: Board of Commissioners

Presenter(s): Chairman Charles Oddo

Meeting Date: Thursday, September 24, 2015

Type of Request: Proclamation/Recognition

Wording for the Agenda:

Presentation from Executive Director Scott "Rock" Donahue of the Georgia Military College.

Background/History/Details:

Georgia Military College's (GMC) newest campus is located in Fayette County on Veterans Parkway (just behind Piedmont Fayette Hospital). Construction on the Fayetteville facility was completed in July 2015 and classes began on August 3, 2015.

Georgia Military College is a junior college that is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools to award associate degrees. The Commission on Colleges reaffirmed GMC's accreditation on July 6, 2007.

Established by the Georgia General Assembly at Milledgeville, Georgia on October 14, 1879, the school's first classes began on January 19, 1880 and its name was later changed to Georgia Military College on December 17, 1900. The college currently has twelve (12) campuses as well as on-line locations. (Source: <http://www.gmc.edu/about-gmc/fayetteville-campus.cms>)

Executive Director Scott "Rick" Donahue will give a presentation about Georgia Military College.

What action are you seeking from the Board of Commissioners?

Presentation from Executive Director Scott "Rock" Donahue of the Georgia Military College. This presentation is informational in nature. No Board action is requested.

If this item requires funding, please describe:

Not Applicable.

Has this request been considered within the past two years? No

If so, when?

Is Audio-Visual Equipment Required for this Request?* No

Backup Provided with Request? Yes

*** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.**

Approved by Finance Not Applicable

Reviewed by Legal

Approved by Purchasing Not Applicable

County Clerk's Approval Yes

Administrator's Approval

Staff Notes:

COUNTY AGENDA REQUEST

Proclamation / Recognition #3

Department: Georgia Forestry Commission

Presenter(s): Harold Quigley, Chief Ranger

Meeting Date: Thursday, September 24, 2015

Type of Request: Proclamation/Recognition

Wording for the Agenda:

Presentation of the Georgia Forestry Commission's Annual Report for Fayette County.

Background/History/Details:

Chief Ranger Harold Quigley has asked to present a short presentation of the annual report to the Board. This is a presentation only with no formal request being asked of the Board.

Attached is a copy of his presentation material.

What action are you seeking from the Board of Commissioners?

Presentation of the Georgia Forestry Commission's Annual Report for Fayette County. No action is requested of the Board.

If this item requires funding, please describe:

Not Applicable.

Has this request been considered within the past two years? No

If so, when?

Is Audio-Visual Equipment Required for this Request?* No

Backup Provided with Request? Yes

*** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.**

Approved by Finance Not Applicable

Reviewed by Legal

Approved by Purchasing Not Applicable

County Clerk's Approval Yes

Administrator's Approval

Staff Notes:

**Annual Report
For
FAYETTE COUNTY**



July 1, 2014 – June 30, 2015



**GEORGIA HAD 3,227 FIRES (-38%) FOR
14,510 ACRES (- 68%) FOR THE FY**

FAYETTE
FORESTRY UNIT PERSONNEL

Position	Name	Years of Service
Chief Ranger II	TERRY QUIGLEY	16
Ranger I	JOSH BROOKS	1.5
Ranger II	STEVE HELTON	1
Ranger 1	ERIC EVANS	6 MO

The forestry unit is located at 137 Corinth Rd and responds to Coweta and South Fulton & Fayette counties. The unit covers a total of 327,074 forested acres with 34,219 of that being forested acres in Fayette Co. Fayette is still considered 27% forested.



EQUIPMENT

All truck/tractor units and p/u trucks listed below are equipped with two-way radio communications with 128 channel capability and fire suppression hand tools.

- Pickup truck, 2012 Ford F250, 3/4 ton w/150 gallon water tank and pump.
- Transport, 1992 International Transport, 5 ton.
- Transport, 2004 Peterbilt Transport, 5 ton.
- Transport, 2006 International Transport, 5 ton.
- Crawler tractor, 2006 John Deere 550J with plow, blade, and winch.
- Crawler tractor, 2009 John Deere 550J with plow, blade, and winch.
- Crawler tractor, 2012 John Deere 550G with plow, blade and winch.
- Type 6 Engine 2008 Ford F550



FOREST PROTECTION
FAYETTE COUNTY PAYS \$3,421 ANNUALLY FOR
FOREST PROTECTION (THANK YOU)
FIRE SUPPRESSION

Every county has an agreement with GFC to pay \$.10 per forested acre for protection

Forested land in Fayette County covers 34,219 acres. (27%)

There were 2 fires during the fiscal year that burned 3 acres.

1 Debris burning 3 acres

1 Debris .01 acres

However, there were _____ 911 calls for brush/grass in your county that FD responded to. Each of these could have on the wrong day become large and destructive.



Burning Operations

Unit personnel plowed **0 miles** of pre-suppression firebreaks for **0 landowners**. Firebreak plowing includes pre-suppression with plow, bladed, and harrowed firebreaks. Rangers provide landowners with burning plans for prescribed silvicultural burning and when fire activity allows provide assistance with the burn operation. Landowners are also assisted with agricultural burning operations. There was a total of **1 Burns for 13 acres** in Fayette Co. In Fayette County, unit personnel issued **14 burning permits**. These burning permits were issued primarily for silvicultural, agricultural, and land clearing.



TRAINING

The Chattahoochee District Office in Newnan is the headquarters for training in the district. Off season events include Firefighter Refreshers, Water Quality training, Wildland Fire and Leadership courses from the National Wildfire Coordinating Group.



Forest Management



General Advice

9 for 325 acres

REFORESTATION/SEEDLING SALES

Seedlings are sold from July to March with delivery starting in December. Varieties of Hardwoods and Pines are available.

There were 50 seedlings purchased through the office.

Studies have found that a single tree provides \$73 worth of air conditioning, \$75 worth of erosion control, \$75 worth of wildlife shelter, and \$50 worth of air pollution reduction. That's \$273 a year benefit.

FACT

It takes 22 trees to produce enough oxygen for 1 person to breath for 1 year. There was approx 12 million seedlings sold by GFC last year. That's enough to provide 550,000 people with air for a year.

THAT'S HOW IMPORTANT TREES ARE TO US.

TREE CITY RECERTIFICATIONS



CITY OF FAYETTEVILLE 6 Years

QUALIFICATIONS

Have a Tree Board or a Department

A Tree care ordinance

Spend at least \$2.00 per capita on tree issues

Hold an Arbor Day observance & read proclamation



Information and Education

Through the media, individual contacts, and programs, the unit helped educate and inform the public on forestry and fire prevention. Unit personnel performed the following in Fayette County.

- **3 Forestry educational programs to 20 students and adults.**
- **500 brochures, literature, posters, and promotional materials distributed to the public.**



Will be in county this winter conducting these.



HOME SITE RISK ASSESSMENT

Homeowner Name: _____ Evaluation Completed By: _____
 Address: _____ Phone #: _____ Date: _____
 City, State, Zip: _____ Latitude: _____ Longitude: _____

	LESS RISK	→	MORE RISK	RECOMMENDATIONS
THE HOME				
Roof Material	<input type="checkbox"/> Metal/ Slate/Tile		<input type="checkbox"/> Asphalt/ Fiberglass	<input type="checkbox"/> Wood Shake
Roof Cleanliness	<input type="checkbox"/> No Debris			<input type="checkbox"/> Debris
Porch/Deck Material	<input type="checkbox"/> Concrete/Stone			<input type="checkbox"/> Wood
Stored Flammables (LP Tank, Firewood, etc.)	<input type="checkbox"/> No			<input type="checkbox"/> Yes
Areas of Fuel Accumulation	<input type="checkbox"/> No			<input type="checkbox"/> Yes
Screening of Vents	<input type="checkbox"/> Yes			<input type="checkbox"/> No
Screening of Chimney	<input type="checkbox"/> Yes			<input type="checkbox"/> No
LANDSCAPING				
Home Ignition Zone (HIZ) Width 30' to 70'	<input type="checkbox"/> +70'			<input type="checkbox"/> -30'
"Ladder Fuels" present within HIZ	<input type="checkbox"/> No			<input type="checkbox"/> Yes
Flammable material adjacent to structure	<input type="checkbox"/> No			<input type="checkbox"/> Yes
OTHER CONSIDERATIONS				
Driveway				
Well marked	<input type="checkbox"/> Yes			<input type="checkbox"/> No
Width (>12)	<input type="checkbox"/> Yes			<input type="checkbox"/> No
Adjacent Structures	<input type="checkbox"/> No			<input type="checkbox"/> Yes
Fire Use Around the Home				
Clearance	<input type="checkbox"/> Yes			<input type="checkbox"/> No
Water Hose/Rake	<input type="checkbox"/> Yes			<input type="checkbox"/> No
Slope	<input type="checkbox"/> -25%			<input type="checkbox"/> +25%
Natural Fuels	<input type="checkbox"/> Low			<input type="checkbox"/> Heavy
Burn Regs. Understood (State & Local)	<input type="checkbox"/> Yes			<input type="checkbox"/> No
Wildfire Occurrence Area	<input type="checkbox"/> Low	<input type="checkbox"/> Medium		<input type="checkbox"/> High
ATTACH MAP or DRAWING				

Respectively Submitted to the County Commissioners.

Harold T Quigley

A handwritten signature in cursive script that reads "Harold T Quigley".

**Chief Ranger II Coweta/S Fulton/Fayette
Forestry Unit**

COUNTY DEPARTMENT AGENDA REQUEST

Department: Presenter(s): Meeting Date: Type of Request: **Wording for the Agenda:**

Presentation of the Government Finance Officers Association Distinguished Budget Award for Fayette County's annual budget document for the fiscal year beginning July 1, 2014 and ending June 30, 2015.

Background/History/Details:

This is the 18th consecutive year Fayette County has received this award from GFOA. To qualify for the budget award, Fayette County had to satisfy nationally recognized guidelines for effective budget presentation. The guidelines are designed to assess how well Fayette County's budget document serves as a policy document, as a financial plan, as an operations guide, and as a communications device.

GFOA is a prestigious nonprofit professional association serving over 17,600 government professionals throughout North America. It is considered the gatekeeper for monitoring and recommending improvements to government financial reporting and consistently influences changes in reporting standards that "raise the bar" for government entities.

What action are you seeking from the Board of Commissioners?

Acknowledge Fayette County's receipt of this award.

If this item requires funding, please describe:

Not Applicable.

Has this issue come before the Commissioners in the past? If so, when? Do you need audio-visual for the presentation? Back-up Material Submitted?

STAFF USE ONLY

Approved by Finance Reviewed by Legal Approved by Purchasing Approved by County Clerk Administrator's Approval **Staff Notes:**



Government Finance Officers Association
203 North LaSalle Street, Suite 2700
Chicago, Illinois 60601-1210
312.977.9700 fax: 312.977.4806

August 3, 2015

Sergio Acevedo
Budget Officer
Fayette County
140 Stonewall Avenue West, Suite 101
Fayetteville, GA 30214

Dear Mr. Acevedo:

A Panel of independent reviewers has completed its examination of your budget document. We are pleased to inform you that the panel has voted to award your budget document the Distinguished Budget Presentation Award for the current fiscal period. This award is the highest form of recognition in governmental budgeting. Its attainment represents a significant achievement by your organization.

The Distinguished Budget Presentation Award is valid for one year. To continue your participation in the program, it will be necessary to submit your next annual budget document to GFOA within 90 days of the proposed budget's submission to the legislature or within 90 days of the budget's final adoption. Enclosed is an application form to facilitate a timely submission. This form should be submitted with four copies of your budget accompanied by the appropriate fee.

Each program participant is provided with confidential comments and suggestions for possible improvements to the budget document. Your comments are enclosed. We urge you to carefully consider the suggestions offered by our reviewers as you prepare your next budget.

When a Distinguished Budget Presentation Award is granted to an entity, a Certificate of Recognition for Budget presentation is also presented to the individual or department designated as being primarily responsible for its having achieved the award. Enclosed is a Certificate of Recognition for Budget Preparation for:

Finance Department

Continuing participants will find a certificate and brass medallion enclosed with these results. First-time recipients will receive an award plaque that will be mailed separately and should arrive within eight to ten weeks. Enclosed is a camera-ready reproduction of the award for inclusion in your next budget. If you reproduce the camera-ready in your next budget, it should be accompanied by a statement indicating continued compliance with program criteria.

The following standardized text should be used:



Government Finance Officers Association
203 North LaSalle Street, Suite 2700
Chicago, Illinois 60601-1210
312.977.9700 fax: 312.977.4806

Sergio Acevedo

August 3, 2015

Page 2

The Government Finance Officers Association of the United States and Canada (GFOA) presented a Distinguished Budget Presentation Award to **Fayette County, Georgia** for its annual budget for the fiscal year beginning **July 1, 2014**. In order to receive this award, a governmental unit must publish a budget document that meets program criteria as a policy document, as an operations guide, as a financial plan, and as a communications device.

This award is valid for a period of one year only. We believe our current budget continues to conform to program requirements, and we are submitting it to GFOA to determine its eligibility for another award.

A press release is enclosed.

The Government Finance Officers Association encourages you to make arrangements for a formal presentation of the award. If you would like the award presented by a member of your state or provincial finance officers association, we can provide the name of a contact person for that group.

We appreciate your participation in this program and we sincerely hope that your example will encourage others in their efforts to achieve and maintain excellence in governmental budgeting. The most current list of award recipients (with hyperlinks) can be found on GFOA's website at www.gfoa.org. If we can be of further assistance, please contact the Technical Services Center.

Sincerely,

Stephen J. Gauthier, Director
Technical Services Center

Enclosure



Government Finance Officers Association
203 North LaSalle Street, Suite 2700
Chicago, Illinois 60601-1210
312.977.9700 fax: 312.977.4806

August 3, 2015

PRESS RELEASE

For Further Information Contact
Stephen J. Gauthier (312) 977-9700

Chicago--The Government Finance Officers Association of the United States and Canada (GFOA) is pleased to announce that **Fayette County, Georgia** has received the GFOA's Distinguished Budget Presentation Award for its budget.

The award represents a significant achievement by the entity. It reflects the commitment of the governing body and staff to meeting the highest principles of governmental budgeting. In order to receive the budget award, the entity had to satisfy nationally recognized guidelines for effective budget presentation. These guidelines are designed to assess how well an entity's budget serves as:

- a policy document
- a financial plan
- an operations guide
- a communications device

Budget documents must be rated "proficient" in all four categories, and the fourteen mandatory criteria within those categories, to receive the award.

When a Distinguished Budget Presentation Award is granted to an entity, a Certificate of Recognition for Budget Presentation is also presented to the individual or department designated as being primarily responsible for its having achieved the award. This has been presented to **Finance Department**

For budgets beginning in 2013, 1,424 participants received the Award. Award recipients have pioneered efforts to improve the quality of budgeting and provide an excellent example for other governments throughout North America.

The Government Finance Officers Association is a major professional association servicing the needs of more than 18,000 appointed and elected local, state, and provincial-level government officials and other finance practitioners. It provides top quality publications, training programs, services, and products designed to enhance the skills and performance of those responsible for government finance policy and management. The association is headquartered in Chicago, Illinois, with offices in Washington D.C. The GFOA's Distinguished Budget Presentation Awards Program is the only national awards program in governmental budgeting.



**The Government Finance Officers Association
of the United States and Canada**

presents this

CERTIFICATE OF RECOGNITION FOR BUDGET PREPARATION

to

**Finance Department
Fayette County, Georgia**



The Certificate of Recognition for Budget Preparation is presented by the Government Finance Officers Association to those individuals who have been instrumental in their government unit achieving a Distinguished Budget Presentation Award. The Distinguished Budget Presentation Award, which is the highest award in governmental budgeting, is presented to those government units whose budgets are judged to adhere to program standards.

Executive Director

Jeffrey R. Egan

Date

August 03, 2015



GOVERNMENT FINANCE OFFICERS ASSOCIATION

*Distinguished
Budget Presentation
Award*

PRESENTED TO

**Fayette County
Georgia**

For the Fiscal Year Beginning

July 1, 2014

Executive Director

COUNTY AGENDA REQUEST

Department: Presenter(s): Meeting Date: Type of Request:

Wording for the Agenda:

Public Hearing of Petition No. 1249-15, Betty S. Allen, Owner, and Vee Jokijphor, Agent, request to rezone 29.491 acres from A- R to R-40 to develop a Single-Family Residential Subdivision, with said property being located in Land Lot 70 of the 7th District and fronting on SR 54 and Dockstreet Alley.

Background/History/Details:

Staff recommends approval of rezoning petition 1249-15. This rezoning petition is associated with RP-057-15 to add 24 lots to the existing Longboat Subdivision.

The Planning Commission recommended approval of rezoning petition 1249-15.

John Culbreth made a motion to recommend approval of Petition 1249-15. Al Gilbert seconded the motion. The motion passed 4-0. Jim Graw was absent from the meeting.

Neither the Planning Commission or staff have recommended conditions for this request.

What action are you seeking from the Board of Commissioners?

Approval of Petition No. 1249-15, Betty S. Allen, Owner, and Vee Jokijphor, Agent, request to rezone 29.491 acres from A- R to R-40 to develop a Single-Family Residential Subdivision, with said property being located in Land Lot 70 of the 7th District and fronting on SR 54 and Dockstreet Alley.

If this item requires funding, please describe:

Not Applicable.

Has this request been considered within the past two years? If so, when? Is Audio-Visual Equipment Required for this Request?* Backup Provided with Request?

*** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.**

Approved by Finance Reviewed by Legal Approved by Purchasing County Clerk's Approval Administrator's Approval

Staff Notes:

This request is associated with Public Hearing #6.

**STATE OF GEORGIA
COUNTY OF FAYETTE**

RESOLUTION

NO. 1249-15

WHEREAS, Betty S. Allen, Owner, and Vee Jokjohor, Agent, having come before the Fayette County Planning Commission on September 3, 2015, requesting an amendment to the Fayette County Zoning Map pursuant to "The Zoning Ordinance of Fayette County, Georgia, 2010"; and

WHEREAS, said request being as follows: Request to rezone 29.491 from A-R to R-40, in the area of SR 54 and Dockstreet Alley (Longboat Subdivision), Land Lot 70 of the 7th District, for the purpose of developing a Single-Family Residential Subdivision; and

WHEREAS, the Fayette County Planning Commission having duly convened, and considered said request;

BE IT RESOLVED that the decision of the Fayette County Planning Commission, that said request be **APPROVED**.

This decision is based on the following reasons:

In compliance with the Fayette County Comprehensive Plan.
Compatible with the surrounding area.

**PLANNING COMMISSION
OF
FAYETTE COUNTY**

ATTEST:



PC SECRETARY


BRIAN HAREN, VICE-CHAIRMAN

PLANNING COMMISSION RECOMMENDATION

DATE: September 3, 2015

TO: Fayette County Commissioners

The Fayette County Planning Commission recommends that Petition No. 1249-15, the application of Betty S. Allen to rezone 29.491 acres from A-R to R-40, be:

X Approved ⁴⁻⁰ _____ Withdrawn _____ Disapproved

_____ Tabled until _____

This is forwarded to you for final action.

NOT PRESENT
JIM GRAW, CHAIRMAN

Brian Haren
BRIAN HAREN, VICE-CHAIRMAN

John Culbreth
~~ROBERT~~ CULBRETH

John
AL GILBERT

Arnold Martin, III
ARNOLD MARTIN, III

Remarks:

PUBLIC HEARING

5. **Consideration of Petition No. 1249-15, Betty S. Allen, Owner, and Vee Jokijphor, Agent, request to rezone 29.491 acres from A- R to R-40 to develop a Single-Family Residential Subdivision. This property is located in Land Lot 70 of the 7th District and fronts on SR 54 and Dockstreet Alley.**

Vice-Chairman Haren asked if there is anyone who would like to speak in favor of the petition.

Dustin Shaw said he would answer any questions the Planning Commission may have.

Arnold Martin asked Dustin Shaw how this development will impact the community and Longboat Subdivision.

Dustin Shaw said they would be adding additional homes to Longboat Subdivision and the proposed homes would be of the same caliber of the homes in Longboat. He added that this will add higher end homes and increase the tax base.

Page 3

September 3, 2015

PC Meeting

Arnold Martin asked if he had any concerns with additional traffic.

Dustin Shaw said with this number of homes he didn't think it would have a negative impact on Longboat.

John Culbreth asked if they have had discussions with the Longboat Subdivision about this project.

Dustin Shaw said the agent Vee Jokijphor has had discussions with the subdivision.

Vice-Chairman Haren asked if there was anyone who would like to speak in opposition to the petition.

Eddie Hill said he is president of the HOA and he has some questions regarding the construction access. He also stated that he thought this was different from what was proposed at the last meeting.

Vice-Chairman Haren said that is because of the 10 acres fronting on SR 54.

Pete Frisina said it was advertised for 29.491 acres but the concept plan only showed plans for 19 acres but a concept plan for the entire 29 acres has since been submitted.

Eddie Hill said he didn't have any opposition to the rezoning because the houses would be of the same design and construction of the existing homes in Longboat. He added that his concern is the construction access and how that would affect the existing subdivision. He said he is assuming the sale of the property has been finalized.

Al Gilbert said typically a developer does not buy the property until the rezoning is approved so they have a contingency contract based rezoning.

Vice-Chairman Haren said the Planning Commission is making a recommendation to the Board of Commissioners concerning the rezoning and the Board of Commissioners will approve or deny the rezoning.

Eddie Hill said he would like to know how the construction traffic will affect the subdivision and how long will the construction take to finish.

Vice-Chairman Haren said those are valid concerns but they are outside of the scope of the Planning Commission.

Eddie Hill asked if the property will access SR 54.

Vice-Chairman Haren said the concept plan does not indicate any access to SR 54 and the access will be through Longboat.

Page 4
September 3, 2015
PC Meeting

Dustin Shaw said the only access proposed is through Longboat with no access to SR 54. He added that they could try to get County approval for a construction access on SR 54 if it is needed but once curb and gutter are put on the streets they will have to come through the existing subdivision. He added that as far as a timeframe it could take six (6) months to build the streets and then a couple months for the Final Plat process before they could start building homes and the timeframe for home construction will depend on the market.

Al Gilbert said he is so happy the property owner and developer could come to an agreement for the whole 29 acres because it was worrying him and some of the other Planning Commission members. He added that the 10 acres fronting on SR 54 would be left A-R and someone could try to come in to rezone for office or commercial and the County's Land Use Plan just doesn't support that type of development. He stated this area is land used for residential development.

John Culbreth made a motion to recommend approval of Petition 1249-15. Al Gilbert seconded the motion. The motion passed 4-0. Chairman Graw was absent.

REQUESTED ACTION: A-R to R-40

PROPOSED USE: Single-Family Residential Subdivision (possible expansion of existing Longboat Subdivision)

EXISTING USE: Undeveloped

LOCATION: SR 54 West and Dockstreet Alley (Longboat Subdivision)

DISTRICT/LAND LOT(S): 7th District, Land Lot(s) 70

OWNER: Betty S. Allen

AGENT: Vee Jokjohor

PLANNING COMMISSION PUBLIC HEARING: August 6, 2015

BOARD OF COMMISSIONERS PUBLIC HEARING: August 27, 2015

APPLICANT'S INTENT

Applicant proposes to develop a Single-Family Residential Subdivision consisting of 24 lots on 29.491 acres as a possible expansion of the existing Longboat Subdivision.

STAFF RECOMMENDATION
APPROVAL

INVESTIGATION

A. PROPERTY SITE

The subject property is a 29.491 acre tract fronting on SR 54 West and proposing access to Dockstreet Alley (Longboat Subdivision) in Land Lot(s) 70 of the 7th District. SR 54 west is classified as a Major Arterial and Dockstreet Alley (Longboat Subdivision) is classified as a Local road on the Fayette County Thoroughfare Plan. The subject property is currently zoned A-R and contains a single-family residence.

B. SURROUNDING ZONING AND USES

The general situation is a 29.491 acre tract that is zoned A-R. In the vicinity of the subject property is land which is zoned A-R, R-40 & O-I. See the following table and also the attached Zoning Location Map.

The subject property is bound by the following adjacent zoning districts and uses:

Direction	Acreage	Zoning	Use	Comprehensive Plan
North	0.50 0.87 1.20 5.52	O-I O-I O-I O-I	Office Office Office Office Subdivision (undeveloped)	Low Density Residential (1 Unit / 1 to 2 Acres) & SR 54 West Overlay District
South and West	1.00 minimum lots	R-40	Longboat Subdivision (Residential)	Low Density Residential (1 Unit / 1 to 2 Acres) & SR 54 West Overlay District
East	8.00 2.30	A-R A-R	Single-Family Residential Single-Family Residential	Low Density Residential (1 Unit / 1 to 2 Acres)
West (Across SR 54)	1.30 7.20	O-I A-R	Office Single-Family Residential	Low Density Residential (1 Unit / 1 to 2 Acres) & SR 54 West Overlay District

C. COMPREHENSIVE PLAN

The subject property lies within an area designated for Low Density Residential (1 Unit/1 to 2 Acres). This request conforms to the Fayette County Comprehensive Plan.

D. ZONING/REGULATORY REVIEW

The applicant seeks to rezone A-R from to R-40 for the purpose of developing a Single-Family Residential Subdivision.

The original rezoning application and concept plan, consisting of 19 acres in the rear portion of the 29.491 acre subject property, was submitted as a 14 lot extension of Longboat Subdivision. Staff had concerns which were voiced to the agent and property owner's daughter that the remnant of the 29.491 acre tract may not be conducive to residential development, per the designation of the Fayette County Comprehensive Plan, due to its configuration and size; and that nonresidential development of the remnant is not currently supported by the Fayette County Comprehensive Plan. The application was later amended to include the full 29.491 acres and the number of proposed lots increased to 24.

Staff and the agent, who is also the potential developer of the subject property, discussed various development patterns for the subdivision of the subject property based on the configuration of the 29.491 acre subject property which would now allow access to SR 54. The agent indicated that connection to Longboat Subdivision may not now be necessary given the access to SR 54. However, to date, the agent does not have an agreement to purchase the full 29.491 acres nor has a concept plan for the full 29.491 acres been submitted. If a road connection to Longboat Subdivision is proposed the Preliminary Plat will be a Phase 2 amendment to the existing Preliminary Plat for Longboat Subdivision as the Final Plat has been approved and recorded and the subdivision developed.

Revision to a Recorded Plat

Sec. 104-595. Approval of subdivisions. (2), k. of the Subdivision Regulations states:

....Proposed revisions to a recorded minor subdivision plat of any existing residential or agricultural-residential subdivisions which add property to, increases the number of platted lots, or changes the principal use on lots will be considered in public hearings before the planning commission and the board of commissioners. The legal notice shall be advertised at least seven calendar days prior to the public hearing before the planning commission, but not more than 45 calendar days, nor less than 15 calendar days prior to the public bearing before the board of commissioners. In the event that the timeframes above cannot be met with one advertisement, the notice shall be published twice.

As stated above, the Final Plat for Longboat Subdivision (R-40) consisting of 24 lots was recorded on 6/16/2009 in Book 46, Pages 42-45. This request has the potential to add up to 24 additional lots to the subdivision. The road connection will need to be made by crossing an Amenity Area as depicted on the Final Plat. Current Tax Assessor records indicate that the Amenity Area is owned by Longboat Investment Group, LLC and it is not clear if the Amenity Area has been put in the ownership of the Homeowners Association. Regardless of ownership, a 60 foot portion of the Amenity Area will have to be deeded to Fayette County as right-of-way for any connecting road.

Platting

Should this request be approved, the applicant is reminded that before any lots can be sold or building permits issued for the proposed subdivision, the subject property must be platted per the Fayette County Subdivision Regulations, as applicable.

E. REVIEW OF CONCEPT PLAN

The applicant is advised that the Concept Plan is for illustration purposes only. Any deficiencies must be addressed at the time of submittal of the Preliminary Plat, Final Plat, and/or Site Plan, as applicable.

Deficiencies include, but not limited to the following;

The Concept Plan for 14 lots indicates two lots fronting an eyebrow with less than 100 feet of frontage. Only lots which fully front the turnaround portion of a cul-de-sac can have less than 100 feet of frontage.

F. DEPARTMENTAL COMMENTS

Water System: Depending on how this is developed, a loop feed may be required.

Public Works/Engineering:

1. The concept shows a proposed internal local road connecting to existing subdivision protected by HOA property and/or greenspace. Documentation is needed showing the owners are supportive of transferring the required land to connect the roads.
2. The number of lots appears optimistic based on the soils report. Has minimum continuous area been considered?

3. Access for the remaining parcel along SR 54 may be restricted based on GDOT's regulations for driveways and encroachment on state routes. Owner is advised to consider plan for development of this parcel prior to subdividing the property.

Environmental Management:

Floodplain Per FEMA FIRM panel 13113C0091E, the property **DOES NOT** contain floodplain and **DOES NOT** contain future conditions floodplain per the Fayette County 2013 Floodstudy.

