

BOARD OF COUNTY COMMISSIONERS

Lee Hearn, Chairman
Edward Gibbons, Vice Chairman
Eric K. Maxwell
Charles W. Oddo
Charles D. Rousseau



FAYETTE COUNTY, GEORGIA

Steve Rapson, County Administrator
Dennis A. Davenport, County Attorney
Tameca P. Smith, County Clerk
Marlena Edwards, Chief Deputy County Clerk

140 Stonewall Avenue West
Public Meeting Room
Fayetteville, GA 30214

AGENDA

August 24, 2023
5:00 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 5:00 p.m.

Call to Order
Invocation and Pledge of Allegiance by Chairman Charles Oddo
Acceptance of Agenda

PROCLAMATION/RECOGNITION:

1. Recognition of Financial Analyst, Beth Gourley, for earning the Level 1 Local Finance Officer Certification in pursuing professional development in governmental finance, accounting, budgeting, and public finance topics. (page 4)
2. Recognition of Senior Financial Analyst, Michael Quaye-Sowah, for earning the Level 1 Local Finance Officer Certification in pursuing professional development in governmental finance, accounting, budgeting, and public finance topics. (page 5)
3. Recognition of Assistant Chief Financial Officer Amanda Schoonover, for earning the Level 2 Local Finance Officer Certification in pursuing professional development in governmental finance, accounting, budgeting, and public finance topics. (page 6)

PUBLIC HEARING:

4. Consideration of Petition No. RDP-016-23; John K. Pell, Agent for CG & PH, LLC, Owner, request to revise the development plan for Morning Falls Subdivision to remove the undeveloped phase from the subdivision; located in Land Lot(s) 224 of the 13th District and fronts on Gadson Drive. (pages 7-34)
5. Consideration of Petition No. 1329-23, John K. Pell, Agent for CG & PH, LLC, Owner, request to rezone 48.472 acres from C-S to A-R to develop one (1) single family residential lot and open space; located in Land Lot(s) 224 of the 13th District and fronts on Gadson Drive. (pages 35-65)
6. Consideration of Petition No. 1330-23, Joshua B. Brewer and Corrie E. Brewer, owners, request to rezone 19.58 acres from PUD-PRL to A-R to construct a single-family residence; located in Land Lot 01 of the 7th District and fronts on Green Meadow Lane. (pages 66-102)

PUBLIC COMMENT:

Speakers will be given a five (5) minute maximum time limit to speak before the Board of Commissioners about various topics, issues, and concerns. Speakers must direct comments to the Board. Responses are reserved at the discretion of the Board.

CONSENT AGENDA:

7. Approval of Water Committee's recommendation to close Lake McIntosh Park on October 6 - 8, 2023 for the Greater Atlanta Air Show. (pages 103-123)
8. Approval of the Chairman to sign the Equitable Sharing Agreement and Annual Certification as required by the U.S. Department of Justice and the U.S. Department of Treasury. (pages 124-129)
9. Approval of the purchase of two (2) vehicles as replacement for vehicles that were deemed a total loss by insurance companies. (pages 130-140)
10. Approval of the July 27, 2023 Board of Commissioners Meeting Minutes. (pages 141-148)

OLD BUSINESS:

11. Update on Crabapple Lane path closure. (page 149)

NEW BUSINESS:

12. Consideration of a Step 2 Annexation Notification from Peachtree City regarding a request from Michael Hyde to annex approximately 52 acres located between end of Stagecoach Road and Spear Road. (pages 150-163)
13. Request to approve Georgia Department of Transportation (GDOT) Invoice INV-013023, in the amount of \$530,566.16 to supply all construction engineering and contract supervision for water distribution line relocations, adjustments and improvements on State Route 85 from State Route 279 in Fayette County to the county line. (pages 164-189)
14. Request to approve Resolution 2023-07 and approval of the Agreement to Sell and Purchase to acquire from the Fayette County Board of Education, the East Fayette Elementary School (Parcel 05-2404-012); 245 Booker Avenue, Fayetteville, Georgia, located on Land Lot 122 of the 5th District for \$3,000,000.00. (pages 190-204)

ADMINISTRATOR'S REPORTS:

A: Contract #2289-S: Crosstown Filter Console VT SCADA Upgrade (pages 205-207)

B: Contract #1867-P: Water System Engineer of Record; Task Order 24-03: Electrical System Condition Assessment and Power Distribution Study (pages 208-216)

C: Contract #1867-P: Water System Engineer of Record; Task Order 24-04: Water System Facilities Visual Structural Assessment (pages 217-229)

D: Contract #2284-S: Audit Services (pages 230-231)

In accordance with the Americans with Disabilities Act, accommodations are available for those who are hearing impaired. The Board of Commissioners Agenda and supporting material for each item is available on-line through the County's website at www.fayettecountyga.gov. This meeting will be telecast on Comcast Cable Channel 23 and on the internet at <https://vimeo.com/user133262656>.

ATTORNEY'S REPORTS:

COMMISSIONERS' REPORTS:

EXECUTIVE SESSION:

ADJOURNMENT:

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request: Item #1

Wording for the Agenda:

Recognition of Financial Analyst, Beth Gourley, for earning the Level 1 Local Finance Officer Certification in pursuing professional development in governmental finance, accounting, budgeting, and public finance topics.

Background/History/Details:

The Local Finance Officer Certification program is awarded through the Carl Vinson Institute of Government's financial management training program. Level 1 certification requires finance officers to participate in 108 hours of instruction about the intricacies of government budgeting, purchasing, accounting, and other public finance topics.

Certification courses must be completed within 3 years from the start of the program. Beth began her courses in April 2021 and completed the final course in June 2023.

"These community leaders strengthened the skills they need to maintain sound accounting practices and build strong financial foundations for their governments", said, Tracy Arner, the Institute's financial management training program manager.

"Earning certification shows that these finance officers are committed to continually improving their skills and make them better equipped to help their local government operate more effectively," said Institute Director Laura Meadows.

What action are you seeking from the Board of Commissioners?

Recognition of Financial Analyst, Beth Gourley, for earning the Level 1 Local Finance Officer Certification in pursuing professional development in governmental finance, accounting, budgeting, and public finance topics.

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:

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request: Item #2

Wording for the Agenda:

Recognition of Senior Financial Analyst, Michael Quaye-Sowah, for earning the Level 1 Local Finance Officer Certification in pursuing professional development in governmental finance, accounting, budgeting, and public finance topics.

Background/History/Details:

The Local Finance Officer Certification program is awarded through the Carl Vinson Institute of Government's financial management training program. Level 1 certification requires finance officers to participate in 108 hours of instruction about the intricacies of government budgeting, purchasing, accounting, and other public finance topics.

Certification courses must be completed within 3 years from the start of the program. Michael began his courses in October 2020 and completed the final course in March 2023. Michael has started his Level 2 courses.

"These community leaders strengthened the skills they need to maintain sound accounting practices and build strong financial foundations for their governments", said, Tracy Arner, the Institute's financial management training program manager.

"Earning certification shows that these finance officers are committed to continually improving their skills and make them better equipped to help their local government operate more effectively," said Institute Director Laura Meadows.

What action are you seeking from the Board of Commissioners?

Recognition of Senior Financial Analyst, Michael Quaye-Sowah, for earning the Level 1 Local Finance Officer Certification in pursuing professional development in governmental finance, accounting, budgeting, and public finance topics.

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?

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Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Recognition of Assistant Chief Financial Officer Amanda Schoonover, for earning the Level 2 Local Finance Officer Certification in pursuing professional development in governmental finance, accounting, budgeting, and public finance topics.

Background/History/Details:

The Local Finance Officer Certification program is awarded through the Carl Vinson Institute of Government's financial management training program. Level 2 certification requires completion of four core courses, 12 elective hours, and a financial management project. The four core courses include Intermediate Governmental Accounting, Intermediate Budget, Internal Controls, and Revenue Administration.

Certification courses must be completed within 3 years from the start of the program. Amanda began her Level 2 courses in November 2019 and completed the financial management project in February 2023. After completion of Level 2, 15 hours of education must be completed every 2 years.

"These community leaders strengthened the skills they need to maintain sound accounting practices and build strong financial foundations for their governments", said, Tracy Arner, the Institute's financial management training program manager.

"Earning certification shows that these finance officers are committed to continually improving their skills and make them better equipped to help their local government operate more effectively," said Institute Director Laura Meadows.

What action are you seeking from the Board of Commissioners?

Recognition of Assistant Chief Financial Officer Amanda Schoonover, for earning the Level 2 Local Finance Officer Certification in pursuing professional development in governmental finance, accounting, budgeting, and public finance topics.

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?

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Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Consideration of Petition No. RDP-016-23; John K. Pell, Agent for CG & PH, LLC, Owner, request to revise the development plan for Morning Falls Subdivision to remove the undeveloped phase from the subdivision; located in Land Lot(s) 224 of the 13th District and fronts on Gadson Drive.

Background/History/Details:

The subject property is a 48.472-acre tract. It fronts on Gadson Dr. and is undeveloped.

The parcel is currently zoned C-S, Conservation Subdivision. The area is designated for Low Density Residential uses in the Land Use Plan, Fayette County Comp Plan.

On July 20, 2023, Planning Commission voted 4-0 to recommend CONDITIONAL APPROVAL of request. (Mr. Arnold Martin was absent).

Staff recommends CONDITIONAL APPROVAL of request because request is consistent with Fayette County Comprehensive Land Use Plan & surrounding land uses. RECOMMENDED CONDITIONS:

1. The petitioner(s) shall, within 60 days, complete Rezoning Petition 1329-23.

What action are you seeking from the Board of Commissioners?

Approval of Petition No. RDP-016-23; John K. Pell, Agent for CG & PH, LLC, Owner, request to revise the development plan for Morning Falls Subdivision to remove the undeveloped phase from the subdivision; located in Land Lot(s) 224 of the 13th District and fronts on Gadson Drive with one (1) conditional use.

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?

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Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:

Please see staff report for full text of recommended conditions.

PLANNING COMMISSION RECOMMENDATION

DATE: July 20, 2023

TO: Fayette County Commissioners

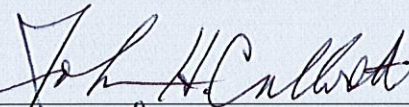
The Fayette County Planning Commission recommends that the Revised Development Plan (RDP-016-23) for Morning Falls Subdivision. Request approval of the Revised Development Plan for Morning Falls Subdivision - to remove parcel # 1308 021 (48.425 acres) from Morning Falls Subdivision.

Approved Withdrawn Disapproved
 Tabled until _____

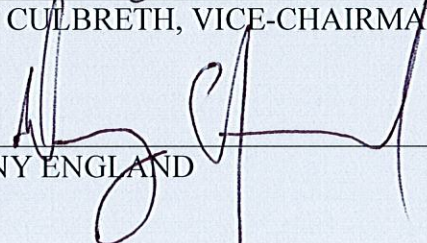
This is forwarded to you for final action.



JAMES OLIVER, CHAIRMAN

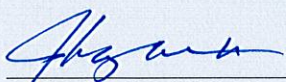


JOHN CULBRETH, VICE-CHAIRMAN



DANNY ENGLAND

ARNOLD MARTIN, III



JOHN J. KRUZAN

Remarks:

**STATE OF GEORGIA
COUNTY OF FAYETTE**

RESOLUTION

WHEREAS, CG & PH, LLC, Owner, and John K. Pell, Agent, having come before the Fayette County Planning Commission on July 20, 2023, requesting approval of the Revised Development Plan (RDP-016-23) for Morning Falls Subdivision; and

WHEREAS, said request being as follows: Request approval of the Revised Development Plan for Morning Falls Subdivision - to remove parcel # 1308 021 (48.425 acres) from Morning Falls Subdivision.; located in Land Lot 224 of the 13th District, fronts on Gadson Drive 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:

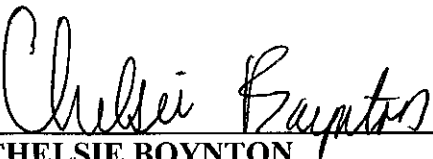
Compatible with the surrounding area.

PLANNING COMMISSION

OF

FAYETTE COUNTY

ATTEST:



CHELSE BOYNTON
PC SECRETARY



JAMES OLIVER
CHAIRMAN

BOARD MEMBERS

Arnold L. Martin
John Kruzan
John H. Culbreth, Sr.
Danny England
Jim Oliver

STAFF

Deborah L. Bell, Planning and Zoning Director
Deborah Sims, Zoning Administrator
Chelsie Boynton, Planning and Zoning Coordinator
E. Allison Ivey Cox, County Attorney

ACTION AGENDA
FAYETTE COUNTY PLANNING COMMISSION MEETING
140 STONEWALL AVENUE WEST
July 20, 2023
7:00 pm

Welcome to the meeting of your Fayette County Planning Commission. Your participation in County government is appreciated. All regularly scheduled Board meetings are open to the public and are held on the 1st and 3rd Thursday of each month at 7:00 p.m.

1. Call to Order

Chairman Jim Oliver called the July 20, 2023 Planning Commission meeting to order at 7:00 p.m. A quorum of the Board was present. Arnold Martin was absent.

2. Pledge of Allegiance

Chairman Jim Oliver led the audience in the Pledge of Allegiance.

3. Approval of Agenda

John Kruzan moved to approve the agenda as written. Danny England seconded. The motion passed 4-0.

4. Approval of July 6, 2023 Minutes

Danny England moved to approve the minutes. John Culbreth seconded. The motion passed 4-0.

PUBLIC HEARING

5. Consideration of Petition No. RDP-016-23, To revise the development plan for Morning Falls Subdivision - to remove parcel# 1308 021 (48.425 acres) from Morning Falls subdivision. This property is located in Land Lot 224 of the 13th District, and fronts on Gadson Drive.

John Culbreth moved to approve the petition RDP-016-023, to revise the development plan for Morning Falls Subdivision – to remove parcel 1308 021 (48.425 acres) from Morning Falls subdivision. Danny England seconded. The motion passed 4-0.

6. Consideration of Petition No. 1329-23 CG & PH, LLC, Owner, and John K. Pell, Agent, request to rezone 48.425 acres from C-S to A-R. This property is located in Land Lot 224 of the 13th District, and fronts on Gadson Drive.

John Culbreth moved to approve petition 1329-23, to rezone 48.425 acres from C-S to A-R with conditions. Danny England seconded. The motion passed 4-0.

7. Consideration of amendments to Chapter 110. Zoning Ordinance, adding Sec. 110-175 to provide procedures for Special Use of Property.

Danny England moved to approve amendments to Chapter 110. Zoning Ordinance, adding Sec. 110-175 to

provide procedures for Special Use of Property. John Kruzan seconded. The motion passed 4-0.

8. Consideration of amendments to Chapter 110. Zoning Ordinance, adding provisions to Sec. 110-175, Special Use of Property, to provide procedures for application for Drug Abuse Treatment Facility.

Danny England moved to approve amendments to Chapter 110. Zoning Ordinance, adding provisions to Sec. 110-175, Special Use of Property, to provide procedures for application for Drug Abuse Treatment Facility. John Kruzan seconded. The motion passed 4-0.

9. Consideration of amendments to Chapter 110. Zoning Ordinance, regarding Sec. 110-142. to add Drug Abuse Treatment Facility as a Special Use of Property in the Office-Institutional Zoning District.

John Kruzan moved to approve amendments to Chapter 110. Zoning Ordinance, regarding Sec. 110-142 to add Drug Abuse Treatment Facility as a Special Use of Property in the Office Institutional Zoning District with the condition to change i to j. Danny England seconded. The motion passed 4-0.

10. Consideration of Petition No. SUP-001-23, NEW18, LLC, Owner, and Baker & Hostetler LLP Attn: M. Adam Kaye, Jr, Agent, request a Special Use Permit to operate a Drug Abuse Treatment Facility as a Special Use of Property. The proposed zoning decision relates to or will allow the location or relocation of a halfway house, drug rehabilitation center, or other facility for treatment of drug dependency. This property is located in Land Lot 126 of the 5th District and fronts on Georgia Highway 54 W.

Danny England moved to approve petition SUP-001-23, NEW18, LLC, Owner, and Baker & Hostetler LLP, M. Adam Kaye, Jr., Agent, request for a Special Use Permit to operate a Drug Abuse Treatment Facility as a Special Use of Property. John Culbreth seconded. The motion passed 4-0.

ADJOURNMENT:

John Culbreth moved to adjourn the July 20, 2023 Planning Commission meeting. Danny England seconded. The motion passed 4-0.

The July 20, 2023 Planning Commission meeting adjourned at 7:37 p.m.

Chelsie Boynton, Planning Commission Secretary

James Oliver, Chairman

RDP-016-23

REQUESTED ACTION: Revise the Development Plan for Morning Falls Subdivision

PARCEL NUMBER: 1308 021

PROPOSED USE: Agricultural-Residential

EXISTING USE: Undeveloped land

LOCATION: Gadson Drive

DISTRICT/LAND LOT(S): 13th District, Land Lot 224

OWNERS: CG & PH, LLC

AGENT: John K. Pell

PLANNING COMMISSION PUBLIC HEARING: July 20, 2023

BOARD OF COMMISSIONERS PUBLIC HEARING: August 24, 2023

APPLICANT'S INTENT

Applicant proposes to revise the development plan for Morning Falls Subdivision by removing Tract I, which was originally slated to be Phase II of Morning Falls. The applicant wishes to remove this tract of 48.425 acres from the development plan. Tract II will remain part of the Morning Falls Development. Applicant proposes to rezone 48.425 acres from C-S to A-R for the purposes of creating one 5-acre parcel for a single-family home and maintaining the balance in a conservation use for wildlife (Rezoning Petition 1329-23).

STAFF RECOMMENDATION

Phase II of the subdivision was never developed and the current ownership has no wish to develop the property into a major subdivision. Staff recommends **CONDITIONAL APPROVAL** of the request to revise the development plan, subject to the following recommended condition(s):

1. The petitioner(s) shall, within 60 days, complete Rezoning Petition 1329-23.

INVESTIGATION

A. GENERAL PROPERTY INFORMATION

The subject property is currently zoned C-S (Conservation Subdivision) on August 25th, 2005. It is labeled Phase II of Morning Falls Subdivision in a Final Plat recorded May 16, 2008.

This property is not located in an Overlay Zone.

Rezoning History:

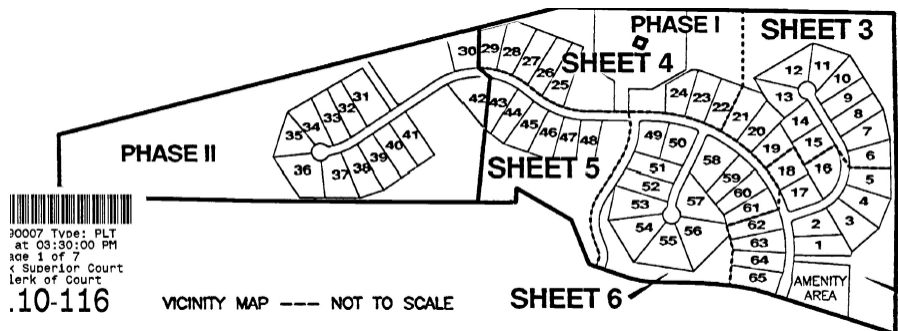
On August 25, 2005, the Board of Commissioners approved Petition No. 1149-05 to rezone 164.22 acres from A-R to C-S, for the purposes of developing a single-family subdivision.

The developer received a Land Disturbance Permit to begin construction on September 21, 2006. They proceeded to build Phase I but did not complete the project. The property was subject of a foreclosure and on May 16, 2008, First City Bank recorded the plat for Phase I as Owner/Developer.

Phase II was never developed. The original plan indicated 13 additional lots in Phase II.

John Pell purchased most of the Phase II property from First City Bank on March 17, 2011 (deed Book 3740 Page 649). A 5.725-acre parcel was retained by the developer for the purposes of providing the required conservation acreage needed for the Conservation Subdivision status of Phase I.

On November 3, 2011, Mr. Pell deeded the land to CG & PH, LLC, of which he is a part. On March 8, 2012, they placed the property into a conservation easement for the purpose of preserving it as a wildlife habitat. This CUVA was renewed in 2022.



B. SURROUNDING ZONING AND USES

Near the subject property is land which is zoned C-H, M-1 and A-R. See the following table and the attached Zoning Map. The subject property is bounded by the following adjacent zoning districts and uses:

| Direction | Acreage | Zoning | Use | Comprehensive Plan |
|-----------|-----------------|--------|--|--|
| North | 5.72 | C-S | Conservation Area | Low Density Residential – 2-acre minimum |
| South | 156 (2 parcels) | A-R | Agriculture , timber & 1 Single-family residence | Low Density Residential – 2-acre minimum |
| East | 122 | C-S | Single-Family Residential | Low Density Residential – 2-acre minimum |
| West | 3.6 (3 parcels) | A-R | Single-Family Residential | Low Density Residential – 2-acre minimum |

C. COMPREHENSIVE PLAN

Future Land Use Plan: The subject property lies within an area designated for Low Density Residential on the Future Land Use Plan map. This request conforms to the Fayette County Comprehensive Plan.

D. ZONING/REGULATORY REVIEW

Access & Right-of Way: The property has existing access on Gadson Drive.

Site Plan: The applicant submitted a final plat for the property. It meets the requirements for the A-R Zoning District.

F. DEPARTMENTAL COMMENTS

- Water System** - FCWS has no objection to the proposed rezoning. Water is available in a 6" PVC watermain along south side of Gadson Dr.
- Public Works/Environmental Management**
 - **Transportation** – The appropriate right-of-way dedication is provided in the proposed site plan. Existing access is acceptable.
 - **Floodplain Management** - The subject property **DOES NOT** contain floodplain per FEMA FIRM panel 13113C0017E dated September 26, 2008, or the FC 2013 Future Conditions Flood Study.
 - **Wetlands** - The property **DOES NOT** contain wetlands per the U.S. Department of the Interior, Fish and Wildlife Service 1994 National Wetland Inventory Map.
 - **Watershed Protection** - There **ARE** known state waters located on the subject property.
 - **Groundwater** – The property **IS NOT** within a groundwater recharge area.
 - **Stormwater Management** – There is no stormwater management facility on the Phase II parcel.
- Environmental Health Department** – This office has no objections to the proposed rezoning of the parcel #1308021. If this is going to be developed in residential properties then a level III soils report also needs to be conducted.
- Fire** – No objections to the requested rezoning.
- GDOT** – Not applicable, not on State Route.

STANDARDS**Sec. 110-300. - Standards for map amendment (rezoning) evaluation.**

All proposed map amendments shall be evaluated with special emphasis being placed on the relationship of the proposal to the land use plan and related development policies of the county. The following factors shall be considered by the planning and zoning department, the planning commission and the board of commissioners when reviewing a request for rezoning:

- (1) Whether the zoning proposal is in conformity with the land use plan and policies contained therein;
- (2) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property;
- (3) Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing or planned streets, utilities, or schools;
- (4) Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.

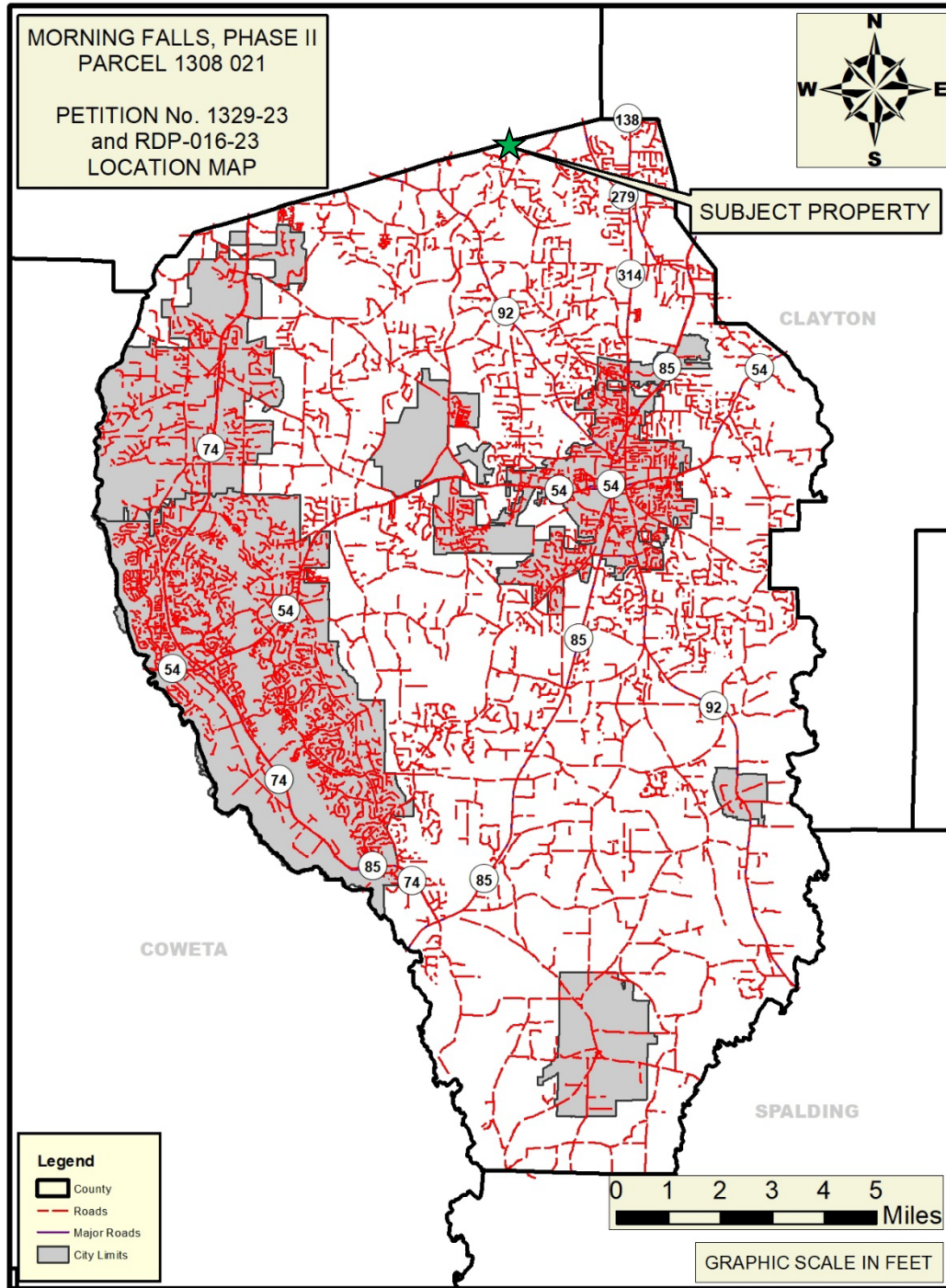
STAFF ANALYSIS

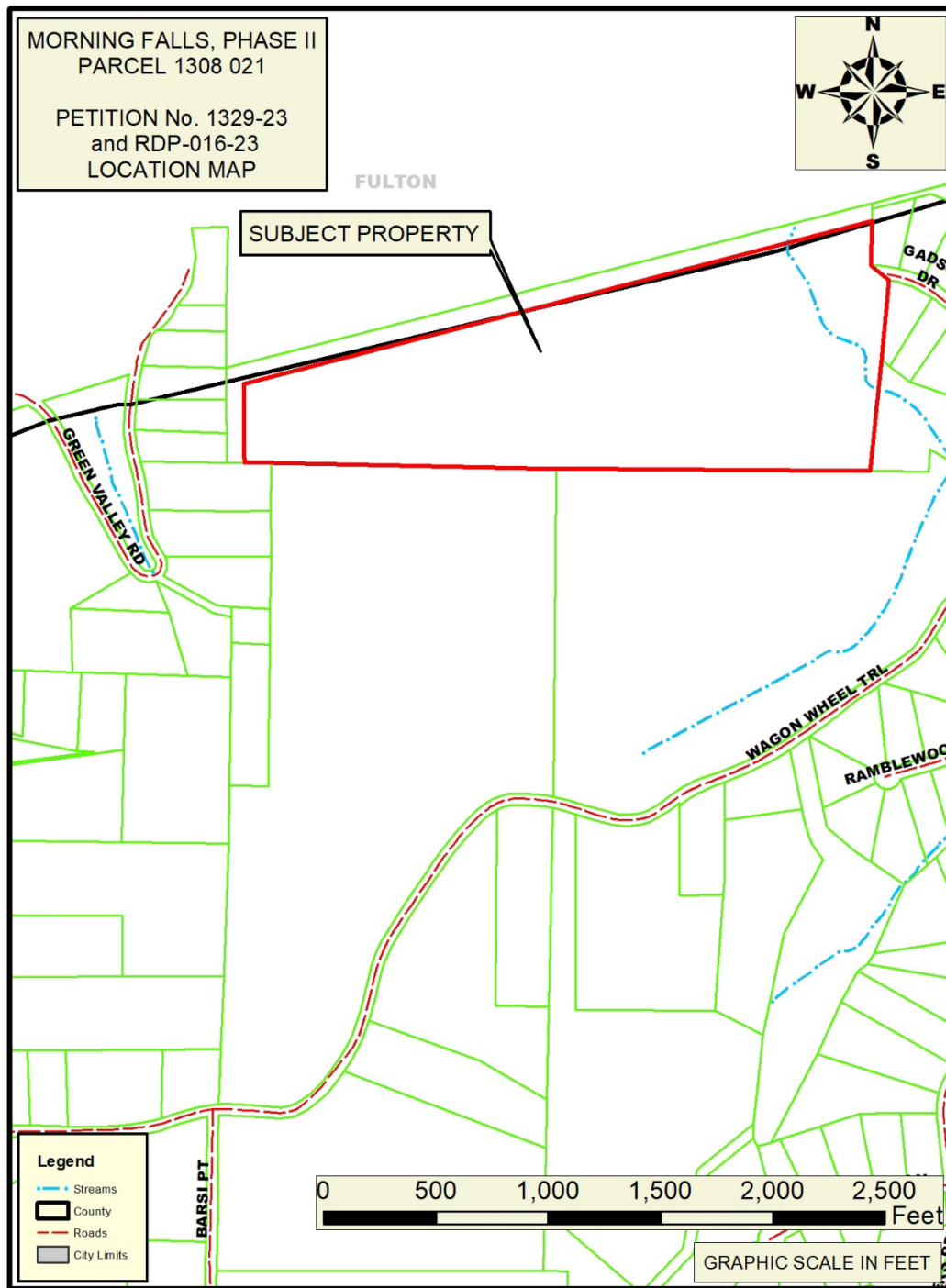
1. The subject property lies within an area designated for Low Density Residential Uses. This request does conform to the Fayette County Comprehensive Plan in terms of the use and proposed lot size.
2. The area around the subject property is an area that already has various residential and agricultural uses. It is staff's opinion that the zoning proposal would not adversely affect the existing or future uses of nearby properties.
3. It is staff's opinion that the zoning proposal will not have an excessive or burdensome impact on streets, utilities, or schools.
4. The proposal is consistent in character and use with the surrounding uses as agricultural and low density residential. Staff is not aware of other changes that would have an adverse impact on this type of development in the general area.