Wetlands The property **may** contain wetlands. A wetland delineation will be required and will be subject to the Army Corp of Engineers' permitting process.

Watershed State waters on subject property will have a 50 ft. Watershed Protection buffer and 25 ft. Watershed Protection Setback. The Fayette County Watershed Protect regulations do apply to the subject property.

Groundwater The property **IS NOT** within the groundwater recharge area per the Georgia Department of Natural Resources' 1992 Ground-Water Pollution Susceptibility Map of Georgia (Hydrologic Atlas 20).

Stormwater: This development is subject to the Post-Development Stormwater Management Ordinance. The Longboat Lake **MAY NOT** be used for water quality.

Environmental Health Department: No objections to rezoning. Developer will need to submit departmental required information (Level 3 soils report, S/D analysis Application and fee) for site review prior to this department being in a position to consider a final plat for approval.

Fire: Must connect to Fayette County System to provide Adequate fire flow requirements. Chapter 12 Fire Prevention and Protection. Section 12-91 water supply and fire hydrants. Fire hydrants shall be spaced not less than 600 feet in single family residential areas.

Georgia Department of Transportation: I have looked at the site and feel the best location is to line up at the median break. Should the applicant not have enough road frontage, we encourage that they try and work out a deal with the property next door.

Another scenario would to build a right in / right out somewhere in the location where the 2 residential (not Commercial) driveway are. This would give the residents the opportunity to be able to get over to the far left lane in order to make a U-turn.

STAFF ANALYSIS

This request is based on the petitioner's intent to rezone said property from A-R to R-40 for the purpose of developing Single-Family Residential Subdivision. Per Section 11-11 of the Fayette County Zoning Ordinance, Staff makes the following evaluations:

1. The subject property lies within an area designated for Low Density Residential (1 Unit/1 to 2 Acres). This request conforms to the Fayette County Comprehensive Plan.
2. The proposed rezoning will not adversely affect the existing use or usability of adjacent or nearby property.
3. The proposed rezoning will not result in a burdensome use of roads, utilities, or schools.
4. Existing conditions and the area's continuing development as a single-family residential district support this petition.

Based on the foregoing Investigation and Staff Analysis, Staff recommends **APPROVAL**.

Pete Frisina

From: Philip Mallon
Sent: Thursday, September 03, 2015 9:34 AM
To: Pete Frisina
Subject: RE: 1249-15

Engineering comments on the Rezoning concept:

1. Applicant should ensure a minimum horizontal curve radius of 175 can be satisfied;
2. The stub of the cul-de-sac should have a minimum tangent section of 50 feet;
3. The existing access on SR 54 through Longboat (as proposed) is preferred by Engineering. The S/D regulations allow up to 75 lots before additional access requirements need to be addressed.

Items 1 and 2 are not negative reflections on the plan, just notes that will have to be addressed in later stages of design.

Phil Mallon, P.E.
Fayette County
County Engineer
pmallon@fayettecountyga.gov
770-320-6010

From: Pete Frisina
Sent: Thursday, September 3, 2015 9:17 AM
To: Philip Mallon <pmallon@fayettecountyga.gov>
Subject: 1249-15

Peter Frisina, AICP
Fayette County Division of Communtiy Services
140 Stonewall Avenue West
Fayetteville, GA 30214
(770) 305-5160

Pete Frisina

From: Vanessa Birrell
Sent: Thursday, September 03, 2015 10:40 AM
To: Pete Frisina
Subject: RE: concept plan

Importance: High

Pete,

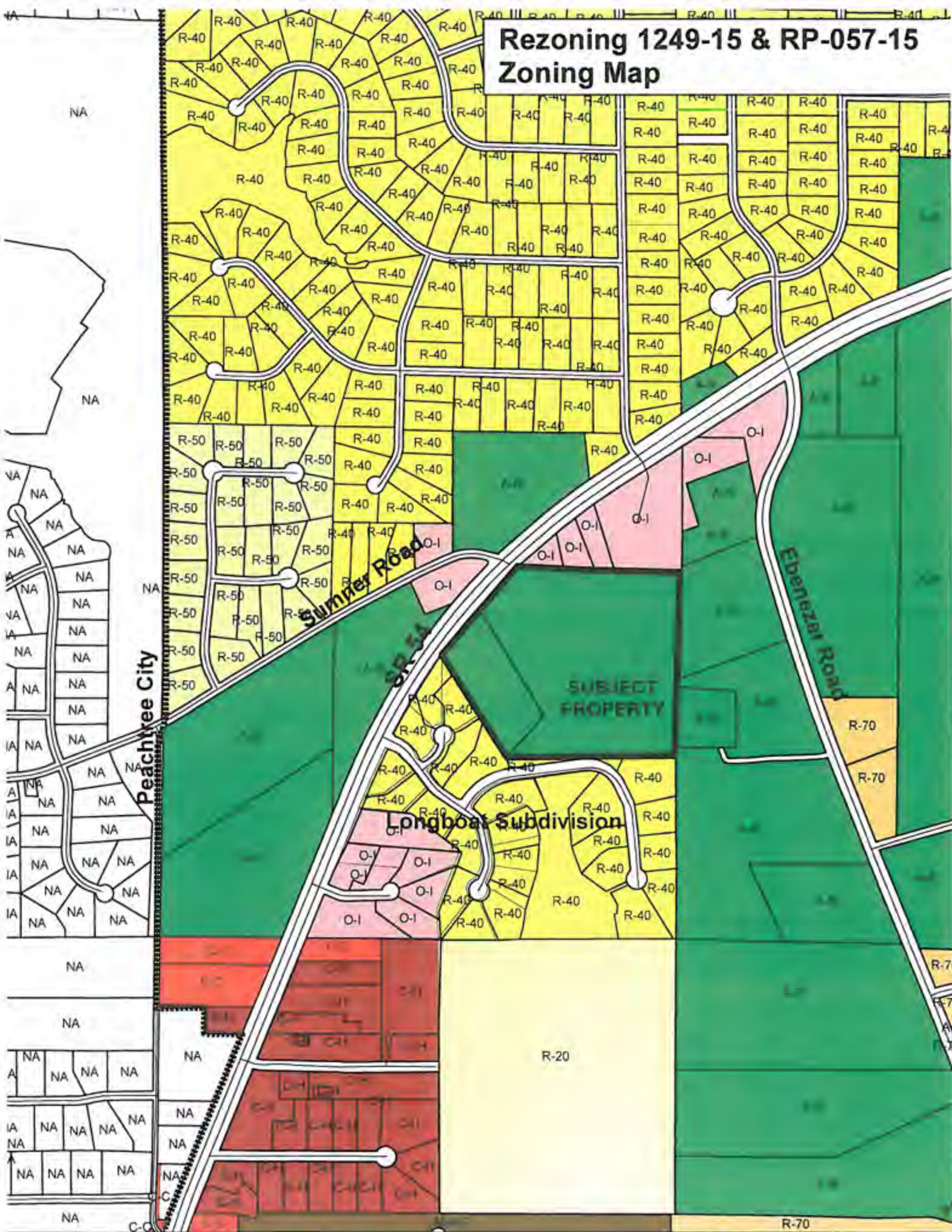
The attached concept plan did not show the presence of state waters, watershed buffers and setbacks impacting Lots 1 and 2.

Thanks
Vanessa

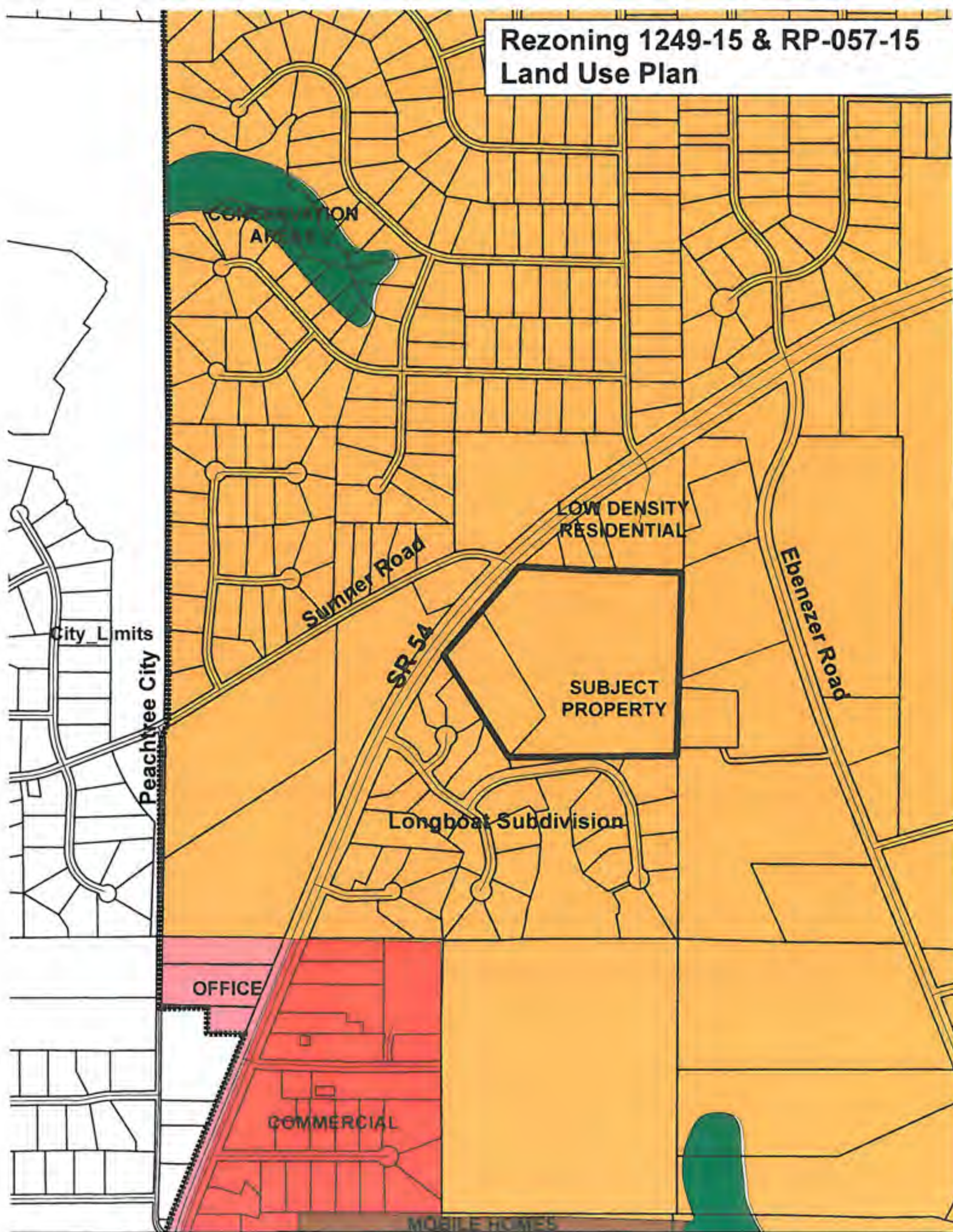
From: Pete Frisina
Sent: Thursday, September 3, 2015 9:34 AM
To: Vanessa Birrell <vbirrell@fayettecountyga.gov>
Subject: concept plan

Peter Frisina, AICP
Fayette County Division of Community Services
140 Stonewall Avenue West
Fayetteville, GA 30214
(770) 305-5160

Rezoning 1249-15 & RP-057-15 Zoning Map



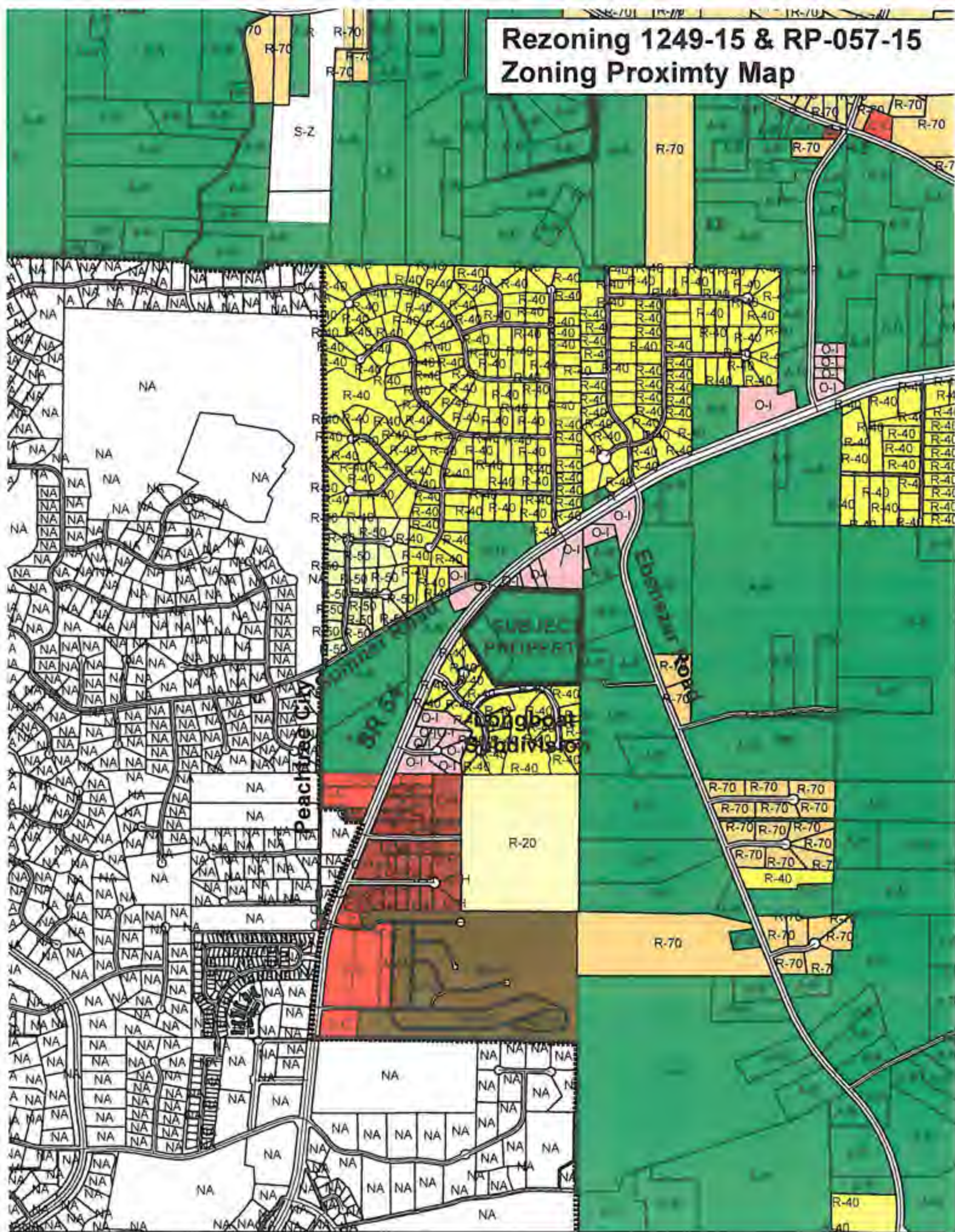
Rezoning 1249-15 & RP-057-15 Land Use Plan



**Rezoning 1249-15 & RP-057-15
Aerial Map**



Rezoning 1249-15 & RP-057-15 Zoning Proximity Map



APPLICATION TO AMEND
TO AMEND THE OFFICIAL ZONING MAP OF FAYETTE COUNTY, GA

PROPERTY OWNERS: Betty S. Allen
MAILING ADDRESS: 1868 Highway 54 West Fayetteville GA 30214
PHONE: [REDACTED] FAX: [REDACTED]
AGENT FOR OWNERS: Vee Tokjhor
MAILING ADDRESS: 140 Village Cr Senoia GA 30276
PHONE: [REDACTED] FAX: 770-599-0507
E-MAIL: [REDACTED]
PROPERTY LOCATION: LAND LOT 70 LAND DISTRICT 7th PARCEL [REDACTED]
LAND LOT [REDACTED] LAND DISTRICT [REDACTED] PARCEL [REDACTED]
TOTAL NUMBER OF ACRES REQUESTED TO BE REZONED: 29.491
EXISTING ZONING DISTRICT: AIR PROPOSED ZONING DISTRICT: R40
ZONING OF SURROUNDING PROPERTIES: R40
PRESENT USE OF SUBJECT PROPERTY: Vacant Land
PROPOSED USE OF SUBJECT PROPERTY: Subdivision
LAND USE PLAN DESIGNATION: Low Density Residential
NAME AND TYPE OF ACCESS ROAD: Hwy 54 West - Arterial
LOCATION OF NEAREST WATER LINE: Hwy 54 West

(THIS AREA TO BE COMPLETED BY STAFF): PETITION NUMBER: ZA-1249-15

☐ Application Insufficient due to lack of:

by Staff: _____ Date: _____

☒ Application and all required supporting documentation is Sufficient and Complete

by Staff: Dennis Dutton Date: 7/1/15

DATE OF PLANNING COMMISSION HEARING: August 4, 2015

DATE OF COUNTY COMMISSIONERS HEARING: August 27, 2015

Received from Dustin Shaw Homes a check in the amount of \$ 350⁰⁰ for
application filing fee, and \$ 20⁰⁰ for deposit on frame for public hearing sign(s).

Date Paid: 7/1/15 Receipt Number: 4823529
4823557

PROPERTY OWNER CONSENT AND AGENT AUTHORIZATION FORM
(Applications require authorization by ALL property owners of subject property).

Name(s) of All Property Owners of Record found on the latest recorded deed for the subject property:

Betty S. Allen

Please Print Names

Property Tax Identification Number(s) of Subject Property: X 07-19-136

(I am) (we are) the sole owner(s) of the above-referenced property requested to be rezoned. Subject property is located in Land Lot(s) 70 of the 7th District, and (if applicable to more than one land district) Land Lot(s) of the District, and said property consists of a total of acres (legal description corresponding to most recent recorded plat for the subject property is attached herewith).

(I) (We) hereby delegate authority to Jeff Lindsay / Vee Sakjhor to act as (my) (our) Agent in this rezoning. As Agent, they have the authority to agree to any and all conditions of zoning which may be imposed by the Board.

(I) (We) certify that all of the information filed with this application including written statements or showings made in any paper or plans submitted herewith are true and correct to the best of (my) (our) knowledge and belief. Further, (I) (We) understand that this application, attachments and fees become part of the official records of the Fayette County Zoning Department and may not be refundable. (I) (We) understand that any knowingly false information given herein by me/us will result in the denial, revocation or administrative withdrawal of the application or permit. (I) (We) further acknowledge that additional information may be required by Fayette County in order to process this application.

X Betty S Allen by Denise Allen POA

Signature of Property Owner 1

18608 Hwy 54 W
Address Fayetteville GA 30214

Constance B. King

Signature of Notary Public

Notary Public, Fayette County, Georgia
Date July 7, 2015
My Commission Expires 1-16-17

Signature of Property Owner 2

Address

Signature of Notary Public

Date

Signature of Property Owner 3

Address

Signature of Notary Public

Date

Signature of Authorized Agent

Address

Dianne B. Crowder

Signature of Notary Public

Date

7-7-15



NAME: Betty S. Allen PETITION NUMBER: _____

ADDRESS: 1868 Hwy 54 West; Fayetteville, GA. 30214

PETITION FOR REZONING CERTAIN PROPERTY IN THE UNINCORPORATED AREAS OF FAYETTE COUNTY, GEORGIA.

Jeff Lindsey / Vee Soljohor affirms that he is the owner or the specifically authorized agent of the property described below. Said property is located in a(n) A-2 Zoning District. He/She respectfully petitions the County to rezone the property from its present classification and tenders herewith the sum of \$ 350⁰⁰ to cover all expenses of public hearing. He/She petitions the above named to change its classification to R40.

This property includes: (check one of the following)

☒ See attached legal description on recorded deed for subject property or

☐ Legal description for subject property is as follows:

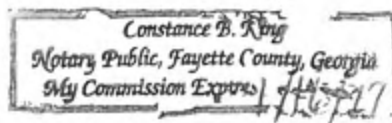
PUBLIC HEARING to be held by the Planning Commission of Fayette County on the 6th day of August, 20 15 at 7:00 P.M.

PUBLIC HEARING to be held by the Board of Commissioners of Fayette County on the 27th day of August, 20 15 at 7:00 P.M.

SWORN TO AND SUBSCRIBED BEFORE ME THIS 1st DAY OF July, 20 15,

Constance B. King
NOTARY PUBLIC

Betty S. Allen by Denise Allen
APPLICANT'S SIGNATURE POA



Pete Frisina

From: Denese Allen [REDACTED]
Sent: Thursday, August 27, 2015 1:18 PM
To: Dennis S. Dutton; Pete Frisina; Connie
Subject: rezoning of property at 1868 hwy 54 west- petition #1249-15 & RP-057-15

Dear Dennis,

As per our phone conversation, I am sending this email to confirm that there is now no hold on the rezoning petition. Please un-table it so that can move forward and be rezoned as petitioned from A/R to R-40.

Thank you for your help!

Denese Allen
[REDACTED]

Subject: Fw: 1249-15 & RP-057-15 legal descrip 23.901 ac.docx

From: Dennis Dutton [REDACTED]

To: dsdutton@fayettecountyga.gov;

Date: Friday, July 24, 2015 11:04 AM

On Friday, July 24, 2015 11:02 AM, Dennis Dutton <dsdutton1963@yahoo.com> wrote:

On Friday, July 24, 2015 10:22 AM, Dustin Shaw <dustin@dustinshawhomes.com> wrote:

Pete

Please modify my rezoning request to include 29.491 total acres. Attached is the updated legal description. Also please modify the total request lot count from 14 to 24.

Thanks,

Dustin Shaw



COUNTY AGENDA REQUEST

Public Hearing #6

Department: Planning and Zoning

Presenter(s): Pete Frisina, Director

Meeting Date: Thursday, September 24, 2015

Type of Request: Public Hearing

Wording for the Agenda:

Public Hearing of Petition No. RP-057-15, Betty S. Allen, Owner, and Vee Jokijphor, Agent, request to add 24 lots to the Final Plat of Longboat Subdivision. This property is located in Land Lot 70 of the 7th District and fronts on SR 54 and Dockstreet Alley.

Background/History/Details:

Staff recommends approval of petition RP-057-15. This petition is associated with rezoning petition 1249-15.

The Planning Commission recommended approval of petition RP-057-15.

Al Gilbert made a motion to recommend approval of Petition RP-057-15. John Culbreth seconded the motion. The motion passed 4-0
Jim Graw was absent from the meeting.

What action are you seeking from the Board of Commissioners?

Approval of Petition No. RP-057-15, Betty S. Allen, Owner, and Vee Jokijphor, Agent, request to add 24 lots to the Final Plat of Longboat Subdivision. This property is located in Land Lot 70 of the 7th District and fronts on SR 54 and Dockstreet Alley.

If this item requires funding, please describe:

Not Applicable.

Has this request been considered within the past two years? No

If so, when?

Is Audio-Visual Equipment Required for this Request?* Yes

Backup Provided with Request? Yes

*** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.**

Approved by Finance Not Applicable

Reviewed by Legal

Approved by Purchasing Not Applicable

County Clerk's Approval Yes

Administrator's Approval

Staff Notes:

This Public Hearing is associated with Public Hearing #5.

STATE OF GEORGIA
COUNTY OF FAYETTE

RESOLUTION

NO. RP-057-15

WHEREAS, Betty S. Allen, Owner, and Vee Jokjohor, Agent, having come before the Fayette County Planning Commission on September 3, 2015 requesting a revision to a recorded plat as per the Fayette County Subdivision Regulations; and

WHEREAS, said request being as follows: Request approval to revise the Final Plat of Longboat Subdivision to add 24 lots.

WHEREAS, the Fayette County Planning Commission having duly convened, and considered said request;

BE IT RESOLVED that the decision of the Fayette County Planning Commission, that said request be **APPROVED**.

This decision is based on the following reasons:

Compatible with the surrounding area.

PLANNING COMMISSION
OF
FAYETTE COUNTY

ATTEST:


BRIAN HAREN, VICE CHAIRMAN

PLANNING COMMISSION RECOMMENDATION

DATE: September 3, 2015

TO: Fayette County Commissioners

The Fayette County Planning Commission recommends that Petition No. RP-057-15 to revise the Final Plat of Longboat Subdivision to add 24 lots be:

X Approved ⁴⁻⁰ _____ Withdrawn _____ Disapproved
_____ Tabled until _____

NOT PRESENT
JIM GRAW, CHAIRMAN

Brian Haren
BRIAN HAREN, VICE-CHAIRMAN

[Signature]
~~JOHN~~ CULBRETH

John
AL GILBERT

[Signature]
ARNOLD MARTIN

Remarks:

6. **Consideration of Petition No. RP-057-15, Betty S. Allen, Owner, and Vee Jokijphor, Agent, request to add 24 lots to the Final Plat of Longboat Subdivision. This property is located in Land Lot 70 of the 7th District and fronts on SR 54 and Dockstreet Alley.**

Vice-Chairman Haren said this petition is related to the rezoning it is a request to add these lots to the Longboat Subdivision Final Plat. Vice-Chairman Haren asked if there is anyone who would like to speak in favor of the petition.

Jennifer Hetland asked if it is possible for the County to allow them to access SR 54 and not come through the subdivision for construction. She added there is an existing driveway serving an existing home on the property.

Pete Frisina said GDOT, not the County, controls access to SR 54. He added that the developer could request a construction entrance on SR 54 but they would have to meet GDOT's requirements.

Al Gilbert made a motion to recommend approval of Petition RP-057-15. John Culbreth seconded the motion. The motion passed 4-0. Chairman Graw was absent.

REQUESTED ACTION: A-R to R-40

PROPOSED USE: Single-Family Residential Subdivision (possible expansion of existing Longboat Subdivision)

EXISTING USE: Undeveloped

LOCATION: SR 54 West and Dockstreet Alley (Longboat Subdivision)

DISTRICT/LAND LOT(S): 7th District, Land Lot(s) 70

OWNER: Betty S. Allen

AGENT: Vee Jokjohor

PLANNING COMMISSION PUBLIC HEARING: August 6, 2015

BOARD OF COMMISSIONERS PUBLIC HEARING: August 27, 2015

APPLICANT'S INTENT

Applicant proposes to develop a Single-Family Residential Subdivision consisting of 24 lots on 29.491 acres as a possible expansion of the existing Longboat Subdivision.

STAFF RECOMMENDATION
APPROVAL

INVESTIGATION

A. PROPERTY SITE

The subject property is a 29.491 acre tract fronting on SR 54 West and proposing access to Dockstreet Alley (Longboat Subdivision) in Land Lot(s) 70 of the 7th District. SR 54 west is classified as a Major Arterial and Dockstreet Alley (Longboat Subdivision) is classified as a Local road on the Fayette County Thoroughfare Plan. The subject property is currently zoned A-R and contains a single-family residence.

B. SURROUNDING ZONING AND USES

The general situation is a 29.491 acre tract that is zoned A-R. In the vicinity of the subject property is land which is zoned A-R, R-40 & O-I. See the following table and also the attached Zoning Location Map.

The subject property is bound by the following adjacent zoning districts and uses:

Direction	Acreage	Zoning	Use	Comprehensive Plan
North	0.50 0.87 1.20 5.52	O-I O-I O-I O-I	Office Office Office Office Subdivision (undeveloped)	Low Density Residential (1 Unit / 1 to 2 Acres) & SR 54 West Overlay District
South and West	1.00 minimum lots	R-40	Longboat Subdivision (Residential)	Low Density Residential (1 Unit / 1 to 2 Acres) & SR 54 West Overlay District
East	8.00 2.30	A-R A-R	Single-Family Residential Single-Family Residential	Low Density Residential (1 Unit / 1 to 2 Acres)
West (Across SR 54)	1.30 7.20	O-I A-R	Office Single-Family Residential	Low Density Residential (1 Unit / 1 to 2 Acres) & SR 54 West Overlay District

C. COMPREHENSIVE PLAN

The subject property lies within an area designated for Low Density Residential (1 Unit/1 to 2 Acres). This request conforms to the Fayette County Comprehensive Plan.

D. ZONING/REGULATORY REVIEW

The applicant seeks to rezone A-R from to R-40 for the purpose of developing a Single-Family Residential Subdivision.

The original rezoning application and concept plan, consisting of 19 acres in the rear portion of the 29.491 acre subject property, was submitted as a 14 lot extension of Longboat Subdivision. Staff had concerns which were voiced to the agent and property owner's daughter that the remnant of the 29.491 acre tract may not be conducive to residential development, per the designation of the Fayette County Comprehensive Plan, due to its configuration and size; and that nonresidential development of the remnant is not currently supported by the Fayette County Comprehensive Plan. The application was later amended to include the full 29.491 acres and the number of proposed lots increased to 24.