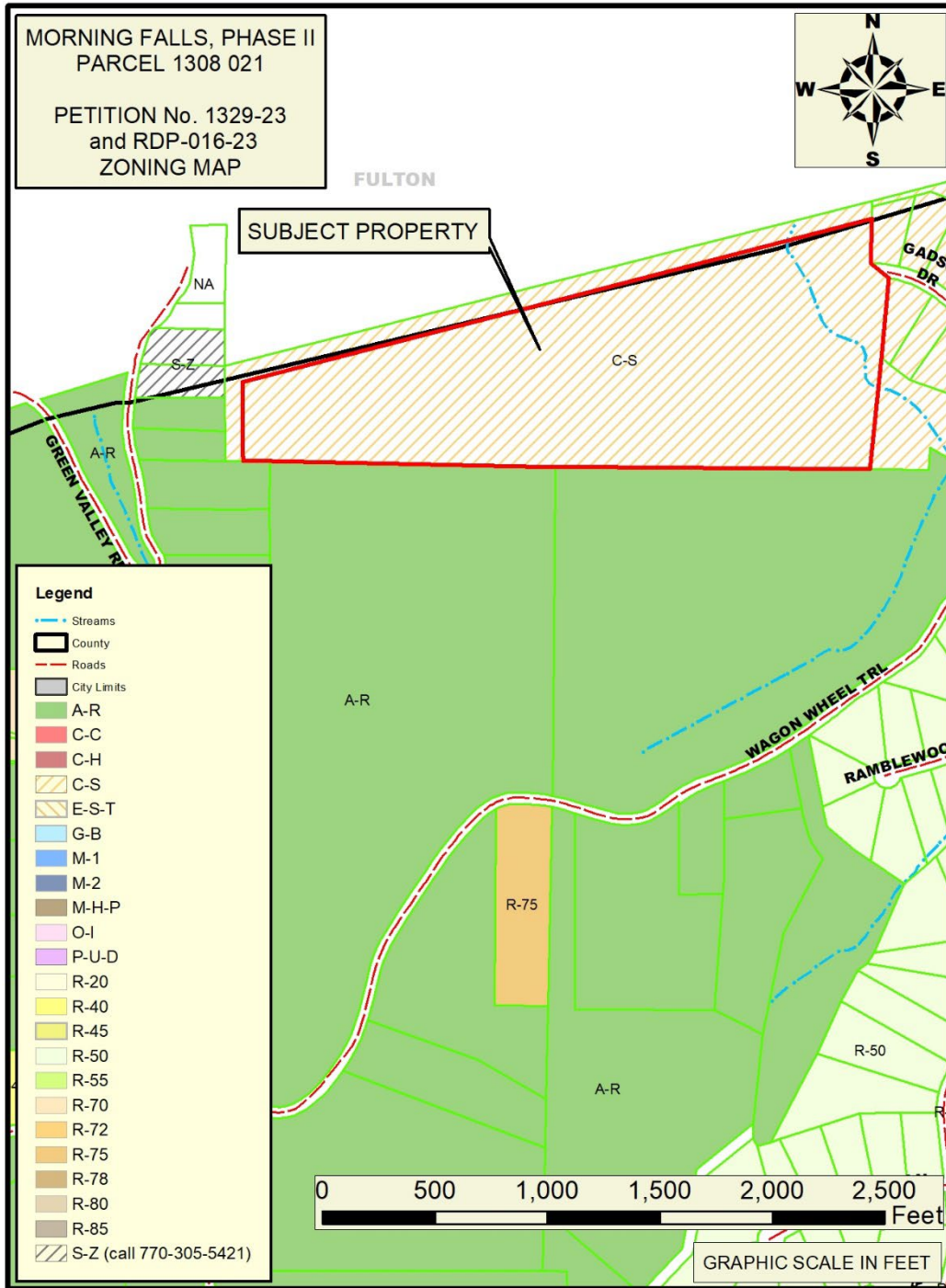
ZONING DISTRICT STANDARDS**Sec. 110-125. A-R, Agricultural-Residential District.**

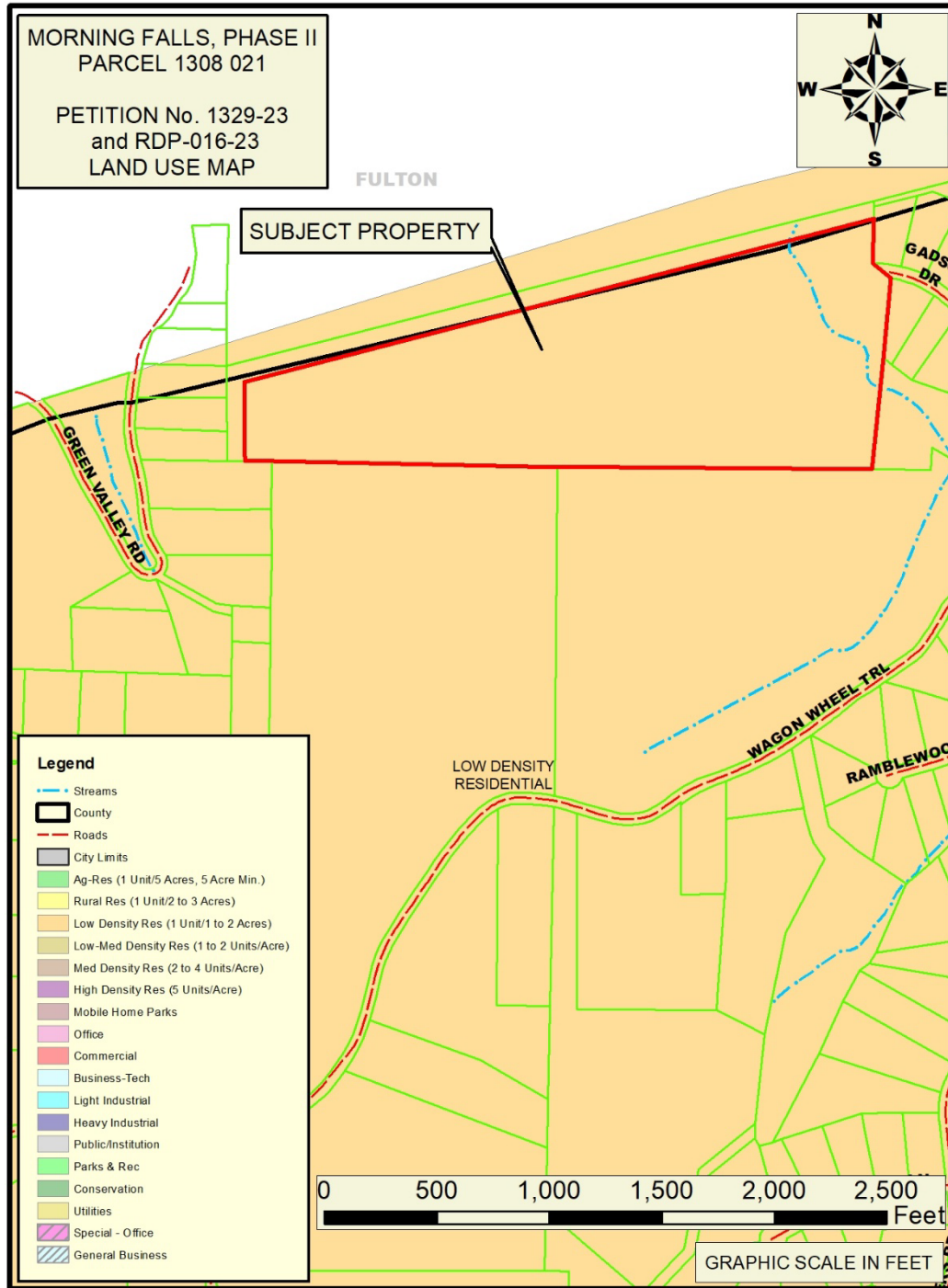
- (a) *Description of district.* This district is composed of certain lands and structures having a very low density single-family residential and agricultural character and designed to protect against the depreciating effects of small lot, residential development and those uses which are incompatible with such a residential and agricultural environment.
- (b) *Permitted uses.* The following permitted uses shall be allowed in the A-R zoning district:
- (1) Single-family dwelling;
 - (2) Residential accessory structures and uses (see article III of this chapter);
 - (3) Growing of crops and the on-premises sale of produce and agricultural products, provided 50 percent of the produce/products sold shall be grown on-premises;
 - (4) Plant nurseries and greenhouses (no sales of related garden supplies);
 - (5) Raising of livestock; aquaculture, including pay fishing; apiary (all beehives shall comply with the required setbacks); and the sale thereof; and
 - (6) One semi-trailer/box truck utilized as a farm outbuilding, provided the property is a minimum of five acres and the semi-trailer/box truck is only used to store agricultural items.
- (c) *Conditional uses.* The following conditional uses shall be allowed in the A-R zoning district provided that all conditions specified in article VII of this chapter. Conditional uses, nonconformances, transportation corridor overlay zone, and commercial development standards are met:
- (1) Aircraft landing area;
 - (2) Animal hospital, kennel or veterinary clinic;
 - (3) A-R bed and breakfast inn;
 - (4) A-R wedding/event facility;
 - (5) Cemetery;
 - (6) Church and/or other place of worship;
 - (7) Colleges and university, including, but not limited to: classrooms, administration, housing, athletic fields, gymnasium, and/or stadium;
 - (8) Commercial driving range and related accessories;
 - (9) Child care facility;
 - (10) Deer processing facility.
 - (11) Developed residential recreational/amenity areas;
 - (12) Farm outbuildings, including horse stables, auxiliary structures, and greenhouses (permanent or temporary);
 - (13) Golf course (minimum 18-hole regulation) and related accessories;
 - (14) Home occupation;
 - (15) Horse show, rodeo, carnival, and/or community fair;
 - (16) Hospital;
 - (17) Kennel (see animal hospital, kennel, and/or veterinary clinic);
 - (18) Private school, including, but not limited to: classrooms, administration, playground, housing, athletic fields, gymnasium, and stadium;

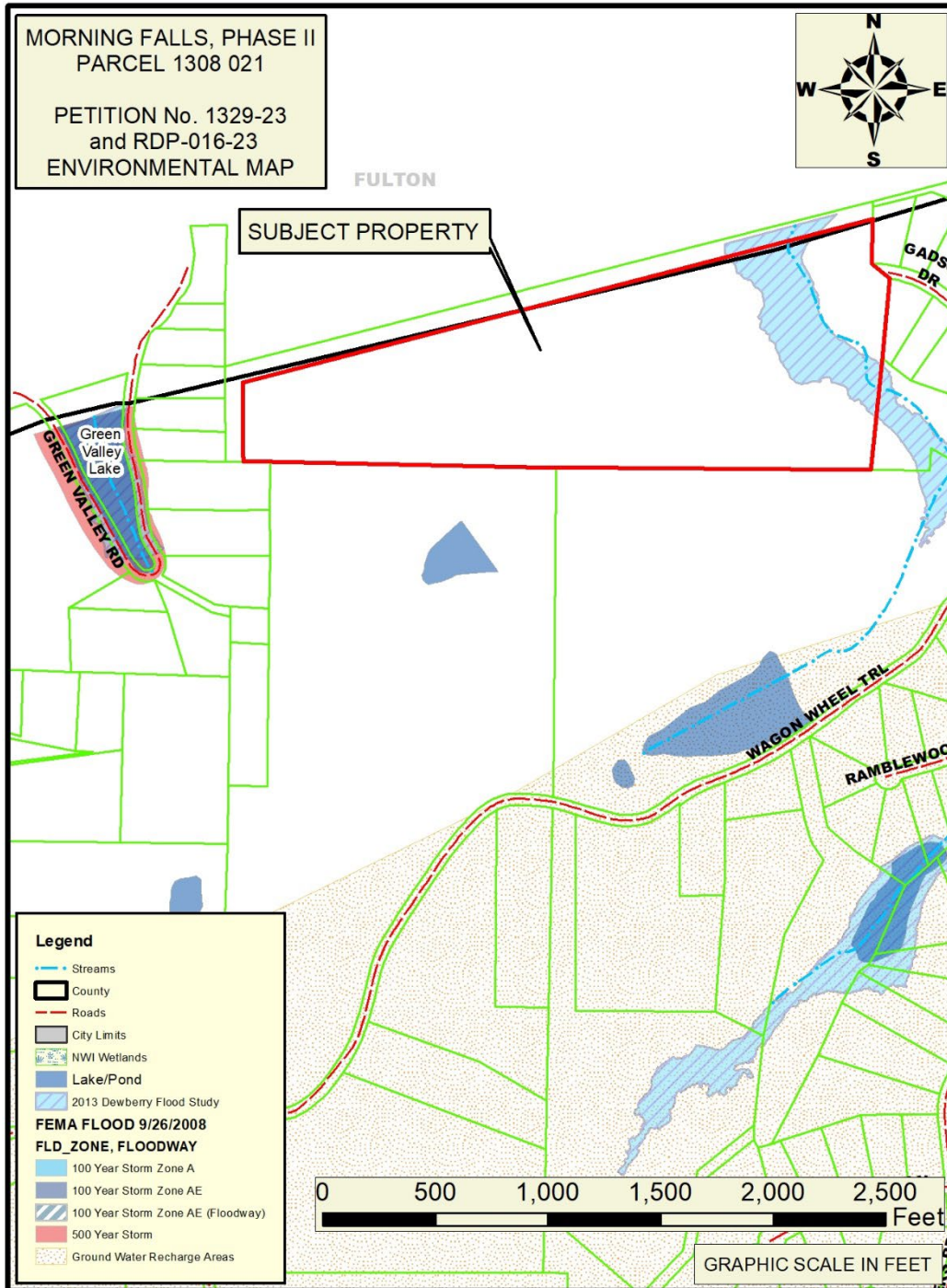
- (19) Processing, packaging, or handling of perishable agricultural products (i.e. fruits and vegetables) which are grown on premises;
 - (20) Recreation centers and similar institutions owned by nonprofit organizations as so registered with the state secretary of state office;
 - (21) Religious tent meeting; and
 - (22) Shooting range, outdoor.
- (d) *Dimensional requirements.* The minimum dimensional requirements in the A-R zoning district shall be as follows:
- (1) Lot area: 217,800 square feet (five acres).
 - (2) Lot width: 250 feet.
 - (3) Floor area: 1,200 square feet.
 - (4) Front yard setback:
 - a. Major thoroughfare:
 - 1. Arterial: 100 feet.
 - 2. Collector: 100 feet.
 - b. Minor thoroughfare: 75 feet.
 - (5) Rear yard setback: 75 feet.
 - (6) Side yard setback: 50 feet.
 - (7) a. 35 feet as defined in article III of this chapter.
 - b. The limitation on height shall not apply to agricultural structures such as storage barns, silos, or other types of structure not normally designed for human occupation except that when an agricultural structure exceeds the maximum building height the minimum distance from property lines to any building shall be increased one foot for every two feet or part thereof of building height over 35 feet.
- (e) *Special regulations.* Prior to the issuance of development and/or building permits, a site plan, as applicable, shall be submitted to the zoning administrator and approved by the appropriate county officials. This requirement shall apply to all permitted uses and conditional uses allowed in the AR zoning district except single-family dwellings; residential accessory structures; growing crops and the on-premises sale of produce at agricultural stands of 100 square feet or less of floor area; growing and seasonal sale of Christmas trees; plant nursery, landscape tree farm, or greenhouse operations existing prior to the effective date of June 26, 2003; and the raising and/or selling of livestock.
- (Code 1992, § 20-6-1; Ord. of 7-28-2011; Ord. No. 2012-09, § 4, 5-24-2012; Ord. No. 2012-13, § 4, 12-13-2012; Ord. No. 2012-14, § 3, 12-13-2012; Ord. No. 2014-19, § 6,7, 12-11-2014; Ord. No. 2015-05, § 2, 3-26-2015; Ord. No. 2016-12, § 3, 7-28-2016; Ord. No. 2017-04, § 2, 3-23-2017; Ord. No. 2018-03, §§ 11, 12, 9-22-2018)

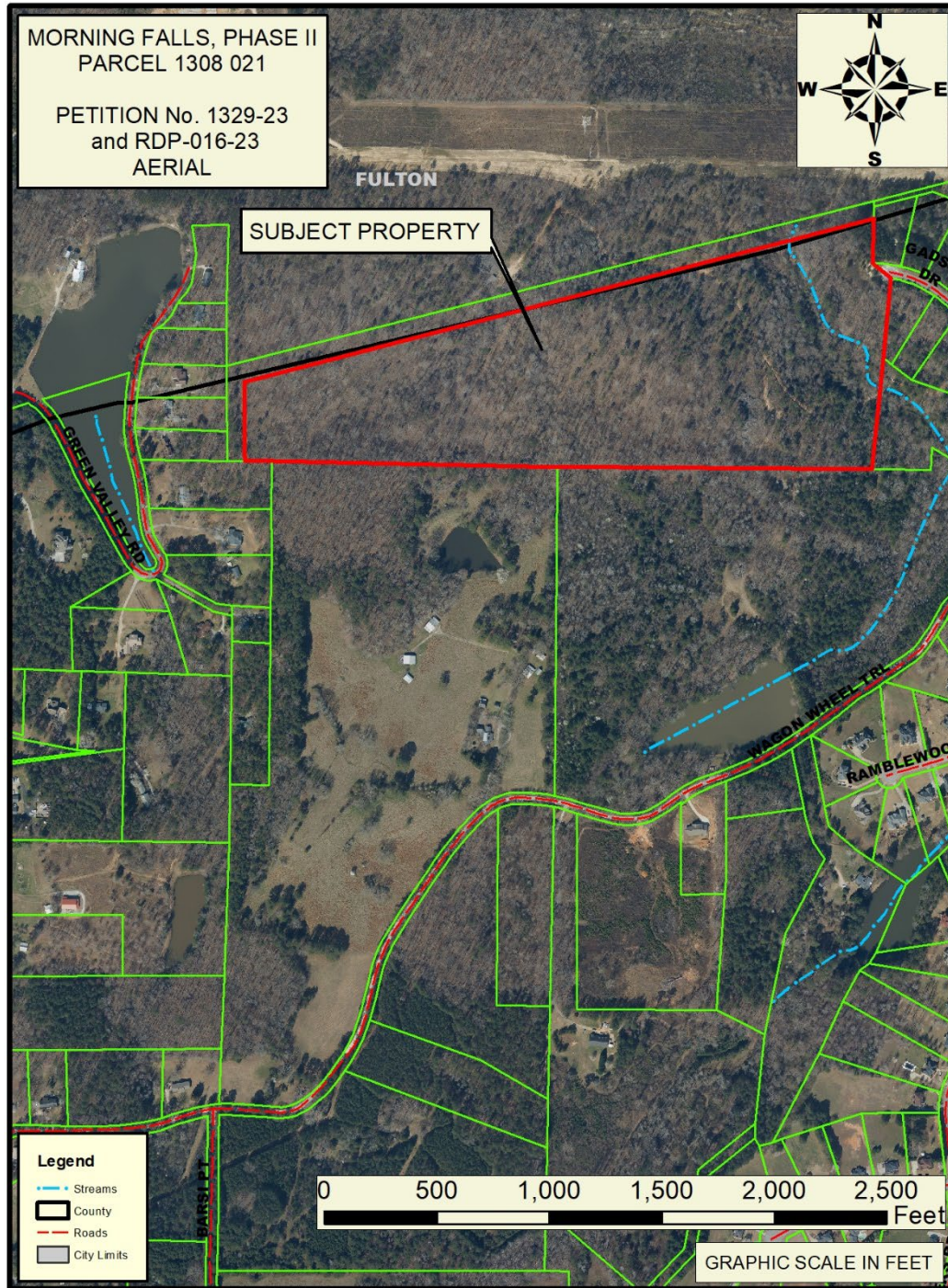


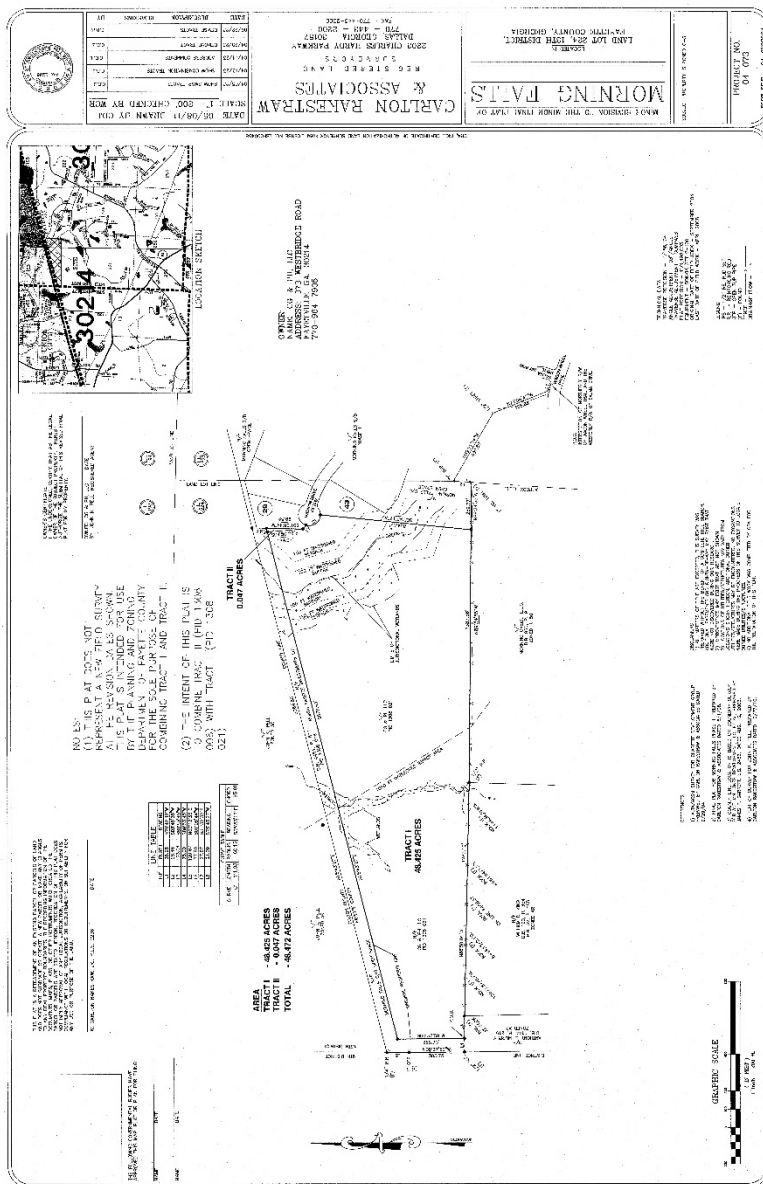












PROPOSED RDP – TRACT I TO BE REMOVED FROM DEVELOPMENT OF MORNING FALLS; TRACT II TO REMAIN AND BE ADDED TO LOT 29

REVISED DEVELOPMENT PLAN APPLICATION

1. NAME OF DEVELOPMENT PLAN: CG & PH LLC

2. APPLICANT'S NAME: JOHN K. PELL
 Ms. Mr. Mrs. Mr. & Mrs.

3. APPLICANT'S ADDRESS: JKP 373 WESTBRIDGE ROAD

4. APPLICANT'S ADDRESS: FAYETTEVILLE, GA 30214

5. APPLICANT'S E-MAIL: jkandbeckypell@gmail.com

6. APPLICANT'S PHONE: 770-964-7935

7. LAND LOT(S): 224

8. DISTRICT(S): 13th

9. FRONTS ON: GADSON DRIVE

10. ZONING: CS to AR

11. PLANNING COMMISSION HEARING DATE: JUNE 1, 2023

12. BOARD OF COMMISSIONERS HEARING DATE: JUNE 22, 2023

13. AGENT'S NAME: JOHN K. PELL
 Ms. Mr. Mrs. Mr. & Mrs.

14. AGENT'S ADDRESS: 373 WESTBRIDGE ROAD

15. AGENT'S ADDRESS: FAYETTEVILLE, GA 30214

16. AGENT'S E-MAIL: jkandbeckypell@gmail.com

17. AGENT'S PHONE: 770-964-7935

18. EXPLANATION OF REVISION: PLEASE REMOVE OUR
48.472 ACRES FROM MORNING FALLS SUBDIVISION.

I respectfully submit this application and certify that the above information is correct and true to the best of my knowledge.

March 10, 2023

[Signature]
APPLICANT'S SIGNATURE

March 10, 2023

Deborah M Sims
NOTARY PUBLIC

Deborah M Sims
NOTARY PUBLIC
Coweta County, GEORGIA
My Commission Expires 01/05/2027

To: Fayette Daily News
From: Chelsie Boynton, Fayette County Planning and Zoning
Date: July 27, 2023
Subject: Legal Ad

Petition No: RDP-016-23

Legal Ad to Run: August 2, 2023

Billing Address: Fayette County Planning & Zoning Department
140 Stonewall Avenue West
Suite 202
Fayetteville, GA 30214

Petition No: RDP-016-23

Ad to run: August 2, 2023

NOTICE OF PUBLIC HEARING FOR THE CONSIDERATION OF THE REVISED DEVELOPMENT PLAN FOR MORNING FALLS SUBDIVISION

PUBLIC HEARING to be held before the Fayette County Board of Commissioners on **August 24, 2023 at 5:00 P.M.**, in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Public Meeting Room, First Floor, Fayetteville, Georgia.