Staff and the agent, who is also the potential developer of the subject property, discussed various development patterns for the subdivision of the subject property based on the configuration of the 29.491 acre subject property which would now allow access to SR 54. The agent indicated that connection to Longboat Subdivision may not now be necessary given the access to SR 54. However, to date, the agent does not have an agreement to purchase the full 29.491 acres nor has a concept plan for the full 29.491 acres been submitted. If a road connection to Longboat Subdivision is proposed the Preliminary Plat will be a Phase 2 amendment to the existing Preliminary Plat for Longboat Subdivision as the Final Plat has been approved and recorded and the subdivision developed.

Revision to a Recorded Plat

Sec. 104-595. Approval of subdivisions. (2), k. of the Subdivision Regulations states:

....Proposed revisions to a recorded minor subdivision plat of any existing residential or agricultural-residential subdivisions which add property to, increases the number of platted lots, or changes the principal use on lots will be considered in public hearings before the planning commission and the board of commissioners. The legal notice shall be advertised at least seven calendar days prior to the public hearing before the planning commission, but not more than 45 calendar days, nor less than 15 calendar days prior to the public bearing before the board of commissioners. In the event that the timeframes above cannot be met with one advertisement, the notice shall be published twice.

As stated above, the Final Plat for Longboat Subdivision (R-40) consisting of 24 lots was recorded on 6/16/2009 in Book 46, Pages 42-45. This request has the potential to add up to 24 additional lots to the subdivision. The road connection will need to be made by crossing an Amenity Area as depicted on the Final Plat. Current Tax Assessor records indicate that the Amenity Area is owned by Longboat Investment Group, LLC and it is not clear if the Amenity Area has been put in the ownership of the Homeowners Association. Regardless of ownership, a 60 foot portion of the Amenity Area will have to be deeded to Fayette County as right-of-way for any connecting road.

Platting

Should this request be approved, the applicant is reminded that before any lots can be sold or building permits issued for the proposed subdivision, the subject property must be platted per the Fayette County Subdivision Regulations, as applicable.

E. REVIEW OF CONCEPT PLAN

The applicant is advised that the Concept Plan is for illustration purposes only. Any deficiencies must be addressed at the time of submittal of the Preliminary Plat, Final Plat, and/or Site Plan, as applicable.

Deficiencies include, but not limited to the following;

The Concept Plan for 14 lots indicates two lots fronting an eyebrow with less than 100 feet of frontage. Only lots which fully front the turnaround portion of a cul-de-sac can have less than 100 feet of frontage.

F. DEPARTMENTAL COMMENTS

Water System: Depending on how this is developed, a loop feed may be required.

Public Works/Engineering:

1. The concept shows a proposed internal local road connecting to existing subdivision protected by HOA property and/or greenspace. Documentation is needed showing the owners are supportive of transferring the required land to connect the roads.
2. The number of lots appears optimistic based on the soils report. Has minimum continuous area been considered?

3. Access for the remaining parcel along SR 54 may be restricted based on GDOT's regulations for driveways and encroachment on state routes. Owner is advised to consider plan for development of this parcel prior to subdividing the property.

Environmental Management:

- Floodplain** Per FEMA FIRM panel 13113C0091E, the property **DOES NOT** contain floodplain and **DOES NOT** contain future conditions floodplain per the Fayette County 2013 Floodstudy.
- Wetlands** The property **may** contain wetlands. A wetland delineation will be required and will be subject to the Army Corp of Engineers' permitting process.
- Watershed** State waters on subject property will have a 50 ft. Watershed Protection buffer and 25 ft. Watershed Protection Setback. The Fayette County Watershed Protect regulations do apply to the subject property.
- Groundwater** The property **IS NOT** within the groundwater recharge area per the Georgia Department of Natural Resources' 1992 Ground-Water Pollution Susceptibility Map of Georgia (Hydrologic Atlas 20).
- Stormwater:** This development is subject to the Post-Development Stormwater Management Ordinance. The Longboat Lake **MAY NOT** be used for water quality.

Environmental Health Department: No objections to rezoning. Developer will need to submit departmental required information (Level 3 soils report, S/D analysis Application and fee) for site review prior to this department being in a position to consider a final plat for approval.

Fire: Must connect to Fayette County System to provide Adequate fire flow requirements. Chapter 12 Fire Prevention and Protection. Section 12-91 water supply and fire hydrants. Fire hydrants shall be spaced not less than 600 feet in single family residential areas.

Georgia Department of Transportation: I have looked at the site and feel the best location is to line up at the median break. Should the applicant not have enough road frontage, we encourage that they try and work out a deal with the property next door.

Another scenario would to build a right in / right out somewhere in the location where the 2 residential (not Commercial) driveway are. This would give the residents the opportunity to be able to get over to the far left lane in order to make a U-turn.

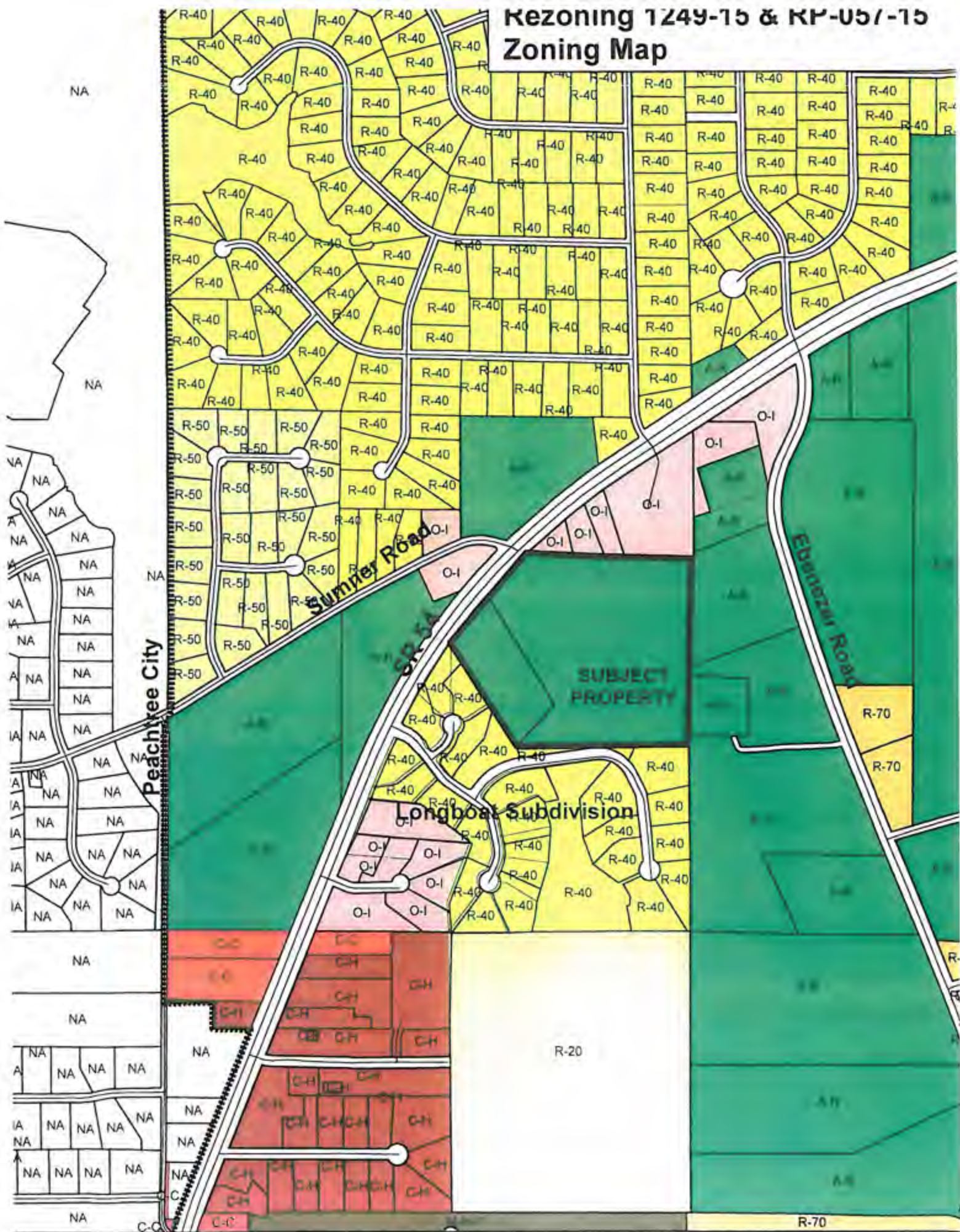
STAFF ANALYSIS

This request is based on the petitioner's intent to rezone said property from A-R to R-40 for the purpose of developing Single-Family Residential Subdivision. Per Section 11-11 of the Fayette County Zoning Ordinance, Staff makes the following evaluations:

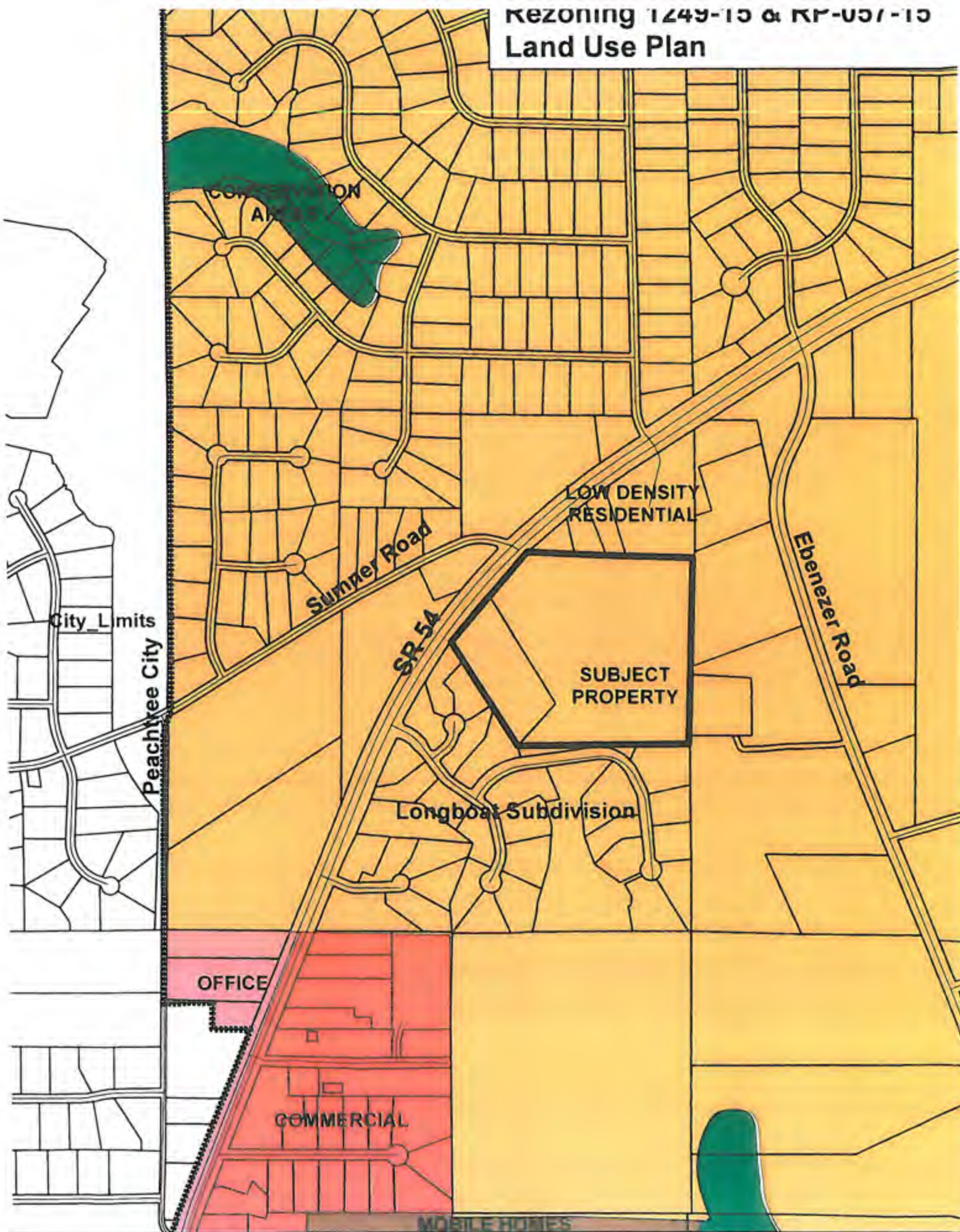
1. The subject property lies within an area designated for Low Density Residential (1 Unit/1 to 2 Acres). This request conforms to the Fayette County Comprehensive Plan.
2. The proposed rezoning will not adversely affect the existing use or usability of adjacent or nearby property.
3. The proposed rezoning will not result in a burdensome use of roads, utilities, or schools.
4. Existing conditions and the area's continuing development as a single-family residential district support this petition.

Based on the foregoing Investigation and Staff Analysis, Staff recommends **APPROVAL**.

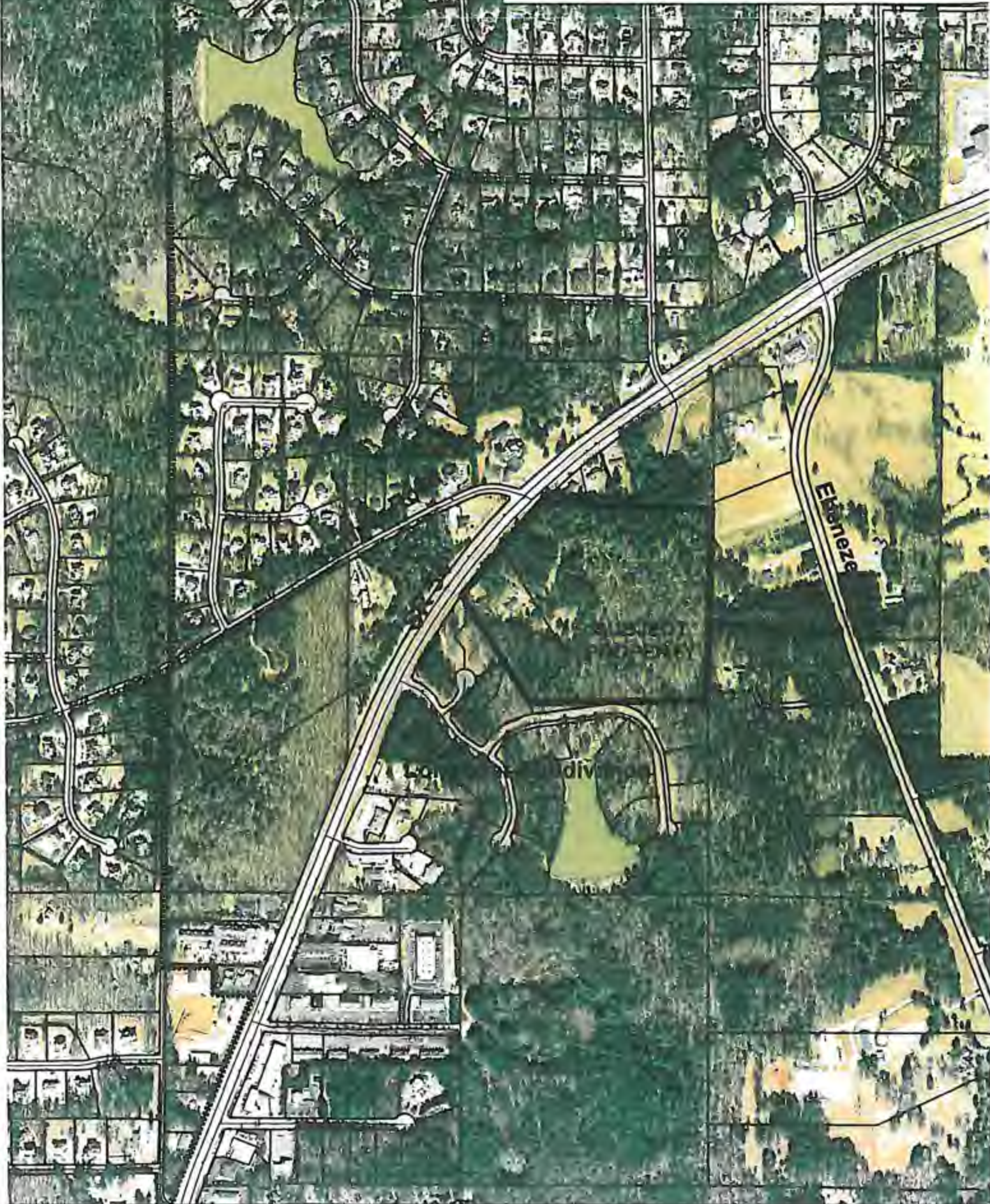
Rezoning 1249-15 & KP-057-15 Zoning Map



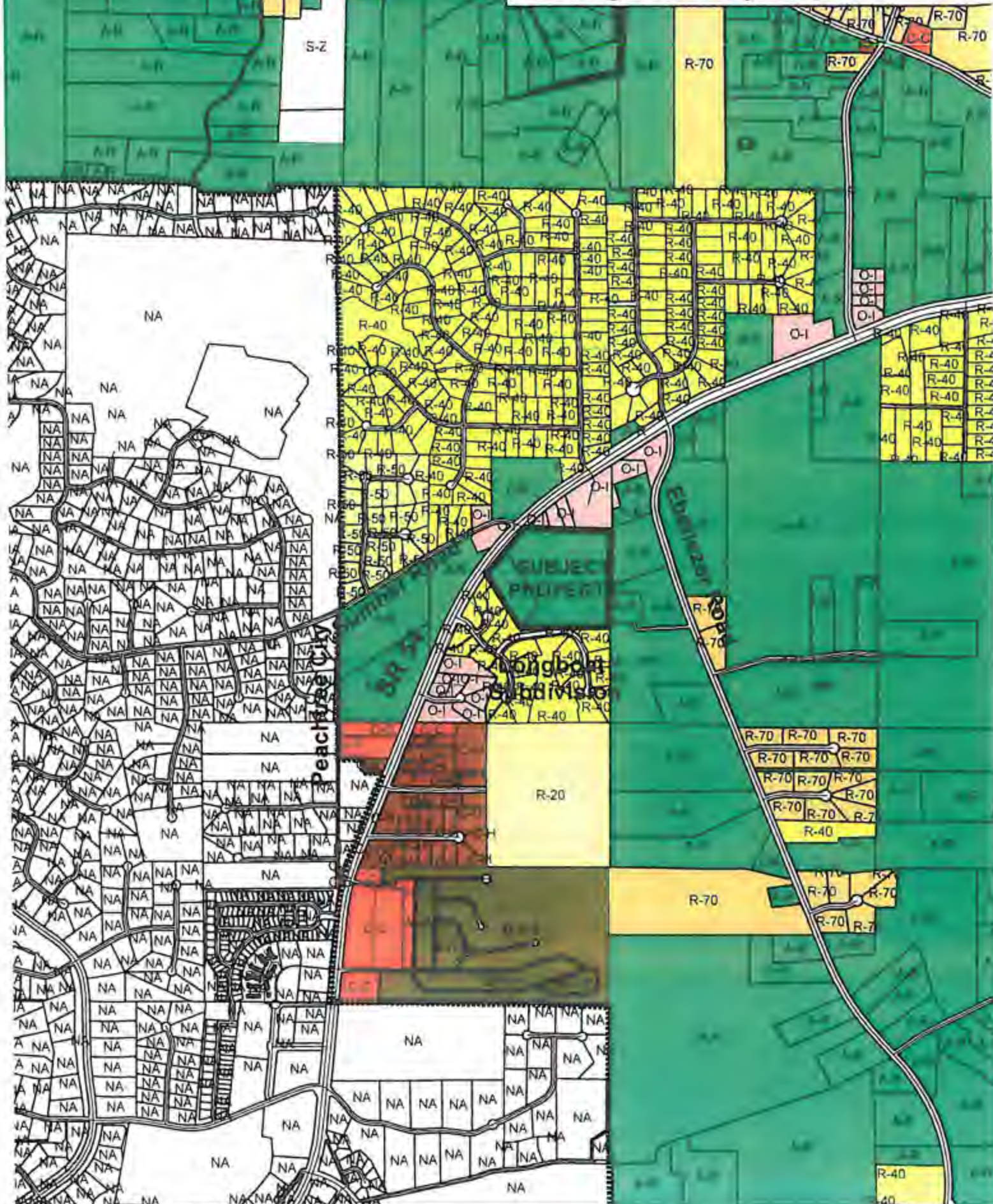
Rezoning 1249-15 & RP-057-15
Land Use Plan



**Rezoning 1249-15 & RP-057-15
Aerial Map**



Rezoning 1249-15 & RP-057-15 Zoning Proximity Map



APPLICATION TO REVISE A RECORDED PLAT

PETITION NO: RP- 057 - 15

OWNER OF PROPERTY: Betty S Allen
 Ms. ☐ Mr. ☒ Mrs. ☐ Mr. & Mrs. ☐

MAILING ADDRESS: 1868 Hwy 54 W Fayetteville GA 30214

PHONE: [REDACTED]

AGENT FOR OWNER: Vec Tokjohar
Ms. ☐ Mr. ☐ Mrs. ☐ Mr. & Mrs. ☐

MAILING ADDRESS: 140 Village Cr Senoia GA 30276

PHONE: [REDACTED]

LOCATION: LAND LOT(S) 70 DISTRICT 7th ROAD Highway 54

LEGAL DESCRIPTION ATTACHED: ☒ ZONING: R40

FIFTEEN COPIES OF CONCEPT PLAN ATTACHED: _____

TOTAL NUMBER OF LOTS: 24 TOTAL NUMBER OF ACRES: 29.441

DATE OF PLANNING COMMISSION HEARING: August 6, 2015

DATE OF COUNTY COMMISSIONERS HEARING: August 27, 2015

SUBDIVISION NAME: Longboat

REASON FOR REVISION: _____

Received from _____ the amount of \$ _____ to cover the cost of the sign deposit. Applicant will be billed for the cost of advertising to cover the cost of processing said application. NO MONEY to be receipted until application is complete.

SIGN FEE

Date Paid: _____

Receipt No. _____

Cash: _____

Check No. _____

ADVERTISING FEE

Date Paid: _____

Receipt No. _____

Cash: _____

Check No. _____

I respectfully submit this application and certify that the above information is correct and true to the best of my knowledge. I further certify that I am the owner or the specifically authorized agent of the above-referenced property.

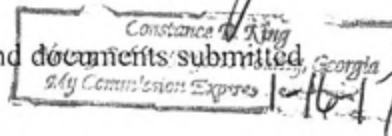
July 1, 2015

POA Denise Allen for Betty S. Allen
OWNER/AGENT'S SIGNATURE

July 1, 2015

Constance B. King
NOTARY PUBLIC

Action will be taken on said request based on the information, data, and documents submitted with the application. An incomplete application cannot be accepted.





COUNTY AGENDA REQUEST

Public Hearing #7

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Public Hearing of Ordinance 2015-11- Administrative Variances, amending the Fayette County Code of Ordinances by adding in its entirety Section 110-106. Administrative Variances to Article III. General Provisions.

Background/History/Details:

With comprehensive amendments made to the Zoning Ordinance in 2012 the Administrative Variance regulations were inadvertently deleted. Staff recommends replacing the Administrative Variance regulations as follows:

Sec. 110-106. Administrative Variances.

The Zoning Administrator shall have the authority to approve administrative variances regarding setbacks for an existing structure. Said administrative variance shall not exceed 10 percent of the minimum setback requirements up to a maximum of two (2) feet. This shall not include setbacks required for Conditional Uses (see Article V.)

The Planning Commission recommended approval of replacing the Administrative Variance regulations.

Al Gilbert made a motion to recommend approval of the amendment. John Culbreth seconded the motion. The motion passed 4-0. Jim Graw was absent from the meeting.

"Exhibit A" is a red-lined version of the proposed amendment. "Exhibit B" is the final form Ordinance 2015-11 document.

What action are you seeking from the Board of Commissioners?

Adoption of Ordinance 2015-11- Administrative Variances, amending the Fayette County Code of Ordinances by adding in its entirety Section 110-106. Administrative Variances to Article III. General Provisions.

If this item requires funding, please describe:

Not Applicable.

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

*** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.**

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:

EXHIBIT A

RED-LINE VERSION OF PROPOSED ORDINANCE 2015-11

7. Consideration of Amendments to the Fayette County Code of Ordinances, Chapter 110. Zoning Ordinance, Regarding Article III. General Provisions to permit Administrative Variances.

Vice-Chairman Haren asked was this not in the ordinance in the past.

Pete Frisina said the Administrative Variance regulations were mistakenly deleted from the Zoning Ordinance possibly in 2012 when a comprehensive review of the ordinance took place and it wasn't until the recodification in 2014 that the staff noticed it was missing. He added that the request is to put it back in the zoning ordinance as it was before.

Page 5
September 3, 2015
PC Meeting

Al Gilbert said these regulations avoid putting a citizen through an unnecessary hassle.

Pete Frisina said this gives staff a very small amount of variance that can be applied when someone makes a mistake building a structure. He added for example on a 15 foot setback Staff could approve a variance of only 1.5 feet.

Arnold Martin said without this in the ordinance a person would have to go to the Zoning Board of Appeals for a six (6) inch variance.

Pete Frisina said that is correct.

Vice-Chairman Haren said he can say from being on the Zoning Board of Appeals the County wants these regulations.

Al Gilbert made a motion to recommend approval of the amendment. John Culbreth seconded the motion. The motion passed 4-0. Chairman Graw was absent.

The following section is to be added in its entirety to Article III.

Sec. 110-106. Administrative Variances.

The Zoning Administrator shall have the authority to approve administrative variances regarding setbacks for an existing structure. Said administrative variance shall not exceed 10 percent of the minimum setback requirements up to a maximum of two (2) feet. This shall not include setbacks required for Conditional Uses (see Article V.)

EXHIBIT B

FINAL FORM PROPOSED

ORDINANCE 2015-11

**STATE OF GEORGIA
COUNTY OF FAYETTE**

ORDINANCE NO. 2015 - 11

AN ORDINANCE TO AMEND THE FAYETTE COUNTY CODE OF ORDINANCES, CHAPTER 110. ZONING ORDINANCE, AS AMENDED, SPECIFICALLY ARTICLE III GENERAL PROVISIONS TO PERMIT ADMINISTRATIVE VARAINCES

WHEREAS, the duly elected governing authority of Fayette County is the Board of Commissioners thereof;

WHEREAS, the governing authority desires to amend the provision that provides for the regulation of land development as allowed by the State of Georgia;

WHEREAS, the health, safety, and welfare of the citizens of Fayette County, Georgia shall be improved and protected by adoption and implementation of this Ordinance.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF FAYETTE COUNTY AND IT IS HEREBY ORDAINED BY AUTHORITY THEREOF:

Section 1. The Fayette County Code of Ordinances, Chapter 110. Zoning Ordinance, as amended, is hereby further amended by adding in its entirety Sec. 110-106. Administrative Variances to Article III. General Provisions. as follows:

Sec. 110-106. Administrative Variances.

The Zoning Administrator shall have the authority to approve administrative variances regarding setbacks for an existing structure. Said administrative variance shall not exceed 10 percent of the minimum setback requirements up to a maximum of two (2) feet. This shall not include setbacks required for Conditional Uses (see Article V.).

Section 2. That the preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

Section 3. a. It is hereby declared to be the intention of the Board of Commissioners that all Sections, paragraphs, sentences, clauses and phrases of this Article are and were, upon their enactment, believed by the Board of Commissioners to be fully valid, enforceable and constitutional.

b. It is hereby declared to be the intention of the Board of Commissioners that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Board of Commissioners that, to the greatest extent allowed by law, no Section, paragraph, sentence, clause or phrase of this Article is mutually dependent upon any other Section, paragraph, sentence, clause or phrase of this Article.

c. In the event that any phrase, clause, sentence, paragraph or section of this Article shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Board of Commissioners that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise

unenforceable any of the remaining phrases, clauses, sentences, paragraphs or Sections of the Article and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and Sections of the Article shall remain valid, constitutional, enforceable, and of full force and effect.

Section 4. All ordinances or resolutions and parts of ordinances or resolutions in conflict herewith are hereby expressly repealed except those provided for herein.

Section 5. The effective date of this Ordinance shall be the date of adoption unless otherwise specified herein.

So ordained this 24th day of September, 2015, by the

**BOARD OF COMMISSIONERS
FAYETTE COUNTY, GEORGIA**

CHARLES W. ODDO, CHAIRMAN

ATTEST:

FLOYD L. JONES, COUNTY CLERK

COUNTY AGENDA REQUEST

Consent Agenda #8

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Approval of staff's recommendation to accept the 2015 Georgia Association of EMS (GAEMS) grant in the amount of \$15,811.86, to be used in purchasing emergency medical equipment, and authorization for the Chairman to sign any documentation associated with this grant request.

Background/History/Details:

The recommended 2015 Georgia Association of EMS (GAEMS) grant has been funded by the Georgia Trauma Care Network Commission and will be administered by the Georgia Association of EMS. The grant can be used as reimbursement for any trauma related equipment. The grant amount is based on the number of licensed transport units within Fayette County's EMS 911 zone at \$2,635.31 per unit.

The Trauma Commission makes this funding available annually and Fayette County has received this grant four times in the past.

This is a NO match grant.