1. Petition No.: RDP-016-23
Applicant: CG & PH, LLC (John K. Pell)
Zoning District: C-S
Area of Property: 48.425 acres
Land Lot(s)/District: Land Lot 224 of the 13th District
Fronts on: Gadson Drive

Proposed: Request approval of the Revised Development Plan for Morning Falls Subdivision - to remove parcel # 1308 021 (48.425 acres) from Morning Falls Subdivision.

A copy of the above is available in the office of the Fayette County Planning and Zoning Department, 140 Stonewall Avenue West, Suite 202, Fayetteville, Georgia.

Legal Description:

All that tract or parcel of land lying in Land Lot 224, 13th District, Fayette County, Georgia and being more particularly described as follows:

COMMENCING at a point on the northerly margin of right-of-way of Wagon Wheel Trail (variable width right-of-way) and the easterly margin of right-of-way of Salma Drive (60 foot right-of-way); Thence running along Wagon Wheel Trail North 70 degrees 42 minutes 12 seconds West, a distance of 35.98 feet to a point; Thence leaving said right-of-way and running North 22 degrees 08 minutes 43 seconds West, a distance of 326.88 feet to a 1/2 inch shaft found; Thence running North 59 degrees 51 minutes 54 seconds West, a distance of 430.80 feet to a "T" bar found on the easterly line of Land Lot 224; Thence running along said land lot line South 03 degrees 45 minutes 35 seconds West, a distance of 98.46 feet to a 1 inch square tube found; Thence leaving said land lot line and running North 89 degrees 34 minutes 55 seconds West, a distance of 259.77 feet to a point and the TRUE POINT OF BEGINNING; Thence North 89 degrees 34 minutes 55 seconds West, a distance of 1387.56 feet to a one half inch reinforcing rod found; Thence running North 88 degrees 50 minutes 04 seconds West, a distance of 1280.10 feet to a nail at rock found; Thence running South 89 degrees 53 minutes 45 seconds West, a distance of 123.01 feet to a 1/2 inch reinforcing rod found; Thence North 00 degrees 37 minutes 59 seconds West, a distance of 365.70 feet to a point; Thence North 75 degrees 43 minutes 27 seconds East, a distance of 2870.93 feet to a point; Thence South 04 degrees 50 minutes 22 seconds East, a distance of 194.97 feet to a point; Thence running South 50 degrees 32 minutes 32 seconds East, a

distance of 27.67 feet to a point; Thence running along a curve to the left an arc distance of 111.03 feet (said arc being subtended by a chord with a bearing of South 35 degrees 53 minutes 12 seconds East, a chord distance of 95.91 feet and having a radius distance of 60.13 feet) to a point; Thence running South 05 degrees 42 minutes 17 seconds West, a distance of 824.07 feet to a point and the TRUE POINT OF BEGINNING;

Said tract or parcel of land containing 48.425 Acres.



Doc ID: 008690700002 Type: WD
Recorded: 11/03/2011 at 10:35:00 AM
Fee Amt: \$12.00 Page 1 of 2
Transfer Tax: \$0.00
Fayette, Ga. Clerk Superior Court
Sheila Studdard Clerk of Court
BK **3815** PG **522-523**

RETURN TO: *JKP*
WESSELS & DEKON, P.C.
175 CORPORATE CENTER DR., STE A
STOCKBRIDGE, GA 30281

JOHN K. PELL
373 WESTBRIDGE
ROAD
FAYETTEVILLE, GA
30214

DRAW DEED ONLY-NO TITLE SEARCH

WARRANTY DEED

STATE OF GEORGIA
COUNTY OF HENRY

Note: Scrivener drafted Deed only at the request of the parties, did not perform a title search and therefore does not warranty in any manner whatsoever the chain of title including but not limited to the following, to wit: the record title holder, liens, judgments, easements or rights of persons in possession thereof.

THIS INDENTURE, made this 25th day of October in the year of our Lord Two Thousand Eleven between John K. Pell, of the State of GA and County of FAYETTE of the first part and CG & PH, LLC, of the State of GA and County of FAYETTE of the second part,

WITNESSETH: That the said party of the first part, for and in consideration of the sum of TEN (\$10.00) DOLLARS, and other goods and valuable considerations, in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold and conveyed and by these presents does grant, sell and convey unto the said party of the second part his heirs and assigns:

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 224 of the 13th District of Fayette County, Georgia and being more particularly described on Exhibit "A" attached hereto and made a part of this description.

TO HAVE AND TO HOLD the said bargained premises, together with all and singular the rights, members and appurtenances thereof, to the same being belonging or in any wise appertaining, to the only proper use, benefit and behoof of the said party of the second part heirs, successors and assigns, forever, IN FEE SIMPLE,

And the said party of the first part, for his heirs, successors, executors and administrators will warrant and forever defend the right and title to the above described property subject to permitted exceptions, unto the said party of the second part, his heirs, successors and assigns, against the lawful claims of all persons owning, holding or claiming by, through or under the party of the first part.

IN WITNESS WHEREOF, the said party of the first part has hereunto set his hand and affixed his seal, the said date and year above written.

Signed, sealed and delivered in the presence of

[Signature]
Unofficial Witness
[Signature]
Notary Public
[Signature] (SEAL)
[Signature] (SEAL)
JERRY L. HARRINGTON
NOTARY PUBLIC
MY COMMISSION EXPIRES
MAY 9, 2014
FAYETTE COUNTY, GEORGIA

EXHIBIT A-1**PROPERTY DESCRIPTION**

All that tract or parcel of land lying and being in Land Lot 224, 13th District, Fayette County, Georgia and being more particularly described as follows:

Commencing at the point of the intersection of the northerly right-of-way of Wagon Wheel Trail and the westerly right-of-way of Salma Drive; Thence running North 70 degrees 42 minutes 12 seconds West a distance of 35.98 feet to a point; Thence running North 22 degrees 08 minutes 43 seconds West a distance of 326.88 feet to a 1/2" shaft found; Thence running North 59 degrees 51 minutes 54 seconds West a distance of 430.80 feet to a "T" bar found on the easterly line of Land Lot 224; Thence running along the easterly line of Land Lot 224, South 09 degrees 46 minutes 35 seconds West a distance of 98.46 feet to a 1" square tube found; Thence running North 89 degrees 34 minutes 55 seconds West a distance of 259.77 feet to a point and the **TRUE POINT OF BEGINNING**; Thence running North 89 degrees 34 minutes 55 seconds West, a distance of 1387.56 feet to a 1/2 inch reinforcing rod found; Thence running North 88 degrees 50 minutes 04 seconds West a distance of 1280.10 feet to a nail found at rock; Thence running South 89 degrees 53 minutes 45 seconds West a distance of 123.01 feet to a point; Thence running North 00 degrees 37 minutes 59 seconds West a distance of 365.70 feet to a point; Thence running North 75 degrees 43 minutes 27 seconds East a distance of 2892.02 feet to a point on the westerly property line of Lot 29, Phase I, Morning Falls subdivision; Thence running South 01 degrees 06 minutes 44 seconds West along said property line a distance of 199.52 feet to a point; Thence running South 50 degrees 32 minutes 32 seconds East a distance of 27.67 feet to a point on the westerly right-of-way of Gadsden Drive; Thence running along a curve to the right along the right-of-way of Gadsden Drive an arc distance of 111.03 feet (said arc being subtended by a chord bearing of South 35 degrees 53 minutes 12 seconds East, a chord distance of 95.91 feet and having a radius of 60.13 feet) to a point; Thence running South 05 degrees 42 minutes 17 seconds West a distance of 824.07 feet to a point and the **TRUE POINT OF BEGINNING**;

Said tract or parcel of land containing 48.472 acres according to a Plat of Survey prepared for John K. Pail by Carlton Rakestraw & Associates, Registered Land Surveyors dated October 27, 2010.

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Consideration of Petition No. 1329-23, John K. Pell, Agent for CG & PH, LLC, Owner, request to rezone 48.472 acres from C-S to A-R to develop one (1) single family residential lot and open space; located in Land Lot(s) 224 of the 13th District and fronts on Gadson Drive.

Background/History/Details:

The subject property is a 48.472-acre tract. It fronts on Gadson Drive and is undeveloped. The parcel is currently zoned C-S, Conservation Subdivision. The area is designated Low Density Residential on the Fayette County Comprehensive Land Use Plan.

On July 20, 2023, Planning Commission voted 4-0 to recommend CONDITIONAL APPROVAL of request (Mr. Arnold Martin was absent).

Staff recommends CONDITIONAL APPROVAL of request for a zoning of A-R, Agricultural-Residential, because request is consistent w/ Fayette County Comp Land Use Plan & surrounding land uses. RECOMMENDED CONDITIONS - Please see staff report for full list of conditions.

What action are you seeking from the Board of Commissioners?

Petition No. 1329-23, John K. Pell, Agent for CG & PH, LLC, Owner, request to rezone 48.472 acres from C-S to A-R to develop one (1) single family residential lot and open space; located in Land Lot(s) 224 of the 13th District and fronts on Gadson Drive with five (5) conditions.

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:

Please see staff report for full text of recommended conditions.

PLANNING COMMISSION RECOMMENDATION

DATE: July 20, 2023

TO: Fayette County Commissioners

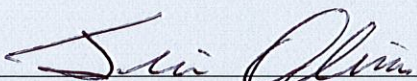
The Fayette County Planning Commission recommends that Petition No. 1329-23, the application of CG & PH, LLC to rezone 48.425 acres from C-S to A-R, be:

Approved Withdrawn Denied

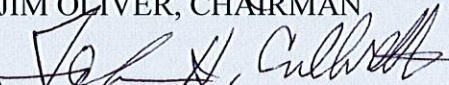
Tabled until _____

Approved with Conditions _____

This is forwarded to you for final action.




JIM OLIVER, CHAIRMAN

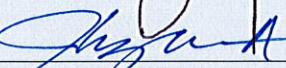


JOHN H. CULBRETH, SR., VICE-CHAIRMAN

ARNOLD L. MARTIN III



DANNY ENGLAND



JOHN J. KRUZAN

Remarks:

**STATE OF GEORGIA
COUNTY OF FAYETTE**

RESOLUTION

NO. 1329-23

WHEREAS, CG & PH, LLC, Owner, and John K. Pell, Agent, having come before the Fayette County Planning Commission on July 20, 2023, 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 48.425 acres from C-S to A-R, in the area of Gadson Drive, Land Lot 224 of the 13th District; 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:



JIM OLIVER, CHAIRMAN



**CHELSE BOYNTON
PC SECRETARY**

BOARD MEMBERS

Arnold L. Martin
 John Kruzan
 John H. Culbreth, Sr.
 Danny England
 Jim Oliver

STAFF

Deborah L. Bell, Planning and Zoning Director
 Deborah Sims, Zoning Administrator
 Chelsie Boynton, Planning and Zoning Coordinator
 E. Allison Ivey Cox, County Attorney

ACTION AGENDA
FAYETTE COUNTY PLANNING COMMISSION MEETING
140 STONEWALL AVENUE WEST
July 20, 2023
7:00 pm

Welcome to the meeting of your Fayette County Planning Commission. Your participation in County government is appreciated. All regularly scheduled Board meetings are open to the public and are held on the 1st and 3rd Thursday of each month at 7:00 p.m.

1. Call to Order

Chairman Jim Oliver called the July 20, 2023 Planning Commission meeting to order at 7:00 p.m. A quorum of the Board was present. Arnold Martin was absent.

2. Pledge of Allegiance

Chairman Jim Oliver led the audience in the Pledge of Allegiance.

3. Approval of Agenda

John Kruzan moved to approve the agenda as written. Danny England seconded. The motion passed 4-0.

4. Approval of July 6, 2023 Minutes

Danny England moved to approve the minutes. John Culbreth seconded. The motion passed 4-0.

PUBLIC HEARING

5. Consideration of Petition No. RDP-016-23, To revise the development plan for Morning Falls Subdivision - to remove parcel# 1308 021 (48.425 acres) from Morning Falls subdivision. This property is located in Land Lot 224 of the 13th District, and fronts on Gadson Drive.

John Culbreth moved to approve the petition RDP-016-023, to revise the development plan for Morning Falls Subdivision – to remove parcel 1308 021 (48.425 acres) from Morning Falls subdivision. Danny England seconded. The motion passed 4-0.

6. Consideration of Petition No. 1329-23 CG & PH, LLC, Owner, and John K. Pell, Agent, request to rezone 48.425 acres from C-S to A-R. This property is located in Land Lot 224 of the 13th District, and fronts on Gadson Drive.

John Culbreth moved to approve petition 1329-23, to rezone 48.425 acres from C-S to A-R with conditions. Danny England seconded. The motion passed 4-0.

7. Consideration of amendments to Chapter 110. Zoning Ordinance, adding Sec. 110-175 to provide procedures for Special Use of Property.

Danny England moved to approve amendments to Chapter 110. Zoning Ordinance, adding Sec. 110-175 to

provide procedures for Special Use of Property. John Kruzan seconded. The motion passed 4-0.

8. Consideration of amendments to Chapter 110. Zoning Ordinance, adding provisions to Sec. 110-175, Special Use of Property, to provide procedures for application for Drug Abuse Treatment Facility.

Danny England moved to approve amendments to Chapter 110. Zoning Ordinance, adding provisions to Sec. 110-175, Special Use of Property, to provide procedures for application for Drug Abuse Treatment Facility. John Kruzan seconded. The motion passed 4-0.

9. Consideration of amendments to Chapter 110. Zoning Ordinance, regarding Sec. 110-142. to add Drug Abuse Treatment Facility as a Special Use of Property in the Office-Institutional Zoning District.

John Kruzan moved to approve amendments to Chapter 110. Zoning Ordinance, regarding Sec. 110-142 to add Drug Abuse Treatment Facility as a Special Use of Property in the Office Institutional Zoning District with the condition to change i to j. Danny England seconded. The motion passed 4-0.

10. Consideration of Petition No. SUP-001-23, NEW18, LLC, Owner, and Baker & Hostetler LLP Attn: M. Adam Kaye, Jr, Agent, request a Special Use Permit to operate a Drug Abuse Treatment Facility as a Special Use of Property. The proposed zoning decision relates to or will allow the location or relocation of a halfway house, drug rehabilitation center, or other facility for treatment of drug dependency. This property is located in Land Lot 126 of the 5th District and fronts on Georgia Highway 54 W.

Danny England moved to approve petition SUP-001-23, NEW18, LLC, Owner, and Baker & Hostetler LLP, M. Adam Kaye, Jr., Agent, request for a Special Use Permit to operate a Drug Abuse Treatment Facility as a Special Use of Property. John Culbreth seconded. The motion passed 4-0.

ADJOURNMENT:

John Culbreth moved to adjourn the July 20, 2023 Planning Commission meeting. Danny England seconded. The motion passed 4-0.

The July 20, 2023 Planning Commission meeting adjourned at 7:37 p.m.

Chelsie Boynton, Planning Commission Secretary

James Oliver, Chairman

PETITION NO: 1329-23

REQUESTED ACTION: Rezone from C-S to A-R

PARCEL NUMBER: 1308 021

PROPOSED USE: Agricultural-Residential

EXISTING USE: Undeveloped land

LOCATION: Gadson Drive

DISTRICT/LAND LOT(S): 13th District, Land Lot 224

OWNERS: CG & PH, LLC

AGENT: John K. Pell

PLANNING COMMISSION PUBLIC HEARING: July 20, 2023

BOARD OF COMMISSIONERS PUBLIC HEARING: July 27, 2023

APPLICANT'S INTENT

Applicant proposes to rezone 48.425 acres from C-S to A-R for the purposes of creating one 5-acre parcel for a single-family home and maintaining the balance in a conservation use for wildlife. (See Revised Development Plan RDP-16-23).

STAFF RECOMMENDATION

As defined in the Fayette County Comprehensive Plan, Low Density Residential is designated for this area, so the request for A-R zoning is appropriate. Based on the Investigation and Staff Analysis, Staff recommends **CONDITIONAL APPROVAL** of the request for a zoning of A-R, Agriculture-Residential District, subject to the following conditions:

1. The petitioner shall, within 60 days, record a revised minor final plat creating Tract I, the portion to be removed from the Morning Falls Development Plan, and Tract II, which will remain part of the Morning Falls Subdivision. These tracts are described in the accompanying legal descriptions and survey for the revised plat.
2. The petitioner shall, within 60 days, transfer Tract II to Fayette County so that the County may transfer this acreage to the owner of Lot 29 in exchange for right of way along the frontage of Gadson Drive, enabling Lot 29 to maintain the correct minimum lot acreage.
3. The petitioner shall dedicate to Fayette County sufficient right of way along the Tract I frontage of the cul de sac of Gadson Drive to provide a 60' right of way.
4. Article VII. Watershed Protection., shall apply to any State Waters identified on the property during the Land Disturbance permitting process.
5. Post-Development Stormwater Management Ordinance will apply if developed with more than 5,000 square feet of impervious surface.

INVESTIGATION

A. GENERAL PROPERTY INFORMATION

The subject property is currently zoned C-S (Conservation Subdivision) on August 25th, 2005. It is labeled Phase II of Morning Falls Subdivision in a Final Plat recorded May 16, 2008.

This property is not located in an Overlay Zone.

Rezoning History:

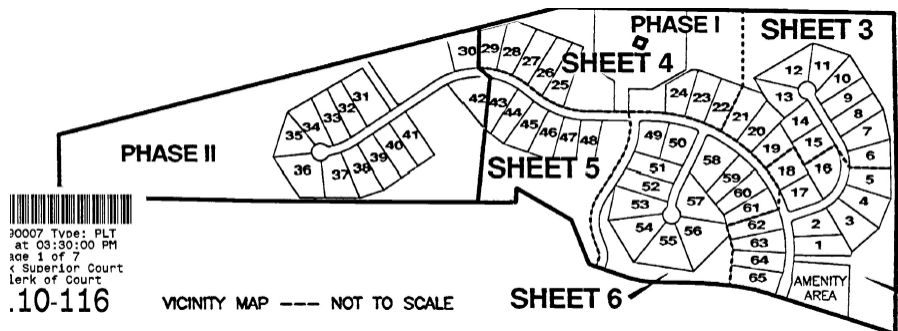
On August 25, 2005, the Board of Commissioners approved Petition No. 1149-05 to rezone 164.22 acres from A-R to C-S, for the purposes of developing a single-family subdivision.

The developer received a Land Disturbance Permit to begin construction on September 21, 2006. They proceeded to build Phase I but did not complete the project. The property was subject of a foreclosure and on May 16, 2008, First City Bank recorded the plat for Phase I as Owner/Developer.

Phase II was never developed. The original plan indicated 13 additional lots in Phase II.

John Pell purchased most of the Phase II property from First City Bank on March 17, 2011 (deed Book 3740 Page 649). A 5.725-acre parcel was retained by the developer for the purposes of providing the required conservation acreage needed for the Conservation Subdivision status of Phase I.

On November 3, 2011, Mr. Pell deeded the land to CG & PH, LLC, of which he is a part. On March 8, 2012, they placed the property into a conservation easement for the purpose of preserving it as a wildlife habitat. This CUVA was renewed in 2022.



B. SURROUNDING ZONING AND USES

Near the subject property is land which is zoned C-H, M-1 and A-R. See the following table and the attached Zoning Map. The subject property is bounded by the following adjacent zoning districts and uses:

| Direction | Acreage | Zoning | Use | Comprehensive Plan |
|-----------|-----------------|--------|--|--|
| North | 5.72 | C-S | Conservation Area | Low Density Residential – 2-acre minimum |
| South | 156 (2 parcels) | A-R | Agriculture , timber & 1 Single-family residence | Low Density Residential – 2-acre minimum |
| East | 122 | C-S | Single-Family Residential | Low Density Residential – 2-acre minimum |
| West | 3.6 (3 parcels) | A-R | Single-Family Residential | Low Density Residential – 2-acre minimum |

C. COMPREHENSIVE PLAN

Future Land Use Plan: The subject property lies within an area designated for Low Density Residential on the Future Land Use Plan map. This request conforms to the Fayette County Comprehensive Plan.

D. ZONING/REGULATORY REVIEW

Access & Right-of Way: The property has existing access on Gadson Drive.

Site Plan: The applicant submitted a final plat for the property. It meets the requirements for the A-R Zoning District.

F. DEPARTMENTAL COMMENTS

- Water System** - FCWS has no objection to the proposed rezoning. Water is available in a 6" PVC watermain along south side of Gadson Dr.
- Public Works/Environmental Management**
 - **Transportation** – The appropriate right-of-way dedication is provided in the proposed site plan. Existing access is acceptable.
 - **Floodplain Management** - The subject property **DOES NOT** contain floodplain per FEMA FIRM panel 13113C0017E dated September 26, 2008, or the FC 2013 Future Conditions Flood Study.
 - **Wetlands** - The property **DOES NOT** contain wetlands per the U.S. Department of the Interior, Fish and Wildlife Service 1994 National Wetland Inventory Map.
 - **Watershed Protection** - There **ARE** known state waters located on the subject property.
 - **Groundwater** – The property **IS NOT** within a groundwater recharge area.
 - **Stormwater Management** – There is no stormwater management facility on the Phase II parcel.
- Environmental Health Department** – This office has no objections to the proposed rezoning of the parcel #1308021. If this is going to be developed in residential properties then a level III soils report also needs to be conducted.
- Fire** – No objections to the requested rezoning.
- GDOT** – Not applicable, not on State Route.

STANDARDS**Sec. 110-300. - Standards for map amendment (rezoning) evaluation.**

All proposed map amendments shall be evaluated with special emphasis being placed on the relationship of the proposal to the land use plan and related development policies of the county. The following factors shall be considered by the planning and zoning department, the planning commission and the board of commissioners when reviewing a request for rezoning:

- (1) Whether the zoning proposal is in conformity with the land use plan and policies contained therein;
- (2) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property;
- (3) Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing or planned streets, utilities, or schools;
- (4) Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.

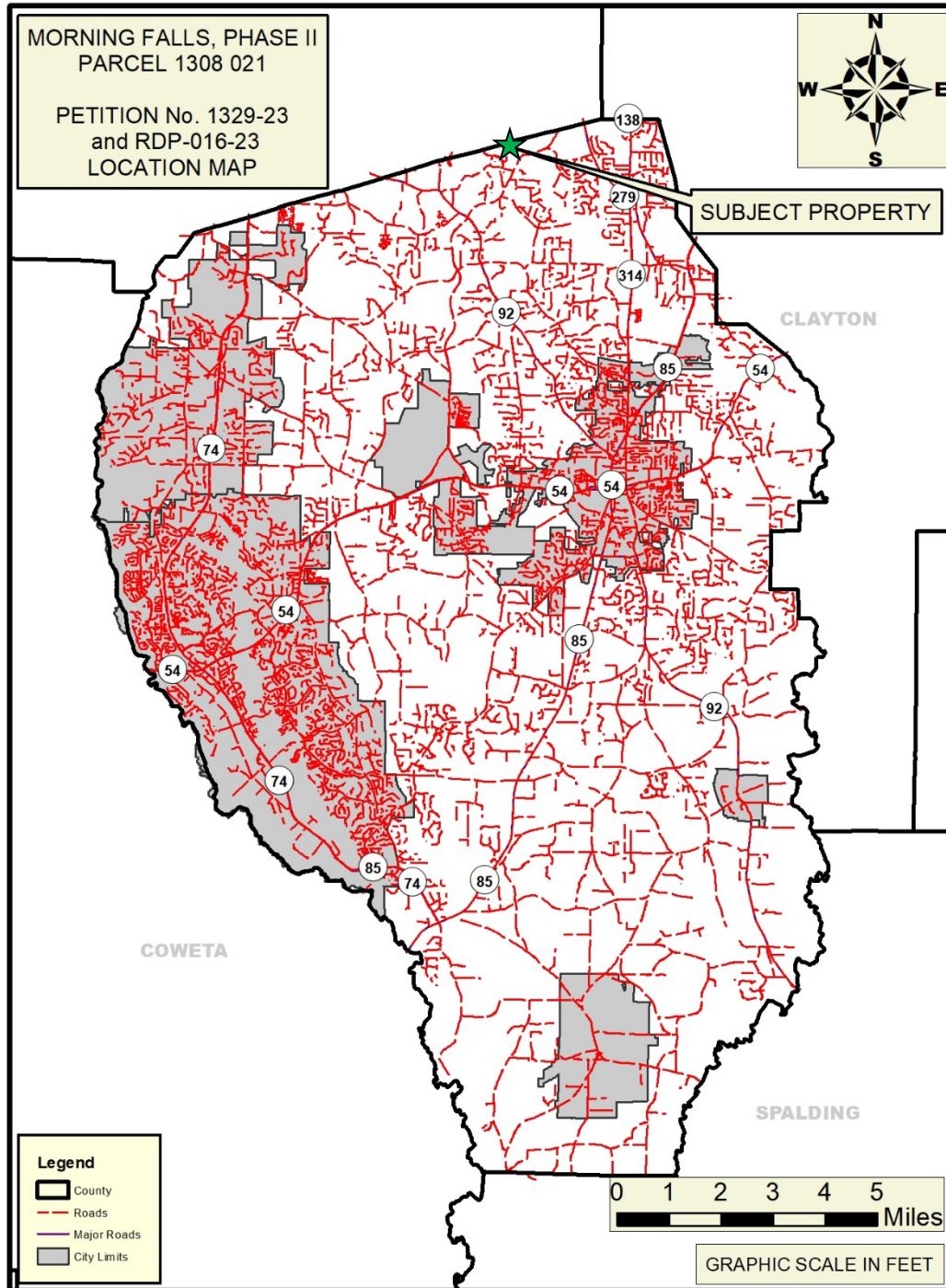
STAFF ANALYSIS

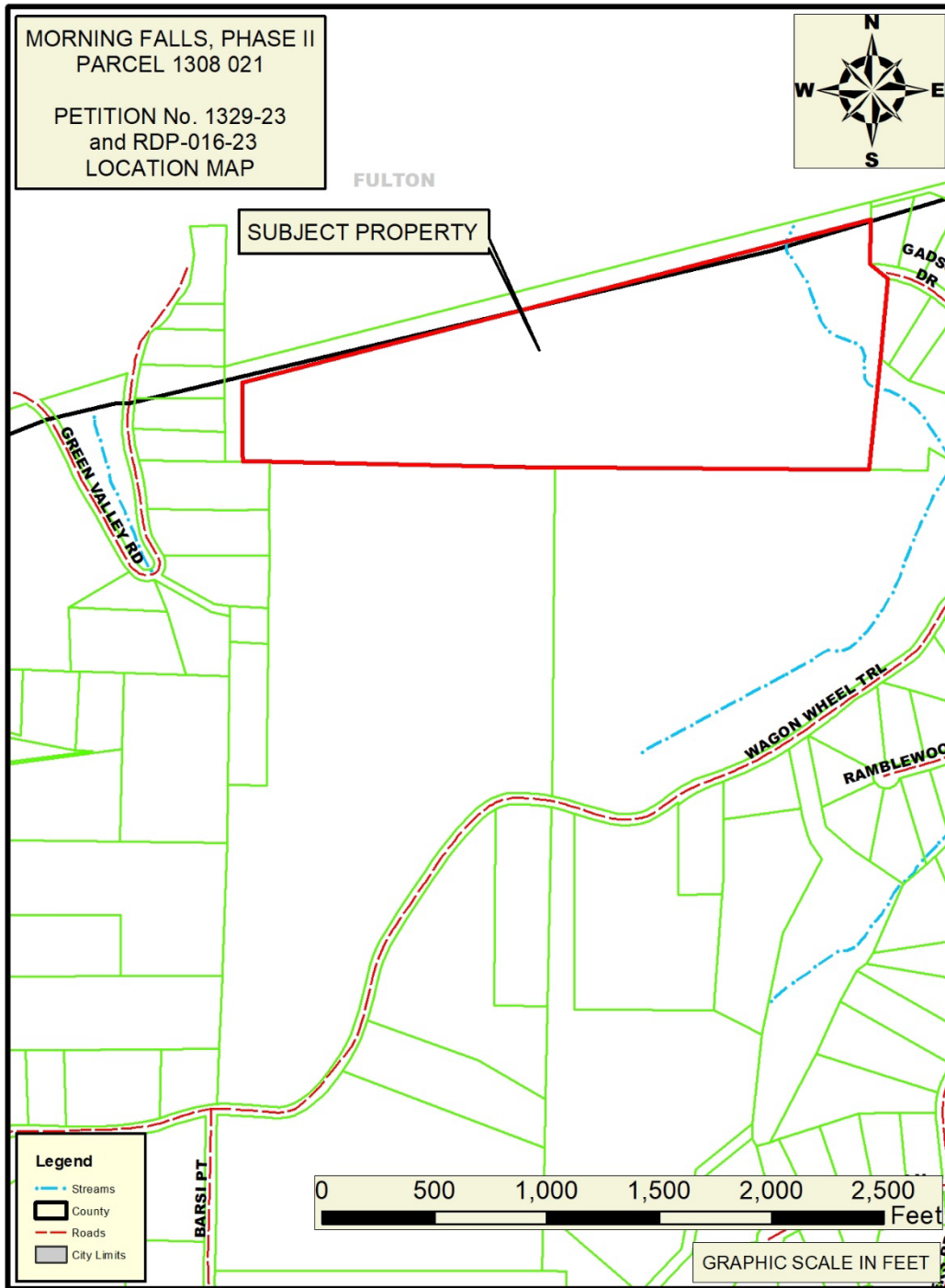
1. The subject property lies within an area designated for Low Density Residential Uses. This request does conform to the Fayette County Comprehensive Plan in terms of the use and proposed lot size.
2. The area around the subject property is an area that already has various residential and agricultural uses. It is staff's opinion that the zoning proposal would not adversely affect the existing or future uses of nearby properties.
3. It is staff's opinion that the zoning proposal will not have an excessive or burdensome impact on streets, utilities, or schools.
4. The proposal is consistent in character and use with the surrounding uses as agricultural and low density residential. Staff is not aware of other changes that would have an adverse impact on this type of development in the general area.

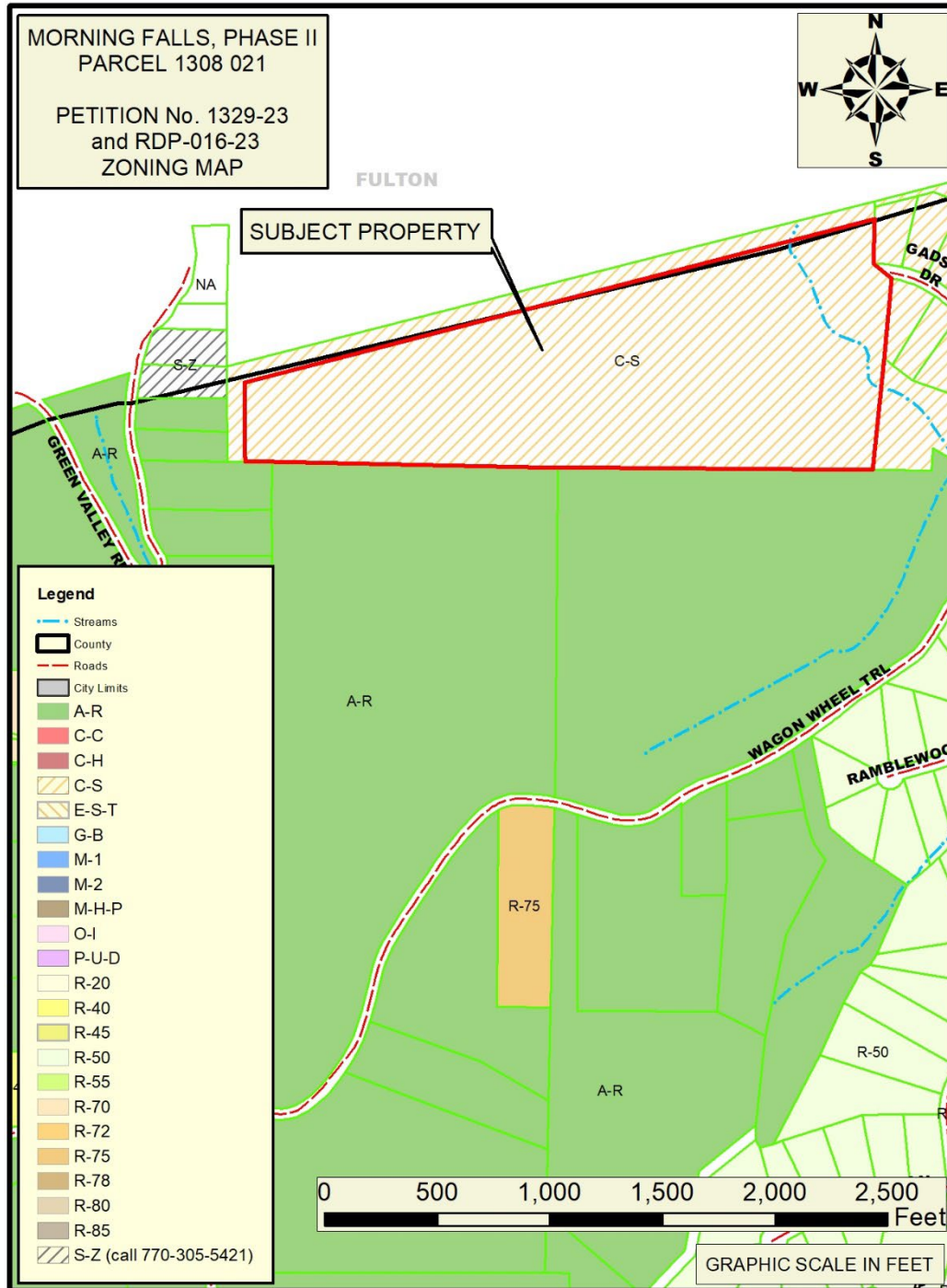
ZONING DISTRICT STANDARDS**Sec. 110-125. A-R, Agricultural-Residential District.**

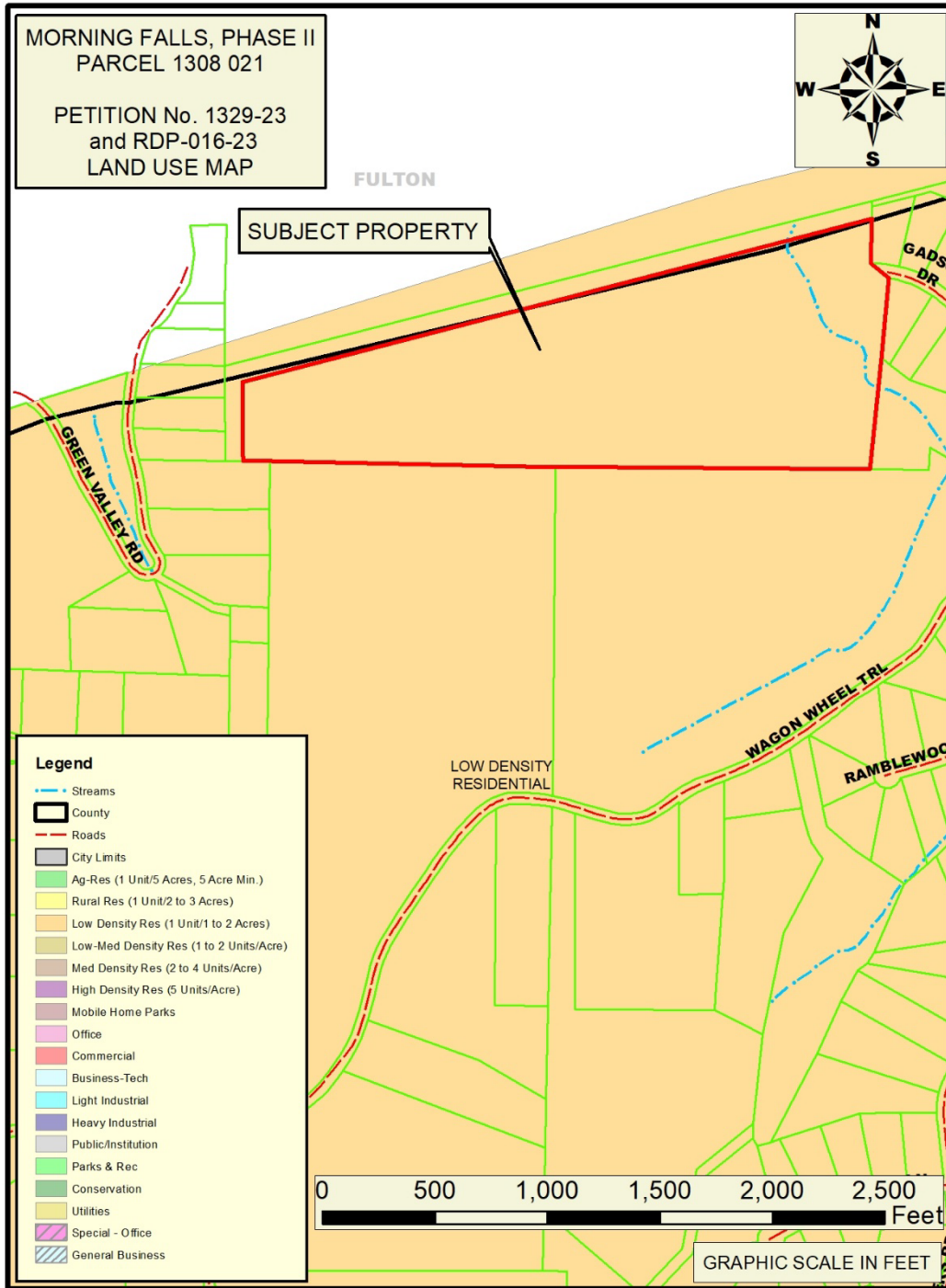
- (a) *Description of district.* This district is composed of certain lands and structures having a very low density single-family residential and agricultural character and designed to protect against the depreciating effects of small lot, residential development and those uses which are incompatible with such a residential and agricultural environment.
- (b) *Permitted uses.* The following permitted uses shall be allowed in the A-R zoning district:
- (1) Single-family dwelling;
 - (2) Residential accessory structures and uses (see article III of this chapter);
 - (3) Growing of crops and the on-premises sale of produce and agricultural products, provided 50 percent of the produce/products sold shall be grown on-premises;
 - (4) Plant nurseries and greenhouses (no sales of related garden supplies);
 - (5) Raising of livestock; aquaculture, including pay fishing; apiary (all beehives shall comply with the required setbacks); and the sale thereof; and
 - (6) One semi-trailer/box truck utilized as a farm outbuilding, provided the property is a minimum of five acres and the semi-trailer/box truck is only used to store agricultural items.
- (c) *Conditional uses.* The following conditional uses shall be allowed in the A-R zoning district provided that all conditions specified in article VII of this chapter. Conditional uses, nonconformances, transportation corridor overlay zone, and commercial development standards are met:
- (1) Aircraft landing area;
 - (2) Animal hospital, kennel or veterinary clinic;
 - (3) A-R bed and breakfast inn;
 - (4) A-R wedding/event facility;
 - (5) Cemetery;
 - (6) Church and/or other place of worship;
 - (7) Colleges and university, including, but not limited to: classrooms, administration, housing, athletic fields, gymnasium, and/or stadium;
 - (8) Commercial driving range and related accessories;
 - (9) Child care facility;
 - (10) Deer processing facility.
 - (11) Developed residential recreational/amenity areas;
 - (12) Farm outbuildings, including horse stables, auxiliary structures, and greenhouses (permanent or temporary);
 - (13) Golf course (minimum 18-hole regulation) and related accessories;
 - (14) Home occupation;
 - (15) Horse show, rodeo, carnival, and/or community fair;
 - (16) Hospital;
 - (17) Kennel (see animal hospital, kennel, and/or veterinary clinic);
 - (18) Private school, including, but not limited to: classrooms, administration, playground, housing, athletic fields, gymnasium, and stadium;

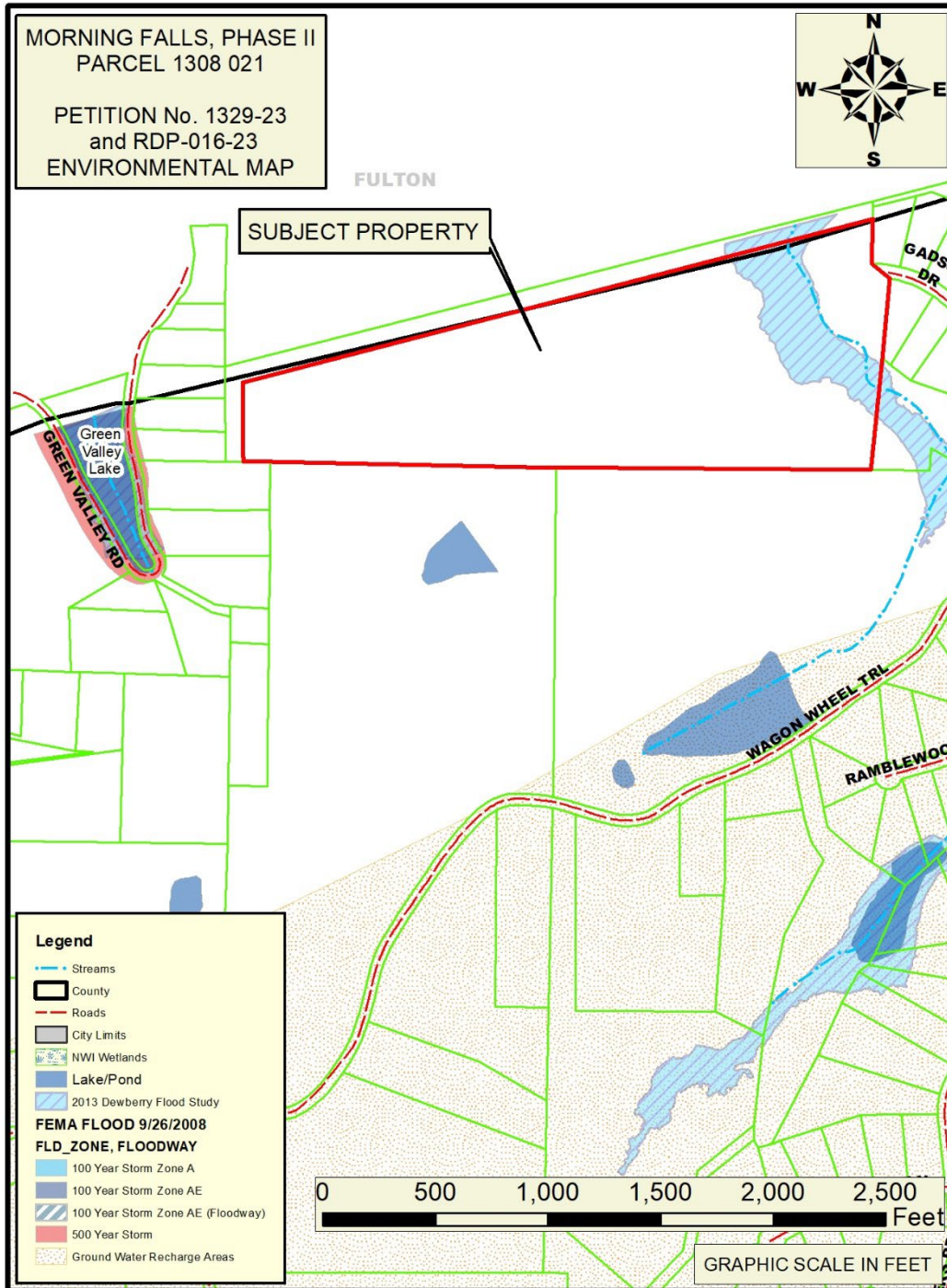
- (19) Processing, packaging, or handling of perishable agricultural products (i.e. fruits and vegetables) which are grown on premises;
 - (20) Recreation centers and similar institutions owned by nonprofit organizations as so registered with the state secretary of state office;
 - (21) Religious tent meeting; and
 - (22) Shooting range, outdoor.
- (d) *Dimensional requirements.* The minimum dimensional requirements in the A-R zoning district shall be as follows:
- (1) Lot area: 217,800 square feet (five acres).
 - (2) Lot width: 250 feet.
 - (3) Floor area: 1,200 square feet.
 - (4) Front yard setback:
 - a. Major thoroughfare:
 - 1. Arterial: 100 feet.
 - 2. Collector: 100 feet.
 - b. Minor thoroughfare: 75 feet.
 - (5) Rear yard setback: 75 feet.
 - (6) Side yard setback: 50 feet.
 - (7) a. 35 feet as defined in article III of this chapter.
 - b. The limitation on height shall not apply to agricultural structures such as storage barns, silos, or other types of structure not normally designed for human occupation except that when an agricultural structure exceeds the maximum building height the minimum distance from property lines to any building shall be increased one foot for every two feet or part thereof of building height over 35 feet.
- (e) *Special regulations.* Prior to the issuance of development and/or building permits, a site plan, as applicable, shall be submitted to the zoning administrator and approved by the appropriate county officials. This requirement shall apply to all permitted uses and conditional uses allowed in the AR zoning district except single-family dwellings; residential accessory structures; growing crops and the on-premises sale of produce at agricultural stands of 100 square feet or less of floor area; growing and seasonal sale of Christmas trees; plant nursery, landscape tree farm, or greenhouse operations existing prior to the effective date of June 26, 2003; and the raising and/or selling of livestock.
- (Code 1992, § 20-6-1; Ord. of 7-28-2011; Ord. No. 2012-09, § 4, 5-24-2012; Ord. No. 2012-13, § 4, 12-13-2012; Ord. No. 2012-14, § 3, 12-13-2012; Ord. No. 2014-19, § 6,7, 12-11-2014; Ord. No. 2015-05, § 2, 3-26-2015; Ord. No. 2016-12, § 3, 7-28-2016; Ord. No. 2017-04, § 2, 3-23-2017; Ord. No. 2018-03, §§ 11, 12, 9-22-2018)