The Fire and Emergency Services Department plans to expend the grant for the purchase of "stair chairs." Stair chairs are patient transportation devices that enable patients to be moved from an upstairs location or remote narrow hallways safely. Additionally, the stair chair provides a great safety advantage to firefighters by lessening the stress / strain on their backs and legs.

Any remaining funds would be appropriated for tourniquets and trauma care equipment.

What action are you seeking from the Board of Commissioners?

Approval of staff's recommendation to accept the 2015 Georgia Association of EMS (GAEMS) grant in the amount of \$15,811.86, to be used in purchasing emergency medical equipment and authorization for the Chairman to sign any documentation associated with this grant request.

If this item requires funding, please describe:

Not Applicable. This is a "No Match" grant.

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

*** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.**

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

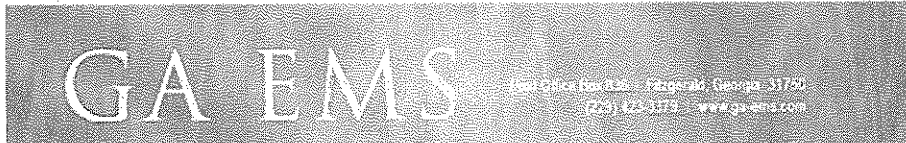
Administrator's Approval

Staff Notes:

Once approved by the Board of Commissioners, a 2016 budget entry will be posted to increase both Emergency Medical Services revenues and expenditures for \$15,811.86, zero impact to fund balance.

Steve Folden

From: GAEMS Grants <gaemsinc@gmail.com>
Sent: Monday, August 31, 2015 11:40 AM
To: Steve Folden
Subject: GAEMS Trauma Equipment Grant Notification
Attachments: 2014.2015 Trauma Equipment Grant affidavit.docx



From: Kim Littleton, Executive Director
Georgia Association of EMS
Date: August 31, 2015
Subject: Trauma Equipment Grant
To: Steven G. Folden - Division Chief
Applying Agency: Fayette County Fire and Emergency Services
Email Address: sfolden@fayettecountyga.gov

Congratulations, your service has been selected to receive an equipment grant in the amount of **\$15,811.86** for Zone Location of **FAYETTE** to provide your community with trauma related equipment. The grant has been funded by the Georgia Trauma Care Network Commission and will be administered by the Georgia Association of EMS. This grant can be used as reimbursement for any trauma related equipment. Equipment directly related to the care of Trauma Patients or Trauma Care Training is acceptable. The funds shall not be utilized for operational ambulance maintenance care or repair

What you should do now:

1. **REPLY** to this email to confirm that you have received notification of the Equipment Grant.

2. Purchase the equipment and send a fully completed affidavit confirming the purchase(s) to gaemsinc@gmail.com.

3. When GAEMS receives a copy of the signed & witnessed affidavit we will issue a check (***within 60 business days, based on immediate availability of funds from the Georgia Trauma Commission***) the lesser of:

- a. The total amount of the grant or
- b. The amount listed on the affidavit

4. The deadline for submitting Your Affidavit to GAEMS is close of business January 31, 2016 (5:00 pm) in order to receive actual funding from GAEMS.

Documentation received ***after*** this date ***will not*** be considered and may result in forfeiture of grant award.

On all correspondence (and the affidavit) please list:

- Your name (please print)
- Your service name
- The entity you wish the check to be made payable to
- The complete mailing address where check should be sent.

Please find the affidavit form attached

(For your ease of use we have attached a 'fill-able' Word Document or a printable PDF Document)

Again, all affidavits should be sent via email only to gaemsinc@gmail.com by close of business on January 31, 2016.

--

Kim Littleton

Kim Littleton, BA, NREMT-P

Executive Director

Georgia Association of EMS

P.O. Box 836

Fitzgerald, GA 31750

(229) 423-3379-office

(229) 423-3385-fax

COUNTY AGENDA REQUEST

Consent Agenda #9

Department: Tax Assessors

Presenter(s): Joel T. Benton, Chief Assessor

Meeting Date: Thursday, September 24, 2015

Type of Request: Consent

Wording for the Agenda:

Approval of the disposition of tax refunds, in the aggregate amount of \$15,722.16, as recommended by the Tax Assessor's Office.

Background/History/Details:

When a taxpayer feels that an error has occurred with respect to taxes paid to Fayette County on Real Estate and Personal Property tax bills, they have the right to request a Refund under O.C.G.A. 48-5-380. This request is given to the Tax Assessors' Office in order to be reviewed in detail and the appropriate recommendation(s) are then forwarded to the Board of Commissioner's for their final approval of said requests.

Banc of America Leasing& Capital is recommended for refund in an aggregate amount of \$11,699.92 due to duplicate reporting of leased equipment to Fayette County which was located, reported, and taxes paid to other taxing jurisdictions (Fulton County, Georgia and Collin County Central Appraisal District, Texas.)

The Pauline Butler Estate is recommended for refund in an aggregate amount of \$4,022.34 due to the Executrix of the Estate provided survey of the property that had been conducted in 2003. Upon research and review, it was determined that the acreage should have been changed from 112.02 acres to 81.60 acres.

What action are you seeking from the Board of Commissioners?

Approval of the disposition of tax refunds, in the aggregate amount of \$15,722.16, as recommended by the Tax Assessor's Office.

If this item requires funding, please describe:

The funding required will be for those refund requests where the overpayment of taxes (voluntarily or involuntarily) was a direct result of property that had previously been erroneously assessed and taxes have already been collected from the taxpayer(s).

Has this request been considered within the past two years? Yes

If so, when? Periodically through the year(s)

Is Audio-Visual Equipment Required for this Request?* No

Backup Provided with Request? Yes

*** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.**

Approved by Finance Yes

Reviewed by Legal No

Approved by Purchasing Not Applicable

County Clerk's Approval Yes

Administrator's Approval

Staff Notes:

Refund Requests	BOC		09.24.15	(Pending)		
Owner/Parcel	Year(s)	Property	Basis for Request	Recommendation	Reason	Amount Per Year
Banc of America Leasing & Capital LLC (P2006-1076)	2013 2014	Business - Leased Equipment	Duplicate reporting of leased equipment to Fayette County which was located, reported and taxes paid to other taxing jurisdictions (Fulton Co., GA. and Collin Co. Central Appraisal District, TX.)	Approve	Taxpayer (Lessor) has provided copies of asset listings reported to Fulton County, GA. and Collin Co. Appraisal District, TX. The asset listing identifies the duplicated equipment (Mainframe Computer Equipment, Asset Numbers 2168950 and 2168951) which matches historical cost and fair market value of duplicated equipment returned to Fayette. Additionally, the reported fair market values match to the property tax bills for Fulton Co, GA. and Collin Co. TX. (Taxpayer provided copies of 2013 and 2014 paid tax bills to Fulton Co., GA and Collin Co., TX, asset listings reported to Fulton Co, GA and Collin Co, TX, and correspondence with the Fulton Co. GA. and Collin CO. Appraisal District, TX.)	2013 - \$5,381.73 2014 - \$6,318.09
Pauline Butler Estate Carol Butler Jackson - Executrix 0529 070	2012 2013 2014	Residential	Executrix of Estate requesting refund for tax years 2012, 2013 and 2014 per survey recorded in 2003.	Approve	Executrix of the Estate brought in survey of the property she had done in 2003. Upon research, the acerage should have been changed from 112.02 acres to 81.60	2012 - \$1,341.15 2013 - \$1,344.10 2014 - \$1,337.09
Total Number Requested	5					
Total Amount Requested	\$15,722.16					
Total Number Approved	5					
Total Amount Recommended for Approval						

BOARD OF COUNTY COMMISSIONERS

Charles W. Oddo, Chairman
Randy Ognio, Vice Chair
David Barlow
Steve Brown
District 5, Vacant

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

September 10, 2015
7:00 p.m.

Welcome to the meeting of your Fayette County Board of Commissioners. Your participation in County government is appreciated. All regularly scheduled Board meetings are open to the public and are held on the 2nd and 4th Thursday of each month at 7:00 p.m.

Call to Order

Chairman Oddo called the September 10, 2015 Board of Commissioners meeting to order at 7:02 p.m.

Invocation by Chairman Charles W. Oddo

Chairman Oddo stated that Lisbon Baptist Church had recently donated eight indigent burial plots to Fayette County. He then introduced Lisbon Baptist Church's Minister of Worship Jeff Durham to the Board and audience and asked him to offer the Invocation. Minister Durham then offered the Invocation.

Pledge of Allegiance

Chairman Oddo asked Minister Durham to lead the Board and audience in the Pledge of Allegiance and Minister Durham did so.

Acceptance of Agenda

Commissioner Brown moved to accept the Agenda. Commissioner Barlow seconded the motion. No discussion followed. The motion passed 4-0.

PROCLAMATION/RECOGNITION:

1. Proclamation of September 2015 as "National Preparedness Month in Fayette County."

Division Chief- EMA Director Pete Nelms spoke briefly about the need to be prepared for emergencies. Chairman Oddo read the proclamation and presented it on behalf of the Board. A copy of the request and proclamation, identified as "Attachment 1," follow these minutes and are made an official part hereof.

2. Recognition of Ms. Hailey Moore for her production of the award-winning short film "True Colors."

Commissioner Brown introduced Ms. Moore and spoke of her many accomplishments and awards in filming "True Colors." A trailer of the film was played for the audience. Commissioner Brown read and presented a Certificate of Recognition to Ms. Moore on behalf of the Board. A copy of the request, identified as "Attachment 2," follows these minutes and is made an official part hereof.

PUBLIC HEARING:

There were no items for Public Hearing.

CONSENT AGENDA:

Commissioner Ognio moved to approve the Consent Agenda. Commissioner Barlow seconded the motion. Discussion followed as written for Consent Agenda Items 6 and 8. The motion passed unanimously.

- 3. Approval to enter into two three-year contractual agreements (Contract #943-S) with Siemens, in an aggregate amount of \$263,832.00, for the maintenance of Building Automation equipment and Mechanical Equipment within the Courthouse, Jail, Jail Annex, Sheriff's Office and the Library, and authorization for the County Administrator to sign the agreements and any related documentation. Copies of the requests and agreements, identified as "Attachment 3," follow these minutes and are made an official part hereof.**
- 4. Approval of staff's recommendation to adopt a final supplemental budget adjustment for the fiscal year ended June 30, 2015, and authorization to adjust and close completed Capital Improvement Projects within the Capital Improvement Projects program moving those remaining funds to project contingency. A copy of the request, identified as "Attachment 4," follows these minutes and is made an official part hereof.**
- 5. Approval of staff's recommendation to declare thirty-one (31) county vehicles as unserviceable, to sell the assets utilizing the GovDeals internet website, and for all proceeds to be returned to the Vehicle Replacement fund. A copy of the request, identified as "Attachment 5," follows these minutes and is made an official part hereof.**
- 6. Approval of staff's recommendation to increase Bid Award #922- Lake Peachtree Dredging with Massana Construction from \$1,449,140.00 to \$1,670,223.06; Change Order increase of \$231,483.06; and to authorize the County Administrator to sign any associated documents related to this request.**

County Administrator Steve Rapson stated that the Change Order increase was not \$231,483.06 as written in the Agenda but rather \$221,083.06. He stated the corrected amount was based on a \$10,400.00 credit that was not reflected. The Board consented to the corrected Change Order increase amount of \$221,083.06.

Commissioner Brown stated that this was the 52nd day of rain that has occurred since the Lake Peachtree dredging project begun. He said there are many anxious people concerned about this long-term project but that 52 days of rain was extraordinary for any outdoor project. He clarified that it is not necessarily the rainfall that is causing the problem but it is the rising water table that causes the problem. He said when the contractors get into the silt they are hitting water due to the collective flow of all the rain into the basin; creating significant problems. He explained that problems require work to stop until the water table reduces. He further explained that even though it may not rain tomorrow the work will be stopped because of the water table. He stated the problem was so bad that Consent #6 was paying for additional gravel to be delivered since that is the only way to get vehicles on and off the basin without sinking. He concluded that the County is doing the best it can provided the given circumstances.

Mr. Rapson stated that since the completion dates were revised to October 15, 2015 there have been four major rain events. He suggested that the completion date would likely move to the first days of November and that the Peachtree City Council would be informed. Copies of the request and Change Order, identified as "Attachment 6," follow these minutes and are made an official part hereof.

7. **Approval of staff's recommendation to enter into a Joint Funding Agreement with the United States Geological Survey, beginning October 1, 2015 and expiring September 30, 2016, in the amount of \$288,100.00 and to utilize \$40,800.00 from the Water System's Renewal and Extension fund, for water flow, stream data, and CFS flow monitoring. Copies of the request and Joint Funding Agreement, identified as "Attachment 7," follow these minutes and are made an official part hereof.**
8. **Approval of staff's recommendation to enter into an agreement with Lisbon Baptist Church for a donation by the church of eight (8) indigent burial plots, and authorization for the Chairman to sign said agreement.**

Commissioner Ognio thanked Lisbon Baptist Church for its donation of the eight indigent burial plots. Copies of the request and agreement, identified as Attachment 8," follows these minutes and are made an official part hereof.

9. **Approval of the August 27, 2015 Board of Commissioners Meeting Minutes.**

OLD BUSINESS:

There were no items of Old Business.

NEW BUSINESS:

10. **Consideration of a recommendation from the Selection Committee, comprised of Commissioner David Barlow and Dr. Olungbenga Obasanjo, to appoint Dr. Loida Bonney to the Fayette County Board of Health to fill an unexpired term that will end on December 31, 2017.**

Commissioner Barlow welcomed Dr. Bonney to the Board of Health and he asked Dr. Obasanjo if he had any comments. Dr. Obasanjo spoke about the time when he met Dr. Bonney and discussed the possibility of her serving on the Health Department. He said Dr. Bonney was a health director in one of the districts, but with this appointment Dr. Bonney would transition from working for him to being one of his bosses.

Dr. Bonney said she has lived in Fayette County for eight years and has a private practice in Fayette County. She added that she is also the medical director of the Fayette Care Clinic. She stated that her work with Fayette Care Clinic involves collaboration with the Department of Health and she thought it would be a great opportunity to be on the Board of Health in order to serve the residents of Fayette County. She thanked the Board for considering her for the position.

Commissioner Barlow moved to accept the Selection Committee's selection of Dr. Loida Bonney to the Fayette County Board of Health to fill an unexpired term that will end on December 31, 2017. Commissioner Ognio seconded the motion. No discussion followed. The motion passed 4-0. A copy of the request, identified as "Attachment 9," follows these minutes and is made an official part hereof.

11. Consideration of a recommendation from the Selection Committee, comprised of Commissioners David Barlow and Randy Ognio, to nominate Jelunder W. Clark, Timothy Etson, and Lavonia Stepherson to the Fayette County Hospital Authority for appointment.

Commissioner Ognio said it was incredible about the amount of talent in Fayette County and the talent that applied for the position. He said it was difficult to have someone apply who is very talented and willing to serve and to tell that person there is no position available. He said the nominees were excellent candidates. He explained that the three nominees would be sent to the Hospital Authority but only one would be selected by the Hospital Authority. He said only one of the nominees would be appointed by the Hospital Authority and that the Board did not know which one would receive the appointment.

Commissioner Brown moved to send the recommendations from the Selection Committee as written. Commissioner Barlow seconded the motion. No discussion followed. The motion passed 4-0. A copy of the request, identified as "Attachment 10," follows these minutes and is made an official part hereof.

12. Consideration of Ordinance 2015-10 amending Fayette County's Code of Ordinances by deleting Section 16-10 pertaining to "Social hosts," from Article I of Chapter 16 in its entirety and by enacting a new Section 16-10 pertaining to Social Hosts.

County Attorney Dennis Davenport stated that the Board passed a Social Host ordinance in 2014 and recently, Fayette FACTOR worked on the issue of alcohol and young people in Fayette County. He said Fayette FACTOR provided a document to the county, based on their study, which would amend Fayette County's Social Host ordinance. Mr. Davenport reported that Fayette FACTOR took measures to ensure the recommended changes were vetted with members of the community, and the Solicitor's Office.

Becky Smith: Mrs. Smith stated that this effort originated with AVPride and that Fayette FACTOR tagged along with AVPride in this effort.

Dawn Oparah: Mrs. Oparah, representing AVPride, said this was an exciting time for her since this effort has taken about 25 years to accomplish. She stated that this effort was based off of a survey that concluded that the number one issue among Fayette County's youth was substance abuse. She said that despite the knowledge that there was substance abuse and underage drinking in Fayette County, the problem was that there was no money to address the problem. She reported that in 2011 the State of Georgia put out for bid an opportunity for people to provide services in the area of substance abuse. She stated that AVPride submitted a competitive bid and received funding for a five-year period to work on substance abuse and underage drinking. She said partners like Fayette FACTOR were then brought in to work on the problem. She stated that social norms, including parties, contribute to substance and alcohol abuse by the youth, and the proposed ordinance was intended to address the early onset of abuse by underage people.

Michael Mumper: Mr. Mumper, representing AVPride, said that when it was found that underage drinking was a particular issue in Fayette County, a group of community stakeholder got together over a period of four years to address the problems on a number of fronts. He said they worked within the Fayette County school system to implement alcohol education curriculum in all five middle schools beginning this year. He said another finding was that the youth do not typically get alcohol from retail establishments, but rather they get alcohol from their homes or their friends' homes. He said most parents know where the youth are getting alcohol and when parents allow youth to drink on their property that is known as social hosting. He said the proposed Social Host ordinance was intended to address the parents who are allowing underage drinking and substance abuse to happen. He said the law would also curtail other parents from being pressured into social hosting. He thanked the many community leaders who helped the ordinance take shape over the years including health officials, judges, business and non-profit leaders, elected officials including the County Commissioners, and many others. He said they attended the coalition meetings to discuss statistics and strategies to develop action plans that are appropriate for Fayette County. Mr. Mumper stated that Sheriff Babb was a driving force in the effort and he drew from law enforcement from

every municipality who looked at enforceability, constitutionality, and appropriate penalties that will go to the root of the problem. He said a Social Host ordinance drafting team that was led by local attorney Catherine Sanderson studied other Social Host ordinances from other jurisdictions throughout Georgia to ensure the proposed ordinance would work.

Commissioner Barlow said one thing that stuck out to him from the survey was that only 30% of the adults who were surveyed reported there was a problem with underage drinking but that 65% to 70% of the teens who were surveyed replied that there was a problem with underage drinking. Mr. Mumper affirmed Commissioner Barlow's statement. Commissioner Barlow stated that another question on the survey dealt with perception and the answer to the question was that Fayette County did not have a problem with underage drinking. He stated that the statistics are counter to the perception. He stated that he saw the teenagers who were standing before Judge Miller and that it was a serious problem for them. He thanked Mr. Mumper, Mrs. Oparah, Mrs. Smith and all the others who have worked on the proposed ordinance.

County Administrator Steve Rapson added that Fayette County's Marshal's Department, Code Enforcement Department, and Judge Thompson with the State Court have been involved in this effort.

Commissioner Barlow moved to adopt Ordinance 2015-10 amending Fayette County's Code of Ordinances by deleting Section 16-10 pertaining to "Social hosts," from Article I of Chapter 16 in its entirety and by enacting a new Section 16-10 pertaining to Social Hosts. Commissioner Ognio seconded the motion. No discussion followed. The motion passed 4-0. Copies of the request and Ordinance 2015-10, identified as "Attachment 11," follow these minutes and are made an official part hereof.

13. Consideration of staff's request to change protocol on creating and amending county policies and procedures.

County Administrator Steve Rapson stated this request began at the 2013 Retreat when he, the Chief Financial Officer, and the Human Resources Director were delegated authority to create and amend county policies and procedures. He said the authority was ratified in April 2013 and again in May 2015. He said all of the policies have been reviewed and all of the intended policies have been changed during the last two years. He said the recommendation was to turn the authority back to the Board for consideration and approval.

Commissioner Ognio moved to table New Business #13 to the October 22, 2015 Board of Commissioners meeting. Commissioner Brown seconded the motion. No discussion followed. The motion passed 4-0. A copy of the request, identified as "Attachment 12," follows these minutes and is made an official part hereof.

14. Consideration of proposed revisions to Policy No. 210-07 Grant Management.

County Administrator Steve Rapson stated that the assumption was that New Business #13 would be approved and, therefore, New Business #14 was added to the Agenda. He said until the policy is ratified, the present policy would be enacted. He did not foresee any grant applications needing signatures within the next 30 days. He stated that this policy was based on the Board's direction given at the August 27, 2015 Board of Commissioners meeting.

Commissioner Brown moved to table New Business #14 to the October 22, 2015 Board of Commissioners Meeting. Commissioner Ognio seconded the motion.

Commissioner Brown stated that if a grant application became available within the next thirty days then he would be open to having a Special Called Meeting to grant authority to sign the application. Mr. Rapson agreed to the suggestion.

The motion to table New Business #14 to the October 22, 2015 Board of Commissioners Meeting passed unanimously. A copy of the request, identified as "Attachment 13," follows these minutes and is made an official part hereof.

PUBLIC COMMENT:

Carlotta Ungaro: Ms. Ungaro, representing the Fayette County Chamber of Commerce, presented the Board and staff with copies of *Fayette Community Source*. *Fayette Community Source* is a source-guide that is published once a year that showcases Fayette County. She said one section, located on page 96, highlights all of Fayette County's parks for citizens to use. It was pointed out that the magazine had a section in remembrance of former Commissioner Pota Coston. Ms. Ungaro stated that the Chamber contracted with *The Citizen* newspaper for printing the magazine.

Robert Mudrinich: Mr. Mudrinich thanked the Board for its efforts to reduce the speed limit in the area of the Starr's Mill school complex to 25 miles-per-hour during school zone hours. He stressed the importance of safety particularly with teenage drivers, told of a vehicular accident at the intersection at State Route 74 and Redwine Road that involved a teenage driver, and he asked the Board to consider lowering the speed limits of the school zones for both Whitewater High School and Starr's Mill High School to 35 miles-per-hour.

Larry Mapp: Mr. Mapp gave kudos to Commissioner Ognio, the Board, and staff. He asked the Board to consider changing the County's buildings ordinances and minimums on street width. He explained that he was at a neighborhood that has very narrow streets that would hinder emergency vehicles from traveling on the road. He said children were playing between cars parked on the road and there was only room for one vehicle to pass. He said many people live in neighborhoods do not have covenants and they have to rely on themselves and neighbors to keep off-street parking at a minimum. He said his community does not have covenants and so the residents work amongst themselves to limit parking on the street. He stated that at one time Fayette County had an ordinance that prohibited parking on grass or gravel, but now parking on grass or gravel is allowed. He asked the Board to revisit the issue since parking on the front lawn "is not the way to go." Mr. Mapp stated that housing and building code enforcement seemed to be lax. He said there is already on the books an ordinance that says if someone adds to the front of the house it has to match the existing structure. He said there is a neighbor on his street who has built a deck across his front porch and that he has tried to get the Code Enforcement Department to help him address that situation. County Administrator Steve Rapson asked Mr. Mapp to remain after the meeting so he could get additional information on the concerns.

ADMINISTRATOR'S REPORTS:

15. **Award Quote #1015-A to Blount Construction Company, Inc. for milling and full-depth reclamation of Phase 1A in the River Park Subdivision, in a not-to-exceed amount of \$85,650.00.**

County Administrator Steve Rapson briefed the Board on Award Quote #1015-A.

Revised Closing of Lake McIntosh: County Administrator Steve Rapson stated that a request had come from the City of Peachtree City to close Lake McIntosh all day from October 30, 2015 until November 1, 2015 to accommodate the Great Georgia Air Show. He reminded the Board that he had briefed them on this closure at the August 27, 2015 Board of Commissioners meeting, but the revised closure was for a full-day closure on October 30, 2015. He stated the closures would be posted to the county's website.

Tuesday, October 6, 2015 Board of Commissioners Meeting to be held at 2:00 p.m.: County Administrator Steve Rapson stated that staff was requesting that the meeting time for the Tuesday, October 6, 2015 Board of Commissioners meeting be changed from 7:00 p.m. to 2:00 p.m. He said the Commissioners would be attending the Legislative Leadership Conference in Jekyll Island the following day, and since it is a long drive to Jekyll Island the intent was to hold an earlier meeting so that the Board and staff could travel to Jekyll Island.

ATTORNEY'S REPORTS:

Notification of Executive Session: County Attorney Dennis Davenport reported that he had one item of Real Estate Acquisition and review of the August 27, 2015 Executive Session Minutes for consideration in Executive Session.

COMMISSIONERS' REPORTS:

Commissioner Ognio

Inman Heritage Event: Commissioner Ognio stated that the Inman Heritage event would be held on the weekend of September 19, 2015. He said it was a great place for family and kids to see old tractors, trucks, and sawmills. He encouraged everyone to go to the event. He said the people putting on the event work hard for the event and he hoped people would go for a good time.

Commissioner Barlow

Remembrance of September 11, 2001: Commissioner Barlow thanked everyone for coming to the meeting. He pointed out that the next day is September 11 and he remembered the attacks on the United States on September 11, 2001. He said every time he thinks of September 11, 2001 he thinks about the picture taken of a picture of a man who appeared to dive out of the Twin Towers toward his death. He said he was thankful for emergency services personnel and citizens who gave their lives. He asked for the families who suffered loss to be remembered in prayer.

Commissioner Brown

Upcoming Public Art Committee Competitions and Contests: Commissioner Brown stated that the Public Art Committee is holding its 2nd Annual Scarecrow Competition. He said the scarecrows would be on display at Heritage Park and he encouraged any and all people, families, groups and organizations to participate. He said the competition would be held on the weekend of the 17th and 18th. He said many people enjoyed the competition last year since it was so fun, and he mentioned that some people even took selfies and pictures with the scarecrows. He asked for the people to be creative and have fun. He added that the scarecrows would be in place for the City of Fayetteville's annual Halloween festivities. Commissioner Brown also mentioned that there would be a pumpkin carving and sculpting contest in conjunction with Seville Studios in Peachtree City. He said the contest would be held on September 25 and it costs \$10.00 for the entry fee. He stated there would be a press release issued on these competitions and contests.

Response to Larry Mapp: Commissioner Brown said he appreciated Mr. Mapp's remarks. He asked Mr. Mapp to remember that it is possible to have too wide of streets just as it is possible to have streets that are too narrow. He said wider streets encourage people to travel at higher rates of speed. He thought streets needed to be wide enough to allow access for emergency vehicles. Concerning off-street parking, Commissioner Brown said he was not necessarily opposed to off-street parking in some instances. He said where he lives in Peachtree City he encourages people to do off-street parking since his street has a lot of cut-through traffic where people are traveling from Coweta County to industrial areas in Peachtree City. He said having cars parking in the street during certain hours forces vehicles to slow down to a parking lot. He stated that off-street parking can enhance safety in some instances. Commissioner Brown also mentioned that sometimes people have to park in the street because there is nowhere else to park.

Underage Golf Cart Drivers: Commissioner Brown said he had received several complaints about underage golf cart drivers. He asked the public to not allow children to drive underage. He said every jurisdiction allows for ages 12 to 15 years old with a learners permit to drive a golf cart so long as an adult is with the driver. He said if an adult is not present then the drivers are breaking the law. He asked the citizens to take down the cart's decal number and call the local law enforcement and tell them what they are observing.

Remembrance of September 11, 2001: Commissioner Brown recalled that despite the tragedy of September 11, 2001 it was also one of the biggest times that he could recall where the county rallied together and united and worked together. He told about how he was in Boston when the attacks took place and how a complete stranger who was on the way to Houston heard about his difficulties in getting to Atlanta for a wedding. He said the stranger kindly drove him to Chattanooga, Tennessee before she had to proceed west toward Texas, but that her kindness allowed him to attend the wedding. He said in times of tragedy there is also time of civic greatness where differences are put aside in order to pull together.

Chairman Oddo:

Remembrance of September 11, 2001: Chairman Oddo remembered September 11, 2001 and he said it was this generation's Pearl Harbor. He hoped this generation would treat September 11 as his parent's generation treated Pearl Harbor. He said people should not forget but move forward and do what has to be done.

District Five Election: Chairman Oddo stated that this meeting may be the last meeting with a four-member Commission. He encouraged everyone who lives in District Five to vote.

EXECUTIVE SESSION:

Real Estate Acquisition and August 27, 2015 Executive Session Minutes: Commissioner Brown moved to recess into Executive Session. Commissioner Ognio seconded the motion. No discussion followed. The motion passed 4-0.

The Board recessed into Executive Session at 8:11 p.m. and returned to Official Session at 8:22 p.m.

Return to Official Session and Authorization of the Executive Session Affidavit: Commissioner Ognio moved to exit Executive Session and for the Chairman to sign the Executive Session Affidavit. Commissioner Barlow seconded the motion. No discussion followed. The motion passed 4-0. A copy of the Executive Session Affidavit, identified as "Attachment 14," follows these minutes and is made an official part hereof.