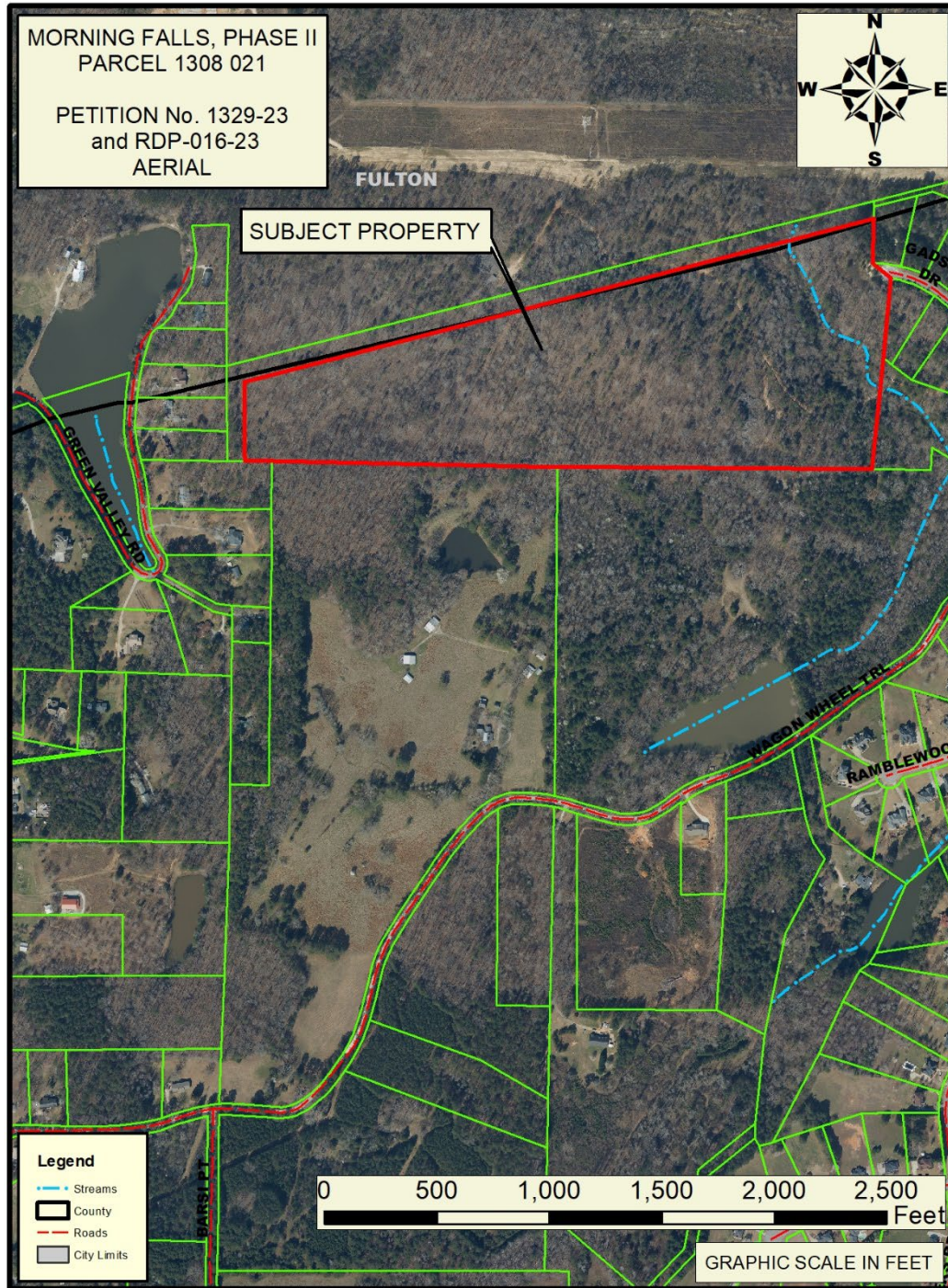


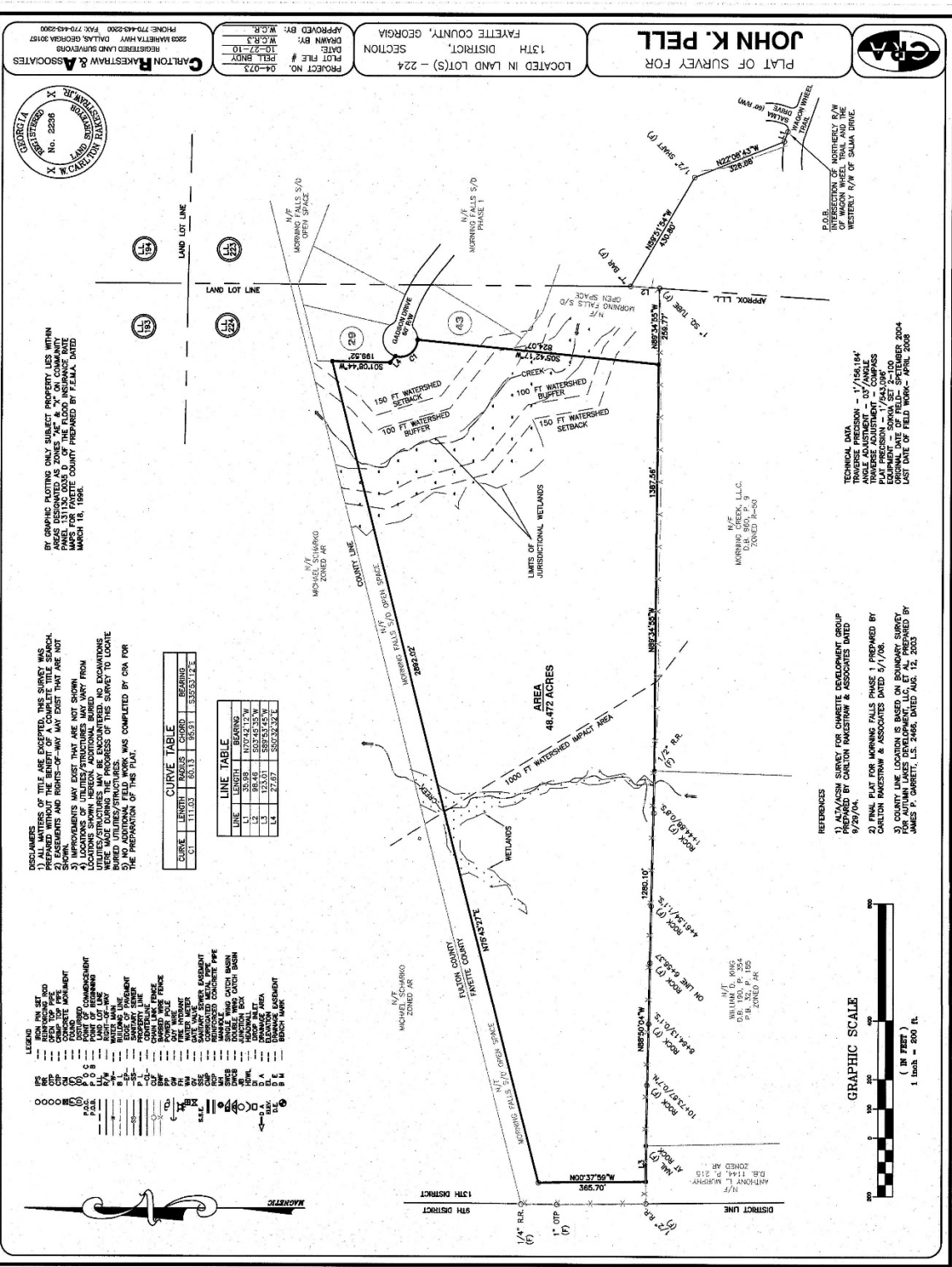


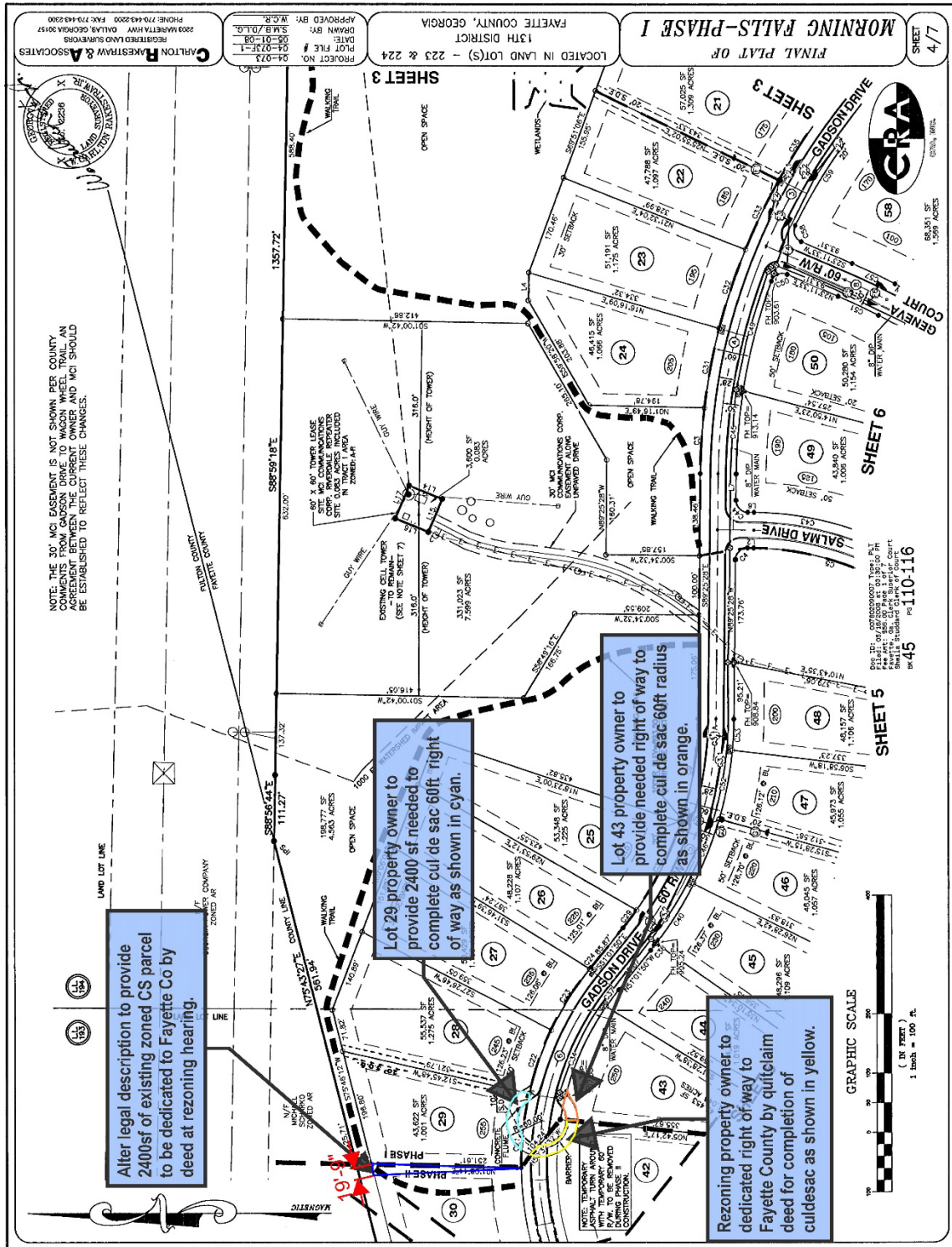




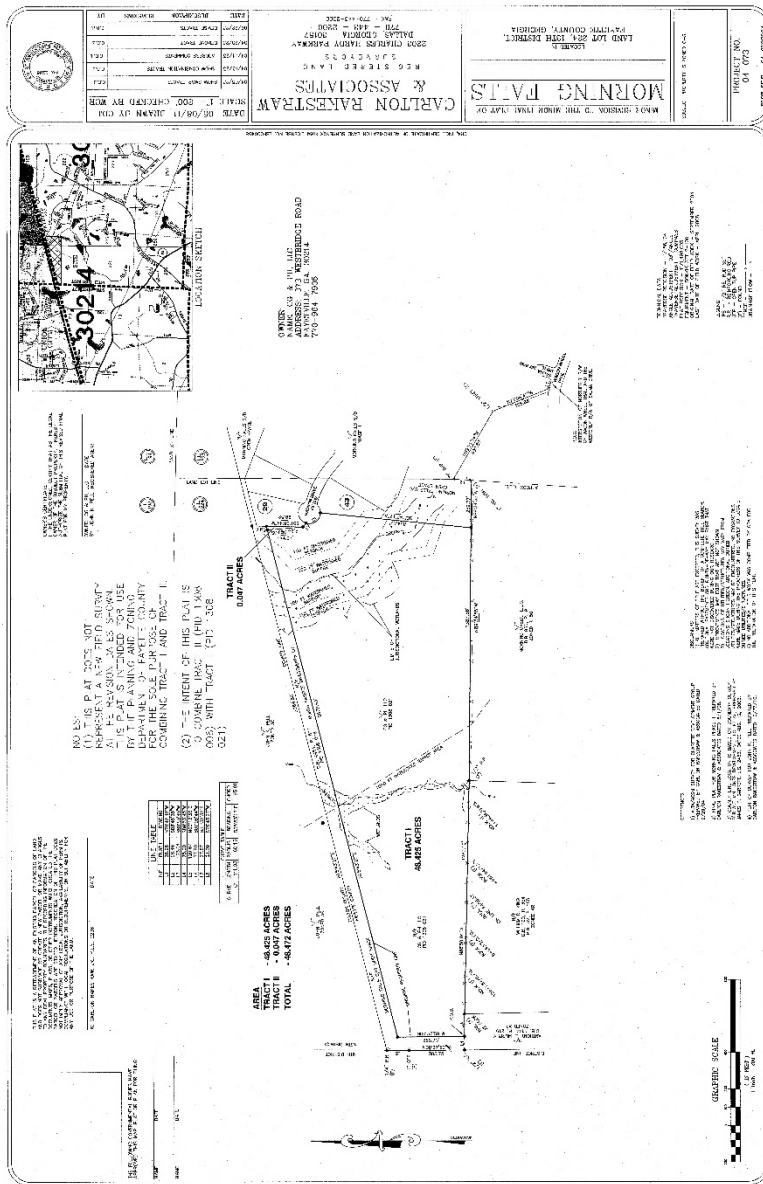








RIGHT-OF-WAY REQUIREMENTS



PROPOSED REZONING - TRACT I TO BE REZONED FROM C-S to A-R;
 TRACT II TO REMAIN AS C-S AND BE ADDED TO LOT 29

SUBJECT PROPERTY PARCEL # 1308-021
Page 55 of 231

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

PROPERTY OWNERS: CG & PH LLC
MAILING ADDRESS: 373 WESTBRIDGE ROAD FAYETTEVILLE, GA 30214
PHONE: 770-964-7935 E-MAIL: jkandbeckypell@gmail.com
AGENT FOR OWNERS: JOHN K. PELL
MAILING ADDRESS: 373 WESTBRIDGE ROAD FAYETTEVILLE, GA 30214
PHONE: 770-964-7935 E-MAIL: jkandbeckypell@gmail.com

PROPERTY LOCATION: LAND LOT 224 LAND DISTRICT 13TH PARCEL 1308 021
LAND LOT _____ LAND DISTRICT _____ PARCEL _____

TOTAL NUMBER OF ACRES REQUESTED TO BE REZONED: 48.472

EXISTING ZONING DISTRICT: CS PROPOSED ZONING DISTRICT: AR

ZONING OF SURROUNDING PROPERTIES: CS and A.R.

PRESENT USE OF SUBJECT PROPERTY: UNDEVELOPED LAND

PROPOSED USE OF SUBJECT PROPERTY: Single family residential

LAND USE PLAN DESIGNATION: LOW DENSITY RESIDENTIAL

NAME AND TYPE OF ACCESS ROAD: GADSON DRIVE, LOCAL

LOCATION OF NEAREST WATER LINE: 255 GADSON DRIVE

(THIS AREA TO BE COMPLETED BY STAFF): PETITION NUMBER: 1329-23

[] Application Insufficient due to lack of: _____

by Staff: _____ Date: _____

Application and all required supporting documentation is Sufficient and Complete

by Staff: [Signature] Date: MARCH 13, 2023

DATE OF PLANNING COMMISSION HEARING: Nov 1, 2023

DATE OF COUNTY COMMISSIONERS HEARING: June 22, 2023

Received from John K. Rebecca Z Pell a check in the amount of \$ 550.00 for application filing fee, and \$ 100.00 for deposit on frame for public hearing sign(s).

Date Paid: MARCH 10, 2023 Receipt Number: 017419

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:

CG + PH LLC
Please Print Names

Property Tax Identification Number(s) of Subject Property: 13 08 021

(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) 224 of the 13 District, and (if applicable to more than one land district) Land Lot(s) _____ of the _____ District, and said property consists of a total of 48.472 acres (legal description corresponding to most recent recorded plat for the subject property is attached herewith).

(I) (We) hereby delegate authority to JOHN K. PELL 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.

Signature of Property Owner 1

Signature of Notary Public

Address

Date

Signature of Property Owner 2

Signature of Notary Public

Address

Date

Signature of Property Owner 3

Signature of Notary Public

Address

Date

John K. Pell
Signature of Authorized Agent

Deborah M Sims
Signature of Notary Public

Address

March 10, 2023
Date

Deborah M Sims
NOTARY PUBLIC
Coweta County, GEORGIA
My Commission Expires 01/05/2027

OWNER'S AFFIDAVIT

NAME: JOHN K. PELL PETITION NUMBER: 1329-23
ADDRESS: 373 WESTBRIDGE ROAD FAYETTEVILLE, GA 30214

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

JOHN K. PELL affirms that he is the owner or the specifically authorized agent of the property described below. Said property is located in a(n) 13TH Zoning District. He/She respectfully petitions the County to rezone the property from its present classification and tenders herewith the sum of \$ 550⁰⁰ to cover all expenses of public hearing. He/She petitions the above named to change its classification to AR.

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 4 day of MAY, 20 23 at 7:00 P.M.

PUBLIC HEARING to be held by the Board of Commissioners of Fayette County on the 25 day of MAY, 20 23 at 5:00 P.M.

SWORN TO AND SUBSCRIBED BEFORE ME THIS 10th DAY OF March, 20 23

[Signature] SIGNATURE OF PROPERTY OWNER
[Signature] SIGNATURE OF PROPERTY OWNER

Deborah M Sims
NOTARY PUBLIC

Deborah M Sims
NOTARY PUBLIC
Coweta County, GEORGIA
My Commission Expires 01/05/2027

AGREEMENT TO DEDICATE PROPERTY FOR FUTURE RIGHT-OF-WAY

I/We, JOHN K. TELL, said property owner(s) of subject property requested to be rezoned, hereby agree to dedicate, at no cost to Fayette County, (?) feet of right-of-way along COMPLETED PORTION OF CUL-DE-SAC as measured from the centerline of the road.

Based on the Future Thoroughfare Plan Map streets have one of the following designations and the Fayette County Development Regulations require a minimum street width as specified below:

- Local Street (Minor Thoroughfare) 60-foot right-of-way (30' measured from each side of road centerline)
- Collector Street (Major Thoroughfare) 80-foot right-of-way (40' measured from each side of road centerline)
- Arterial Street (Major Thoroughfare) 100-foot right-of-way (50' measured from each side of road centerline)

Sworn to and subscribed before me this 10th day of March, 20 23.


SIGNATURE OF PROPERTY OWNER

SIGNATURE OF PROPERTY OWNER


NOTARY PUBLIC

Deborah M Sims
NOTARY PUBLIC
Coweta County, GEORGIA
My Commission Expires 01/05/2027

DEVELOPMENTS OF REGIONAL IMPACT (DRI)

Rezoning Applicant:

- A. Please review the attached "Developments of Regional Impact Tiers and Development Thresholds" established by the Georgia Department of Community Affairs (DCA) to determine if the proposed project meets or exceeds these thresholds. If the proposed project does not meet the established thresholds (is less than those listed) then skip to section C. below and complete.

- B. If the project does meet or exceed the established thresholds for the type of development proposed, the Georgia Department of Community Affairs (DCA) "Developments of Regional Impact: Request for Review Form" is available online at the following website address: www.dca.state.ga.us/DRI/.

- C. I have reviewed and understand the attached "Thresholds: Developments of Regional Impact".
[] The proposed project related to this rezoning request DOES NOT meet or exceed the established DRI thresholds .

[] The proposed project related to this rezoning request DOES meet or exceed the established DRI thresholds and documentation regarding the required DRI Request for Review Form is attached.

Signed this 9th day of MARCH, 2023.


APPLICANT'S SIGNATURE 

**Developments of Regional Impact
Tiers and Development Thresholds**

| Type of Development | Metropolitan Regions | Non-metropolitan Regions |
|---|--|---|
| (1) Office | Greater than 400,000 gross square feet | Greater than 125,000 gross square feet |
| (2) Commercial | Greater than 300 000 gross square feet | Greater than 175,000 gross square feet |
| (3) Wholesale & Distribution | Greater than 500 000 gross square feet | Greater than 175,000 gross square feet |
| (4) Hospitals and Health Care Facilities | Greater than 300 new beds; or generating more than 375 peak hour vehicle trips per day | Greater than 200 new beds; or generating more than 250 peak hour vehicle trips per day |
| (5) Housing | Greater than 400 new lots or units | Greater than 125 new lots or units |
| (6) Industrial | Greater than 500,000 gross square feet; or employing more than 1, 600 workers; or covering more than 400 acres | Greater than 175,000 gross square feet; or employing more than 500 workers; or covering more than 125 acres |
| (7) Hotels | Greater than 400 rooms | Greater than 250 rooms |
| (8) Mixed Use | Gross square feet greater than 400,000 (with residential units calculated at 1800 square feet per unit toward the total gross square footage); or covering more than 120 acres; or if any of the individual uses meets or exceeds a threshold as identified herein | Gross square feet greater than 125,000 (with residential units calculated at 1800 square feet per unit toward the total gross square footage); or covering more than 40 acres; or if any of the individual uses meets or exceeds a threshold as identified herein |
| (9) Airports | All new airports runways and runway extensions | Any new airport with a paved runway; or runway additions of more than 25% of existing runway length |
| (10) Attractions & Recreational Facilities | Greater than 1, 500 parking spaces or a seating capacity of more than 6, 000 | Greater than 1, 500 parking spaces or a seating capacity of more than 6, 000 |
| (11) Post-Secondary School | New school with a capacity of more than 2,400 students or expansion by at least 25 percent of capacity | New school with a capacity of more than 750 students or expansion by at least 25 percent of capacity |
| (12) Waste Handling Facilities | New facility or expansion of use of an existing facility by 50 percent or more | New facility or expansion of use of an existing facility by 50 percent or more |
| (13) Quarries, Asphalt &, Cement Plants | New facility or expansion of existing facility by more than 50 percent | New facility or expansion of existing facility by more than 50 percent |
| (14) Wastewater Treatment Facilities | New facility or expansion of existing facility by more than 50 percent | New facility or expansion of existing facility by more than 50 percent |
| (15) Petroleum Storage Facilities | Storage greater than 50, 000 barrels if within 1, 000 feet of any water supply; otherwise storage capacity greater than 200, 000 barrels | Storage greater than 50, 000 barrels if within 1, 000 feet of any water supply; otherwise storage capacity greater than 200, 000 barrels |
| (16) Water Supply, Intakes/Reservoirs | New Facilities | New Facilities |
| (17) Intermodal Terminals | New Facilities | New Facilities |
| (18) Truck Stops | A new facility with more than three diesel fuel pumps; or spaces. | A new facility with more than three diesel fuel pumps; or containing a half acre of truck parking or 10 truck parking spaces. |
| (19) Any other development types not identified above (includes parking facilities) | 1000 parking spaces | 1000 parking spaces |

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DISCLOSURE STATEMENT

(Please check one)

Campaign contributions:

No

Yes (see attached disclosure report)

TITLE 36. LOCAL GOVERNMENT
PROVISIONS APPLICABLE TO COUNTIES AND MUNICIPAL CORPORATIONS
CHAPTER 67A. CONFLICT OF INTEREST IN ZONING ACTIONS

O.C.G.A. § 36-67A-3 (2011)

§ 36-67A-3. Disclosure of campaign contributions

(a) When any applicant for rezoning action has made, within two years immediately preceding the filing of that applicant's application for the rezoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:

- (1) The name and official position of the local government official to whom the campaign contribution was made; and
- (2) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.

(b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the rezoning action is first filed.

(c) When any opponent of a rezoning action has made, within two years immediately preceding the filing of the rezoning action being opposed, campaign contributions aggregating \$250.00 or more to a local government official of the local government which will consider the application, it shall be the duty of the opponent to file a disclosure with the governing authority of the respective local government showing:

- (1) The name and official position of the local government official to whom the campaign contribution was made; and
- (2) The dollar amount and description of each campaign contribution made by the opponent to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.

(d) The disclosure required by subsection (c) of this Code section shall be filed at least five calendar days prior to the first hearing by the local government or any of its agencies on the rezoning application.

HISTORY: Code 1981, § 36-67A-3, enacted by Ga. L. 1986, p. 1269, § 1; Ga. L. 1991, p. 1365, § 1; Ga. L. 1993, p. 91, § 36.



BY GRAPHIC PLOTTING ONLY SUBJECT PROPERTY LIES WITHIN
 ZONES X AND X-1. THIS PROPERTY IS NOT
 ZONED. THE ZONING INFORMATION IS FOR
 MAPS FOR FAYETTE COUNTY PREPARED BY F.E.M.A. DATED
 MARCH 18, 1998.

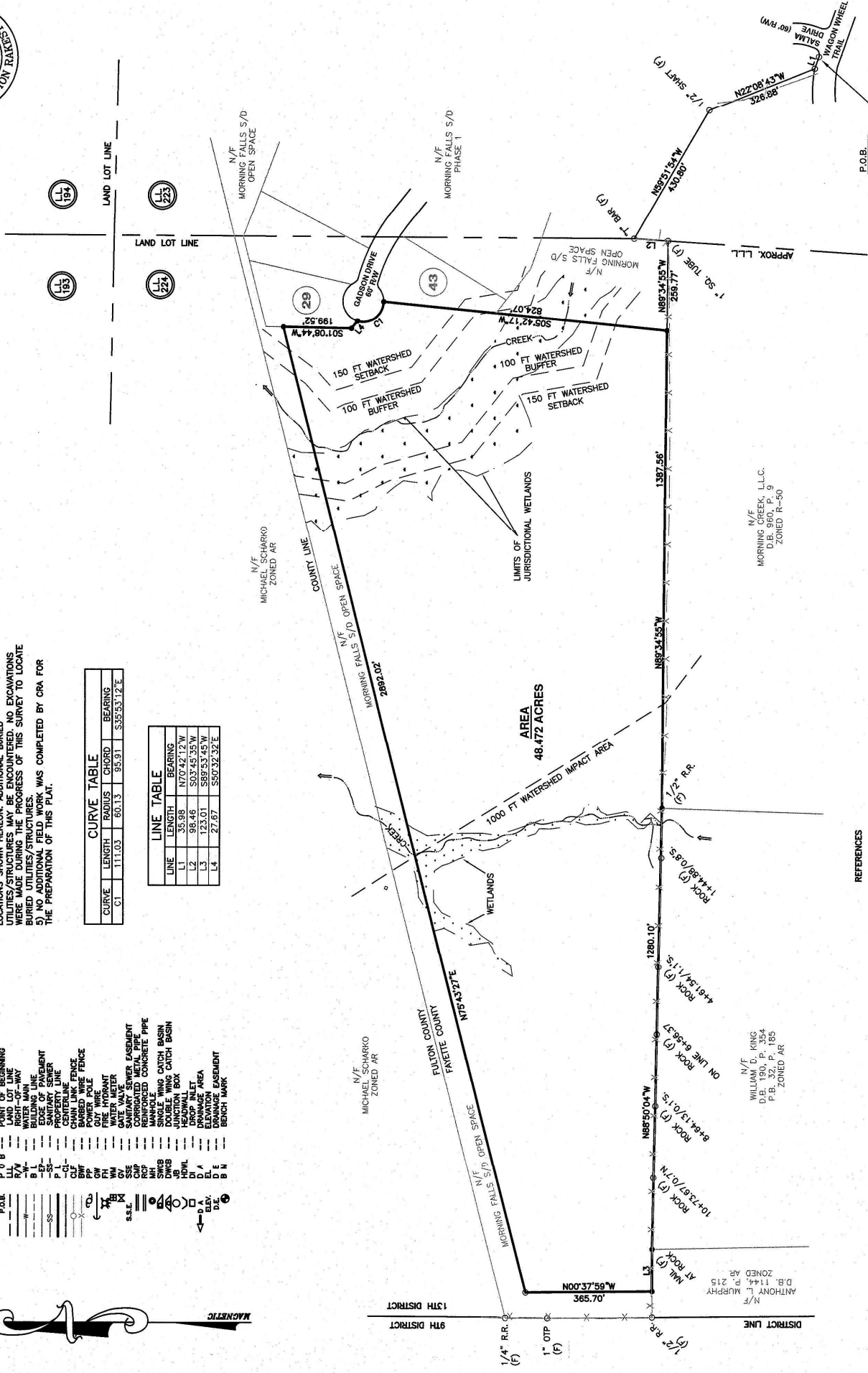
- DISCLAIMERS**
- 1) ALL MATTERS OF TITLE ARE EXCEPTED, THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A COMPLETE TITLE SEARCH.
 - 2) EASEMENTS AND RIGHTS-OF-WAY MAY EXIST THAT ARE NOT SHOWN.
 - 3) IMPROVEMENTS MAY EXIST THAT ARE NOT SHOWN.
 - 4) LOCATIONS OF UTILITIES/STRUCTURES MAY VARY FROM LOCATIONS SHOWN HEREON. ADDITIONAL BURIED UTILITIES/STRUCTURES MAY BE ENCOUNTERED. NO EXCAVATIONS WERE MADE DURING THE PROGRESS OF THIS SURVEY TO LOCATE BURIED UTILITIES/STRUCTURES.
 - 5) THE ORIGINAL DATE OF FIELD WORK WAS COMPLETED BY CRA FOR THE PREPARATION OF THIS PLAT.

| CURVE TABLE | | | |
|-------------|--------|--------|---------------------|
| CURVE | LENGTH | RADIUS | CHORD |
| C1 | 111.03 | 60.13 | 95.91 |
| | | | BEARING S35°53'12"E |

| LINE TABLE | |
|------------|-------------|
| LINE | BEARING |
| L1 | N7°42'12"W |
| L2 | S03°45'35"W |
| L3 | S89°53'45"W |
| L4 | S50°32'32"E |

LEGEND

- IN SET
- IRON MONUMENT
- OPEN TOP PIPE
- CRIMP TOP PIPE
- FOUND CONCRETE MONUMENT
- DISTURBED OR CHANGEMENT
- POINT OF BEGINNING
- LAND LOT LINE
- WATER MAIN
- SEWER MAIN
- EDGE OF PAVEMENT
- PROPERTY LINE
- CENTERLINE
- GENERAL LINE
- POWER POLE
- BARBED WIRE FENCE
- POWER POLE
- PH
- FW
- WN
- SS
- CHP
- CM
- SW
- DM
- HW
- DI
- EL
- DE
- BN
- SALEWAY EASEMENT
- CONCRETE PIPE
- SINGLE WING CATCH BASIN
- DOUBLE WING CATCH BASIN
- HEAVY WALL
- DROP INLET
- ELEVATION AREA
- DRAINAGE EASEMENT
- BENCH MARK



TECHNICAL DATA
 TRAVERSE PRECISION - 1/156,164'
 ANGLE ADJUSTMENT - 03"/ANGLE
 PLAT PRECISION - 1/543,096'
 EQUIPMENT - SOKKIA SET 2-100
 ORIGINAL DATE OF FIELD WORK - SEPTEMBER 2004
 LAST DATE OF FIELD WORK - APRIL 2006

- REFERENCES**
- 1) ALTA/ASH SURVEY FOR CARLETTE DEVELOPMENT GROUP PREPARED BY CARLTON RAKESTRAW & ASSOCIATES DATED 9/29/04.
 - 2) FINAL PLAT FOR MORNING FALLS PHASE 1 PREPARED BY CARLTON RAKESTRAW & ASSOCIATES DATED 5/1/08.
 - 3) COUNTY LINE LOCATION IS BASED ON BOUNDARY SURVEY FOR ATLANTA LAKES DEVELOPMENT, L.L.C. ET AL. PREPARED BY JAMES P. GARRETT, U.S. 2468, DATED AUG. 12, 2003.



N/F
 WILLIAM D. KING
 D.B. 1144, P. 215
 F.B. 32, P. 166
 ZONED AR

N/F
 MORNING CREEK, L.L.C.
 D.B. 960, P. 9
 ZONED R-50

P.O.B.
 INTERSECTION OF NORTHERLY R/W
 OF WAGON WHEEL TRAIL AND THE
 WESTERLY R/W OF SALMA DRIVE.



**PETITION FOR REZONING
CERTAIN PROPERTIES IN
UNINCORPORATED AREAS OF
FAYETTE COUNTY, GEORGIA
PUBLIC HEARING**

to be held before the Fayette County Board of Commissioners on Thursday, August 24, 2023, at 5:00 P.M., in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Public Meeting Room, First Floor, Fayetteville, Georgia.

Petition No.: 1329-23

Owner/Agent:

Owners: CG & PH, LLC Agent: John K. Pell

Existing Zoning District: C-S

Proposed Zoning District: A-R

Area of Property: 48.425 acres

Proposed Use: Single Family Residential

Land Lot(s)/District: Land Lot 224 of the 13th District

Fronts on: Gadson Drive

Legal Description:

All that tract or parcel of land lying in Land Lot 224, 13th District, Fayette County, Georgia and being more particularly described as follows:

COMMENCING at a point on the northerly margin of right-of-way of Wagon Wheel Trail (variable width right-of-way) and the easterly margin of right-of-way of Salma Drive (60 foot right-of-way); Thence running along Wagon Wheel Trail North 70 degrees 42 minutes 12 seconds West, a distance of 35.98 feet to a point; Thence leaving said right-of-way and running North 22 degrees 08 minutes 43 seconds West, a distance of 326.88 feet to a 1/2 inch shaft found; Thence running North 59 degrees 51 minutes 54 seconds West, a distance of 430.80 feet to a "T" bar found on the easterly line of Land Lot 224; Thence running along said land lot line South 03 degrees 45 minutes 35 seconds West, a distance of 98.46 feet to a 1 inch square tube found; Thence leaving said land lot line and running North 89 degrees 34 minutes 55 seconds West, a distance of 259.77 feet to a point and the TRUE POINT OF BEGINNING; Thence North 89 degrees 34 minutes 55 seconds West, a distance of 1387.56 feet to a one half inch reinforcing rod found; Thence running North 88 degrees 50 minutes 04 seconds West, a distance of 1280.10 feet to a nail at rock found; Thence running South 89 degrees 53 minutes 45 seconds West, a distance of 123.01 feet to a 1/2 inch reinforcing rod found; Thence North 00 degrees 37 minutes 59 seconds West, a distance of 365.70 feet to a point; Thence North 75 degrees 43 minutes 27 seconds East, a distance of 2870.93 feet to a point; Thence South 04 degrees 50 minutes 22 seconds East, a distance of 194.97 feet to a point; Thence running South 50 degrees 32 minutes 32 seconds East, a distance of 27.67 feet to a point; Thence running along a curve to the left an arc distance of 111.03 feet (said arc being subtended by a chord with a bearing of South 35 degrees 53 minutes 12 seconds East, a chord distance of 95.91 feet and having a radius distance of 60.13 feet) to a point; Thence running South 05 degrees 42 minutes 17 seconds West, a distance of 89.07 feet to a point;



Doc ID: 008690700002 Type: WD
Recorded: 11/03/2011 at 10:35:00 AM
Fee Amt: \$12.00 Page 1 of 2
Transfer Tax: \$0.00
Fayette, Ga. Clerk Superior Court
Sheila Studdard Clerk of Court
BK **3815** PG **522-523**

RETURN TO: *JKP*
WESSELS & DEKON, P.C.
175 CORPORATE CENTER DR., STE A
STOCKBRIDGE, GA 30281

JOHN K. PELL
373 WESTBRIDGE
ROAD
FAYETTEVILLE, GA
30214

DRAW DEED ONLY-NO TITLE SEARCH

WARRANTY DEED

STATE OF GEORGIA
COUNTY OF HENRY

Note: Scrivener drafted Deed only at the request of the parties, did not perform a title search and therefore does not warranty in any manner whatsoever the chain of title including but not limited to the following, to wit: the record title holder, liens, judgments, easements or rights of persons in possession thereof.

THIS INDENTURE, made this 25th day of October in the year of our Lord Two Thousand Eleven between John K. Pell, of the State of GA and County of FAYETTE of the first part and CG & PH, LLC, of the State of GA and County of FAYETTE of the second part,

WITNESSETH: That the said party of the first part, for and in consideration of the sum of TEN (\$10.00) DOLLARS, and other goods and valuable considerations, in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold and conveyed and by these presents does grant, sell and convey unto the said party of the second part his heirs and assigns:

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 224 of the 13th District of Fayette County, Georgia and being more particularly described on Exhibit "A" attached hereto and made a part of this description.

TO HAVE AND TO HOLD the said bargained premises, together with all and singular the rights, members and appurtenances thereof, to the same being belonging or in any wise appertaining, to the only proper use, benefit and behoof of the said party of the second part heirs, successors and assigns, forever, IN FEE SIMPLE,

And the said party of the first part, for his heirs, successors, executors and administrators will warrant and forever defend the right and title to the above described property subject to permitted exceptions, unto the said party of the second part, his heirs, successors and assigns, against the lawful claims of all persons owning, holding or claiming by, through or under the party of the first part.

IN WITNESS WHEREOF, the said party of the first part has hereunto set his hand and affixed his seal, the said date and year above written.

Signed, sealed and delivered in the presence of

[Signature]
Unofficial Witness
[Signature]
Notary Public
[Signature] (SEAL)
[Signature] (SEAL)
JERRY L. HARRINGTON
NOTARY PUBLIC
MY COMMISSION EXPIRES
MAY 9, 2014
FAYETTE COUNTY, GEORGIA

EXHIBIT A-1**PROPERTY DESCRIPTION**

All that tract or parcel of land lying and being in Land Lot 224, 13th District, Fayette County, Georgia and being more particularly described as follows:

Commencing at the point of the intersection of the northerly right-of-way of Wagon Wheel Trail and the westerly right-of-way of Salma Drive; Thence running North 70 degrees 42 minutes 12 seconds West a distance of 35.98 feet to a point; Thence running North 22 degrees 08 minutes 43 seconds West a distance of 326.88 feet to a 1/2" shaft found; Thence running North 59 degrees 51 minutes 54 seconds West a distance of 430.80 feet to a "T" bar found on the easterly line of Land Lot 224; Thence running along the easterly line of Land Lot 224, South 09 degrees 46 minutes 35 seconds West a distance of 98.46 feet to a 1" square tube found; Thence running North 89 degrees 34 minutes 55 seconds West a distance of 259.77 feet to a point and the **TRUE POINT OF BEGINNING**; Thence running North 89 degrees 34 minutes 55 seconds West, a distance of 1387.56 feet to a 1/2 inch reinforcing rod found; Thence running North 88 degrees 50 minutes 04 seconds West a distance of 1280.10 feet to a nail found at rock; Thence running South 89 degrees 53 minutes 45 seconds West a distance of 123.01 feet to a point; Thence running North 00 degrees 37 minutes 59 seconds West a distance of 365.70 feet to a point; Thence running North 75 degrees 43 minutes 27 seconds East a distance of 2892.02 feet to a point on the westerly property line of Lot 29, Phase I, Morning Falls subdivision; Thence running South 01 degrees 06 minutes 44 seconds West along said property line a distance of 199.52 feet to a point; Thence running South 50 degrees 32 minutes 32 seconds East a distance of 27.67 feet to a point on the westerly right-of-way of Gadsden Drive; Thence running along a curve to the right along the right-of-way of Gadsden Drive an arc distance of 111.03 feet (said arc being subtended by a chord bearing of South 35 degrees 53 minutes 12 seconds East, a chord distance of 95.91 feet and having a radius of 60.13 feet) to a point; Thence running South 05 degrees 42 minutes 17 seconds West a distance of 824.07 feet to a point and the **TRUE POINT OF BEGINNING**;

Said tract or parcel of land containing 48.472 acres according to a Plat of Survey prepared for John K. Pail by Carlton Rakestraw & Associates, Registered Land Surveyors dated October 27, 2010.

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Consideration of Petition No. 1330-23, Joshua B. Brewer and Corrie E. Brewer, owners, request to rezone 19.58 acres from PUD-PRL to A-R to construct a single-family residence; located in Land Lot 01 of the 7th District and fronts on Green Meadow Lane.

Background/History/Details:

12/15/2011 -- Board of Commissioners approved Petition No. 1222-11 to rezone 494.39 acres from A-R to PUD-PRL, for the purposes of developing Camp Southern Ground as a planned retreat or lodge. A concurrent petition was filed for a Revised Development Plan for Rountree Place Subdivision, RP-050-11. This added acreage to existing Lot 9 (Tract 6) and created Lot 20 (Tract 5) in Rountree Place.
10/04/2012 – Preliminary Plat for Camp Southern Ground approved by Planning Commission.
08/07/2014 – Final Plat for Camp Southern Ground approved by Planning Commission.
10/27/2016 – Revised Development Plan for Camp Southern Ground approved by BOC. This removes two residential tracts from PUD.
01/25/2017 – Revised Final Plat of Camp Southern Ground approved by Planning Commission. This made changes to Camp elements and removed tracts 5 and 6 from the Development. They retained the PUD zoning district.
07/14/2017 – Revised Final Plat of Rountree Place approved by Planning Commission. This added acreage to Lots 9 and 20.
The Brewers are requesting rezoning back to A-R, Agriculture-Residential. This is consistent with the zoning of the rest of the neighborhood, except for Lot 9, which remains PUD.

On August 3, 2023, the Planning Commission recommended DENIAL of the request to rezone from PUD to A-R.
Staff recommends Conditional Approval of the request to rezone to A-R. Please refer to staff report for complete conditions.

What action are you seeking from the Board of Commissioners?

Approval of Petition No. 1330-23, Joshua B. Brewer and Corrie E. Brewer, owners, request to rezone 19.58 acres from PUD-PRL to A-R to construct a single-family residence; located in Land Lot 01 of the 7th District and fronts on Green Meadow Lane with five (5) conditions.

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 lot is a lot in the Rountree Place Subdivision. It was formerly part of the Camp Southern Ground PUD; it was removed from the PUD in 2016.

PLANNING COMMISSION RECOMMENDATION

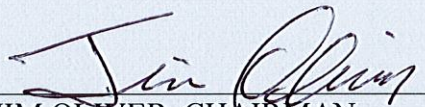
DATE: August 3, 2023

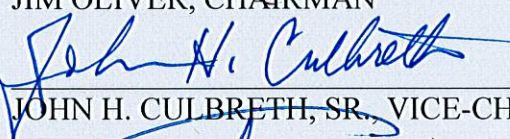
TO: Fayette County Commissioners

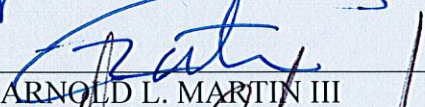
The Fayette County Planning Commission recommends that Petition No. 1330-23, the application of Joshua D. Brewer and Corrie E. Brewer to rezone 19.58 acres from P-U-D to A-R, be:


Approved Withdrawn Denied
 Tabled until _____
 Approved with Conditions _____

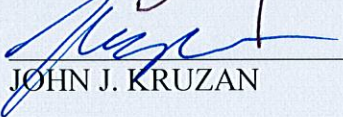
This is forwarded to you for final action.



JIM OLIVER, CHAIRMAN


JOHN H. CULBRETH, SR., VICE-CHAIRMAN


ARNOLD L. MARTIN III


DANNY ENGLAND


JOHN J. KRUZAN

Remarks:

**STATE OF GEORGIA
COUNTY OF FAYETTE**

RESOLUTION

NO. 1330-23

WHEREAS, Joshua D. Brewer and Corrie E. Brewer, Owner, and , Agent, having come before the Fayette County Planning Commission on August 3, 2023, 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 19.58 acres from P-U-D to A-R, in the area of Green Meadow Lane, Land Lot 01 of the 7th District, for the purpose of developing a A-R; 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 **DENIED**.

This decision is based on the following reason:


Not compatible with the surrounding area.

**PLANNING COMMISSION
OF
FAYETTE COUNTY**

ATTEST:



JIM OLIVER, CHAIRMAN



**CHELSIE BOYNTON
PC SECRETARY**

BOARD MEMBERS

Arnold L. Martin
 John Kruzan
 John H. Culbreth, Sr.
 Danny England
 Jim Oliver

STAFF

Deborah L. Bell, Planning and Zoning Director
 Deborah Sims, Zoning Administrator
 Chelsie Boynton, Planning and Zoning Coordinator
 E. Allison Ivey Cox, County Attorney

ACTION AGENDA
FAYETTE COUNTY PLANNING COMMISSION MEETING
140 STONEWALL AVENUE WEST
July 20, 2023
7:00 pm

Welcome to the meeting of your Fayette County Planning Commission. Your participation in County government is appreciated. All regularly scheduled Board meetings are open to the public and are held on the 1st and 3rd Thursday of each month at 7:00 p.m.

1. Call to Order

Chairman Jim Oliver called the July 20, 2023 Planning Commission meeting to order at 7:00 p.m. A quorum of the Board was present. Arnold Martin was absent.

2. Pledge of Allegiance

Chairman Jim Oliver led the audience in the Pledge of Allegiance.

3. Approval of Agenda

John Kruzan moved to approve the agenda as written. Danny England seconded. The motion passed 4-0.

4. Approval of July 6, 2023 Minutes

Danny England moved to approve the minutes. John Culbreth seconded. The motion passed 4-0.

PUBLIC HEARING

5. Consideration of Petition No. RDP-016-23, To revise the development plan for Morning Falls Subdivision - to remove parcel# 1308 021 (48.425 acres) from Morning Falls subdivision. This property is located in Land Lot 224 of the 13th District, and fronts on Gadson Drive.

John Culbreth moved to approve the petition RDP-016-023, to revise the development plan for Morning Falls Subdivision – to remove parcel 1308 021 (48.425 acres) from Morning Falls subdivision. Danny England seconded. The motion passed 4-0.

6. Consideration of Petition No. 1329-23 CG & PH, LLC, Owner, and John K. Pell, Agent, request to rezone 48.425 acres from C-S to A-R. This property is located in Land Lot 224 of the 13th District, and fronts on Gadson Drive.

John Culbreth moved to approve petition 1329-23, to rezone 48.425 acres from C-S to A-R with conditions. Danny England seconded. The motion passed 4-0.

7. Consideration of amendments to Chapter 110. Zoning Ordinance, adding Sec. 110-175 to provide procedures for Special Use of Property.

Danny England moved to approve amendments to Chapter 110. Zoning Ordinance, adding Sec. 110-175 to

provide procedures for Special Use of Property. John Kruzan seconded. The motion passed 4-0.

8. Consideration of amendments to Chapter 110. Zoning Ordinance, adding provisions to Sec. 110-175, Special Use of Property, to provide procedures for application for Drug Abuse Treatment Facility.

Danny England moved to approve amendments to Chapter 110. Zoning Ordinance, adding provisions to Sec. 110-175, Special Use of Property, to provide procedures for application for Drug Abuse Treatment Facility. John Kruzan seconded. The motion passed 4-0.

9. Consideration of amendments to Chapter 110. Zoning Ordinance, regarding Sec. 110-142. to add Drug Abuse Treatment Facility as a Special Use of Property in the Office-Institutional Zoning District.

John Kruzan moved to approve amendments to Chapter 110. Zoning Ordinance, regarding Sec. 110-142 to add Drug Abuse Treatment Facility as a Special Use of Property in the Office Institutional Zoning District with the condition to change i to j. Danny England seconded. The motion passed 4-0.

10. Consideration of Petition No. SUP-001-23, NEW18, LLC, Owner, and Baker & Hostetler LLP Attn: M. Adam Kaye, Jr, Agent, request a Special Use Permit to operate a Drug Abuse Treatment Facility as a Special Use of Property. The proposed zoning decision relates to or will allow the location or relocation of a halfway house, drug rehabilitation center, or other facility for treatment of drug dependency. This property is located in Land Lot 126 of the 5th District and fronts on Georgia Highway 54 W.

Danny England moved to approve petition SUP-001-23, NEW18, LLC, Owner, and Baker & Hostetler LLP, M. Adam Kaye, Jr., Agent, request for a Special Use Permit to operate a Drug Abuse Treatment Facility as a Special Use of Property. John Culbreth seconded. The motion passed 4-0.

ADJOURNMENT:

John Culbreth moved to adjourn the July 20, 2023 Planning Commission meeting. Danny England seconded. The motion passed 4-0.

The July 20, 2023 Planning Commission meeting adjourned at 7:37 p.m.

Chelsie Boynton, Planning Commission Secretary

James Oliver, Chairman

PETITION NO: 1330-23

REQUESTED ACTION: Rezone from PUD-PRL to A-R

PARCEL NUMBER: 0701 072

PROPOSED USE: Agricultural-Residential

EXISTING USE: Undeveloped land

LOCATION: Green Meadow Lane

DISTRICT/LAND LOT(S): 7th District, Land Lot 1

OWNERS: Joshua B. Brewer & Corrie E. Brewer

AGENT: N/A

PLANNING COMMISSION PUBLIC HEARING: August 3, 2023

BOARD OF COMMISSIONERS PUBLIC HEARING: August 24, 2023

APPLICANT'S INTENT

Applicant proposes to rezone 19.58 acres from PUD-PRL to A-R for the purposes of building a single-family home and accessory structures.

STAFF RECOMMENDATION

As defined in the Fayette County Comprehensive Plan, Low Density Residential is designated for this area, so the request for A-R zoning is appropriate. Based on the Investigation and Staff Analysis, Staff recommends **CONDITIONAL APPROVAL** of the request for a zoning of A-R, Agriculture-Residential District, subject to the following conditions:

1. The petitioner shall, within 30 days, provide a foundation survey showing the unpermitted accessory structure to determine if a variance is required to retain the structure in its present location.
2. If a variance is required for the accessory structure, the petitioner shall apply for said variance within 30 days of the determination of need by staff.
3. Once the appropriateness of the accessory structure location is resolved, the petitioner shall proceed with the required building permit application for the structure before any other permits shall be issued.

INVESTIGATION**A. GENERAL PROPERTY INFORMATION**

The property is currently part of the Rountree Place subdivision and is a legal lot of record. This property is not located in an Overlay Zone.

B. REZONING HISTORY:

December 15, 2011 -- Board of Commissioners approved Petition No. 1222-11 to rezone 494.39 acres from A-R to PUD-PRL, for the purposes of developing Camp Southern Ground as a planned retreat or lodge. A concurrent petition was filed for a Revised Development Plan for Rountree Place Subdivision, RP-050-11. This added acreage to existing Lot 9 (Tract 6) and created Lot 20 (Tract 5) in Rountree Place.

October 4, 2012 – Preliminary Plat for Camp Southern Ground approved by the Planning Commission.

August 7, 2014 – Final Plat for Camp Southern Ground approved by the Planning Commission.

October 27, 2016 – Revised Development Plan for Camp Southern Ground approved by BOC. This removes two residential tracts from the PUD.

January 25, 2017 – Revised Final Plat of Camp Southern Ground approved by Planning Commission. This made changes to Camp elements and removed tracts 5 and 6 from the Development. They retained to PUD zoning district.

July 14, 2017 – Revised Final Plat of Rountree Place approved by Planning Commission. This added acreage to Lots 9 and 20.

C. CURRENT DEVELOPMENT HISTORY:

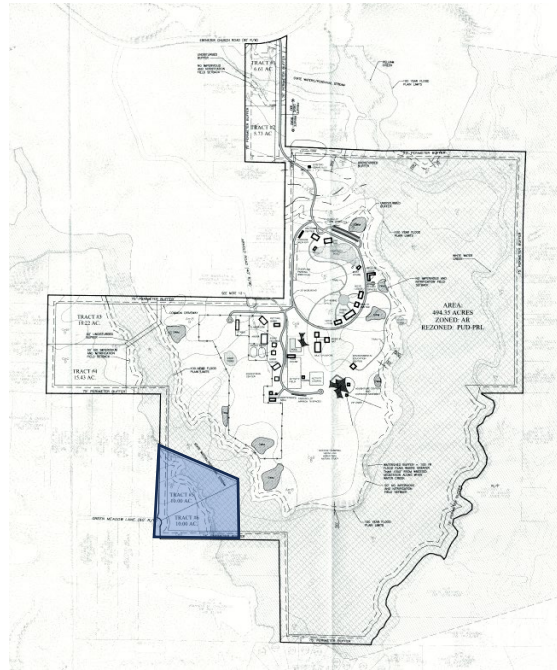
April 10, 2023 - Lot 20 purchased by Joshua D. Brewer and Corrie E. Brewer.

May 2, 2023 – Brewer applied for a building permit, requesting multiple buildings under the same application.

May 3, 2023 – The permit application was rejected for multiple reasons. Mr. Brewer spoke with Deborah Sims and was advised that he needed separate permits for each structure, and that he could not build the barn before the house because the zoning is PUD-PRL. He applied to rezone to AR in order to build a barn before a house.

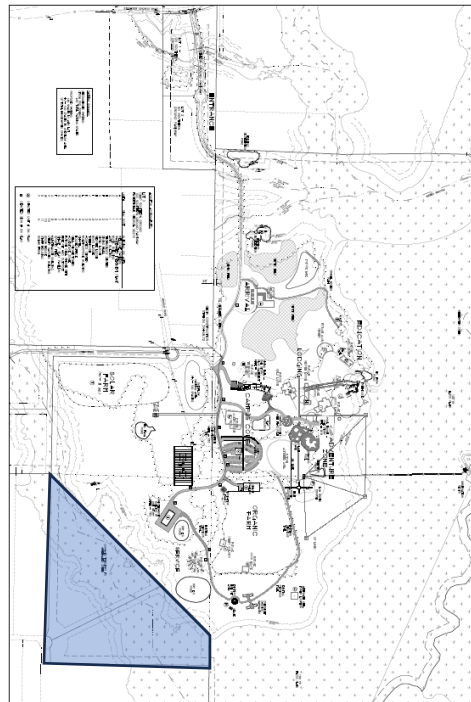
July 21, 2023 – Staff received multiple complaints that a structure was built without a permit and that there were concerns it might be encroaching on a required buffer.

July 24, 2023 – Building Safety posted a Stop Work Order for a structure built without a permit.



ORIGINAL DEVELOPMENT PLAN, 08/07/2014

Tracts 5 and 6 are residential lots, part of the Camp Southern Ground PUD. They are approved as Lots 20 and 9, respectively, in Rountree Place Revised Development Plan, but are part of the PUD-PRL Zoning District.



REVISED DEVELOPEMENT PLAN, 10/27/16

Acreage is added to Lots 9 and 20 in Rountree Place and they are omitted from the Camp Southern Ground PUD but retain the PUD-PRL zoning. Both Camp Southern Ground and Rountree Place are approved for Revised Final Plats.

B. SURROUNDING ZONING AND USES

Near the subject property is land which is zoned C-H, M-1 and A-R. See the following table and the attached Zoning Map. The subject property is bounded by the following adjacent zoning districts and uses:

| Direction | Acreage | Zoning | Use | Comprehensive Plan |
|--------------|---------------------------|---------|---------------------------|--------------------------------------|
| North & East | 410.55 | PUD-PRL | Planned Retreat or Lodge | Rural Residential 3 – 3-acre minimum |
| South | 15.75 | PUD-PRL | Single-family residence | Rural Residential 3 – 3-acre minimum |
| West | 250 (Rountree Pl. S/D) | A-R | Single-Family Residential | Rural Residential 3 – 3-acre minimum |

C. COMPREHENSIVE PLAN

Future Land Use Plan: The subject property lies within an area designated for Rural Residential 3 on the Future Land Use Plan map. This request conforms to the Fayette County Comprehensive Plan.

D. ZONING/REGULATORY REVIEW

Access & Right-of Way: The property has existing access on Green Meadow Lane.

Site Plan: The applicant submitted a concept plan for the property. Although the Concept Plan meets the requirements of the A-R District and the buffer and setback requirements recommended in the conditions, it is unknown whether the unpermitted structure meets the requirements since we do not have a survey showing the exact location of the structure.

E. DEPARTMENTAL COMMENTS

- Water System** - FCWS has no objection to the proposed rezoning.
- Public Works/**
 - **Transportation** – The appropriate right-of-way dedication is provided in the proposed site plan. Existing access is acceptable.
- Environmental Management**
 - All improvements need to be submitted on an updated survey - including gravel drives and storage facilities permitted or unpermitted.
 - Owner should note that the previous plat provides location of flood plain, state waters, and wetlands and all Fayette County ordinances will apply to these items.
 - If the owner has violated any of the listed items there may be remediation that will have to take place.
 - **Floodplain Management** - The subject property **DOES** contain floodplain per FEMA FIRM panel 13113C0094E dated September 26, 2008, or the FC 2013 Future Conditions Flood Study.
 - **Wetlands** - The property **DOES** contain wetlands per the U.S. Department of the Interior, Fish and Wildlife Service 1994 National Wetland Inventory Map.
 - **Watershed Protection** - There **ARE** known state waters located on the subject property.

- **Groundwater** – The property **IS NOT** within a groundwater recharge area.
- **Stormwater Management** – There is no stormwater management facility on the parcel.
- Environmental Health Department** – This office has no objections to the proposed rezoning.
- Fire** – No objections to the requested rezoning.
- GDOT** – Not applicable, not on State Route.

STANDARDS

Sec. 110-300. - Standards for map amendment (rezoning) evaluation.

All proposed map amendments shall be evaluated with special emphasis being placed on the relationship of the proposal to the land use plan and related development policies of the county. The following factors shall be considered by the planning and zoning department, the planning commission and the board of commissioners when reviewing a request for rezoning:

- (1) Whether the zoning proposal is in conformity with the land use plan and policies contained therein;
- (2) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property;
- (3) Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing or planned streets, utilities, or schools;
- (4) Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.

STAFF ANALYSIS

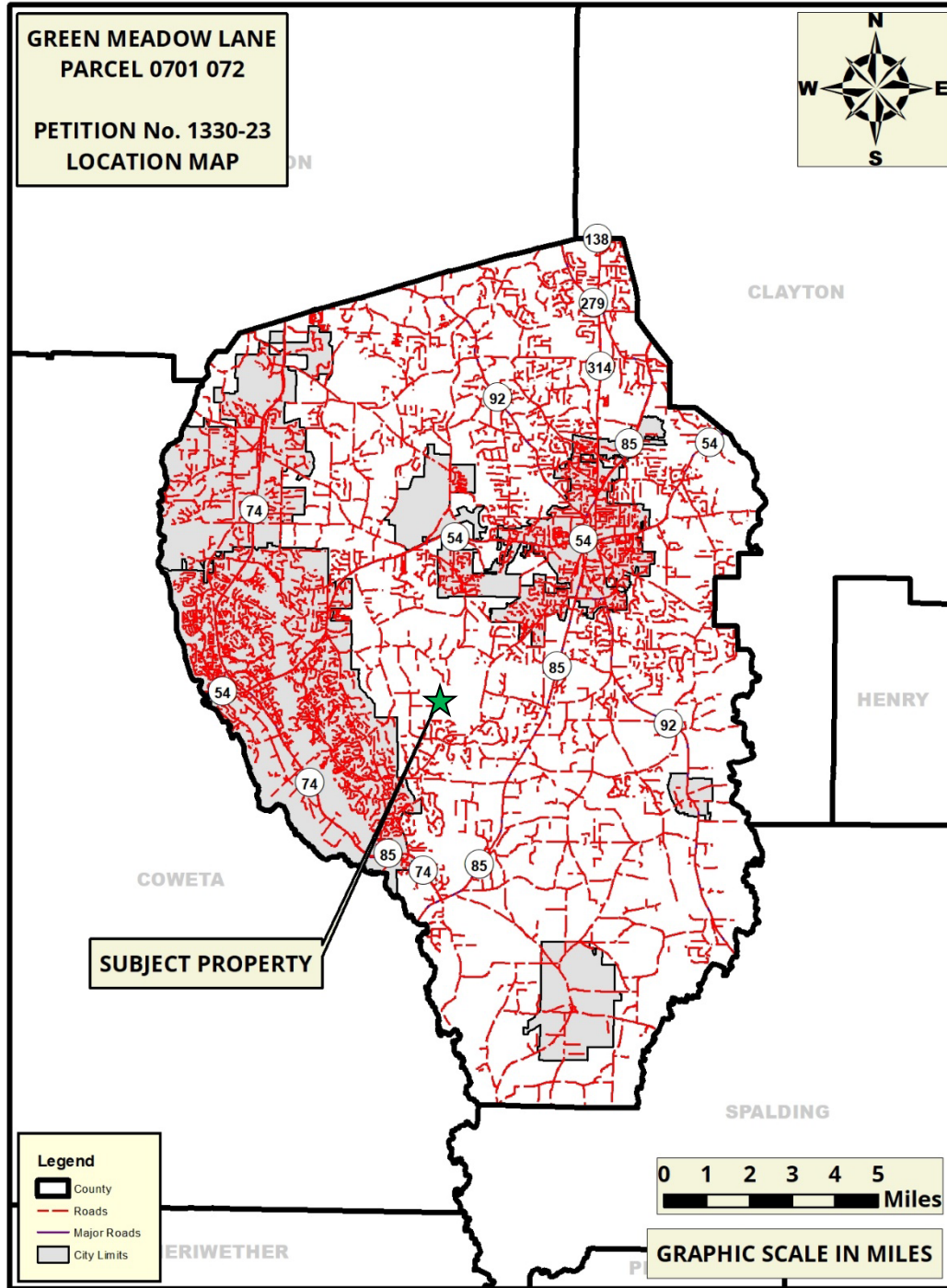
1. The subject property lies within an area designated for Rural Residential Uses. This request does conform to the Fayette County Comprehensive Plan in terms of the use and proposed lot size.
2. The area around the subject property is an area that already has various residential and agricultural uses. It is staff's opinion that the zoning proposal would not adversely affect the existing or future uses of nearby properties.
3. It is staff's opinion that the zoning proposal will not have an excessive or burdensome impact on streets, utilities, or schools.
4. The proposal is consistent in character and use with the surrounding uses as agricultural and low density residential. Staff recommends that the buffers and setbacks that applied to the PUD-PRL zoning district be retained for this parcel.