August 27, 2015 Executive Session Minutes: Commissioner Ognio moved to approve the August 27, 2015 Executive Session Minutes. Commissioner Barlow seconded the motion. No discussion followed. The motion passed 4-0.

ADJOURNMENT:

Commissioner Ognio moved to adjourn the September 10, 2015 Board of Commissioners Meeting. Commissioner Brown seconded the motion. No discussion followed. The motion passed 4-0.

The meeting adjourned at 8:22 p.m.

Floyd L. Jones, County Clerk

Charles W. Oddo, Chairman

The foregoing minutes were duly approved at an official meeting of the Board of Commissioners of Fayette County, Georgia, held on the 24th day of September 2015. Referenced attachments are available upon request at the County Clerk's Office.

Floyd L. Jones, County Clerk

COUNTY AGENDA REQUEST

New Business #11

Department: Selection Committee

Presenter(s): Vice Chairman Randy Ognio

Meeting Date: Thursday, September 24, 2015

Type of Request: New Business

Wording for the Agenda:

Consideration of a recommendation from the Selection Committee comprised of Commissioner David Barlow and Commissioner Randy Ognio, to appoint both Sharon White, with a three-year term beginning July 1, 2015 and expiring June 30, 2018, and Margaret Sisson, with an unexpired term beginning immediately and ending on June 30, 2017, to the McIntosh Trail Community Service Board.

Background/History/Details:

The McIntosh Trail Community Service Board is a public entity created by the Georgia Legislature in 1993 to provide for mental health, developmental disability, and addictive disease services to residents living in Butts, Fayette, Henry, Lamar, Pike, Spalding, and Upson Counties. The mission of the McIntosh Trail Community Service Board is to offer individuals experiencing symptoms associated with mental illness, addictive disease and / or developmental disability the hope for optimal functioning by providing quality behavioral health services and supports. The McIntosh Trail Community Service Board is comprised of fifteen members appointed from each of the seven counties of which Fayette County has three members. Two of Fayette County's members are appointed from the citizenry by the Fayette County Board of Commissioners and the other member is required to be an elected official or designated county appointee. Commissioner David Barlow currently serves as the The McIntosh Trail Community Service Board meets on a monthly basis at various locations throughout its seven-county region.

One available position was advertised on July 27, 2015 and three citizens responded to the advertisement. Subsequent to issuing the advertisement, Fayette County was notified that it needed to fill two positions. The Selection Committee interviewed each applicant and recommended that Sharon White and Margaret Sisson be appointed to fill the two available positions.

What action are you seeking from the Board of Commissioners?

Approval of a recommendation from the Selection Committee comprised of Commissioner David Barlow and Commissioner Randy Ognio, to appoint both Sharon White, with a three-year term beginning July 1, 2015 and expiring June 30, 2018, and Margaret Sisson, with an unexpired term beginning immediately and ending on June 30, 2017, to the McIntosh Trail Community Service Board.

If this item requires funding, please describe:

Not Applicable.

Has this request been considered within the past two years? No

If so, when?

Is Audio-Visual Equipment Required for this Request?* No

Backup Provided with Request? Yes

*** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.**

Approved by Finance Not Applicable

Reviewed by Legal

Approved by Purchasing Not Applicable

County Clerk's Approval Yes

Administrator's Approval

Staff Notes:

MARGARET RILEY SISSON

9:00 am

APPLICATION FOR APPOINTMENT
McIntosh Trail Community Service Board

Thank you for your interest in being considered as Fayette County's appointment to the McIntosh Trail Community Service Board.

McIntosh Trail Community Service Board members represent seven counties throughout central-western Georgia to terms which generally last three years. Meetings are typically held once every month anywhere within its seven-county district. Please do not apply if you will be unable to attend a minimum of eighty percent (80%) of all meetings.

Please take a few minutes to complete the form and answer the questions below and return it with a resume, if available, to Floyd Jones, County Clerk, 140 Stonewall Avenue, West, Suite 100, Fayetteville, GA 30214 no later than 5:00 p.m. on August 21, 2015.

If you have any questions, please call (770) 305-5102.

NOTE: Information provided on this form is subject to disclosure as a public record under Georgia Open Records Law.

NAME Margaret Riley Sisson

ADDRESS [REDACTED]

TELEPHONE (day) [REDACTED]
(evening) [REDACTED]

(email address) [REDACTED]

[Signature]
Signature

Aug 10, 15
Date

1. How long have you been a resident of Fayette County?

1994

2. Why are you interested in serving on the McIntosh Trail Community Service Board?

I want to help make good decisions that support our county.

3. What qualifications and experience do you possess for appointment to the McIntosh Trail Community Service Board?

I'm the owner & director of a school. I'm a board member of OCDGA affiliate & active with the ICCDF

4. List your recent employment experiences to include name of company and position.

Owner and Director of Fayette Montessori School since 1991

5. Do you have any past experience relating to the McIntosh Trail Community Service Board? If so, please describe. NO

6. Are you currently serving on a commission/board/authority or in an elected capacity with any government? NO

7. Have you attended any McIntosh Trail Community Service Board meetings in the last two years and, if so, how many? NO

8. Are you willing to attend seminars or continuing education classes at county expense?

YES

9. What is your vision of the county's future related to the duties of the McIntosh Trail Community Service Board?

To serve the communities and offer a voice for those who struggle with mental illness and addiction

10. Would there be any possible conflict of interest between your employment or your family and you serving on the McIntosh Trail Community Service Board?

NO

11. Are you in any way related to a County Elected Official or County employee? If so, please describe. NO

12. Describe your current community involvement.

Executive Director of Riley's Wish Foundation. Board member OCDGA. Communication coordinator for A2A Alliance

13. Have you been given a copy of the county's Ethics Ordinance?

yes

14. Is there any reason you will not be able to comply with the County's Ethics Ordinance?

NO

Margaret Riley Sisson is an educator and advocate. She started her own Montessori School in 1991 and continues to teach and administrate. She became involved with the IOCDF as a result of her son's struggles with OCD. Her contributions to the Foundation include raising awareness and educating the community about OCD. She was awarded the Hero Award in 2014 for her efforts. Margaret is also communication coordinator for the A2A Alliance Organization. (Adversity to Advocacy)

Her son Riley, tragically lost his battle to a dual diagnosis of OCD and addiction by an accidental overdose in Sept, 2014. Right up to his death he was an advocate for those suffering from ocd and addiction. He presented a panel on the treatment of OCD and Addiction at the 2014 IOCDF conference in LA.

Margaret is devoted to continuing Riley's work and has started Riley's Wish Foundation. Its mission is to encourage purposeful actions to serve those battling various types of mental illness, particularly OCD and Addiction. The foundation intends to foster unity among persons suffering and seeks to educate the public about various disorders, in addition to affecting change in awareness and treatment.

SHARON JACKSON WHITE

8:06 am

Floyd Jones

From: Sharon J. White [REDACTED]
Sent: Friday, August 14, 2015 2:59 PM
To: Floyd Jones
Subject: McIntosh Trail Community Service Board Open Seat
Attachments: CV ---- (Sharon Jackson White) ---- Without References ---- August 2015.pdf

Hello, Mr. Jones:

I hope that all is well. During my interview for the Fayette County Hospital Authority Open seat, Commissioner David Barlow mentioned the open seat on the McIntosh Trail Community Service Board that he thought I would qualify for. I was also quite interested in the open seat as well once he explained it to me. With that, Ms. Tameca White from your office just called me and directed me, at the request of Commissioner Barlow, to send you an email explaining all of this. She also stated for me to ask if you could use my application and CV from what I submitted to the Fayette County Hospital Authority Open seat as my application for the open seat on the McIntosh Trail Community Service Board.

I have attached an updated CV since I sent you one last time.

Thank you.

Sincerely,

Sharon Jackson White, PhD Student
MSN, CNN, FNP-BC, NP-C
Family Nurse Practitioner
Nursing PhD Student ---- Georgia State University Administrator ---- Palliative Care Department ---- Piedmont Fayette Hospital
Email [REDACTED]

On Wed, 5/27/15, Floyd Jones <fjones@fayettecountyga.gov> wrote:

Subject: RE: Fayette County Hospital Authority Open Seat
To: "Sharon J. White" [REDACTED]
Date: Wednesday, May 27, 2015, 9:11 AM

Good morning Ms.
White,

I hope you are doing

well too! Thank you for your interest in serving on the Fayette County Hospital Authority.

I am attaching an application and supplemental material related to the available position on the Hospital Authority. Please return a completed, signed, and dated application to me on or before the June 26 deadline for consideration to the Authority.

Once the deadline expires, Chief Deputy County Clerk Tameca White will contact each applicant and arrange interviews with two County Commissioners. The Commissioners will then make their recommendations to the Board of Commissioners.

Feel free to call me or email me if you have any questions or concerns on this matter.

Sincerely,

Floyd L. Jones, County Clerk
Fayette County Board of Commissioners
(770) 305-5102
fjones@fayettecountyga.gov

-----Original Message-----

From: Sharon J. White [REDACTED]

Sent: Tuesday, May 26, 2015 10:18 PM

To: Floyd Jones

Subject:

Fayette County Hospital Authority Open Seat

Dear Mr.
Jones:

I hope that all is well. Could you send me information and an application regarding the open seat for the Fayette County Hospital Authority?

Sincerely,

Sharon
Jackson White, MSN, FNP-BC, NP-C
Nursing PhD
Student - Georgia State University Administrative Lead/Nurse Practitioner - Palliative Care (Piedmont Fayette Hospital)

9:00 am

APPLICATION FOR APPOINTMENT Fayette County Hospital Authority

The Fayette County Hospital Authority was established by the Fayette County Board of Commissioners on February 2, 2000 when it was determined that a Hospital Authority would serve the citizens through financing projects as provided by the Hospital Authorities Law. While the Hospital Authority has no operational or oversight authority it does provide the ability to issue tax-free bonds and is able to offer the hospital a low-cost opportunity for capital funding.

The Fayette County Hospital Authority comprised of five volunteer members who serve for four-year terms. Appointments to the Hospital Authority comprise a distinguished blend of business and community leaders willing to serve voluntarily in support of the community through service on the authority. Potential appointees are nominated to the Hospital Authority by the Fayette County Board of Commissioners. Upon receiving nominees from the Fayette County Board of Commissioners, the Hospital Authority will either select a nominee or decline the nominees

Please take a few minutes to complete the form and answer the questions below and return it with a resume, if available, to Floyd Jones, County Clerk, 140 Stonewall Avenue, West, Suite 100, Fayetteville, GA 30214 no later than 5:00 p.m. on Friday, June 26, 2015.

If you have any questions, please call (770) 305-5102.

NOTE: Information provided on this form is subject to disclosure as a public record under Georgia Open Records Law.

NAME SHARON JACKSON WHITE

ADDRESS [REDACTED]

TELEPHONE (day) [REDACTED]

(evening) [REDACTED]

(email address) [REDACTED]

Sharon Jackson White
Signature

06/01/2015
Date

1. How long have you been a resident of Fayette County? *Since June 2006*
2. Why are you interested in serving on the Fayette County Hospital Authority? *1. To be involved in healthcare progression in Fayette County; 2. I am interested in being in government policy related to healthcare in general.*
3. What qualifications and experience do you possess for appointment to the Hospital Authority? *I have been a healthcare provider for 22 years. I have over 10 years of experience in healthcare leadership. I have served on varying committees, for*
4. List your recent employment experiences to include name of company and position.
See Curriculum Vita
5. Do you have any past experience relating to the Hospital Authority? If so, please describe. *NO*
6. Are you currently serving on a commission/board/authority or in an elected capacity with any government? *NO*
7. Have you attended any Hospital Authority meetings in the past two years and, if so, how many? *NO*
8. Are you willing to attend seminars or continuing education classes at county expense? *YES (if does not interfere with my job or doctoral degree courses)*
9. What is your vision of the county's future related to the duties of the Hospital Authority? *1) To authorize the financing of projects to improve the healthcare of the citizens of Fayette County. 2)*
10. Would there be any possible conflict of interest between your employment or your family and you serving on the Hospital Authority? *NO*
11. Are you in any way related to a County Elected Official or County employee? If so, please describe. *NO*
12. Describe your current community involvement. *None*
13. Have you been provided a copy of the county's Ethics Ordinance? *YES*
14. Is there any reason you would not be able to comply with the Ethics Ordinance? *NO*

Curriculum Vita for Sharon Jackson White

Sharon Jackson White

Educational Background

August 2013 - Present	PhD in Nursing, Georgia State University, Atlanta, Georgia
December 2002	M.S. in Nursing, Emory University, Atlanta, Georgia (Graduated Summa Cum Laude; Overall G.P.A. = 4.00)
June 1993	B.S. in Nursing, Troy State University, Troy, Alabama (Graduated Magna Cum Laude; Overall G.P.A. = 3.73)

Licensure/Certification

Georgia: Registered Nurse (License Number: RN 129857 NP)
Certified Family Nurse Practitioner (AANP & ANCC Certifications)

Alabama: Registered Nurse (License Number: 1-069842)

Other: CITI (Collaborative IRB Training Initiative), Emory IRB
Sponsorship, NIH "Protecting Human Research Participants" Certification,
Certified Nephrology Nurse, and Healthcare Provider CPR/AED Certifications

Appointments/Committees

June 2015 – Present	Palliative Care Research Cooperative Group – 5 Year Affiliate Member (Appointed Position)
June 2015 – Present	Institutional Review Board (IRB) - Piedmont Healthcare (Appointed Position)
January 2015 – Present	Piedmont Cancer Committee – Piedmont Healthcare (Appointed Position)
March 2014 – June 2014	Nursing PhD Program Committee – Georgia State University (Appointed Position)
Feb. 2013 – Present	Vice – President (Elected Position) <i>Sigma Theta Tau (Alpha Epsilon Chapter – Emory University)</i>
Sept. 2012 – Feb. 2013	Board Member & Leadership Succession Committee Co-Chair (Appointed Position) <i>Sigma Theta Tau (Alpha Epsilon Chapter – Emory University)</i>
January 2012 – Present	Ethics Committee Board Member – Piedmont Fayette Hospital (Appointed Position)

Research Writing/Journal Publications Experiences

- Sept./Oct. 2014 **White, S. J.**, McKee-Waddle, R., Shapiro, S., Hall, M., Barbir, D., Thomas, F., & Hansfelt, J. (2014, September/October). Blood glucose levels of patients with diabetes in the immediate post acute hemodialysis period: An exploratory study. *Nephrology Nursing Journal*.
- May 2014 **White, S.J.** (May 2014). Physician perception and utilization of a hospital palliative care consult service. (Pilot study for nursing PhD qualitative research methods course)
- April 2014 Razavi, S. A., Still, M. D., **White, S. J.**, Buchman, T. G., & Connor, M. J. (2014, April). Comparison of circuit patency and exchange rates between 2 different continuous renal replacement therapy machines. *Journal of Critical Care*, 29, 272 - 277.

Research Awards and Grants

- May 2015 Montague Boyd Excellence In Publishing Award (Piedmont Healthcare)
- March 2011 Evidence Based Practice Research Grant (\$ 5,000; American Nephrology Nurses Association)

Research Experience

- May 2015 – Present **“Improving Palliative Care Consultation in a Trauma ICU and Step – Down Unit”**: Vanderbilt University & Vanderbilt University Medical Center; Currently engaging in a research practicum for doctorate of philosophy of nursing program; Collected data; Analyzing data; Drafting integrated review of literature manuscript for research study.
- August 2014 - Present **“The Perceptions of Non-palliative Care Hospital Physicians Referring Patients to a Hospital Palliative Care Program”**: Currently serves as principal investigator of this this qualitative study in the doctor of philosophy of nursing program at Georgia State University; Drafted research protocol, supporting documents, and data collection tools; Conducted qualitative interviews for data gathering; Prepared/submitted manuscript for publication.
- May 2014 **White, S.J.** (May 2014). Physician perception and utilization of a hospital palliative care consult service. (Pilot study for nursing PhD qualitative research methods course)
- Summer 2010 – July 2013 **“Blood Glucose Levels of Diabetic Patients in the Immediate Post Acute Hemodialysis Period: An Exploratory Study”** (Nurse Executive Lead: Susan E. Shapiro, RN, PhD)/Council for the Advancement of Nursing Science abstract presentation on 09/15/2012/American Nephrology Nurses Association’s national symposium abstract presentation on 04/30/2012: Serve as Co-Investigator. Pilot study began May 2011 with full IRB study that began April 2012. Submitted IRB application for pilot study and full study. Completed evidence based practice research grant to fund study (awarded monies Spring 2011). Drafted research protocol, supporting documents, data collection tools and data Excel spreadsheets. Educated nursing staff and physicians on research study.

Conducted patient interviews and performed physical assessments for study enrollment; Participating in research team meetings. Submitted quarterly progress reports to grant organization funding study. Drafted journal manuscript. Submitted journal manuscript to Nephrology Nursing Journal for publication.

Oct. 2008 –
August 2012

“CRRT Equipment Performance and Nurse Satisfaction in the Acute Critical Care Setting: A Comparative Study”: Serve as Co-Investigator. Study time frame = 12/2011 – 06/2012. Drafted research protocol, physician order sets, data collection tools and other supporting documents. Organized training of nursing staff directly involved in study. Organized all pre-study initiation meetings regarding this study. Participated in research team meetings as appropriate. Worked closely with all physicians, nurses, and representatives from equipment companies involved in this study. Analyzed study data. Drafted journal manuscript.

Teaching/Curriculum Development Experience

April 2006 – Dec. 2011

Emory Healthcare: →

Teaching: Educated audiences of physicians, registered nurses, and physical therapists regarding nephrology. Taught renal and endocrine courses in various certification review courses and nursing orientation courses/residencies. Utilized live lecture with power point presentations, video-on-demand, tele-/video conferencing, and online learning with HealthStream educational delivery strategies. Rendered monthly, 4 – 6 hours long initial and maintenance CRRT (Continuous Renal Replacement Therapy) courses. Lectured 8-hour, quarterly renal and endocrine classes in critical care orientation. Taught 8-hour lectures in the quarterly peritoneal dialysis and CRRT super trainer academy courses for registered nurses. Rendered ANCC Magnet readiness lectures quarterly to new registered nursing employees. Provided “one on one” and “just in time” registered nursing student sessions as needed for training and course material clarification as it related to CRRT and peritoneal dialysis.

Curriculum Development: Constructed learning objectives and teaching outlines for all courses taught (updated annually). Developed curriculum for initial/maintenance competency for CRRT and Renal/Endocrine didactics. Compiled nephrology nursing orientation manual and learning guide. Filmed as one of two featured instructors in a video of teaching didactics of CRRT that is still used today via HealthStream for registered nursing education. Coordinated educational needs assessment quarterly forums for registered nurses for future course developments. Developed curriculum for the following:→ ANCC Magnet readiness 4-hour training session, Peritoneal Dialysis super trainer academy, advanced CRRT 2-hour course, & CRRT super trainer academy. Wrote test question items for renal pre- and post- tests for registered nursing students’ assessments and recognition of achievement of course materials. Completed/submitted all documentation needed for registered nursing students to maintain contact hours for advanced CRRT courses per Georgia Nurses Association approval standards. Coordinated classes and enrolled students into them as far out as one year in advance.

Student Management: Utilized HealthStream online portal as an instructor for uploading courses, enrolling/grading registered nursing students, & managing course availability/completion data. Kept five years of manual rosters of registered nursing students’ attendance in courses. Developed electronic data reports for nursing leadership for monitoring registered nursing students’ performances/completion of course work. Prepared post-course work registered nurse student surveys so as to assess the

effectiveness of teaching to facilitate changes needed in future course delivery to enhance learning. Electronically managed student course completion records to meet Georgia Nurses Association's contact hour credit approval standards. Managed registered nursing students' class coordination and enrollment as far out as one year in advance.

Work Experience

March 2015 – Present	Abstract Review Committee Member, Southern Nursing Research Society. Reviews nursing research abstracts submitted for the Council for the Advancement of Nursing Science conferences.
March 2014 – Present	Abstract Review Committee Member, Council for the Advancement of Nursing Science. Reviews nursing research abstracts submitted for the Council for the Advancement of Nursing Science conferences.
Dec. 2011 - Present	Nurse Practitioner/Administrator in the palliative care department, Piedmont Fayette Hospital, Fayetteville, Georgia. Assists in development of clinical practice guidelines / standards in support of quality palliative care as requested by supervisor. Develops orientation guidelines for palliative care providers. Oversees regulatory readiness and revenue recovery processes. Facilitates research within the department. Provides consultation in palliative care, symptom management and supportive care to meet the needs of the patient as requested by the referring physician. Facilitates clarification of patient and family goals of care. Facilitates access to appropriate support models of care (i.e., hospice, rehabilitation, on-going aggressive treatment). Assists with diagnosis, treatment and management of acute and chronic health conditions. Manages patients in an outpatient symptom management clinic so as to prevent patient readmissions to the hospital. Consults and develops a plan of care on patients who have increased risks of hospital readmissions. Consults with palliative care physician as needed, informs primary physician of recommended services and collaborates with other physicians as needed. Manages deceleration of care of patients in the critical care area. Manages comfort care measures of patients on non-critical care areas. Consults with patients in the emergency department and recovery room. Educates hospital staff on all aspects of palliative care and the services provided by the palliative care department. Attends and participates in weekly interdepartmental palliative care team meetings. Consults with the referring physician, the acute care team and other involved providers to contribute to the patient's plan of care. Prepares and maintains accurate patient records, charts and documents to support the hospital and reimbursement for services provided. Uploads billing charges into computer database for patient billing; Prescribes medications including controlled substances to the extent delegated and licensed and after collaboration with palliative care and referring physician. Orders diagnostics / treatments as needed after collaboration with palliative care and referring physicians.
Apr. 2006 – Dec. 2011	Nurse Practitioner and Clinical Nurse Specialist in the renal department, Emory University Hospital, Atlanta, Georgia. Performed physical assessments on renal and diabetic patients. Gave health, nutritional and treatment option counseling of diabetic and pre-renal/acute/chronic renal failure patients. Served as relief for the diabetes educator at Emory Hospitals. Developed educational curriculum and currently implementing continuous renal replacement therapy education to the nurses in the intensive care units and in the hemodialysis units. Created new patient treatment order sets. Delivered direct patient care. Made rounds on and review lab results of hemodialysis, peritoneal dialysis and continuous renal replacement therapy patients. Facilitated unit practice councils for the implementation of shared governance. Taught

renal and endocrine courses in various certification review courses and nursing orientation courses/residencies. Sat on various committees to assist in improving length of stay of hospitalized renal and diabetic patients. In serviced general nursing staff on renal failure, dialysis accesses and renal failure nutrition. Wrote patient care protocols, policies and procedures. Coordinated resources for nursing staff and patients. Served as expert in hemodialysis units and intensive care units for electronic documentation of renal patient care. Developed, organized and updated/revised order sets designed for computerized provider order entry. Assisted in organizing annual skills competency fairs for RNs, LPNs and nurse technicians at Emory University Hospital. Functioned as a Co-Investigator of two research projects (*1. Assessing blood glucose after hemodialysis; 2. Comparing two Continuous Renal Replacement Therapy equipments*). Guest lecturer at Emory University School of Nursing and Emory University School of Physical Therapy. Developed and actively managed the Continuous Renal Replacement Therapy Super Trainer and Peritoneal Dialysis Super Trainer programs at Emory University Hospital. Participated as a member of the transformational leadership magnet subcommittee for Emory Hospitals.

- Mar. 2003 – Aug. 2009 **Family Nurse Practitioner in Family Practice, Community Advanced Practice Nurses, Inc. (an urban community clinic for the indigent population and a homeless shelter for women and children), Atlanta, Georgia.** Assessed, diagnosed and treated adults and children. Performed complete physical exams (including annual gynecological exams, hearing screenings, vision screenings and Denver Developmental testing). Assessed, diagnosed and treated acute and chronic health problems. Made patient referrals. Conducted patient interviews. Ordered and interpreted diagnostic data. Counseled patients. Performed venipuncture on patients. Administered vaccinations/booster injections. Gave and dispensed medications from in-house pharmacy. Provided case management and patient health education. Triageed seriously ill patients to an acute care facility (arranged ambulance transport if needed).
- Oct. 2003 – Apr. 2006 **Family Nurse Practitioner in Primary Care/Internal Medicine, The Emory Clinic, Atlanta, Georgia.** Assessed, diagnosed and treated adult patients. Managed patients with chronic health conditions and diseases. Managed patients with acute health problems. Made appropriate specialist referrals when needed. Conducted patient interviews. Ordered and interpreted diagnostic data. Monitored and notified all patients of test results (laboratory and/or radiological). Performed complete physical examinations (including annual gynecological exams and annual governmental employees' physical exams). Read X-Rays. Performed specialized procedures under physician supervision. Documented the delivery of care in the patients' medical records. Implemented pharmacological and non-pharmacological interventions in the treatment plan of patients. Served as a patient advocate. Provided accurate verbal and written health education for patients at all times. Reassessed and/or modified the patients' plans of care as necessary to achieve optimal health outcomes. Trained other health care professionals. Collaborated with and served as an active team member with other professional colleagues in the primary care practice setting to achieve optimal patient care, quality patient outcomes and excellent patient satisfaction.
- Dec. 1996 – Oct. 2003 **Nurse Clinician of a 50-bed GYN/Plastics/Urological/Medical/Surgical unit, Crawford Long Hospital, Atlanta, Georgia.** Delivered direct patient care. Trained new employees (RNs, LPNs, Nurse Technicians). Supervised RNs, LPNs, nurse technicians and unit clerks. Implemented patient and staff education. Administered conscious sedation to patients. Monitored the adherence to documentation standards. Checked the appropriateness of patient care assignments based on patient care requirements and staff competence. Conducted interdisciplinary

conferences with patients and families. Examined compliance and adherence to policies and procedures. Generated continuous quality improvement. Chaired the safety committee and was a member of the education and staff retention committees. Coordinated, facilitated and ensured development and revision of standards of care to meet the patients' changing needs.

- Jan. 1996- Aug. 1996 **Registered Nurse Unit Manager of a 33-bed Medicare resident hall and of a 30-bed non-Medicare resident hall, Luverne Nursing Facility, Luverne, Alabama.** Delivered direct patient care. Supervised RNs, LPNs and nursing assistants. Evaluated critically ill and injured residents daily. Completed RN physical assessments on new residents and weekly RN physical assessments on all Medicare residents. Performed skin assessment audits. Developed and updated residents' care plans. Created infection control reports. Reviewed residents' weights and addressed weight problems with weight committee weekly.
- Nov. 1993- Jan. 1996 **Charge/Staff Nurse of a ten-station rural outpatient hemodialysis clinic, Troy Nephrology Referral Center, Troy, Alabama.** Delivered direct patient care. Supervised RNs, LPNs and patient care technicians. Dialyzed hemodialysis patients. Educated and encouraged compliance of patients on in-center dialysis treatments and drug therapy, home medication therapy and dietary limitations. Maintained short-term care plans, long-term care plans and accurate charting on ten primary patients assigned to me for 25 months. Prepared lab data and subjective/objective patient data. Wrote and participated in monthly, semi-annual and annual patient care conferences. Trained new RNs and patient care technicians.
- June 1993 – Nov. 1993 **Charge/Staff Nurse of a 30-bed medical/surgical unit, Edge Regional Medical Center, Troy, Alabama.** Delivered direct patient care. Supervised RNs, LPNs and nursing assistants. Promoted and provided patient education. Participated in the clinical training of new RNs and LPNs.

Presentations

Oral Presentations

- March 26, 2015 "The Perceptions of Non-Palliative Care Hospital Physicians Referring Patients to a Hospital Palliative Care Program". Podium presentation at the MBAA International Conference to healthcare administration executives, Chicago, Illinois.
- February 22, 2010 "The Renal System and Renal Disorders". Topic presented at Emory University to physical therapy students, Atlanta, Georgia.
- February 27, 2009 "The Renal System and Renal Disorders". Topic presented at Emory University to physical therapy students, Atlanta, Georgia.
- May 4, 2008 Presented Emory Healthcare's philosophy of nursing education for Continuous Renal Replacement Therapy. Topic presented at National Training Institute, Chicago, IL.
- November 6 – 8, 2007 "Health Issues". Various health topics presented at the College of Christian Education to adults of all ages, Atlanta, Georgia.

November 5, 2002	"Family Violence". Topic presented at Emory University to graduate nursing school professors and students, Atlanta, Georgia.
May 15, 2002	"Documentation". Lecture given at Crawford Long Hospital to registered nurses, Atlanta, Georgia.
April 18, 2002	"Nursing and Safety at Crawford Long Hospital". Lecture given at Crawford Long Hospital to hospital security officers in orientation, Atlanta, Georgia.
August 27, 2001	"Nursing and Occupational Stress". Lecture given at Crawford Long Hospital to RNs, LPNs, nurse technicians and unit clerks, Atlanta, Georgia.
April 24, 2001	"Nurse Practitioner Effectiveness". Topic presented at Emory University to graduate nursing school professors and students, Atlanta, Georgia.
December 6, 2000	"Should HIV-infected Childbearing Females Voluntarily Become Pregnant?". Paper presented at Emory University to graduate nursing school professors and students, Atlanta, Georgia.
July 26, 2000	"Kaposi's Sarcoma". Topic presented at Emory University to graduate nursing school professors and students, Atlanta, Georgia.