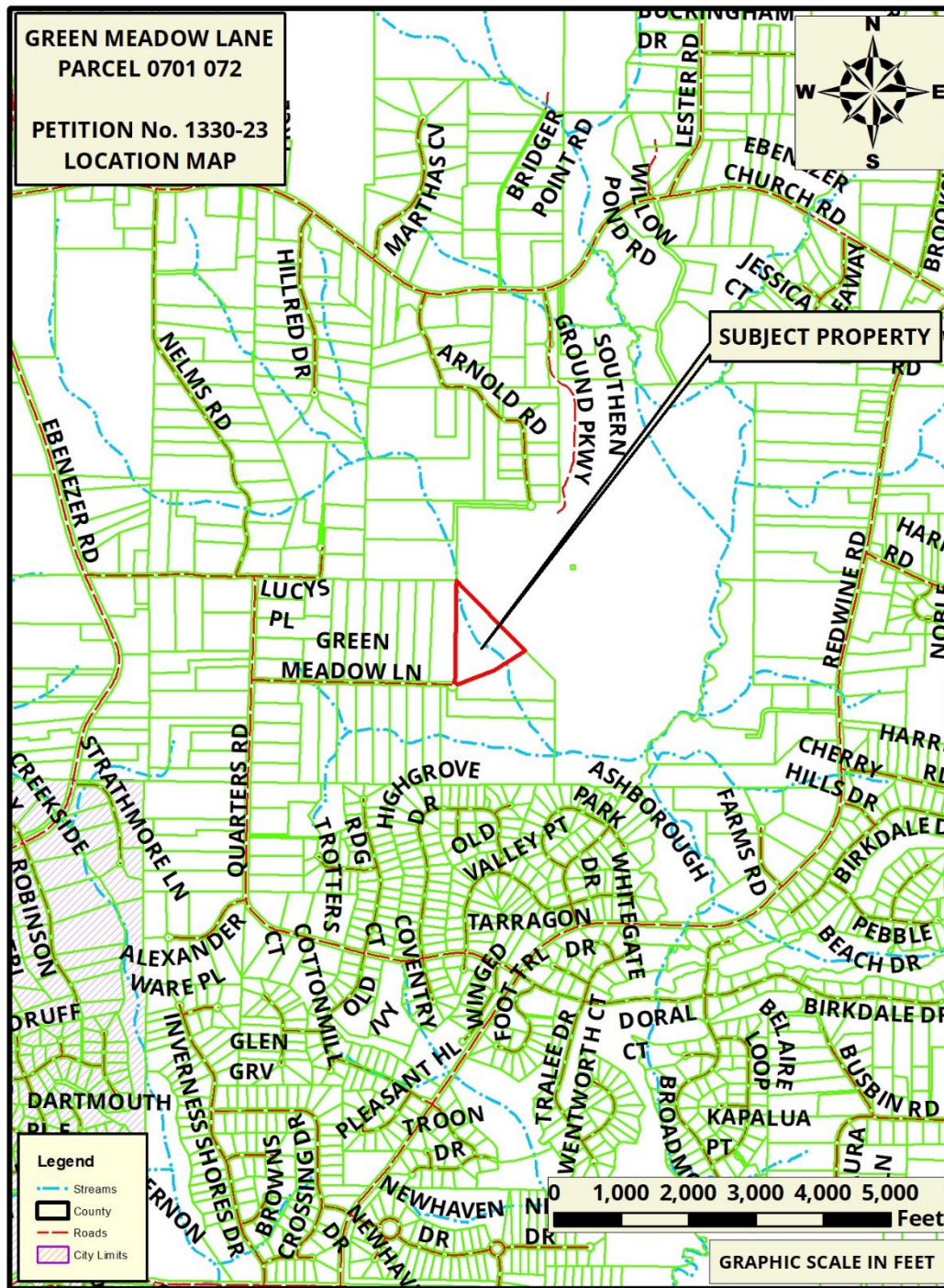
ZONING DISTRICT STANDARDS**Sec. 110-125. A-R, Agricultural-Residential District.**

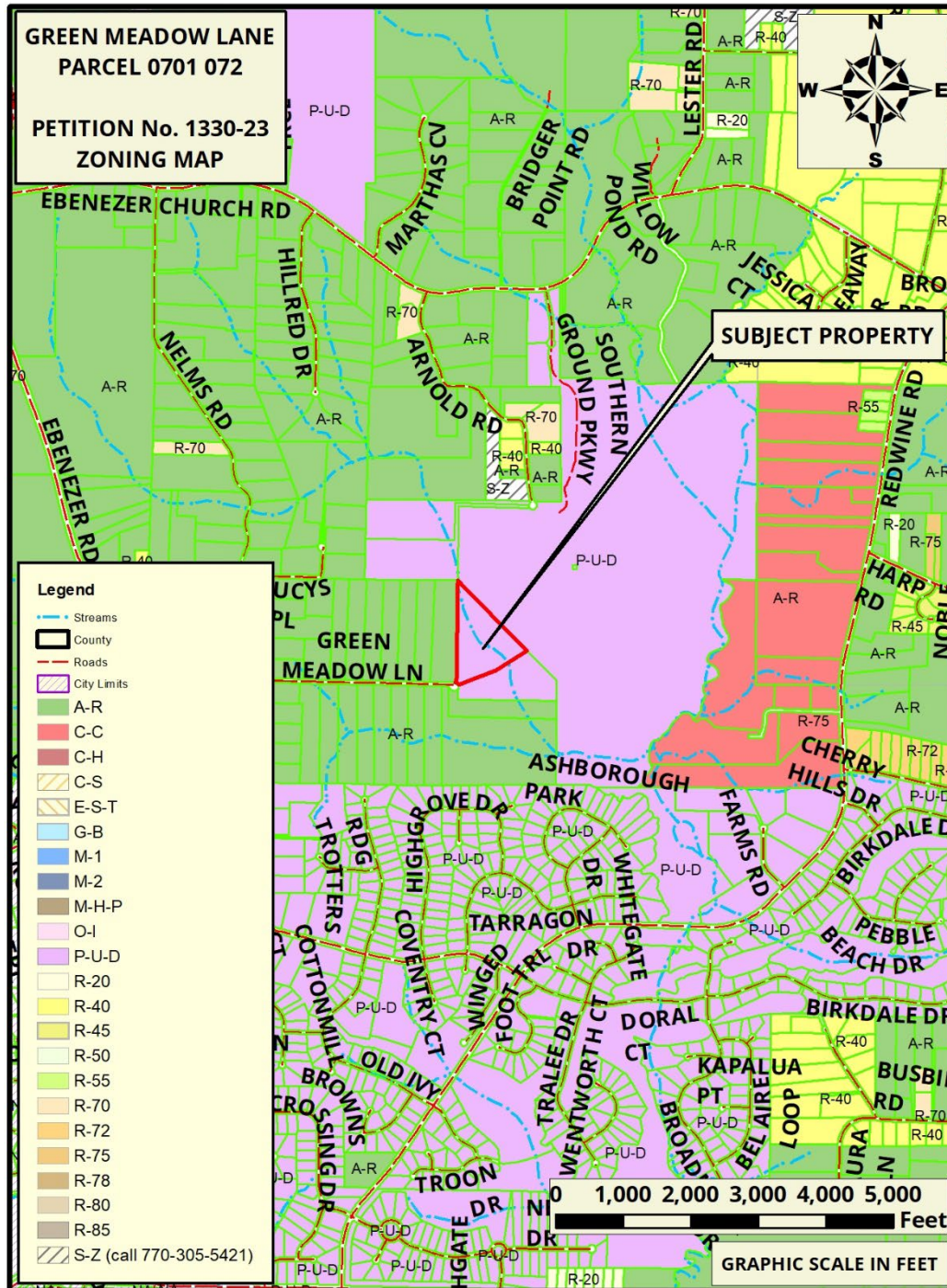
- (a) *Description of district.* This district is composed of certain lands and structures having a very low density single-family residential and agricultural character and designed to protect against the depreciating effects of small lot, residential development and those uses which are incompatible with such a residential and agricultural environment.
- (b) *Permitted uses.* The following permitted uses shall be allowed in the A-R zoning district:
- (1) Single-family dwelling;
 - (2) Residential accessory structures and uses (see article III of this chapter);
 - (3) Growing of crops and the on-premises sale of produce and agricultural products, provided 50 percent of the produce/products sold shall be grown on-premises;
 - (4) Plant nurseries and greenhouses (no sales of related garden supplies);
 - (5) Raising of livestock; aquaculture, including pay fishing; apiary (all beehives shall comply with the required setbacks); and the sale thereof; and
 - (6) One semi-trailer/box truck utilized as a farm outbuilding, provided the property is a minimum of five acres and the semi-trailer/box truck is only used to store agricultural items.
- (c) *Conditional uses.* The following conditional uses shall be allowed in the A-R zoning district provided that all conditions specified in article VII of this chapter. Conditional uses, nonconformances, transportation corridor overlay zone, and commercial development standards are met:
- (1) Aircraft landing area;
 - (2) Animal hospital, kennel or veterinary clinic;
 - (3) A-R bed and breakfast inn;
 - (4) A-R wedding/event facility;
 - (5) Cemetery;
 - (6) Church and/or other place of worship;
 - (7) Colleges and university, including, but not limited to: classrooms, administration, housing, athletic fields, gymnasium, and/or stadium;
 - (8) Commercial driving range and related accessories;
 - (9) Child care facility;
 - (10) Deer processing facility.
 - (11) Developed residential recreational/amenity areas;
 - (12) Farm outbuildings, including horse stables, auxiliary structures, and greenhouses (permanent or temporary);
 - (13) Golf course (minimum 18-hole regulation) and related accessories;
 - (14) Home occupation;
 - (15) Horse show, rodeo, carnival, and/or community fair;
 - (16) Hospital;
 - (17) Kennel (see animal hospital, kennel, and/or veterinary clinic);
 - (18) Private school, including, but not limited to: classrooms, administration, playground, housing, athletic fields, gymnasium, and stadium;
 - (19) Processing, packaging, or handling of perishable agricultural products (i.e. fruits and vegetables) which are grown on premises;

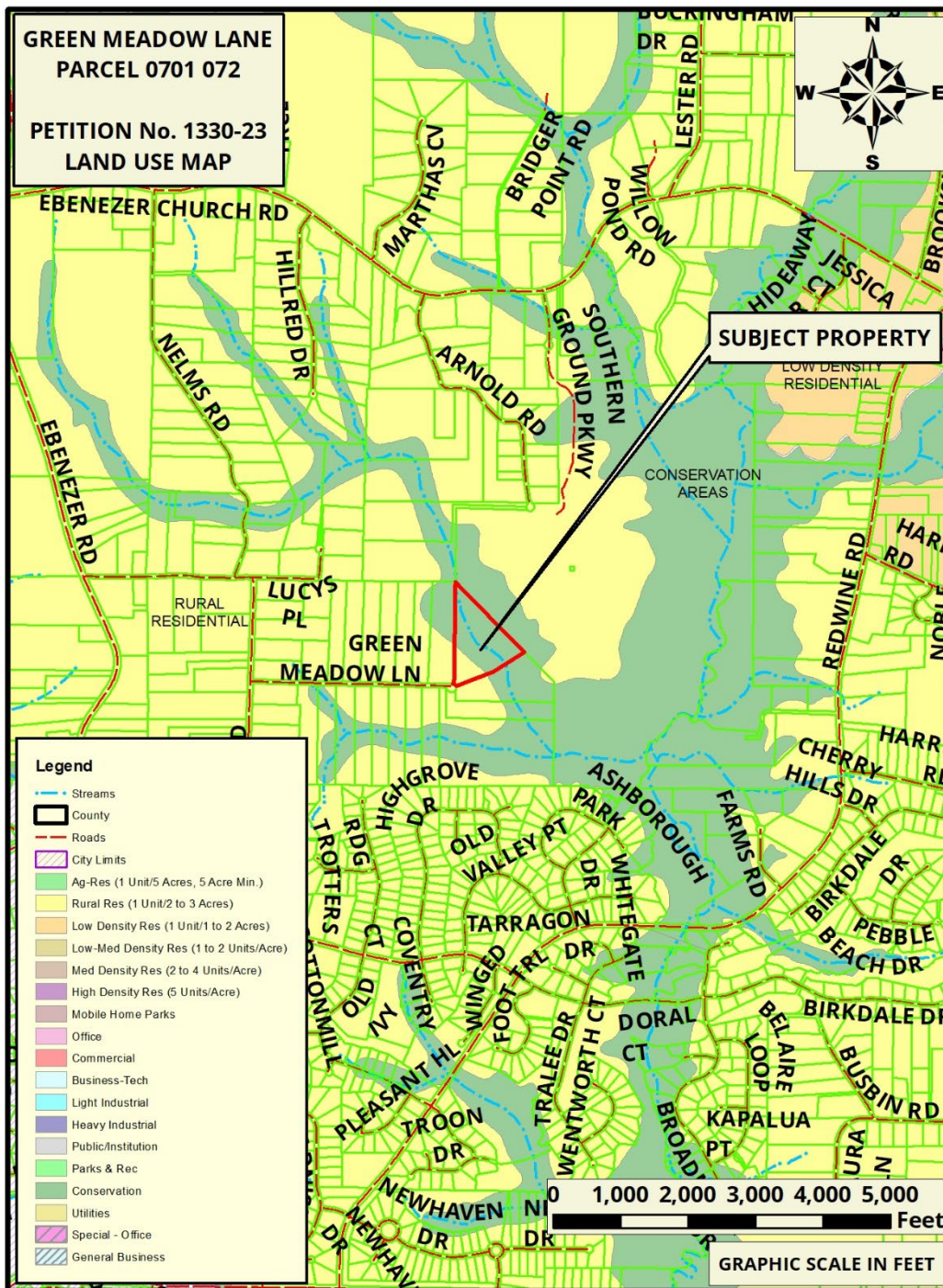
- (20) Recreation centers and similar institutions owned by nonprofit organizations as so registered with the state secretary of state office;
 - (21) Religious tent meeting; and
 - (22) Shooting range, outdoor.
- (d) *Dimensional requirements.* The minimum dimensional requirements in the A-R zoning district shall be as follows:
- (1) Lot area: 217,800 square feet (five acres).
 - (2) Lot width: 250 feet.
 - (3) Floor area: 1,200 square feet.
 - (4) Front yard setback:
 - a. Major thoroughfare:
 - 1. Arterial: 100 feet.
 - 2. Collector: 100 feet.
 - b. Minor thoroughfare: 75 feet.
 - (5) Rear yard setback: 75 feet.
 - (6) Side yard setback: 50 feet.
 - (7) a. 35 feet as defined in article III of this chapter.
 - b. The limitation on height shall not apply to agricultural structures such as storage barns, silos, or other types of structure not normally designed for human occupation except that when an agricultural structure exceeds the maximum building height the minimum distance from property lines to any building shall be increased one foot for every two feet or part thereof of building height over 35 feet.
- (e) *Special regulations.* Prior to the issuance of development and/or building permits, a site plan, as applicable, shall be submitted to the zoning administrator and approved by the appropriate county officials. This requirement shall apply to all permitted uses and conditional uses allowed in the AR zoning district except single-family dwellings; residential accessory structures; growing crops and the on-premises sale of produce at agricultural stands of 100 square feet or less of floor area; growing and seasonal sale of Christmas trees; plant nursery, landscape tree farm, or greenhouse operations existing prior to the effective date of June 26, 2003; and the raising and/or selling of livestock.

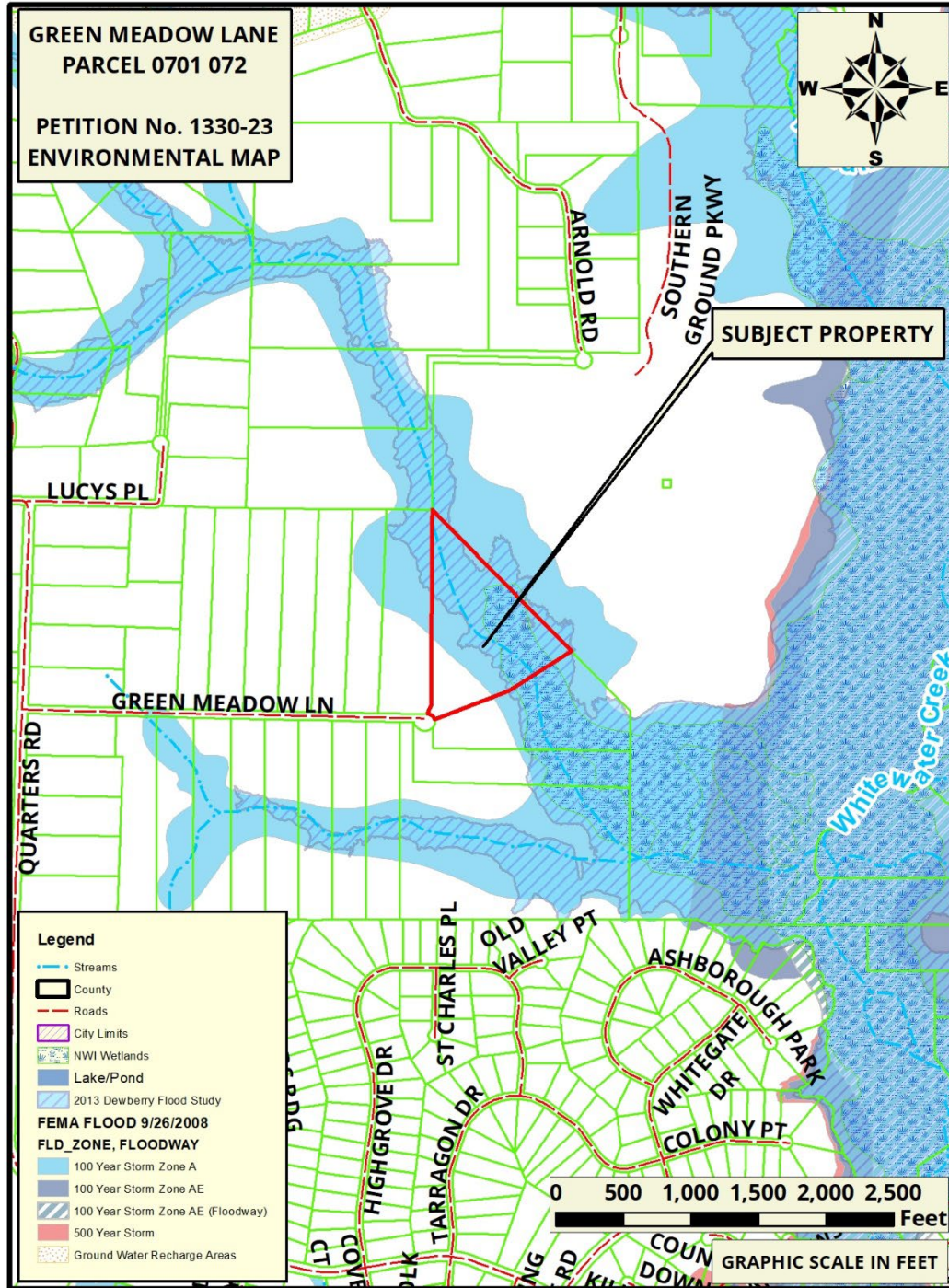
(Code 1992, § 20-6-1; Ord. of 7-28-2011; Ord. No. 2012-09, § 4, 5-24-2012; Ord. No. 2012-13, § 4, 12-13-2012; Ord. No. 2012-14, § 3, 12-13-2012; Ord. No. 2014-19, § 6,7, 12-11-2014; Ord. No. 2015-05, § 2, 3-26-2015; Ord. No. 2016-12, § 3, 7-28-2016; Ord. No. 2017-04, § 2, 3-23-2017; Ord. No. 2018-03, §§ 11, 12, 9-22-2018)

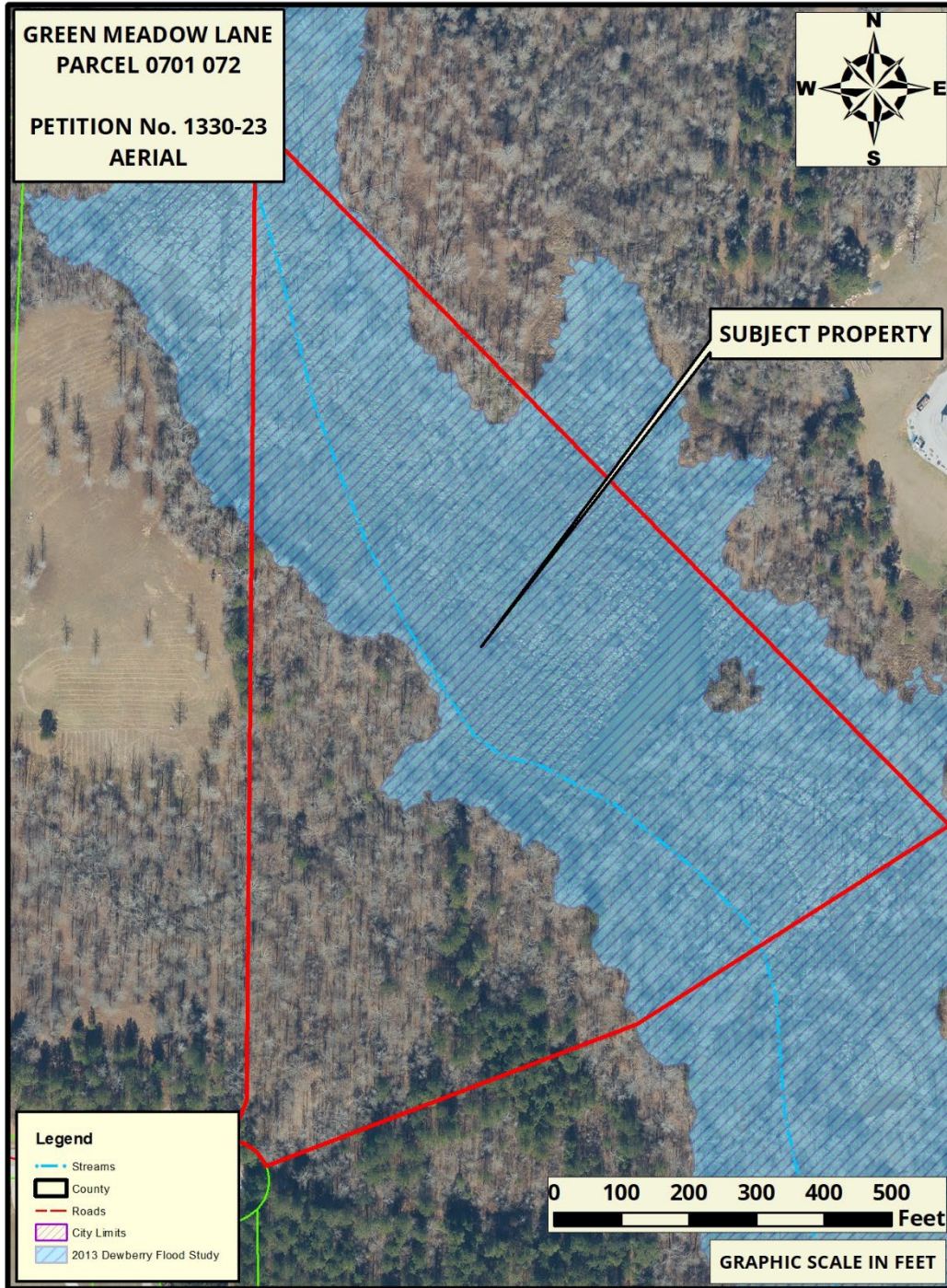


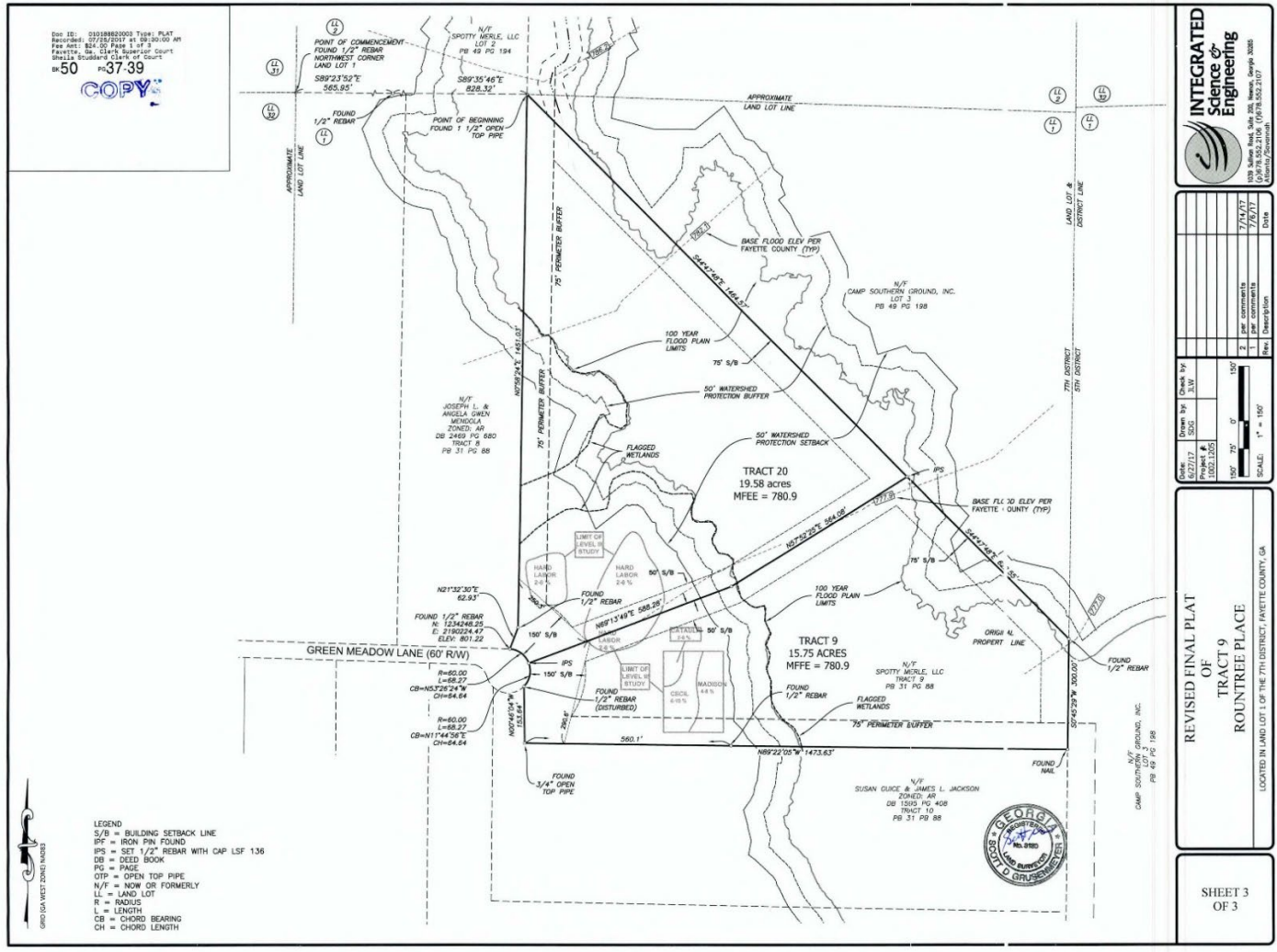












SURVEY



UNPERMITTED STRUCTURE
(BUILDING SAFETY)



UNPERMITTED STRUCTURE, VIEW FROM ROAD

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

PROPERTY INFORMATION:

Parcel No. 0701072 Acreage: 19.58
 Land Lot: 01 Land District: 7th
 Address: Green Meadows Lane
 Existing Zoning: P.U.-D Requested Zoning: AGRICULTURAL (A-R)
 Zoning of Surrounding Properties: AGRICULTURAL (A-R) ? P.U.-D
 Existing Use: NONE Proposed Use: A-R
 Total Number of Acres Requested to be Rezoned: 19.58
 Land Use Plan Designation: Rural Residential / Conservation
 Name and Type of Access Road: Internal Loop
 Location of Nearest Water Line: FRONT OF PROPERTY ON GREEN MEADOWS LN

PROPERTY OWNER INFORMATION

Name JOSHUA & CARRIE BREWER
 Email JOSH@BREWER-USA.COM
 Address 62 ROSEWOOD CT PTC
 Phone (678) 578 9861

AGENT/DEVELOPER INFORMATION

(If not owner)

Name _____
 Email _____
 Address _____
 Phone _____

(THIS AREA TO BE COMPLETED BY STAFF): PETITION NUMBER: 1330-23

[] Application Insufficient due to lack of: _____

by Staff: _____ Date: _____

Application and all required supporting documentation is Sufficient and Complete

by Staff: [Signature] Date: JULY 12, 2023

DATE OF PLANNING COMMISSION HEARING: AUG 3, 2023

DATE OF COUNTY COMMISSIONERS HEARING: AUG 24, 2023

Received from JOSHUA D. BREWER a check in the amount of \$ 400.00 for application filing fee, and \$ 50.00 for deposit on frame for public hearing sign(s).

Date Paid: JULY 6, 2023 Receipt Number: 018541

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:

JOSHUA & CORRIE BEAVER

Please Print Names

Property Tax Identification Number(s) of Subject Property: ~~0770~~ 07701072

(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) 01 of the 7th District, and (if applicable to more than one land district) Land Lot(s) N14 of the N1A District, and said property consists of a total of 19.58 acres (legal description corresponding to most recent recorded plat for the subject property is attached herewith).

(I) (We) hereby delegate authority to JOSHUA & CORRIE BEAVER 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.

[Signature]
Signature of Property Owner 1

102 ROSEWOOD CT PTC
Address

[Signature]
Signature of Property Owner 2

102 ROSEWOOD CT PTC
Address

Signature of Property Owner 3

Address

Signature of Authorized Agent

Address

[Signature]
Signature of Notary Public

5/5/2023
Date

KELLY J. HEDDEN
NOTARY PUBLIC
Coweta County
State of Georgia
My Comm. Expires August 12, 2024

[Signature]
Signature of Notary Public

5/5/2023
Date

KELLY J. HEDDEN
NOTARY PUBLIC
Coweta County
State of Georgia
My Comm. Expires August 12, 2024

Signature of Notary Public

Date

Signature of Notary Public

Date

OWNER'S AFFIDAVIT

NAME: JOSHUA & CORRIE BREWER PETITION NUMBER: 1330-23

ADDRESS: 102 ROSALIND CT PEACHTREE CITY GA 30269

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

JOSHUA & CORRIE BREWER affirms that he is the owner or the specifically authorized agent of the property described below. Said property is located in a(n) POD Zoning District. He/She respectfully petitions the County to rezone the property from its present classification and tenders herewith the sum of \$ 350.00 to cover all expenses of public hearing. He/She petitions the above named to change its classification to AR.

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 July, 2023 at 7:00 P.M.

PUBLIC HEARING to be held by the Board of Commissioners of Fayette County on the _____ day of _____, 20____ at 7:00 P.M.

SWORN TO AND SUBSCRIBED BEFORE ME THIS 5th DAY OF May, 2023

[Signature]
SIGNATURE OF PROPERTY OWNER

[Signature]
SIGNATURE OF PROPERTY OWNER

[Signature]
NOTARY PUBLIC

KELLY J. HEDDEN
NOTARY PUBLIC
Coweta County
State of Georgia
My Comm. Expires August 12, 2024

AGREEMENT TO DEDICATE PROPERTY FOR FUTURE RIGHT-OF-WAY

I/We, JOSHUA & CORRIE BEWICK, said property owner(s) of subject property requested to be rezoned, hereby agree to dedicate, at no cost to Fayette County, 30 feet of right-of-way along GREEN MEADOW LN as measured from the centerline of the road.

Based on the Future Thoroughfare Plan Map streets have one of the following designations and the Fayette County Development Regulations require a minimum street width as specified below:

- Local Street (Minor Thoroughfare) 60-foot right-of-way (30' measured from each side of road centerline)
- Collector Street (Major Thoroughfare) 80-foot right-of-way (40' measured from each side of road centerline)
- Arterial Street (Major Thoroughfare) 100-foot right-of-way (50' measured from each side of road centerline)

Sworn to and subscribed before me this 5th day of May, 2023.