Poster Presentations

March 7, 2015	"The Perceptions of Non-Palliative Care Hospital Physicians Referring Patients to a Hospital Palliative Care Program". Poster presented at Georgia Institute of Technology (The Historic Academy of Medicine) to attendees at the Georgia Gerontological Advanced Practice Nurses Association/Atlanta Regional Geriatric Education Center Annual Conference, Atlanta, Georgia.
November 1, 2014	"The Perceptions of Non-Palliative Care Hospital Physicians Referring Patients to a Hospital Palliative Care Program". Poster presented at Georgia Nursing Leadership Coalition Doctoral Symposium to nursing doctoral colleagues and judges, Atlanta, Georgia.
October 9, 2009	"Determining the Accurate Time Frame Post-Hemodialysis to Assess Finger Stick Blood Glucose Levels in Type 1 and Type 2 Diabetic Patients Receiving Insulin in the Acute Care Setting". Poster presented at Emory University Hospital Midtown to nursing audience and judges at the first Emory Healthcare Nursing Research Symposium, Atlanta, Georgia.
February 27, 2002	"Varicella". Poster presented at Emory University to graduate nursing school professors and students, Atlanta, Georgia.
July 26, 2000	"Healthcare in Germany". Poster presented at Emory University to graduate nursing school professors and students, Atlanta, Georgia.

Professional/Academic Workshops Attended

March 26, 2015 – March 29, 2015	MBAA International , Annual Conference, Chicago, Illinois.
February 26, 2015 – March 1, 2015	American Academy of Hospice and Palliative Medicine and Hospice and Palliative Nurses Association, Annual Assembly, Philadelphia, Pennsylvania.
March 30, 2014 – April 1, 2014	American Association of Nurse Practitioners 2014 Health Policy and Leadership Conference, Arlington, Virginia
February 12, 2014 – February 15, 2014	Southern Nursing Research Society, 2014 Annual Conference, San Antonio, Texas
November 7, 2013 – November 9, 2013	Center to Advance Palliative Care, National Seminar, Dallas, Texas
March 14, 2013 – March 16, 2013	American Academy of Hospice and Palliative Medicine and Hospice and Palliative Nurses Association, Annual Assembly, New Orleans, Louisiana.
February 14, 2013- February 16, 2013	Sigma Theta Tau International, Region 7 Conference, Ft. Lauderdale, Florida.
March 7, 2012 – March 10, 2012	American Academy of Hospice and Palliative Medicine and Hospice and Palliative Nurses Association, Annual Assembly, Denver, Colorado.
April 26, 2011 – April 30, 2011	Spring Clinical Meetings, given by National Kidney Foundation, Las Vegas, Nevada (4 day renal conference with sessions)
December 4, 2010	Primary Care Seminar, given by Practicing Clinicians Exchange, Atlanta, Georgia
April 13, 2010 – April 17, 2010	Spring Clinical Meetings, given by National Kidney Foundation, Orlando, Florida (4 day renal conference with sessions)
April 12, 2010	Pri-Med Seminar (Primary Care Seminar), given by Pri-Med, Atlanta, Georgia.
February 24, 2010 – February 25, 2010	Basic Peritoneal Dialysis Workshop, given by Baxter Renal, Atlanta, Georgia.
Oct. 7 – 8, 2009	Pri-Med Seminar (Primary Care Seminar), given by Pri-Med, Atlanta, Georgia.
March 31, 2009 – April 4, 2009	Spring Clinical Meetings, given by National Kidney Foundation, Nashville, Tennessee (4 day renal conference with sessions).
November 15, 2008	Primary Care Seminar, given by Practicing Clinicians Exchange, Atlanta, Georgia
April 28, 2007	Pri-Med Seminar (Primary Care Seminar), given by Pri-Med, Atlanta, Georgia.

April 11 – 14, 2007	Spring Clinical Meetings, given by National Kidney Foundation, Orlando, Florida (4 day renal conference with sessions).
May 2005	“National Conference for Nurse Practitioners”, given by Lippincott Williams and Wilkins, Orlando, Florida (3 day conference with seminars).
August 25, 2004	“Laboratory Tests”, given by Pesi Healthcare, Atlanta, Georgia (8 hour course).
August 24, 2004	“Breaking the Cycle in Antibiotic Resistance in the Treatment of Ear Infections”, given by National Association of Managed Care Physicians, Atlanta, Georgia (4 hour course).
April 8, 2004	“Advancing COPD Therapy in the Primary Care Office”, given by University of Wisconsin Medical School, Peachtree City, Georgia (2 hour course).
December 3, 2003	“Effectively Timing the Treatment of Hypertension”, given by University of California, Irvine College of Medicine, Atlanta, Georgia (2 hour course).
April 30, 2003	“2003 Annual Conference on Women and Their Health”, given by Emory University Regional Training Center, Atlanta, Georgia (8 hour course).
Feb. 19, 2003	“Understanding X-Rays: A Plain English Approach”, given by Pesi Healthcare, Atlanta, Georgia (8 hour course).
Nov. 11, 2002	“12 Lead ECG Analysis”, given by Emory University, Atlanta, Georgia (8 hour course).
Nov. 6, 2002	“Asthma Management”, given by Meniscus Educational Institute, Union City, Georgia (3 hour course).
November 2002	“Contraceptive Technology”, given by Grady Memorial Hospital, Atlanta, Georgia (1 hour course).
Oct. 1, 2002	“Using Brain Chemistry to Select an Antidepressant”, given by Henry Medical Center, Inc., Stockbridge, Georgia (1 hour course).
May 3, 2002	“Osteoporosis and Incontinence”, given by Emory University, Atlanta, Georgia (8 hour course).
April 5, 2002	Suturing workshop, given by Emory University, Atlanta, Georgia (4 hour course).
February 2002	“Interpreting Pap Smear Results”, given by Grady Memorial Hospital, Atlanta, Georgia (1 hour course).
February 2002	“Chronic Pelvic Pain”, given by Grady Memorial Hospital, Atlanta, Georgia (1 hour course).
Oct. 26, 2001	“Women and HIV/AIDS”, given by Emory University, Atlanta, Georgia (4 hour course).

Professional Affiliations

American Association of Nurse Practitioners
Council for the Advancement of Nursing Science
Southern Nursing Research Society
AANP Network for Research
Hospice and Palliative Nurses Association
American Nurses Association
Sigma Theta Tau International
Palliative Care Research Cooperative Group
Advanced Practice Provider Executives, Inc.
Phi Kappa Phi National Honor Society
United Advanced Practice Registered Nurses of Georgia
American Nephrology Nurses Association
National Association of Professional Women
Troy University Alumni Association
Emory University Alumni Association

Honors/Awards

Sigma Theta Tau International (Graduate and undergraduate studies induction)
Montague Boyd Excellence In Publishing, Piedmont Healthcare, 2015
Summa Cum Laude Graduate, Emory University, 2002
Magna Cum Laude Graduate, Troy State University, 1993
Phi Kappa Phi National Honor Society, Troy State University, 1992
Outstanding Microbiology Student, Troy State University, May 1991

COUNTY AGENDA REQUEST

New Business #12

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Consideration of a recommendation from the Selection Committee comprised of Chairman Charles W. Oddo and Commissioner Barlow, to appoint Pete Daniel to the Region Six Mental Health, Developmental Disabilities, and Addictive Diseases Regional Planning Board for an unexpired term beginning immediately and expiring on June 30, 2016.

Background/History/Details:

The Region Six Mental Health, Developmental Disabilities, and Addictive Diseases Regional Planning Board is a volunteer body composed of three members appointed by the Fayette County Board of Commissioners and by the governing authorities of thirty other counties located in central-western Georgia. The duties of the Regional Planning Board include, but are not limited to, assisting the Region Six Regional Office in preparing an annual plan for the provision of all disabilities services in the Region Six area. This assistance may include consulting with families, customers, providers, and advocacy groups in order to identify local needs, gaps in services, and recommended priorities.

One available position was advertised on May, 2015 and three citizens responded to the advertisement. The Selection Committee interviewed each applicant and recommended that Pete Daniel be appointed to fill the available position.

What action are you seeking from the Board of Commissioners?

Approval of a recommendation from the Selection Committee, comprised of Chairman Charles W. Oddo and Commissioner Barlow, to appoint Pete Daniel to the Region Six Mental Health, Developmental Disabilities, and Addictive Diseases Regional Planning Board for an unexpired term beginning immediately and expiring on June 30, 2016.

If this item requires funding, please describe:

Not Applicable.

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

*** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.**

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:

The term was originally filled by Sharon Herbert who resigned from the Board effective July 2015.

PETE DANIEL



Fayette COUNTY

140 STONEWALL AVENUE WEST, STE. 100
FAYETTEVILLE, GEORGIA 30214
PHONE: 770-305-5200
WWW.FAYETTECOUNTYGA.GOV

"WHERE QUALITY
IS A LIFESTYLE"

September 2, 2015

Pete Daniel



Dear Mr. Daniel:

Thank you for your interest in being considered for appointment to the Fayette County Region Six Mental Health, Developmental Disabilities, and Addictive Diseases Regional Planning Board. We appreciate your desire to serve.

We would like to inform you that we are making a recommendation to the Board of Commissioners that you be given the appointment based on your knowledge, personal commitment and passion for this area of need. You are a strong candidate and the right fit for this appointment.

This appointment is contingent on a vote from the Board of Commissioners. The next step is to bring this recommendation before the Board of Commissioners during our next meeting. This will take place on **Thursday, September 24 at 7:00 p.m.** at 140 Stonewall Avenue, West, Fayetteville, Georgia in the Public Meeting Room.

We invite you to attend in case the Board would like to ask you questions.

Please notify, Tameca White at 770-305-5103 no later than Tuesday, September 8, 2015 if you are able to attend.

We certainly enjoyed getting to meet you.

Sincerely,

Charles W. Oddo, Chairman

David Barlow, Commissioner

Cc: Board of Commissioners

10:00

APPLICATION FOR APPOINTMENT
Fayette County Region Six Mental Health, Developmental Disabilities, and
Addictive Diseases Regional Planning Board

Thank you for your interest in being considered for appointment to the Region Six Mental Health, Development Disabilities, and Addictive Diseases (MHDDAD) Regional Planning Board.

The Region Six MHDDAD Board members are appointed by thirty counties to terms lasting three years each. Meetings are typically held every other month, and are generally held on the second Wednesday of said month from 1:00 until 4:00 p.m. The meetings take place at the Upson County Senior Center located at 302 South Bethel Street, Thomaston, Georgia.

Please take a few minutes to complete the form and answer the questions below and return it with a resume, if available, to Floyd Jones, County Clerk, 140 Stonewall Avenue, West, Suite 100, Fayetteville, GA 30214 no later than 5:00 p.m. on Friday, May 29, 2015.

If you have any questions, please call (770) 305-5102.

NOTE: Information provided on this form is subject to disclosure as a public record under Georgia Open Records Law.

NAME Pete Daniel

ADDRESS [REDACTED]

TELEPHONE (day) [REDACTED]

(evening) _____

(email address) [REDACTED]

Pete Daniel RN [Signature]
Signature

5/9/2015
Date

1. How long have you been a resident of Fayette County? 9 years
2. Why are you interested in serving on the Region Six MHDDAD Board? Please see attached document.
3. What qualifications and experience do you possess for appointment to the Region Six MHDDAD Board? Please see attached document.
4. List your recent employment experiences to include name of company and position. Please see attached resume.
5. Do you have any past experience relating to the Region Six MHDDAD Board? If so, please describe. No.
6. Are you currently serving on a commission/board/authority or in an elected capacity with any government? No.
7. Have you attended any Region Six MHDDAD Board meetings in the past two years and, if so, how many? No.
8. Are you willing to attend seminars or continuing education classes at county expense? Yes.
9. What is your vision of the county's future related to the duties of the Region Six MHDDAD Board? Please see attached document.
10. Would there be any possible conflict of interest between your employment or your family and you serving on the Region Six MHDDAD Board? No.
11. Are you in any way related to a County Elected Official or County employee? If so, please describe. No.
12. Describe your current community involvement. Please see attached document.
13. Have you been given a copy of the county's Ethics Ordinance? Yes, I have read it.
14. Is there any reason you would not be able to comply with the Ethics Ordinance? No.

Question 2. Why are you interested in serving on the Region Six MHDDAD Board?

In 2009, I made a personal decision to change my life, my career path. I was tired of going to work and not feeling any purpose in my effort. With careful discussion with my wife of then 13 years, now almost 18 years, I elected to find a line of work that would utilize my intelligence, my desire to be of service and, most of all, be engaged and enthused with my work. I thus left behind a lucrative sales career to be a registered nurse. It was one of the better decisions I have ever made.

In the ensuing efforts at becoming a nurse, and now that I am practicing, I have seen the necessity of various public health initiatives such as the MHDDAD. The need for advocacy for the marginalized in our communities is immense. In my opinion, which is now based on direct experience, efforts aimed at assisting the mentally ill and disabled are some of the most difficult to solve and also have the least amount of advocacy. Trust me, just try placing a mentally or developmentally disabled person into a long term care facility. It's close to impossible. If the person is unfunded, well, forget it. Thus, our local hospitals must use up valuable resources caring for a person, at great expense, when they would greatly benefit from a different treatment modality. Thus, we (our community) loses as our hospitals are misused and our patients are mistreated.

I want to become a part of the solution that will find a better way for us to deliver the correct healthcare to the correct patient at the correct time. That is why I am interested in serving on the Region Six MHDDAD board.

Question 3. What qualifications and experience do you possess for appointment to the Region Six MHDDAD Board?

Qualifications:

I am a practicing, critical care, registered nurse. I am at the bedside, intimately involved with the entire multidisciplinary team of healthcare providers (Attending physicians, consulting physicians, dieticians, social workers, case managers, occupational therapists, physical therapists, speech therapists). This status of bedside nursing gives me the unique privilege of knowing the patient and knowing the patient's care. This knowledge is critical if we are develop a better way of delivering care in our community.

This is important and appropriate as a qualification to the MHDDAD board as a significant majority of the critical care patients I serve are suffering the direct results of acute and or chronic abuse of alcohol and drugs (both prescription and/or "street" drugs).

Question 9. What is your vision of the county's future related to the duties of the Region Six MDHDAD board?

I would like to see Fayette county take a leadership role in advocating, as well as providing, the necessary disability services for all of region 6. Fayette County is in the unique and blessed position of being a county with a significant portion of its population existing well above the means of its neighboring counties. Further, Fayette (as well as Coweta) have a significant investment of healthcare infrastructure that allow them to be able to centralize some services while being able to satellite other services to less populated areas of region 6. Thus, Fayette can remain a leader and as such, benefit itself

as being the “magnet” county of the region while also being an altruistic provider to the other areas of the region.

Question 12. Describe your current community involvement

Youth Athletics – Peachtree City Flash Running Club, Peachtree City Little League, Starr’s Mill Youth Football, Peachtree City Youth Basketball

Church/Faith - St. Vincent de Paul Society, Knights of Columbus

Peter Daniel

A large black rectangular redaction box covering several lines of text.

Dear Sir:

Attached is my resume and a list of local references.

Regards,

Peter Daniel
Enclosure

Peter Daniel



References:

Scott Hollowell – (770) 344-9640
105 Glendalough Ct., Tyrone, GA 30290

Bruce Sutherland – (770) 241-1143
112 Kimmer Rd., Peachtree City, GA 30269

Mike Bergfalk – 404 502-9731
422 Hampton Green, Peachtree City, GA 30269

Peter Daniel

SUMMARY: Critical care registered nurse in a 14 bed, community hospital's intensive care unit as well as prior experience in the 20 bed, main urban campus' cardiac intensive care unit.

Competencies include:

- Technical Literacy (MS Office suite, EPIC, Medetech)
- Strong Interpersonal Skills
- A Teacher
- Thought Leader
- Researcher
- Service Oriented

PROFESSIONAL EXPERIENCE

Piedmont Healthcare / Piedmont Fayette Hospital

November 2011 – Current

Registered Nurse

Critical care registered nurse in a 14 bed, community hospital, intensive care unit. Also, assignments to a 20 bed, main urban campus, cardiac intensive care unit.

Responsibilities:

- Holistic, multidisciplinary care of critically ill patients, including, but not limited to, intubated patients, patients receiving intermittent and/or continuous sedation, patients on various high alert drip infusions, patients with significant wound therapies, patients requiring medical and/or behavioral restraints. More often than not, patients are receiving some combination of the aforementioned therapies simultaneously.

Accomplishments:

- Excellence in Nursing Award – 2013 Resident of the Year.

University of West Georgia

January 2010 – December 2013

Student - School of Nursing

Returned to school to pursue a registered nursing degree. This effort meant spending considerable time and personal expense to accomplish a career change into a field that was more suitable to my personal goals and ambitions.

Responsibilities:

- Completion of all school-of-nursing prerequisites (all A's).
- Completion of all school-of-nursing requirements including: classroom work, lab work, clinical rotations (Pediatrics, Geriatrics, Community Health, Mental Health, Med-Surg, Emergency and Critical Care).

Accomplishments:

- 3.85 GPA while maintaining a household and while working full time, nights, at a local hospital.

Sam's Club

January 2011 – October 2011

Customer Service

While only temporary work while returning to school to pursue a nursing degree, I took this job seriously and was able to honorably discharge my duties in a professional, friendly and efficient manner.

Responsibilities:

- Sign up new members.
- Assist members with any assistance they may have required to ensure their satisfaction and, thus, store profitability.

Accomplishments:

- I was offered an opportunity to pursue a management position with Sam's Club. While alluring due to the potential financial gain, I was steadfast in the pursuit of my nursing degree.

FENS Associates LLC, Washington D.C., Atlanta

2004 – 2008

Regional Sales Manager

Working for a contract furniture dealership, I was brought in to manage a staff of sales, sales administration and designers as we opened up a new territory (Washington D.C.) that was previously under-served.

Responsibilities:

- New business development in the highly competitive GSA sales arena.
- Maintenance and growth of existing Clientele.
- Project manager on all projects sold
- Oversight and management of projects sold – quotation, order entry, receipt, redelivery, installation, punch-list – to insure customer satisfaction

Accomplishments:

- Starting from scratch in Washington D.C., I opened up a new showroom and began aggressively competing in the most competitive GSA market. In my first year, I met, and in the second year, I exceeded, sales targets of over \$1m per year.
- With no prior experience in contract furniture or in GSA sales, I was able to develop enough knowledge of my product and my market thus enabling me to meet and then exceed stated sales goals.
- All projects required sales, quotation of product, order receipt, order entry as well as product receipt, redelivery and installation. I handled all of these activities in person, on site until the client signed off.
- Upon relocation to Georgia, I opened up new accounts throughout Georgia, Alabama and N. Florida while maintaining key accounts in the Capital region.

SHAW INDUSTRIES, Dalton, Georgia

2002 – 2004

Business Consultant

Served as executive management's advocate for gaining quality information systems solutions and services. With an understanding of the corporate strategy, I worked to sponsor the creation of process and system solutions that improved the efficiency and effectiveness of the customer facing systems of the organization.

Responsibilities:

Peter Daniel

- Establish strong partnership relationships that allow me to advise management concerning complicated technical or procedural issues that would otherwise go unnoticed or remain misunderstood
- Bring together members from diverse business areas (Customer Service, Financial Services, Sales, Sales Administration) to design, develop and implement business process improvements (CRM, BPM).

Accomplishments:

- Led cross-functional teams to design the processes and systems that allowed customer's claims to route directly to the sales force via CRM tools so the territory manager could quickly, and cost-effectively, manage them.
- Using database tools (MS Access) and UML tools (Visio) I was able to accurately report detailed online order-entry usage. Further, using these tools to monitor time and motion within the enterprise as well as with clients, we were able to predict online usage trends and effective, actionable strategies for increasing this usage.
- Re-engineered the processes and systems used to manage customer's financial interface with Shaw which resulted in claims reductions and improved customer service.
- Directed e-commerce initiatives aimed at growing the use of customer self-service tools to reduce costs and improve accuracy of customer orders.

PRUDENTIAL FINANCIAL, Jacksonville, Florida

1998 – 2001

Information Systems Project Manager, United States Consumer Group

Supervised projects consisting of cross-functional teams with budgets in excess of \$1 million. Managed all budgeting, scheduling, business/systems requirements, testing and implementation as well as detailed reporting of all work to senior management with an emphasis on timeliness and cost effectiveness.

- Directed the systems effort for cross-functional team that completely rewrote consumer billing resulting in significant cost savings realized in operational efficiencies, customer retention and improved responsiveness to customers.
- Managed the development of an online workbench used by the customer service organization.
- Led the analysis, training and transition effort from one United States outsourcing contract to two separate offshore (India, Ireland) vendors resulting in cost savings over the next five years.

DOCUCORP INTERNATIONAL (now Oracle), Atlanta, Georgia

1995 – 1998

Software Instructor / Sales Support

Developed and administered a curriculum designed to train users on the various document automation software applications developed by Docucorp. This position required detailed working knowledge of technical software applications and the ability to translate this knowledge to an untrained audience.

- Developed a class specifically tailored to the needs of utilities, which directly resulted in utility customers becoming Docucorp clients.
- Developed the training curriculum for new Docucorp consultants to prepare them for their role as business analysts.

Business Analyst

Integrated company's proprietary document automation solution. Responsibilities included the ability to understand existing technical and functional workflow problems within an enterprise and then find ways to improve them.

- Worked with various Life Insurance customers to implement Docucorp's document automation solution.

Peter Daniel



ANDERSEN CONSULTING, Atlanta, Georgia

1993 – 1995

Business Consultant

Business systems consultant trained to develop systems solutions for high profile clientele looking to improve efficiency.

- Using Visual Basic and SQL Server, I Worked with a local Fortune 50 corporation implementing software and process changes used to track trade spending with grocery wholesalers. Also developed a re-engineered corporate credit management system.

UNIVERSITY OF ALABAMA HOSPITAL, Birmingham, Alabama

1992 – 1993

Health Information Systems – Lead Technician

Information systems network technician. Implemented and maintained a mixed media (copper, fiber, client server, mainframe) LAN/WAN throughout a large, urban hospital.

EDUCATION

University of West Georgia – Carrollton, Georgia

Bachelor of Science – Registered Nurse

University of Alabama at Birmingham – Birmingham, Alabama

Bachelor of Arts – History, Minor – Sociology

Associates Certificate, Project Management – George Washington Univ.

COUNTY AGENDA REQUEST

New Business #13

Department: Board of Commissioners

Presenter(s): Commissioner Steve Brown

Meeting Date: Thursday, September 24, 2015

Type of Request: New Business

Wording for the Agenda:

Consideration of the Public Art Committee recommendation to approve the concept design to prominently display the national motto, "In God We Trust" in the Board of Commissioners Public Meeting Room.

Background/History/Details:

In December 11, 2014 former Commissioner Allen McCarty made a recommendation to prominently display the national motto, "In God We Trust" in the Board of Commissioners Public Meeting Room. The Board unanimously approved this recommendation.

After several attempts to come up with a acceptable design, the Board later made the decision to have the Public Art Committee (PAC) discuss and present a design to bring before the Board of Commissioners for a vote.

There were three designs under consideration by the PAC. One design was unfavorable and the other design was discarded after several attempts to reach the designer. The final design was submitted by Graphic Signs, Inc. located in Fayetteville. The total cost for the display and installation is \$561.50. The project start date, if approved, is to be determined after collaboration with the contractor's schedule and the county's meeting schedule.

The PAC recommends Option 2- Script.

What action are you seeking from the Board of Commissioners?

Approval of the Public Art Committee recommendation to approve the concept design to prominently display the national motto, "In God We Trust" in the Board of Commissioners Public Meeting Room.

If this item requires funding, please describe:

Funding is available in the Commissioners' 2016 Public Relations line item budget, account 10010110-521217.

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

Yes

*** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.**

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:



Option #1- PRINT



Option #2- SCRIPT

COUNTY AGENDA REQUEST

New Business #14

Department: Board of Commissioners

Presenter(s): Chairman Charles W. Oddo

Meeting Date: Thursday, September 24, 2015

Type of Request: New Business

Wording for the Agenda:

Consideration of Ordinance 2015-09- Ethics, amending Fayette County's Code of Ordinances pertaining to ethical standards.

Background/History/Details:

The Board of Commissioners adopted Ordinance 2010-10, referred to as the "Ethics Ordinance," on November 18, 2010 for the purpose of providing ethical standards for its public officials and for the purpose of proper operation of local government.

In 2013, the Board created an Ethics Committee to review the Ethics Ordinance and to make recommendation for possible amendments to the ordinance. The committee convened and made several recommendations to the Ethics Ordinance. The recommendations were provided to the Board in April and in August 2015 for input and additional recommendations. The proposed Ordinance 2015-09 is the result of the committee's recommendations and recommendations from the Commissioners.

"Exhibit A" provides Ordinance 2010-10 Ethics as approved by the Board on November 18, 2010.

"Exhibit B" provides proposed Ordinance 2015-09 Ethics as recommended by the Ethics Committee.

No red-line version that distinguishes the changes from Ordinance 2010-10 to the proposed ordinance is available since proposed Ordinance 2015-09 is essentially a complete re-write of Ordinance 2010-10.

What action are you seeking from the Board of Commissioners?

Adoption of Ordinance 2015-09- Ethics, amending Fayette County's Code of Ordinances pertaining to ethical standards.

If this item requires funding, please describe:

Not Applicable.

Has this request been considered within the past two years? No

If so, when?

Is Audio-Visual Equipment Required for this Request?* No

Backup Provided with Request? Yes

*** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.**

Approved by Finance Not Applicable

Reviewed by Legal

Approved by Purchasing Not Applicable

County Clerk's Approval Yes

Administrator's Approval

Staff Notes:

EXHIBIT A

ORDINANCE 2010-10 ETHICS

**APPROVED BY THE BOARD OF
COMMISSIONERS ON NOVEMBER 18, 2010**

STATE OF GEORGIA
COUNTY OF FAYETTE

ORDINANCE NO. 2010-10

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, FAYETTE COUNTY, GEORGIA CHAPTER 2, ADMINISTRATION; TO PROVIDE FOR ETHICAL STANDARDS; TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR PENALTIES; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN ADOPTION DATE; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES ALLOWED BY LAW.

WHEREAS, the duly elected governing authority of Fayette County is the Board of Commissioners thereof;

WHEREAS, the governing authority desires to amend the provision that provides for the ethical standards of county officials as allowed by the State of Georgia;

WHEREAS, the health, safety, and welfare of the citizens of Fayette County, Georgia shall be improved and protected by adoption and implementation of this Ordinance.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF FAYETTE COUNTY, GEORGIA AND IT IS HEREBY ORDAINED BY AUTHORITY THEREOF:

Section 1. That Article VIII of Chapter 2 Administration of the Code of Ordinances, Fayette County, Georgia is hereby deleted in its entirety and replaced to read as follows:

Sec. 2-207. Purpose.

The proper operation of local government requires that the public officials be independent, impartial and responsible to the people; that the government decisions and policy be made through proper channels of the governmental structure; that public office not be used for personal gain; that the public officials be free from the appearance of impropriety; and that the public have confidence in the integrity of its government. In recognition of these goals, a code of ethics for all county officials is adopted. The purpose of this policy is to establish ethical standards of conduct for all such officials by setting forth those acts or actions that are incompatible with the best interests of the county and by directing disclosure by such officials of private financial or other interests in matters affecting the county.

Sec. 2-208. Definitions.

Business entity means any business, proprietorship, firm, partnership, person in either a representative or a fiduciary capacity, association, venture, trust, or corporation.

Confidential information means any information which, by law or practice, is not available to the public.

County official or *official* shall mean the county board of commissioners, county administrator, county attorney and his assistants, and any county employee who has been appointed to the position by the board of commissioners.

Immediate family means an official and the spouse of an official, their parents, children, brothers and sisters related by blood or marriage.

Interest means direct or indirect pecuniary or material benefit accruing to a public officer or official as a result of a contract or transaction which is or may be the subject of an official act or action by or with the county except for such contracts or transactions which, by their terms and by the substance of their provisions, confer the opportunity and right to realize the accrual of similar benefits to all other persons and/or property similarly situated.

For purposes of this policy, a county official shall be deemed to have an interest in the affairs of:

- (1) his or her immediate family;
- (2) any business entity in which the county official is an officer, director, or member having a financial interest in, or employed by it; or
- (3) any business entity as to which the stock, legal ownership, or beneficial ownership of a county official is in excess of five percent of the total stock or total legal and beneficial ownership, or which is controlled or owned directly or indirectly by the county official.

Official act or action means any legislative, administrative, appointive or discretionary act of any official of the county or any agency, board, committee, authority or commission thereof.

Reprimand means an expression of disapproval.

Sec. 2-209. Standards.

(a) Interest in contract or transaction. No county official having the power or duty to perform an official act or action related to a contract or transaction which is or may be the subject of an official act or action of the county shall:

- (1) have or thereafter acquire an interest in such contract or transaction, or
- (2) have an interest in any business entity involved in such contract or transactions, or
- (3) have solicited or accepted present or future employment with a person or business entity involved in such contract or transaction, or
- (4) have solicited or accepted a present or future gift, favor, service, or thing of value from a person involved in such contract or transaction, except as provided in section 2-210, below.

(b) Pre-acquisition of interest. No county official shall acquire an interest in a contract or transaction which is or may be the subject of an official act or action of the county at a time when the county official believes or has reason to believe that such contract or transaction will be directly or indirectly affected by an official act or action of the county.

(c) Disclosure of information. No county official shall without proper legal authorization, disclose confidential information concerning the property, government, or affairs of the county, or use such information to advance the financial or other private interest of himself or others.

(d) No county official shall waive the attorney-client privilege or disclose any documents protected by the attorney-client privilege without the consent of the majority of the board of commissioners.

(e) No county official shall disclose to others matters discussed in executive session of any board or commission without the consent of the majority of the board of commissioners or until after the minutes of the meeting is required to be released as a matter of law.

(f) Incompatible service. No county official shall engage in or accept private employment or render service for any private entity, when such employment or service is incompatible with the proper discharge of his official duties or would tend to impair his independence of judgment or action in the performance of his official duties, unless otherwise permitted by law and unless disclosure is made as provided in this policy.

(g) Appearance. No county official shall appear on behalf of any private person other than himself, his spouse or minor children, before any county agency, authority or board. However, a member of the board of commissioners may appear before such groups on behalf of his constituents in the course of his duties as a representative of the electorate or in the performance of public or civic obligations.

(h) Public property. No county official shall request or permit the unauthorized use of county-owned vehicles, equipment, materials or property for personal convenience or profit.

(i) Special treatment. No county official shall grant any special consideration, treatment or advantage to any citizen beyond that which is available to every other citizen in the same or similar circumstances.

(j) Later case interest. No county official shall, after the termination of service or employment with the county, accept remuneration of any kind for any appearance before any board, commission, committee, agency or authority of the county on behalf of any adverse party in relation to any case, proceeding, or application in which he personally participated during the period of his service or employment, which was under his active consideration during the period of his service or employment, or as to which he could have acquired knowledge or information during the period of his service or employment.

(k) Political recrimination. No county official, whether elected or appointed, shall promise an appointment or threaten the dismissal from any county position as a reward or punishment for any political activity.

(l) Withholding of information. No county official shall knowingly withhold any information which would impair the proper decision making of any of the county board, authorities, agency or commissions.

(m) Payment of debts. All county officials shall settle all accounts between them and the county, including the payment of taxes, in a timely fashion.

(n) Organizational integrity. County commissioners, as policy makers, shall refrain from interfering in the daily administrative affairs of department directors. Commissioners shall not, acting alone, make suggestions to the department directors or their employees regarding the performance of their duties, nor give instructions to department directors or other employees. Commissioners shall not make recommendations regarding the hiring, firing or disciplining of department directors and other county employees.

Sec. 2-210. Exceptions.

(a) It shall not be deemed a violation of the standards of this policy if the interest of a county official in a person or business entity is a contractual obligation of less than \$500.00 which has not been preceded by any other obligation, discharged or existing, between the parties, and which is not the first in a series of two or more loans or debts which either of the parties is under any obligation to make or incur.

(b) The following shall not be deemed a violation of the standards of this policy:

- (1) Legitimate salary, benefits, fees, commissions, or expenses associated with an official's non-public business;
- (2) An award, plaque, certificate, memento, or similar item given in recognition of the official's civic, charitable, political, professional, or public service;
- (3) Food, beverages, and registration at group events to which all similarly situated officials are invited;
- (4) Actual and reasonable expenses for food, beverages, travel, lodging, and registration for a meeting which are provided to an official so that he or she may participate or speak at the meeting;
- (5) A commercially reasonable loan made in the ordinary course of business;
- (6) Any gift with a total value less than \$100.00 in any calendar year;
- (7) Promotional items generally distributed to public officials generally;
- (8) A gift from a member of the public official's immediate family; or
- (9) Food, beverage, or expenses afforded public officials, and members of their immediate families, or others that are associated with normal and customary business or social functions or activities.

(c) It shall not be deemed a violation of the standards of this policy if a county official, in his capacity as such official, participates in the making of a contract even if such official has a private pecuniary interest or performs in regard to that contract some function requiring the exercise of discretion on his part, if;

- (1) The contract is awarded through a process of public notice and competitive bidding, or
- (2) The board of commissioners at regular meeting, after determining that it is in the best interest of the county to do so, authorizes the participation.

Sec. 2-211. Disclosure of interest in legislative action.

(a) Any member of the Board of Commissioners of Fayette County, Georgia who has financial or personal interest in any proposed legislation before the commission shall immediately disclose on the record the nature and extent of such interest.

(b) Any other official who has a financial or personal interest in any proposed legislative action of the board of commissioners, and who participates in discussion with or gives an official opinion or recommendation to the commission, shall disclose on the record the nature and extent of such interest.

Sec. 2-212. Abstentions.

A county official who has an interest that he has reason to believe may be affected by an official act or action shall abstain from any participation in the same.

Sec. 2-213. Enforcement and administration.

(a) Constituting the board; chairman.

(1) The board of ethics of the county is hereby created and authorized by the board of commissioners.

(2) The board of ethics of the county shall be composed of three (3) residents of the county to be appointed as provided herein. Each member of the board of ethics shall have been a resident of the county for at least one year immediately preceding the date of taking office and shall remain a resident of the county while serving as a member of the board of ethics. No person shall serve as a member of the board of ethics if the person has, or has had within the preceding one year period, any interest in any contract, transaction, or official action of the county.

(3) The members of the board of commissioners may nominate persons to serve on the board of ethics, who shall be appointed by a majority vote of the board of commissioners. These individuals must agree to undergo a criminal background check conducted by the County Marshal prior to designation, and/or redesignation, the results of which will be forwarded to the board of commissioners. These individuals should be available to be called upon for their term of office. At the end of each term, the board of commissioners shall appoint eligible residents to fill the board. Current members can be reappointed and there shall be no term limits for the members. If a member of the board of ethics does not finish their term, the remainder of the term shall be filled through an appointment by the board of commissioners.

(4) Alternates. In addition to the members of the board, the board of commissioners shall appoint two alternate members. These alternates shall be appointed in the same manner as members of the board of ethics.

(5) If any member of the board of ethics has a conflict of interest in any matter before the board, the remaining two members of the board of ethics shall select an alternate to serve for that matter from the two alternative members appointed by the board of commissioners.

(6) The board shall select a chairman at the beginning of each matter to be heard.

(7) Term of Office. The term of office for each member of the board of ethics and alternates shall be for three (3) years; however, in the appointment of the first board, one (1) member and one (1) alternate shall be appointed for three (3) years; one (1) member and one (1) alternate for two (2) years and one (1) member for one (1) year. It is the intent of this section that their terms be staggered. Any vacancy in the membership shall be filled for the unexpired term in the same manner as the initial appointment.

(b) Duties of board. The board of ethics shall have the following duties and powers:

(1) To administer the ethics ordinance;

(2) To receive, review, process, make determinations on, and hear complaints of violations of standards required by this chapter. The board is not designed to be an oversight board or to perform investigations;

(3) To make such response to a complaint as it deems necessary to determine whether any person has violated any provisions of this chapter;

(4) To hold such hearings and make such inquiries as deemed necessary to investigate and rule upon complaints; and

(5) To report its findings and actions to the board of commissioners.

(c) Administration.

(1) Complaints.

a. All complaints of ethical violations must be filed with the county clerk, in writing, signed by the complainant, no later than 90 days after the alleged act occurred unless the complainant, by exercising reasonable diligence, failed to discover the alleged ethical violation within such 90 day period. In such a case, the complainant must file a written complaint with the county clerk no later than 90 days after the complainant discovered the alleged violation. In all such cases brought after 90 days from the date of the alleged ethical violation, the complainant bears the burden of convincing the board of the true date complainant learned of the alleged violation.

b. In no event, shall an ethical charge be filed with the county clerk more than two years from the date of the alleged ethical violation.

c. The complainant may withdraw the complaint at any time in writing.

(2) Pay and staff support.

a. The members of the board of ethics shall serve without compensation. The governing authority of the county shall provide meeting space for the board of ethics. Subject to budgetary procedures and requirements of the county, the county shall provide the board of ethics with such supplies and equipment as may be reasonably necessary for it to perform its duties and responsibilities.

b. The county clerk shall serve as the recording secretary to the board and shall provide such administrative services to the board as may be necessary.

c. Subject to budgetary procedures and requirements of the county, the county shall provide the board of ethics with such legal staffing as may be reasonably necessary for it to perform its duties and responsibilities by an attorney who does not serve at the County Attorney.

(3) Action by the board. Within 30 days of receipt of a complaint from the county clerk, the board may perform one or more of the following:

a. Upon receipt of a complaint in proper form, review the complaint to determine whether the complaint is unjustified, frivolous, patently unfounded or fails to state facts sufficient to invoke disciplinary jurisdiction. The board of ethics shall be empowered to collect evidence and information concerning any complaint and to add the findings and results of its investigation to the file containing such complaint;

b. Upon completion of its review and/or investigation of a complaint, the board at a public meeting may dismiss those complaints which are unjustified, frivolous, patently unfounded or which fail to state facts sufficient to invoke disciplinary jurisdiction. Provided, however, that a rejection of such complaint by the board of ethics shall not deprive the complaining party of any action he/she might otherwise have at law or in equity against the respondent. A rejection shall prevent refiling of a complaint regarding the same subject(s) and alleged perpetrator(s) for the same offense;

- c. Admonish, formally reprimand, publicly censure, any complaining party that files an unjustified, frivolous, patently unfounded or factually insufficient complaint;
- d. Forward an order to the board of commissioners; or
- e. Hold a public hearing within 60 days after the complaint was received.

(4) Parties rights. At any hearing held by the board of ethics, the official who is the subject of a complaint shall have the right to written notice of the allegations at least ten business days before a hearing, to be represented by counsel, to hear and examine the evidence and witnesses and to present evidence and witnesses in opposition or in extenuation according to the procedures contained in subparagraph (6).

(5) Advisory opinions. When any official has a doubt regarding the applicability of any provision of this chapter to a particular situation, or regarding the definition of its terms, he may apply in writing or verbally during a public meeting to the county attorney for an advisory opinion. The advisory opinion shall be written unless it is given verbally during a public meeting, and may be provided directly to the requestor of such opinion. Nothing in this chapter shall be construed to prohibit a request for an informal opinion by any public official from the county attorney regarding a potential conflict of interest. Neither a request for an informal opinion, nor the making of a statement concerning a potential conflict of interest made by a member of the governing body in the course of abstaining from voting shall create a presumption or inference that a public servant actually has a personal interest in the matter about which the opinion was requested.

(6) Hearing procedures.

- a. At the hearing the conduct of the parties shall be dignified both on and off the record.
- b. Misconduct before the board may be grounds for summary exclusion from the hearing. The hearing is intended to receive evidence either to refute or to substantiate specific charges. It shall not be a forum for discussion of extraneous or irrelevant matters having no bearing on the charges, and the alleged misconduct of others who may have escaped discipline in the past shall serve as no defense. All parties at action and witnesses shall be given ample time and opportunity to develop points, subject to the discretion of the board.
- c. It should be recognized that the board will be composed of private citizens. Accordingly, the board may not follow established legal procedures as might be expected in a court of law. However, in taking testimony and in considering the evidence, the board shall follow accepted legal procedure insofar as is practicable but shall not be bound by the technical rules of evidence observed in courts of law. The board may decline to listen to numerous character witnesses or numbers of witnesses testifying to identical facts.
- d. The chairman of the board of ethics shall conduct the hearing.
- e. The hearing shall be recorded and the county clerk shall prepare a written summary of the hearing. The complainant and/or respondent may provide a court reporter at their expense for a verbatim transcript of the hearing, if so desired. The county clerk, or their designee shall take minutes of the hearing, specifically including the name of the board members who make any motions, the board members who second any such motions, and the names of the individuals on the board and how each voted. This written report shall be presented to the board of commissioners at the conclusion of the board's proceedings.

- f. Three members of the constituted board shall be required to conduct the hearing. The ethics board may, before the hearing and upon ten days notice to all parties, approve regulations governing conduct of ethics board hearings so long as such regulations do not conflict with this Article.
- g. The person who filed the complaint ("complainant") shall present his case to the board first.
- h. All documentary evidence which is anticipated to be submitted to the board at the hearing by either the respondent or the complainant, and the names, with telephone numbers, of all individuals expected to present testimony to the board on behalf of either the respondent or complainant, must be given to the county clerk and the opposing party at least ten days in advance of the hearing. This requirement shall not apply to evidence used solely for purposes of cross-examination or rebuttal. The failure of a party to adhere to this rule shall preclude such party from tendering such evidence or individual's testimony at the hearing through any form. The respondent, complainant, and the public shall be entitled to see all such lists which are placed on file with the county clerk.
- i. The board may compel the production of any document in the possession of the county and subject to the Open Records Act and the testimony of any county employee. Where the board compels any such document or testimony after a hearing has commenced a continuation shall be provided so that such order can be complied with.
- j. Neither party shall have the right to require depositions of any individual, including the opposite party.
- k. The complainant's evidence must prove that respondent is guilty of the offense charged by the evidentiary standard commonly referred to as "preponderance of the evidence."
- l. Each witness presented by the complainant, and including the complainant, shall be subject to cross-examination by the individual accused of the ethical violation ("respondent") or such person's representative.
- m. At the conclusion of the complainant's case, the respondent shall be entitled to move for dismissal based on insufficient evidence on the part of complainant's case. If respondent makes such a motion and the board, by majority vote, agrees to dismiss the complaint, the hearing shall be terminated at this point. If either the respondent fails to make such a motion, or, if the board decides by majority vote to overrule respondent's motion, the hearing shall continue. The board may also direct a decision in favor of the respondent upon the board's own initiative.
- n. Respondent shall then be entitled to present his evidence to the board.
- o. Respondent is not required to testify. The absence of respondent's testimony shall not be viewed by the board as an admission of any sort.
- p. If respondent testifies, then respondent shall be subject to cross-examination by complainant. All other witnesses who testify in the respondent's case shall be subject to cross-examination by complainant.
- q. All persons who testify before the board, shall be placed under oath, by either the chairman or a person designated by the chairman.

r. At the conclusion of respondent's case, the complainant may offer rebuttal evidence only to those items presented in respondent's case. At the conclusion of complainant's rebuttal, respondent shall be entitled to offer rebuttal evidence only to those matters presented in complainant's rebuttal case.

s. During the course of testimony and at the conclusion of all the testimony and closure of all of the evidence, the board members may ask questions of any of the individuals who testified before the board.

t. At the conclusion of all questions by parties and board members, the chairman shall end the hearing and permit the board to deliberate in public. If the board decides by majority vote that additional evidence is needed to make a decision, the board shall have the authority to require either the complainant or respondent to submit additional evidence at a continuation of the hearing which must be held no later than 45 days after the date of the initial hearing. The board has no authority to continue the hearing past this 45-day deadline.

u. Following the conclusion of any additional evidence received at the continued hearing, the board shall continue to deliberate. When deliberations are concluded, the chairman shall call for a vote. The board may vote immediately after deliberations are concluded or they may continue the meeting for up to two weeks when a public vote must be taken. The board's first vote must be whether the respondent violated the ethics code as charged by the complainant. If, by majority vote, the board rules that the respondent did not violate the ethics code as charged by the complainant, then the matter is concluded. If the board, by majority vote, concludes that the respondent did violate the ethics code as charged by the complainant, then the board must make a second decision by majority vote. The second decision involves the form of penalty. The board shall have six options of penalty which include:

i. No admonishment and no further action;

ii. A public reprimand and admonishment not to violate the ethics code in the future;

iii. Formal reprimand;

iv. Public censure;

v. Recommendation for termination, resignation, or recall; or

vi. Recommendation of prosecution in the State Court of Fayette County.

v. The complainant may withdraw his or her complaint at any time without the approval of the board.

w. An order will be generated by the board and submitted to the board of commissioners for inclusion in the minutes within fifteen (15) days of the completed hearing.

(d) Judicial review of decisions.

(1) Any public official adversely affected by any final decision of the board of ethics under subsection (f) of this section may obtain judicial review of such decision as provided in this subsection.

(2) An action for judicial review may be commenced in the Superior Court of Fayette County within 30 days after the decision of the board of ethics becomes final.

(3) The effective date of the final decision of the board of ethics shall be postponed pending judicial review as provided for in this subsection.

(4) The record on review, unless otherwise stipulated by the parties, shall include the original or certified copies of all pleadings, testimony, evidence, exhibits, and other papers presented to or considered by the board of ethics and the findings and decisions of the board of ethics. As to alleged procedural irregularities, evidence may be taken independently by the court.

(5) If the court finds no error, it shall affirm the decision of the board of ethics. The court shall hold unlawful and set aside the decision of the board of ethics if it finds that such action was:

- i. Arbitrary or capricious;
- ii. A denial of a statutory right;
- iii. Contrary to constitutional right, power, privilege, or immunity;
- iv. In excess of statutory jurisdiction, authority, purposes, or limitation;
- v. Not in accord with the procedures or procedural limitations of this section or as otherwise required by law;
- vi. An abuse of discretion, unsupported by substantial evidence when the record is considered as a whole; or
- vii. Otherwise contrary to law.

(6) The decision of the trial court shall be subject to appellate review in the same manner and with the same effect as in appeals from a final judgment or decree in any other civil action.

Sec. 2-214. Penalties.

County officials are subject to the following penalties and action for breach of ethics:

- (1) Written warning or reprimand;
- (2) Cancellation of the contract or rejection of the bid or offer;
- (3) Recovery of the value transferred or received; and/or
- (4) Debarment or suspension from award of county contract for a period of up to three years.

Sec. 2-215. Compliance with applicable laws.

No officer or official shall engage in any activity or transaction that is prohibited by any law, now existing or hereafter enacted, which is applicable to him or her by virtue of his or her office.

Secs. 2-216—2-220. - Reserved.

Section 2. That the preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

Section 3. a. It is hereby declared to be the intention of the Board of Commissioners that all Sections, paragraphs, sentences, clauses and phrases of this Article are and were, upon their enactment, believed by the Board of Commissioners to be fully valid, enforceable and constitutional.

b. It is hereby declared to be the intention of the Board of Commissioners that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Board of Commissioners that, to the greatest extent allowed by law, no Section, paragraph, sentence, clause or phrase of this Article is mutually dependent upon any other Section, paragraph, sentence, clause or phrase of this Article.

c. In the event that any phrase, clause, sentence, paragraph or section of this Article shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Board of Commissioners that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or Sections of the Article and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and Sections of the Article shall remain valid, constitutional, enforceable, and of full force and effect.

Section 4. All ordinances or resolutions and parts of ordinances or resolutions in conflict herewith are hereby expressly repealed.

Section 5. The effective date of this Ordinance shall be the date of adoption unless otherwise specified herein.

IT IS SO ORDAINED THIS 18th DAY OF NOVEMBER, 2010.

**BOARD OF COMMISSIONERS
FAYETTE COUNTY, GEORGIA**

Jack R. Smith, Chairman

ATTEST:

Carol Chandler, County Clerk

EXHIBIT B

PROPOSED ORDINANCE 2015-09 ETHICS

CHAPTER 2 – ADMINISTRATION

Article IV – Officers and Employees

Division 3. CODE OF ETHICS

Sec. 2-200. Purpose.

The purpose of this Code of Ethics is to:

- (a) Encourage high ethical standards in conduct by Fayette County officials (“County Officials”);
- (b) Establish guidelines for ethical standards of conduct for all County Officials by setting forth those acts or actions that are incompatible with the best interests of Fayette County (the “County”);
- (c) Maintain public trust through transparency by requiring disclosure by County Officials of private financial or other interests in matters affecting the County or in matters that affect their ability to act in the best interests of the County; and
- (d) Serve as a basis for disciplining those who do not comply with its terms.

Sec. 2-201. Scope.

The provisions of this Code of Ethics shall be applicable to all County Officials. Notwithstanding anything herein to the contrary, state law and the public laws establishing the County as a political subdivision of the State of Georgia.

Further, the County Purchasing Director shall develop procedures for individuals, corporations and other entities seeking to do business with the County to disclose financial, familial or other relationships with any person who comes within the scope of this Code of Ethics and who is also required to disclose such relationships. Such disclosures must be made prior to presenting a recommendation of award to the Fayette County Board of Commissioners (the “Board of Commissioners”) or, if Board of Commissioners approval is not required, prior to execution of a contract in excess of [\$10,000]. The obligation for an individual, corporation or other entity seeking to do business with the County to disclose the aforementioned relationships is ongoing and shall be enforced as a prerequisite to any action by a County Official or other person covered by this Code of Ethics to renew, extend or otherwise modify a contract after award.

Sec. 2-202. Definitions.

The following words and phrases as used in this Code of Ethics shall, unless the context clearly indicates otherwise, have the meanings as follows:

(a) *Anything of value* means meals, lodging and travel (other than that reasonably required for continuing education or in furtherance of the duties of the County Official's position), entertainment, any real or personal property of any kind, or the voluntary rendition of services of any kind, or the promise of future employment or personal benefit whether or not such items are in the form of a gift, loan, political contribution or award, but shall not include the following:

(1.) Items from family members or friends provided that the gift was not made as part of any design to gain or maintain influence with the County Official;

(2.) Items related to the outside business of the County Official that are customary and not related to the County Official's performance of official duties;

(3.) Items exchanged among County Officials, or a social event hosted or sponsored by a County Official for coworkers;

(4.) Payments by an entity, provided they are not from a Lobbyist or Lobbyist's Employer as defined by this Code of Ethics, of reasonable expenses incurred in connection with a speech, presentation, appearance, or trade mission made in an official capacity. As used in this ordinance, "reasonable expenses" are limited to travel, lodging, and subsistence expenses incurred the day before through the day after the event;

(5.) Items a County Official is authorized by law to accept;

(6.) Payment of enrollment and course fees and reasonable expenses attributable to attending seminars and educational programs sponsored by a bona fide governmental or nonprofit professional, educational or trade organization or institution, provided they are not from a Lobbyist or Lobbyist's Employer;

(7.) Items from which the County Official receives no personal benefit and which are returned by the County Official to the donor within 30 days of receipt;

(8.) Campaign contributions reported under [Insert County/State Code];

(9.) Discounts available to an individual as a member of an employee group, occupation, or similar broad-based group;

(10.) Awards, prizes, scholarships, or other items provided in recognition of academic, scientific or other achievement;

(11.) Any symbolic presentation the nature of which is not to financially benefit the County Official; and

(12.) Items of personal property not exceeding **\$50** in value such as a box of candy or a bouquet of flowers which are given as a simple act of human kindness, thoughtfulness and appreciation.

(b) *Business* means any corporation, partnership, sole proprietorship, firm, enterprise, franchise, association, organization, self-employed individual, consultant, holding company, joint stock company, receivership, trust or any legal entity organized for profit.

(c.) *Business in which a County Official has a substantial interest* means any Business in which the County Official or a member of the County Official's immediate family:

(1.) Is a director, officer, partner, employee; or

(2.) Knowingly owns, directly or indirectly, an interest (a) that exceeds one-tenth (1/10) of one (1%) percent of the outstanding stock of all categories if the Business is incorporated; or (b) that exceeds one (1%) percent of the net worth of an unincorporated Business; or (c) that exceeds one (1%) percent of all debt obligations of the Business, incorporated or unincorporated; or

(3.) Attributes five (5%) percent or more of the net worth of the County Official to ownership of a financial interest in the Business.

(d.) *Candidate* means any individual who seeks election to public office. Pursuant to [Insert County Code], an individual shall be deemed to seek election when he or she first:

(1.) Receives contributions, makes expenditures, or reserves space or facilities with the intent to promote his or her candidacy for office; or

(2.) Announces publicly or files for office.

(e.) *Compensation* means payment in any form for real or personal property or services of any kind; PROVIDED, that "compensation" shall not include reasonable expenses made by the County to reimburse a County Official for expenses incurred while engaged in the official business authorized by the County.

(f.) *County Administrator* means the individual who serves as County Administrator of Fayette County.

(g.) *County official* includes County employees, members of the Board of Commissioners, the County Administrator, the County Clerk and the County Attorney. County Official also includes all individuals appointed by the County Administrator and the Board of Commissioners to County authorities, commissions, committees, boards, task forces, or other bodies.

(h.) *Decision* means any ordinance, resolution, contract, franchise, recommendation, authorization, formal action or other matter voted on or made by a County Official, as well as the discussions or deliberations thereof which may lead to a vote or formal action.

(i.) *Ethics*: the discipline dealing with what is good and bad and with moral duty and obligation – Merriam Webster

(j.) *Expenditure* includes a payment, contribution, subscription, distribution, loan, advance, deposit, gift, contract, promise or agreement to make an expenditure. The term "expenditure" also includes a promise to pay, a payment or a transfer of anything of value in exchange for goods, services, property, facilities or anything of value. For the purposes of this ordinance, agreements to make expenditures, contracts and promises to pay may be reported as estimated obligations until actual payment is made.

(k.) *Governmental body* means any department, office, commission, council, board, administration or other establishment in the administrative, legislative or judicial branch of County government over which County government may lawfully exercise its jurisdiction.

(l.) *Honorarium* means money or anything of value offered to a County Official for a speech, appearance, article, or similar item or activity in connection with the County Official's official role, but does not include reimbursement of reasonable expenses.

(m.) *Immediate family* means the spouse, mother, father, grandparent, brother, sister, son or daughter of any County Official related by blood, adoption or marriage. The relationship by marriage shall include in-laws.^[A1]

(n.) *Person* means:

(1.) An individual;

(2.) A partnership, limited partnership, public or private corporation, or joint venture;

(3.) A nonprofit corporation, organization, or association, including but not limited to, a national, state, or local labor union or collective bargaining organization and a national, state, or local trade or professional association;

(4.) A federal, state, or local governmental entity or agency, however constituted;

(5.) A candidate, committee, political committee, bona fide political party, or executive committee thereof; and

(6.) Any other organization or group of persons, however organized.

(o.) *Political contribution* means any advance, conveyance, distribution, transfer of funds or anything of value, including personal and professional services for less than full consideration, loan, payment, pledge, forgiveness of indebtedness, forbearance, gift, deposit, subscription or purchase of a ticket to a testimonial or similar fund-raising affair in connection with a political campaign and any agreement or other obligation to make a political contribution.

(p.) *Section X Entity* means any entity, organization, association or agency that receives \$100,000 or more from Fayette County in any fiscal year as compensation, in full or in part, for providing direct services to residents of Fayette County. The Ethics Commission shall appoint a task force which shall hold public hearings, develop criteria for identifying Section X entities and recommend a list of entities, organizations, associations, and agencies that meet those criteria for adoption by the Ethics Commission. Said list may be amended from time to time by the Commission.

(q.) *Substantial interest* means an interest, either directly or through a member of the immediate family, in another person or entity, where:

(1.) the interest is ownership of five (5%) percent or more of the voting stock, shares or equity of the entity, or ownership of \$5,000.00 or more of the equity or market value of the entity; or

(2.) funds received by the person from another person or entity during the previous 12 months either equal or exceed

(A.) \$5,000.00 in salary, bonuses, commissions or professional fees, or \$5,000.00 in payment for goods, products or services; or

(B) ten (10%) percent of the recipient's gross income during that period, whichever is less;

(3.) the person serves as a corporate officer or member of the board of directors or other governing board of an entity other than an entity owned or created by the Board; or

(4.) the person is a creditor, debtor, or guarantor of another person or entity in an amount of \$5,000.00 or more.

Sec. 2-203. Prohibitions.

(a.) No County Official shall use such position to secure special privileges or exemptions for himself/herself or others, or to secure confidential information for any purpose other than official duties on behalf of the County.

(b.) No County Official, in any matter before the Board or other County body, relating to a person or entity in which the County Official has a substantial interest, shall fail to disclose for the record such interest prior to any discussion or vote, nor fail to recuse himself/herself from such discussion or vote as applicable.

(c.) No County Official shall act as an agent or attorney for another in any matter before the Board of Commissioners or other County body.

(d.) No County Official shall directly or indirectly receive, or agree to receive, any compensation, gift, reward, or gratuity in any matter or proceeding connected with, or related to, the duties of his or her office except as may be provided by law.

(e.) No County Official shall enter into any contract with, or have any interest in, either directly or indirectly, the County except as authorized by state law.

(1.) This prohibition shall not be applicable to the professional activities of the County Attorney in his or her work as an independent contractor and legal advisor on behalf of the County.

(2.) This prohibition shall not be applicable to an otherwise valid employment contract between the County and a County Official who is not elected (such as, by way of example, the County Administrator).

(3.) Any County Official who has a proprietary interest in an agency doing business with the County shall make that interest known in writing to the County Administrator and/or the County Clerk.

(f.) All public funds shall be used for the general welfare of the people and not for personal economic gain.

(g.) Public property shall be disposed of in accordance with state law including but not limited to electronic files and records.

(h.) No County Official shall solicit or accept other employment to be performed, or compensation to be received, while still a County Official if the employment or compensation could reasonably be expected to impair such County Official's judgment or performance of County duties.

(i.) If a County Official accepts or is soliciting a promise of future employment from any person or entity who has a substantial interest in a person, entity or property which would be affected by any decision upon which the County Official might reasonably be expected to act, investigate, advise, or make a recommendation, the County Official shall disclose the fact to the Board and/or the County Administrator and shall recuse himself/herself and take no further action on matters regarding the potential future employer.

(j.) No County Official shall use County facilities, County personnel, equipment or supplies for private purposes, except to the extent such are lawfully available to the public.

(k.) No County Official shall grant or make available to any person any consideration, treatment, advantage or favor beyond that which it is the general practice to grant or make available to the public at large.

(l.) No County Official shall directly or indirectly make use of, or permit others to make use of, official information not made available to the general public for the purpose of furthering a private interest.

(m.) No County Official shall use his or her position in any way to coerce, or give the appearance of coercing, another person to provide any financial benefit to such County Official or persons within the County Official's immediate family, or those with whom the County Official has business or financial ties amounting to a substantial interest.

(n.) No County Official shall order any goods and/or services for the County without prior official authorization for such expenditure. No County Official shall obligate the County, attempt to obligate the County, or give the impression of obligating the County without proper prior authorization.

(o.) No County Official shall draw travel funds or per diem from the County for attendance at meetings, seminars, training or other educational events and fail to attend such events without promptly reimbursing the County therefor.

(p.) No County Official shall attempt to unduly influence the outcome of a case before the County nor shall any County Official engage in ex parte communication with court judges of Fayette County on any matter pending before the County.

Sec. 2-204. Conflict of Interest.

(a) No County Official may participate in a vote or decision on a matter affecting an immediate family member or any person, entity, or property in which the County Official has a substantial interest.^[A2]

(b) A County Official who serves as a corporate officer or member of the board of directors of a nonprofit entity must disclose his/her interest in said entity to the Board and the County Administrator prior to participating in a vote or decision regarding funding of the entity by or through the County.

(c) A County Official may participate in a vote or decision and need not disclose his/her interest where the interest of a County Official in the subject matter of a vote or decision is remote or incidental.

(d) No County Official may participate in a vote or decision on a matter in which the County Official is, or ever has been, the Complainant or Respondent in a pending matter before the Ethics Board.

(e) No County Official may participate in a vote or decision on a matter in which the County Official is, or ever has been, an adverse party in any litigation against the County.

Sec. 2-205. Enforcement and administration.

(a.) Constituting the Board of Ethics; Chairman.

(1.) The Board of Ethics is hereby created and authorized by the Board of Commissioners.

(2.) The Board of Ethics shall be composed of five (5) residents of the County to be appointed as provided herein. Each member of the Board of Ethics shall have been a resident of the County for at least one (1) year immediately preceding the date of taking office and shall remain a resident of the County while serving as a member of the Board of Ethics. No person shall serve as a member of the Board of Ethics if the person has, or has had within the preceding one (1)-year period, any direct interest in any contract, transaction, or official action of the County.

(3.) The Board of Commissioners shall appoint a committee to solicit applicants willing to serve on the Board of Ethics, to review the applications and resumes submitted, to conduct personal interviews, and to present to the Board of Commissioners its nominations. For a nominee to be appointed to the Board of Ethics he/she must be approved by a majority vote of the Board of Commissioners. In making its recommendations the committee should consider

such factors as the length of time the applicant has resided in the County, prior experience in dispute resolution, and legal training. All applicants must agree to undergo a criminal background check prior to appointment. Members of the Board of Ethics should be available to be called upon for their term of office. At the end of each term, the Board of Commissioners shall appoint eligible residents to fill the Board of Ethics from a list of nominees submitted by the committee. Current members can be reappointed if nominated by the committee and there shall be no term limits for the members. If a member of the Board of Ethics does not finish his/her term, the remainder of the term shall be filled in the same appointment process.

(4.) Alternates. In addition to the five (5) members of the Board of Ethics, the Board of Commissioners shall appoint two (2) alternate members. These alternates shall be appointed in the same manner as members of the Board of Ethics.

(5.) If any member of the Board of Ethics has a conflict of interest in any matter before the Board of Ethics, the remaining four (4) members of the Board of Ethics shall select an alternate to serve for that matter. A quorum shall exist when at least four (4) members are present.

(6.) The Board of Ethics shall select a Chairman at the beginning of each matter to be heard.

(7.) Term of Office. The term of office for each member of the Board of Ethics and alternates shall be for three (3) years; however, in the appointment of the first Board, two (2) members and one (1) alternate shall be appointed for three (3) years; two (2) members and one (1) alternate for two (2) years; and one (1) member for one (1) year. It is the intent of this section that their terms be staggered, and deciding which respective term will apply to members comprising the first Board of Ethics will be accomplished in a random manner. Once the original terms have been completed by each member, or each member's replacement(s), all subsequent term shall be for three (3) years duration.

(b.) Duties of Board. The Board of Ethics shall have the following duties and powers:

(1.) To administer the Code of Ethics;

(2.) To receive, review, process, and make determinations on whether an Ethics Complaint is on its face unjustified, frivolous, patently unfounded or fails to state facts sufficient to invoke the disciplinary jurisdiction of the Board of Ethics; or whether the Ethics Complaint requires a hearing. The Board of Ethics

is not designed to be an oversight board nor to perform investigations except to the degree sufficient to make the determinations outlined in Sec. 2-205 (b).

(3.) To respond to an Ethics Complaint as it deems necessary to determine whether any person has violated any provisions of the Code of Ethics;

(4.) To hold such hearings as deemed necessary; and

(5.) To report its findings and actions to the Board of Commissioners.

(c.) Administration.

(1.) Ethics Inquiries.

a. All allegations of violations of the Code of Ethics must be filed with the County Clerk, in writing on a prescribed Ethics Complaint Form, signed by the complainant, no later than 45 days after the alleged act occurred unless the complainant, by exercising reasonable diligence, failed to discover the alleged violation of the Code of Ethics within such 45-day period. In such case, a complainant must file an Ethics Complaint with the County Clerk no later than 45 days after the complainant discovered the alleged violation. In all such cases brought after 45 days from the date of the alleged violation of the Code of Ethics, the complainant bears the burden of convincing the Board of Ethics of the true date the complainant learned of the alleged violation.

b. In no event shall an Ethics Complaint be filed with the County Clerk more than six (6) months from the date of the alleged violation of the Code of Ethics.

c. The complainant may withdraw the Ethics Complaint at any time in writing.

(2.) Pay and Staff Support.

a. The members of the Board of Ethics shall serve without compensation. The Board of Commissioners shall provide a meeting space for the Board of Ethics. Subject to budgetary procedures and requirements of the County, the County shall provide the Board of Ethics with such supplies and equipment as may be reasonably necessary for it to perform its duties and responsibilities.

b. The County Clerk or his or her designee shall serve as the recording secretary to the Board of Ethics and shall provide such administrative services to the Board of Ethics as may be necessary.

c. Subject to budgetary procedures and requirements of the County, the County shall provide the Board of Ethics with such legal staffing as may be reasonably necessary for it to perform its duties and responsibilities by an attorney who does not serve as the County Attorney.

(3.) Action by the Board. Within 30 days of receipt of an Ethics Complaint Form from the County Clerk, the Board of Ethics may perform one or more of the following:

a. Upon receipt of an Ethics Complaint in proper form, review the Ethics Complaint to determine whether same is on its face unjustified, frivolous, patently unfounded or fails to state facts sufficient to invoke disciplinary jurisdiction;

b. Upon completion of its review of an Ethics Complaint, the Board of Ethics at a public meeting may dismiss those Ethics Complaints which are unjustified, frivolous, patently unfounded or which fail to state facts sufficient to invoke disciplinary jurisdiction. Provided, however, that a rejection of an Ethics Complaint by the Board of Ethics shall not deprive the complainant of any action he/she might otherwise have at law or in equity. A dismissal shall prevent the filing of another Ethics Complaint regarding the same subject(s) and alleged perpetrator(s) for the same offense;

c. Admonish, formally reprimand, publicly censure, any complainant that files an unjustified, frivolous, patently unfounded or factually insufficient Ethics Complaint Form;

d. Determine that the Ethics Complaint sets forth sufficient grounds for which a public hearing will be held within 60 days after the Ethics Complaint was received.

(4.) Parties' Rights. At any hearing held by the Board of Ethics, the respondent (the person against whom the Ethics Complaint was filed) shall have the right to written notice of the allegations at least ~~ten (10) business~~³⁰ days before a hearing, to hear and examine the evidence and witnesses in opposition or in extenuation according to the procedures contained in subparagraph (5). The respondent may be represented by counsel.

(5.) Hearing procedures.

a. At the hearing the conduct of the parties shall be dignified both on and off the record.

b. Misconduct before the Board of Ethics may be grounds for summary exclusion from the hearing. The hearing is intended to receive

evidence either to refute or to substantiate the specific charges. It shall not be a forum for discussion of extraneous or irrelevant matters having no bearing on the charges, and the alleged misconduct of others who may have escaped discipline in the past shall serve as no defense. All parties at action and witnesses shall be given ample time and opportunity to develop points, subject to the discretion of the Board of Ethics.

c. The Board of Ethics will be composed of private citizens. Accordingly, the Board of Ethics may not follow established legal procedures as might be expected in a court of law. However, in taking testimony and in considering the evidence, the Board of Ethics shall follow accepted legal procedure insofar as is practicable but shall not be bound by the technical rules of evidence observed in courts of law. The Board of Ethics may decline to listen to numerous character witnesses or numbers of witnesses testifying to identical facts.

d. The Chairman of the Board of Ethics shall conduct the hearing.

e. The hearing shall be recorded and the County Clerk, or his or her designee, shall prepare a written summary of the hearing. The complainant and/or the respondent may provide a court reporter at their expense for a verbatim transcript of the hearing, if so desired.

f. Five (5) members of the Board of Ethics shall be required to initiate the hearing. A quorum of four (4) members of the Board of Ethics shall be required to conduct subsequent meetings pertaining to a particular hearing. The Board of Ethics may, before the hearing and upon ten (10)-days notice to all parties, approve regulations governing conduct of hearings before the Board of Ethics so long as such regulations do not conflict with this Code of Ethics.

g. The complainant shall present his/her case to the Board of Ethics first.

h. All documentary evidence which is anticipated to be submitted to the Board of Ethics at the hearing by either the respondent or the complainant, and the names, with telephone numbers, of all individuals expected to present testimony to the Board of Ethics on behalf of either the respondent or the complainant, must be given to the County Clerk or his or her designee, and the opposing party at least ten (10) days in advance of the hearing. This requirement shall not apply to evidence used solely for purposes of cross-examination or rebuttal. The failure of a party to adhere to this rule shall preclude such party from tendering such evidence or individual's testimony at the hearing through any form. The respondent, the complainant, and the public shall be entitled to see all such lists which are placed on file with the County Clerk^[A4].

i. The Board of Ethics may compel the production of any document in the possession of the County and subject to the Open Records Act and the testimony of any County employee. Where the Board of Ethics compels any such document or testimony after a hearing has commenced, a continuation shall be provided so that such order can be complied with.

j. Neither party shall have the right to require depositions of any individual, including the opposite party.

k. The complainant's evidence must prove that the respondent is guilty of the offense charged by a preponderance of the evidence.

l. Each witness presented by the complainant, and including the complainant, shall be subject to cross-examination by the respondent or such person's representative.

m. At the conclusion of the complainant's case, the respondent shall be entitled to move for dismissal based on insufficient evidence on the part of the complainant's case. If the respondent makes such a motion and the Board of Ethics, by majority vote, agrees to dismiss the complaint, the hearing shall be terminated. If the respondent fails to make such a motion, or if the Board of Ethics decides by majority vote to deny the respondent's motion, the hearing shall continue. The Board of Ethics may also direct a decision in favor of the respondent upon its own initiative.

n. The respondent shall then be entitled to present his/her evidence to the Board of Ethics.

o. The respondent is not required to testify. The absence of the respondent's testimony shall not be viewed by the Board of Ethics as an admission of any sort.

p. If the respondent testifies, then the respondent shall be subject to cross-examination by the complainant. All other witnesses who testify in the respondent's case shall also be subject to cross-examination by the complainant.

q. All persons who testify before the Board of Ethics, shall be placed under oath, by either the Chairman or a person designated by the Chairman.

r. At the conclusion of the respondent's case, the complainant may offer rebuttal evidence only to those items presented in the respondent's case. At the conclusion of the complainant's rebuttal, the respondent shall be entitled to offer rebuttal evidence only to those matters presented in the complainant's rebuttal case.

s. During the course of testimony and at the conclusion of all the testimony and closure of all of the evidence, the members of the Board of Ethics may ask questions of any of the individuals who testified.

t. At the conclusion of all questions by the parties and members of the Board of Ethics, if any, the Chairman shall end the hearing and permit the Board of Ethics to deliberate in public. If the Board of Ethics decides by majority vote that additional evidence is needed to make a decision, the Board of Ethics shall have the authority to require either the complainant or the respondent to submit additional evidence at a continuation of the hearing which must be held no later than 45 days after the date of the initial hearing. The Board of Ethics has no authority to continue the hearing past this 45-day deadline.

u. Following the conclusion of any additional evidence received at the continued hearing, the Board of Ethics shall continue to deliberate. When deliberations are concluded, the Chairman shall call for a vote. The Board of Ethics may vote immediately after deliberations are concluded or they may continue the meeting for up to two (2) weeks when a public vote must be taken. The first vote of the Board of Ethics must be whether the respondent violated the Code of Ethics as charged by the complainant. If, by majority vote, the Board of Ethics rules that the respondent did not violate the Code of Ethics as charged by the complainant, then the matter is concluded. If the Board of Ethics, by majority vote, concludes that the respondent did violate the Code of Ethics as charged by the complainant, then the Board of Ethics must make a second decision by majority vote. The second decision involves the form of penalty. The Board of Ethics shall have six (6) options of penalty which include:

- i. No admonishment and no further action;
- ii. A public reprimand and admonishment not to violate the Code of Ethics in the future;
- iii. Formal reprimand;
- iv. Public censure;
- v. Recommendation for termination, resignation, or recall; or
- vi. Recommendation of prosecution in the State Court of Fayette County.

v. The complainant may withdraw his or her complaint at any time without the approval of the Board of Ethics.

w. An order will be generated by the Board of Ethics and submitted to the Board of Commissioners for inclusion in the minutes within 15 days of the completed hearing.

(6.) Judicial review of decisions.

(a.) Any County Official adversely affected by any final decision of the Board of Ethics may appeal as provided in this subsection.

(b.) An appeal by certiorari may be commenced in the Superior Court of Fayette County within 30 days after the decision of the Board of Ethics becomes final.

Sec. 2-206. Penalties. County Officials are subject to the following penalties and action for breach of ethics:

- (a.) Written warning or reprimand;
- (b.) Cancellation of the contract or rejection of the bid or offer;
- (c.) Recovery of the value transferred or received; and/or
- (d.) Debarment or suspension from award of a County contract for a period of up to three (3) years.

Sec. 2-207. Compliance with applicable laws. No officer or official shall engage in any activity or transaction that is prohibited by any law, now existing or hereafter enacted, which is applicable to him or her by virtue of his or her office.

Secs. 2-208—2-220. - Reserved.

ADMINISTRATOR'S REPORT THREE APPROVED BIDS FOR CONTRACT

EXHIBIT A

Award:	Bid #1006-B Crack Sealing Services
Vendor:	Remac, Inc.
Amount:	\$7,030.00 Not to Exceed
Available Budget:	\$118,610.00 as of September 8, 2015
Account No.	10040220-521316 (Road Department / Technical Services)
Purpose:	Provide Crack Sealing Treatment for eight roads in order to prevent pavement failures and other extensive repairs.

EXHIBIT B

Award:	Bid #1012-B Sports Lighting for Kiwanis Park, Athletic Field #9
Vendor:	Middle Georgia Outdoor Lighting
Amount:	\$85,885.00 Not to Exceed
Available Budget:	\$150,000.00 as of September 9, 2015
Account:	Recreation CIP / Other Improvements / Athletic Field Lighting
Purpose:	Refurbishing the lighting at the Athletic Field #9 at Kiwanis Park

EXHIBIT C

Award:	Bid #1018-P Type I Ambulance
Vendor:	Peach State Ambulance, Inc.
Amount:	\$147,090.00 Not to Exceed
Available Budget:	\$158,000.00 Authorized by the BOC on August 13, 2015.
Account:	Vehicle Replacement Fund
Purpose:	Immediate replacement of an ambulance for the Fire / ES Department.



"WHERE QUALITY
IS A LIFESTYLE"

To: Steve Rapson
From: Ted L. Burgess 
Date: September 8, 2015

Subject: Invitation for Bids #1006-B: Crack Sealant for Selected Roads

When asphalt cracks, water can penetrate the road surface, leading to pavement failures and more extensive repairs. Sand, dirt, and other non-compressible substances can also enter the crack, leading to pavement upheaval. If cracks are sealed in a timely manner, it will increase the life of the road, and reduce long-term costs. The Road Department has identified a list of eight roads that would benefit from crack sealing treatment (Attachment 1).

The Purchasing Department issued Invitation to Bid #1006-B to obtain bids for crack sealer on the eight roads. Notices of the opportunity to bid were emailed to seven contractors. Another 43 were contacted through the web-based Georgia Procurement Registry. In addition, invitations were extended via the Fayette News, the county website, Georgia Local Government Access Marketplace (www.glga.org), and Channel 23.

Three companies submitted bids (Attachment 2). The Road Department recommends awarding a contract to the low bidder, Remac, Incorporated. I support the recommendation.

Specifics of the proposed contract are as follows:

Contract Name:	1006-B: Crack Sealing Services
Vendor:	Remac, Inc.
Not-to-Exceed Amount:	\$74,030.00
Budget:	
Organization Code:	10040220 Road Department
Object Code:	521316 Technical Services
Project Code:	LMIG4
Available Budget:	\$118,610.00 as of 9/8/2015

Awarding Authority: County Administrator

Approval Signature



Date: 9/9/15

**PROPOSED STREET LIST
(With estimated type of cracking)**

- 1.) Tyrone Road (SR 54 to City of Tyrone) – 4.50 miles – Light Cracking
- 2.) Redwine Road (City of Fayetteville to SR 74) – 8.40 miles – Heavy Cracking
- 3.) Hampton Road (SR 92 to Clayton County) – 1.00 miles – Light Cracking
- 4.) Kenwood Road (SR 279 to New Hope Road) – 2.10 miles – Heavy Cracking
- 5.) County Line Road (McDonough Road to Inman Road) – 2.2 miles – Heavy Cracking
- 6.) White Road (SR 92 to City of Fayetteville) – 0.90 miles – Heavy Cracking
- 7.) Hwy 85 Connector (SR 85 to City of Brooks) – 2.80 – Heavy Cracking
- 8.) Helmer Road (SR 279 to Clayton County) – 0.8 miles – Light Cracking

LIGHT CRACKING – Less than 10,000 linear feet of crack sealing per mile of two lane roadway.

HEAVY CRACKING – 10,000 linear feet (or more) of crack sealing per mile of two lane roadway.

Bid #1006-B: Crack Sealing Services

COMPANY	LIGHT CRACKING Per Linear Mile			HEAVY CRACKING Per Linear Mile			TOTAL
	EST MILES	UNIT PRICE	EXTENDED PRICE	EST MILES	UNIT PRICE	EXTENDED PRICE	
GARRETT PAVING CO. INC.	6.3	\$9,500.00	\$59,850.00	16.4	\$7,500.00	\$123,000.00	\$182,850.00
REMAC, INC.	6.3	\$2,900.00	\$18,270.00	16.4	\$3,400.00	\$55,760.00	\$74,030.00
WALL ASPHALT SERVICES INC.	6.3	\$4,300.00	\$27,090.00	16.4	\$4,300.00	\$70,520.00	\$97,610.00



Fayette
COUNTY

PURCHASING DEPARTMENT
140 STONEWALL AVENUE WEST, STE 204
FAYETTEVILLE, GEORGIA 30214
PHONE 770-305-5420
www.fayettecountyga.gov

"WHERE QUALITY
IS A LIFESTYLE"

To: Steve Rapson
From: Ted L. Burgess *TLB*
Date: September 10, 2015

Subject: Invitation for Bids #1012-B: Sports Lighting for Kiwanis Park, Athletic Field #9

The approved Fiscal Year 2016 budget includes a Capital Improvement Project (CIP) for refurbishing the lighting at Athletic Field #9 in Kiwanis Park. This is part of a multi-year effort to provide adequate light for all of the fields in the county's parks.

Toward this end, the Purchasing Department issued Invitation to Bid #1012-B. Notices of the opportunity to bid were emailed to 15 contractors. Another 182 were contacted through the web-based Georgia Procurement Registry. In addition, invitations were extended via the Fayette News, the county website, Georgia Local Government Access Marketplace (www.glga.org), and Channel 23.

The Purchasing Department and the Parks and Recreation Department held a non-mandatory pre-bid conference on August 20, 2015. Two lighting installation companies attended, along with a representative of Musco Sports Lighting, LLC (Attachment #1). The Invitation to Bid specified that the successful bidder must supply Musco equipment, so that it would be compatible with the existing lighting system.

Manufacturer Lighting System - Sole Source Product

Other Co. can install —

Two companies submitted bids – one who was at the pre-bid conference, and one who was not, as follows:

	<u>Field Lighting</u>	<u>Musco Controls (Existing Fields)</u>	<u>Total Bid</u>
Attended Pre-Bid Conference:			
Donald Camp, Inc.	\$71,375.00	\$30,600.00	\$101,975.00 ✓
D&D Electric	No Bid	No Bid	No Bid ✓
Not At Conference:			
Middle Ga Outdoor Lighting	\$56,185.00	\$29,700.00	\$85,885.00 ✓

In the last five or so years, with the need for a specific brand of this specialized equipment, the county has received between two and four bids each time we solicited bids (Attachment 2).

As shown above, a representative of D&D Electric (Fayetteville, Ga.) attended the pre-bid conference. He stated to Purchasing Department staff that he attended because he was interested in the project, but he had never done this type of work before. He added, however, that he did not submit a bid, because he simply missed the due date.

M. Gay Constructors (Jacksonville, Fla.) bid on the projects awarded in November 2011 and December 2012 but did not bid on this project. When questioned, they stated that they would bid on larger jobs, with multiple playing fields. They could not justify bidding on this project with only one field, because of the distance involved.

J.M. Clayton Company (Thomaston, Ga.) bid on the project that was awarded in September 2014, but not this year. When questioned, their representative said he had all intentions of bidding. He missed the pre-bid conference because he was attending another one elsewhere. He had thought it was a mandatory conference, so had not prepared a bid.

The Parks and Recreation Department recommends award to the low bidder, Middle Georgia Outdoor Lighting (Macon, Ga.), in the not-to-exceed amount of \$85,885.00. I support their recommendation.

Specifics of the proposed contract are as follows:

Contract Name:	1012-B: Sports Lighting – Kiwanis Field #9
Vendor:	Middle Georgia Outdoor Lighting
Not-to-Exceed Amount:	\$85,885.00
Budget:	
Organization Code:	37560110 Recreation CIP
Object Code:	541210 Other Improvements
Project Code:	5110J Kiwanis / Athletic Field Lighting
Available Budget:	\$150,000.00 as of 9/9/2015

Awarding Authority: County Administrator

Approval Signature



Date: 9/10/15

SIGN-IN SHEET

Attachment #1

BID NUMBER: #1012-B

BID NAME: SPORTS LIGHTING FOR KIWANIS PARK FIELD #9

PRE-BID CONFERENCE DATE: 10:00AM, THURSDAY, AUGUST 20, 2015

COMPANY NAME AND ADDRESS (PRINT)	CONTACT PERSON NAME AND TELEPHONE NUMBER	EMAIL ADDRESS
DONALD CAMP INC., DED ELECTRIC 374 HAMPTON RD. FAYETTEVILLE, GA. 30215 Rob Staples Musco Lighting	DONNIE CAMP DONNIE PATTON 770-294-7070 Rob Staples 706-870-2177	donnie@donaldcamp.com dpatton9537@gmail.com rob.staples@musco.com

Fayette County, Georgia
Formal Solicitations for Sports Lighting

<u>Solicitation</u>	<u># of Fields</u>	<u>Award</u>		<u>Notes</u>
		<u>Date</u>	<u>Amount</u>	
RFP 760	2	10/14/2010	224,235.00	Award: Middle Ga. Outdoor Lighting, Inc. Also responded: Patmac Contracting Co; P.E.G. Contracting Co; Raby & Ozburn Electric Contractors, Inc.
RFP 798	5	11/10/2011	390,980.00	Award: Donald Camp Electric (4 fields + tennis courts) Also responded: Davidson Electric Co; M. Gay Constructors, Middle Georgia Outdoor Lighting.
RFP 852	3	12/13/2012	325,000.00	Award: M. Gay Constructors, Inc. Also responded: Donald Camp, Inc.
Bid 910	2	9/25/2014	257,000.00	Award: Donald Camp, Inc. Also bid: J.M. Clayton Co; Middle Georgia Outdoor Lighting.
Bid 1012-B	1	TBD	85,885.00	Recommended: Middle Georgia Outdoor Lighting. Also bid: Donald Camp, Inc.



"WHERE QUALITY
IS A LIFESTYLE"

To: Steve Rapson

From: Ted L. Burgess *TLB*

Date: September 10, 2015

Subject: Invitation for Bids #1018-P: Type I Ambulance

The Fire / EMS Department has an immediate need for a replacement ambulance. Toward this end, the Purchasing Department issued Request for Proposals (RFP) #1018-P. Notices of the opportunity to bid were emailed to 14 contractors. Another 41 were contacted through the web-based Georgia Procurement Registry. In addition, invitations were extended via the Fayette News, the county website, Georgia Local Government Access Marketplace (www.glga.org), and Channel 23.

Because of the need to acquire the ambulance without delay, the RFP specified that the county would take an already-existing ambulance from stock. It emphasized the need for acquisition within 45 days.

Three companies had pre-constructed ambulances in stock, and prepared offers. However, one of the three was five minutes late due to an unusual traffic situation. Although they arrived only five minutes after the established deadline, the courts have determined that a response that is not on time cannot be accepted (e.g. *City of Atlanta v. J.A. Jones Construction Company* in 1990). Responding companies were as follows:

	<u>Ambulance</u>	<u>Cot</u>	<u>Total</u>	
Peach State Ambulance, Inc.	\$137,440	\$9,650	\$147,090	<i>30 day</i>
Ten-8 Fire & Safety Equip. of Ga., LLC	\$152,501	\$4,800	\$157,301	<i>330 day</i>
Taylor Made Ambulance	Response delayed due to traffic			

Note: An optional Ferno 59-T Star Chair was included in the proposals, but will not be part of the purchases.

|||

An Evaluation Team composed of Fire / EMS personnel evaluated and scored the proposals (please see the summary evaluation attached). Either vehicle could have been acceptable. However, Peach State Ambulance offered delivery in 30 days, while Ten-8 required 330 days. Considering the delivery time and the price, Fire / EMS recommends purchase of the low-priced offer from Peach State Ambulance, Inc. I support the recommendation.

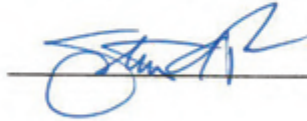
For transparency, it should be noted that additional expenses will be incurred for paint and markings.

Specifics of the proposed contract are as follows:

Contract Name: 1018-P: Type I Ambulance
Vendor: Peach State Ambulance, Inc.
Not-to-Exceed Amount: \$147,090.00
Budget:
 Project Code: Vehicle Replacement Fund
 Available Budget: \$158,000.00 Authorized by the BOC on 8/13/2015

Awarding Authority: County Administrator

Approval Signature



Date: 9/10/15

**PROPOSAL #1018-P
TYPE I AMBULANCE
EVALUATION SUMMARY**

		MAX POINTS	TEN-8 FIRE & SAFETY EQUIPMENT OF GA, LLC	PEACH STATE AMBULANCE, INC.
A. TECHNICAL MERIT				
1	Offered Vehicle	40	40.0	36.7
2	Delivery Schedule	30	0.0	30.0
3	After-Sale Service	20	13.3	20.0
4	Completeness of Proposal	10	10.0	9.3
	Avg. Technical Score		63.3	96.0
B. PRICE				
	Price As Equipped		\$157,301	\$147,090
	Percent		94%	100%
C. TOTAL SCORE				
	Technical Merit	80%	50.7	76.8
	Price	20	18.7	20.0
			69.4	96.8

*30 pts
5th not
change
number*