[Signature]
SIGNATURE OF PROPERTY OWNER

[Signature]
SIGNATURE OF PROPERTY OWNER

[Signature]
NOTARY PUBLIC

KELLY J. HEDDEN
NOTARY PUBLIC
Coweta County
State of Georgia
My Comm. Expires August 12, 2024

DEVELOPMENTS OF REGIONAL IMPACT (DRI)

Rezoning Applicant:

- A. Please review the attached "Developments of Regional Impact Tiers and Development Thresholds" established by the Georgia Department of Community Affairs (DCA) to determine if the proposed project meets or exceeds these thresholds. If the proposed project does not meet the established thresholds (is less than those listed) then skip to section C. below and complete.

- B. If the project does meet or exceed the established thresholds for the type of development proposed, the Georgia Department of Community Affairs (DCA) "Developments of Regional Impact: Request for Review Form" is available online at the following website address: www.dca.state.ga.us/DRI.

- C. I have reviewed and understand the attached "Thresholds: Developments of Regional Impact".
 - The proposed project related to this rezoning request DOES NOT meet or exceed the established DRI thresholds .

 - The proposed project related to this rezoning request DOES meet or exceed the established DRI thresholds and documentation regarding the required DRI Request for Review Form is attached.

Signed this _____ day of _____, 20_____.

APPLICANT'S SIGNATURE

X

**Developments of Regional Impact
Tiers and Development Thresholds**

| Type of Development | Metropolitan Regions | Non-metropolitan Regions |
|---|--|---|
| (1) Office | Greater than 400,000 gross square feet | Greater than 125,000 gross square feet |
| (2) Commercial | Greater than 300 000 gross square feet | Greater than 175,000 gross square feet |
| (3) Wholesale & Distribution | Greater than 500 000 gross square feet | Greater than 175,000 gross square feet |
| (4) Hospitals and Health Care Facilities | Greater than 300 new beds; or generating more than 375 peak hour vehicle trips per day | Greater than 200 new beds; or generating more than 250 peak hour vehicle trips per day |
| (5) Housing | Greater than 400 new lots or units | Greater than 125 new lots or units |
| (6) Industrial | Greater than 500,000 gross square feet; or employing more than 1, 600 workers; or covering more than 400 acres | Greater than 175,000 gross square feet; or employing more than 500 workers; or covering more than 125 acres |
| (7) Hotels | Greater than 400 rooms | Greater than 250 rooms |
| (8) Mixed Use | Gross square feet greater than 400,000 (with residential units calculated at 1800 square feet per unit toward the total gross square footage); or covering more than 120 acres; or if any of the individual uses meets or exceeds a threshold as identified herein | Gross square feet greater than 125,000 (with residential units calculated at 1800 square feet per unit toward the total gross square footage); or covering more than 40 acres; or if any of the individual uses meets or exceeds a threshold as identified herein |
| (9) Airports | All new airports runways and runway extensions | Any new airport with a paved runway; or runway additions of more than 25% of existing runway length |
| (10) Attractions & Recreational Facilities | Greater than 1, 500 parking spaces or a seating capacity of more than 6, 000 | Greater than 1, 500 parking spaces or a seating capacity of more than 6, 000 |
| (11) Post-Secondary School | New school with a capacity of more than 2,400 students or expansion by at least 25 percent of capacity | New school with a capacity of more than 750 students or expansion by at least 25 percent of capacity |
| (12) Waste Handling Facilities | New facility or expansion of use of an existing facility by 50 percent or more | New facility or expansion of use of an existing facility by 50 percent or more |
| (13) Quarries, Asphalt &, Cement Plants | New facility or expansion of existing facility by more than 50 percent | New facility or expansion of existing facility by more than 50 percent |
| (14) Wastewater Treatment Facilities | New facility or expansion of existing facility by more than 50 percent | New facility or expansion of existing facility by more than 50 percent |
| (15) Petroleum Storage Facilities | Storage greater than 50, 000 barrels if within 1, 000 feet of any water supply; otherwise storage capacity greater than 200, 000 barrels | Storage greater than 50, 000 barrels if within 1, 000 feet of any water supply; otherwise storage capacity greater than 200, 000 barrels |
| (16) Water Supply, Intakes/Reservoirs | New Facilities | New Facilities |
| (17) Intermodal Terminals | New Facilities | New Facilities |
| (18) Truck Stops | A new facility with more than three diesel fuel pumps; or spaces. | A new facility with more than three diesel fuel pumps; or containing a half acre of truck parking or 10 truck parking spaces. |
| (19) Any other development types not identified above (includes parking facilities) | 1000 parking spaces | 1000 parking spaces |

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7

DISCLOSURE STATEMENT

(Please check one)

Campaign contributions: X **No** **Yes (see attached disclosure report)**

**TITLE 36. LOCAL GOVERNMENT
PROVISIONS APPLICABLE TO COUNTIES AND MUNICIPAL CORPORATIONS
CHAPTER 67A. CONFLICT OF INTEREST IN ZONING ACTIONS**

O.C.G.A. § 36-67A-3 (2011)

§ 36-67A-3. Disclosure of campaign contributions

(a) When any applicant for rezoning action has made, within two years immediately preceding the filing of that applicant's application for the rezoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:

- (1) The name and official position of the local government official to whom the campaign contribution was made; and
- (2) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.

(b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the rezoning action is first filed.

(c) When any opponent of a rezoning action has made, within two years immediately preceding the filing of the rezoning action being opposed, campaign contributions aggregating \$250.00 or more to a local government official of the local government which will consider the application, it shall be the duty of the opponent to file a disclosure with the governing authority of the respective local government showing:

- (1) The name and official position of the local government official to whom the campaign contribution was made; and
- (2) The dollar amount and description of each campaign contribution made by the opponent to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.

(d) The disclosure required by subsection (c) of this Code section shall be filed at least five calendar days prior to the first hearing by the local government or any of its agencies on the rezoning application.

HISTORY: Code 1981, § 36-67A-3, enacted by Ga. L. 1986, p. 1269, § 1; Ga. L. 1991, p. 1365, § 1; Ga. L. 1993, p. 91, § 36.



CHECKLIST OF ITEMS REQUIRED FOR REZONING REQUEST

(All applications/documentation must be complete at the time of application submittal or the application will not be accepted)

- Application form and all required attachments completed, signed, and notarized, as applicable.
- Copy of latest recorded deed, including legal description of the boundaries of the subject property to be rezoned.
- Boundary Survey (Separate from Conceptual Plan; 1 paper copy and 1 electronic copy in .pdf format), drawn to scale, showing north arrow, land lot and district, dimensions, and street location of the property, prepared (signed & sealed) by a land surveyor.
- Legal Description (must have metes and bounds) – 1 paper copy and 1 electronic copy in Microsoft Word .docx format
- Conceptual Plan (1 paper copy and 1 electronic file in .pdf format). The Conceptual Plan is not required to be signed and sealed by a registered surveyor, engineer or architect. The Conceptual Plan may be prepared on the boundary line survey; however it is required to be drawn to scale, and include all applicable items below:
 - a. The total area of the subject property to be rezoned (to the nearest one-hundredth of an acre), the existing zoning district(s) of the subject property, and the area within each zoning district if more than one district.
 - b. Approximate location and size of proposed structures, use areas and improvements (parking spaces, and aisles, drives, etc.) on the subject property for non-residential rezoning requests, including labeling the proposed use of each proposed structure/use area.
 - c. General layout of a proposed subdivision (residential or non-residential) including the delineation of streets and lots. The items of b. above are not required in this instance but may be included if known.
 - d. Approximate location and size of existing structures and improvements on the parcel, if such are to remain. Structures to be removed must be indicated and labeled as such.
 - e. Minimum zoning setbacks and buffers, as applicable.
 - f. Location of all existing and proposed easements and streets on or adjacent to the subject property, indicating type and width of existing and proposed easements and centerline of streets including width of right-of-way.
 - g. Location and dimensions of exits/entrances to the subject property.
 - h. Approximate location and elevation of the 100-year flood plain and Watershed Protection Ordinance requirements, as applicable.
 - i. Approximate location of proposed on-site stormwater facilities, including detention or retention facilities.
- A letter of intent for a non-residential rezoning request, including the proposed use(s).

YIELD PLAN CHECKLIST

Project: _____

Applicant: _____

Planning & Zoning

- _____ 1. Show name of subdivision, scale of plat (not to exceed 1" = 100'), north arrow, date, and vicinity map.
- _____ 2. Show name, address, and telephone number of owner and/or developer.
- _____ 3. Show name, address, and telephone number of the design professional.
- _____ 4. Provide registration number, seal, and signature of an engineer, surveyor, or architect license in the State of Georgia.
- _____ 5. Show property lines with bearings and distances of subject property. Provide a matching legal description of property (this will be used to advertise the property during the rezoning process).
- _____ 6. Provide total acreage of tract, acreage in lots, acreage in right-of-way and acreage used for stormwater management. Calculate net density (units/acre) using the total area less the area for R/W and stormwater.
- _____ 7. Indicate current zoning and proposed zoning of property. Provide zoning of all adjacent properties.
- _____ 8. Identify all existing structures and label as A to remain or A to be removed. Structures to remain must be shown on individual lots and meet all applicable zoning requirements. Provide a note if there are no existing structures on the property.
- _____ 9. Show location, purpose, and width of any easements of record. Provide a note if there are no existing easements associated with the property.
- _____ 10. Provide the area of each lot and contiguous area (see Sub Regs, Section 104-597) to the 1/100th acre; label the lot numbers; and show the dimensions of all lot lines.
- _____ 11. Show front, side, and rear setback lines as dashed lines. Show minimum lot width at the building line.

YIELD PLAN CHECKLIST

Project: _____

Applicant: _____

Environmental Management

- _____ 1. Show existing land contour lines at ten (10) foot intervals. Label the contours. Indicate source of topographic data.
- _____ 2. Delineate soil type boundaries per Soil Conservation Service Maps. Include a soil legend. For clarity, this information may be provided on a separate sheet.
- _____ 3. Delineate and label all state waters requiring watershed protection buffers and setbacks on the property and adjacent to the property where any watershed buffers and/or setbacks extend onto the property. Provide a note if there are no state waters requiring a watershed buffer. Label as "Watershed Protection Buffer," and "Watershed Protection Setback."
- _____ 4. Delineate FEMA 100-year floodplain, the Future Conditions Floodplain (available through Stormwater Management) and the 100-year flood elevation for any ponds, lakes or other man-made flood hazards on the property. Provide a note if there is no floodplain on the property. Reference the FIRM panel number.
- _____ 5. Identify all wetlands per the latest U.S. Department of the Interior, Fish and Wildlife Service National Wetland Inventory Map. Field delineation in accordance with Army Corps of Engineers guidance may be required in select areas. Provide a note if there are no wetlands on the property.
- _____ 6. Indicate if the property is in a Groundwater Recharge Area
- _____ 7. Clearly delineate drainage basins across the project area.
- _____ 8. For each basin, provide the drainage area, existing and proposed CN values, and required storage to attenuate the 100-yr storm. Detailed studies are not required; reasonable approximations are sufficient.
- _____ 9. Show offsite area and peak flow (Q_{10} and Q_{100}) for drainage areas passing through site.
- _____ 10. Delineate and label areas to be used for stormwater management B areas should be consistent with the hydrologic data provided above.
- _____ 11. Provide a narrative describing how water quality, stream channel protection, overbank and extreme flood protection criteria would be satisfied.
- _____ 12. All stormwater management control structures shall be on common property.

YIELD PLAN CHECKLIST

Project: _____

Applicant: _____

Public Works/Engineering

- _____ 1. Corner Lots – Fillet (20 foot radius) or chamfer corner property lines at street intersections.
- _____ 2. Street Length – Indicate the length of each street in the subdivision.
- _____ 3. Entrances – Subdivision entrances shall meet sight distance requirements and minimum distance between intersection requirements (both sides of street.) Provide appropriate data on the yield plan.
- _____ 4. Show all existing and proposed streets on and adjacent to property. Label R/W widths; provide R/W dedication, as needed.

DEVELOPMENT PLAN CHECKLIST FOR C-S AND EST

- _____ 1. Delineation of the attributes of the site which will be preserved;
- _____ 2. A delineation of the Residential Area and the Conservation Area including the acreage within each area;
- _____ 3. Indicate individual lot sizes; including acreage inside/outside of the floodplain;
- _____ 4. Uses and improvements planned for the Conservation Area with the acreage devoted to each;
- _____ 5. Indicate and label existing structures to remain;
- _____ 6. Trails and paths (impervious trails and paths are limited to five percent of the Conservation Area and trails and paths must comply with the Watershed Protection Ordinance in terms of impervious surface requirements);
- _____ 7. Picnic areas which can include picnic tables, grills, benches, playground equipment (swing sets, slides, etc.). Picnic Areas are required to be setback 50 feet from any residential property line and are limited to five percent of the Conservation Area;
- _____ 8. Community gardens for the use of the residents of the subdivision only;
- _____ 9. Horse stables, animal containment areas and training/riding facilities for the use of the residents of the subdivision only are required to be setback 50 feet from any residential property line;
- _____ 10. The maintenance of existing orchards and groves including the harvesting of fruit and nuts;
- _____ 11. The maintenance of existing pastures including the harvesting of hay;
- _____ 12. The maintenance of existing farm fields used for row crops including the harvesting of crops. Said fields must be outside of watershed protection areas as described in the Watershed Protection Ordinance. All areas within a watershed protection area can no longer be used for row crops;
- _____ 13. Indicate and label existing residential structures to remain and be used for a community facility;
- _____ 14. Indicate and label existing residential structures used for a community facility to remain;
- _____ 15. Percentage of the Conservation Area not withstanding the yield plan (at least 40%). This area must be described by metes and bounds.

| NO | DATE | DESCRIPTION |
|----|------|-------------|
| | | |
| | | |
| | | |

JOSH BREWER RESIDENTIAL PROJECT

ON-SITE SEPTIC PLAN
0 GREEN MEADOW LANE
FAYETTEVILLE, GEORGIA

CIVIL SOLUTIONS
ENGINEERING & LAND SURVEYING
Gregory J. Dewberry, P.E., L.S.
P.O. Box 156
Bremen, Georgia 30110
(770) 537-4087

PROJECT NO. 2023095R1
DATE: JULY 25, 2023
SCALE: 1" = 150'

SOUTHERN RED DIRT LLC
Website: www.southernredirt.com

| | |
|--|---|
| Parcel Number 0701 072 0 GREEN MEADOW LANE FAYETTEVILLE GA 30215 | Field Investigation Date: 6/10/2023 Report Date: 6/15/2023 |
| Client: | County: GWINNETT Land Lot and District: |


| Soil Series | Slope | Restriction Depth | Depth to SHWT | Adsorption Rate Trench Depth (in) @ Trench Depth | Recommend/ Optimum Trench Depth (in) | Map Unit Suitability Code |
|--------------|--------|-------------------|---------------|--|--------------------------------------|---------------------------|
| HARD LABOR 1 | 8-10% | 36 inches | >36 inches | 70 | 12-24 inches ATU | C |
| HELENA | 10-18% | 24 inches | 24 inches | 70 | 24-48 inches | unsuitable |

Suitability Codes

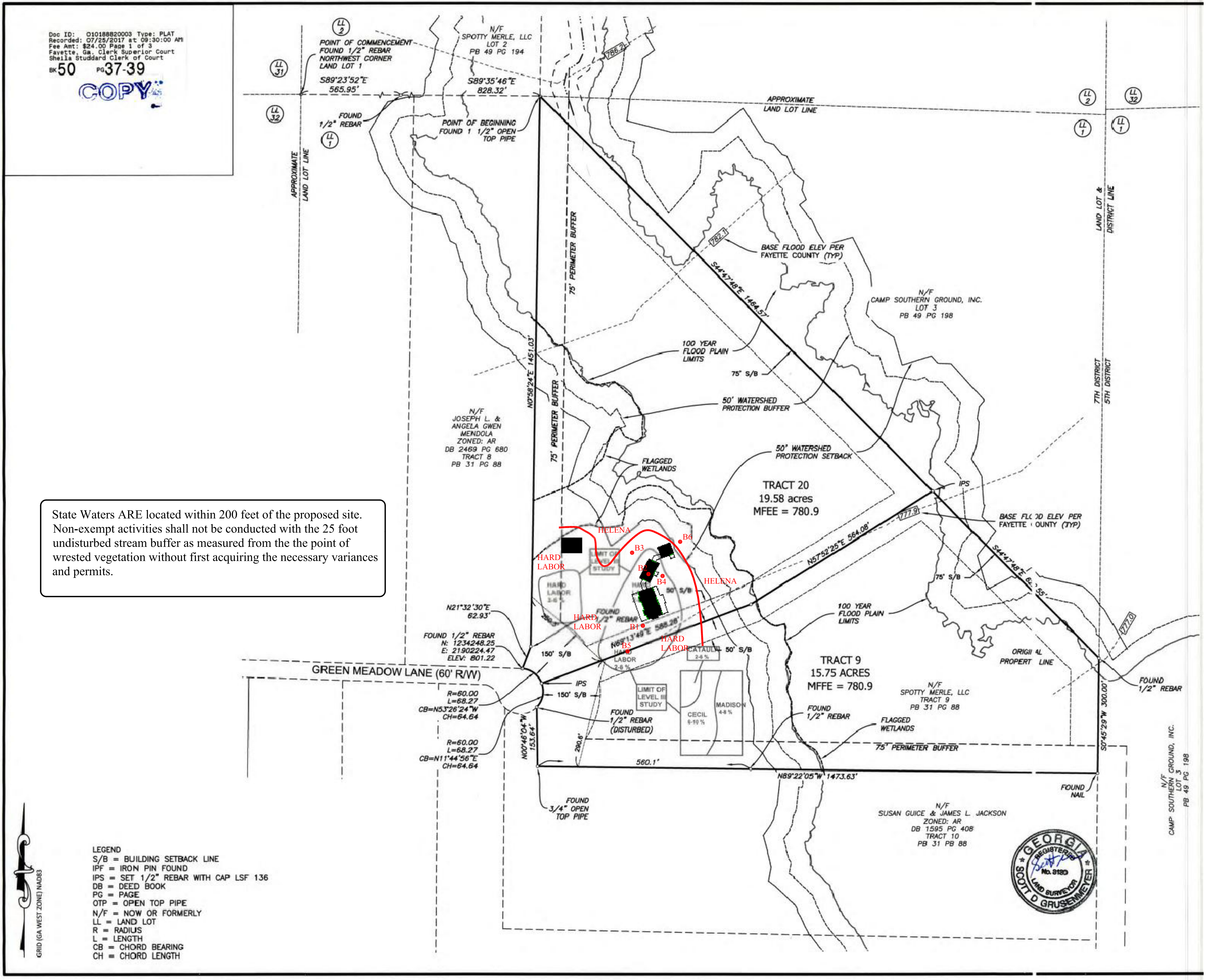
C: Because of flooding, shallow seasonal water tables, soil horizons with very slow percolation rate, perched water tables, or imperfect drainage, these soils are not suitable for installation of a conventional on-site system without site modifications, special designs or installation. Properties of the soil and site may require the drainfield area to be greater than the minimum and/or the drainfield design to require equal distribution or level field installation. Non-conventional systems and installation must be approved by the local Environmental Health Specialist.

* AUGER REFUSAL DEPTH
• DISCONTINUOUS BROKEN ROCK (DBR)

Features of system due to inadequate amount of field line recommendations, based on manufacturer's claims, are not the responsibility of the soil classifier.
Cut and/or fill of acceptable soils within this report.
Boundaries and bearings are located from ground measurements taken from readings by a Trimble Sub-meter GPS and slope readings are from a Suunto Clinometer. Notes are marked by survey ribbon or wire flags.
Please note that all findings reported are based on professional opinion and do not represent an approval or disapproval for permitting. Decisions and permitting is the responsibility of the local environmental health department.
Due to the variances in natural soil conditions and effects of uncontrolled construction practices, a positive report does not guarantee the future performance of septic system.


Stephon Thomas

Certified by: STEPHON THOMAS Georgia DPH Certified Soil Classifier #526
PH: 205-523-2215 EMAIL: southern.red.dirt@gmail.com

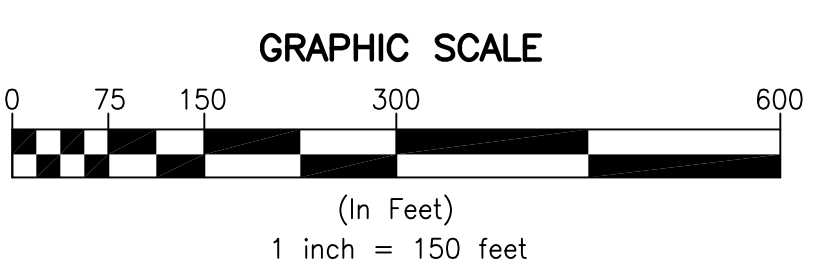


Doc ID: O10188820003 Type: PLAT
Recorded: 07/25/2017 at 09:30:00 AM
Fee Amt: \$24.00 Page 1 of 3
Fayette, Ga. Clerk Superior Court
Shella Studland Clark of Court
BK 50 PG 37-39

COPY

State Waters ARE located within 200 feet of the proposed site. Non-exempt activities shall not be conducted with the 25 foot undisturbed stream buffer as measured from the the point of wrested vegetation without first acquiring the necessary variances and permits.

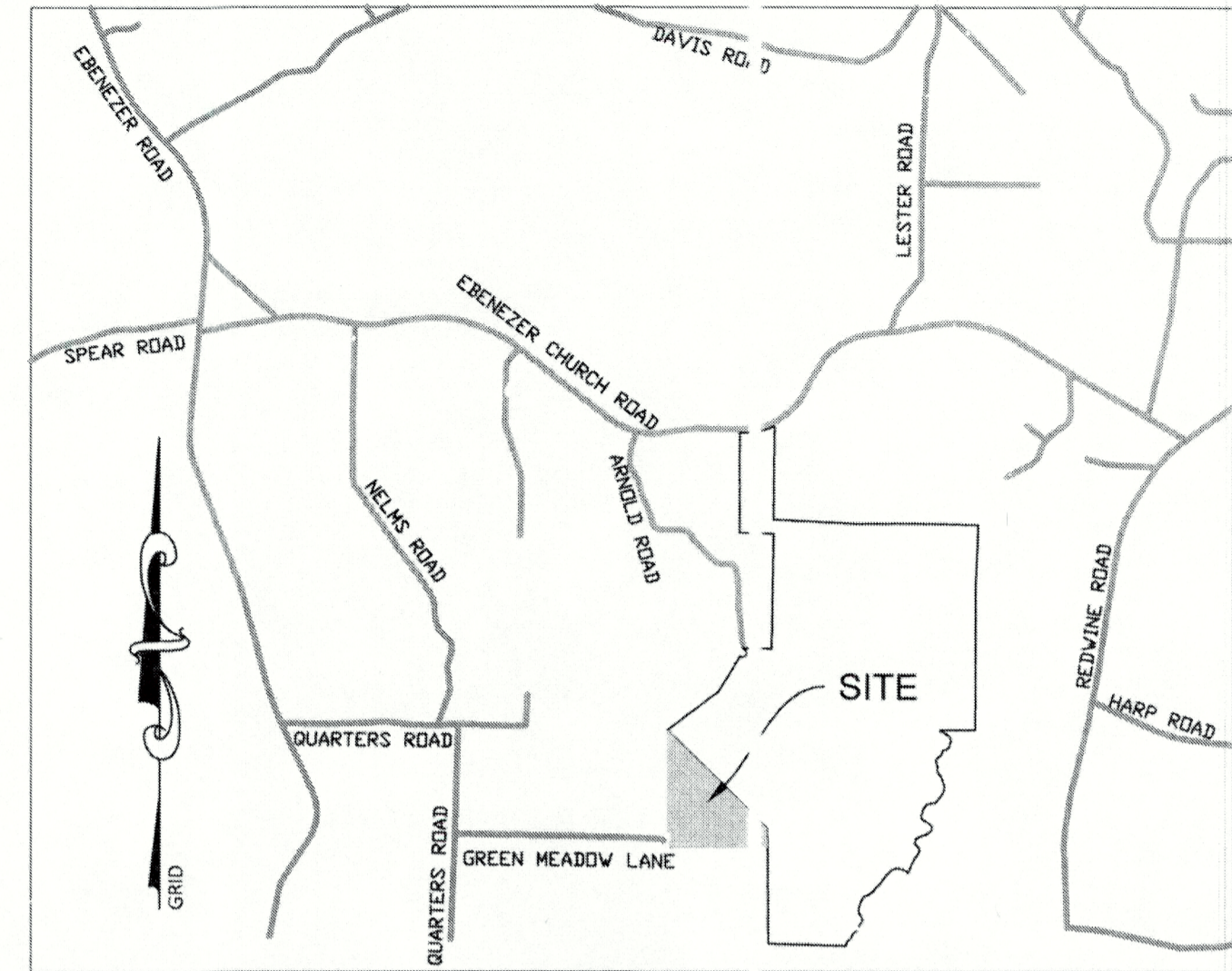
- LEGEND
- S/B = BUILDING SETBACK LINE
 - IPF = IRON PIN FOUND
 - IPS = SET 1/2" REBAR WITH CAP LSF 136
 - DB = DEED BOOK
 - PG = PAGE
 - OTP = OPEN TOP PIPE
 - N/F = NOW OR FORMERLY
 - LL = LAND LOT
 - R = RADIUS
 - L = LENGTH
 - CB = CHORD BEARING
 - CH = CHORD LENGTH



ENGINEER
Gregory J. Dewberry
No. 20297
PROFESSIONAL ENGINEER
Bremen, GA 30110
24hr. Emergency Phone
(770) 537-4087

COPY

VICINITY MAP



SURVEYOR'S CERTIFICATE

I hereby certify that this plat is true and correct and was prepared from an actual survey of the property by me or under my supervision; that all monuments and infrastructure shown hereon actually exist or are marked as "future"; and their location, size, type and material are correctly shown.

By: Scott D. Grusenmeyer 7/14/17
 SCOTT D. GRUSENMEYER RLS 3130 Date

ENGINEER'S CERTIFICATE

I hereby certify that accepted engineering practices and design methods were used to establish the layout of this development; that the streets, drainage structures and other design features have been constructed according to the development's approved Construction Drawings; and that all applicable requirements of Fayette County's Development Regulations and Subdivision Regulations have been fully complied with.

By: Jason L. Walls, P.E. 7/14/17
 JASON L. WALLS, P.E. Date

GENERAL NOTES

- OWNER/ DEVELOPER:
 SPOTTY MERLE, L.L.C.
 101 GARDNER PARK
 PEACHTREE CITY, GEORGIA 30269
 CONTACT: BEN FERGUSON (404) 941-3480
- ENGINEER AND SURVEYOR:
 INTEGRATED SCIENCE & ENGINEERING, INC.
 1039 SULLIVAN ROAD, SUITE 200
 NEWNAN, GEORGIA 30265
 CONTACT: JASON L. WALLS, P.E. (770) 461-4292
- WETLANDS DELINEATED BY CORBLU ECOLOGY GROUP, LLC ON 6/30/17
- 100 YEAR FLOOD PLAIN LIMITS SHOWN ARE FROM FAYETTE COUNTY FUTURE CONDITIONS FLOOD STUDY
 TRACTS 9 AND 20 CONTAIN A SPECIAL FLOOD HAZARD AREA IDENTIFIED IN THE FAYETTE COUNTY 2013 LIMITED DETAIL FLOOD STUDY. AS REQUIRED BY ART. IV OF THE DEVELOPMENT REGULATIONS A MINIMUM FINISHED FLOOR ELEVATION IS ESTABLISHED FOR THE LOWEST FLOOR ELEVATION INCLUDING A BASEMENT BY THIS STUDY.
- WATER SERVICE TO BE PROVIDED BY FAYETTE COUNTY WATER SYSTEM.
- PRIVATE SEWER (VIA UNDERGROUND SEPTIC SYSTEM)
- NO GROUNDWATER RECHARGE AREAS EXIST ON THIS PROPERTY.
- THE PROPERTY IS CURRENTLY ZONED PLANNED UNIT DEVELOPMENT FOR PRIVATE RETREATS OR LODGES (PUD-PRL).
 SITE INFORMATION:
 TOTAL SITE AREA: 35.33 ACRES
 TOTAL NUMBER OF LOTS = 2
 MINIMUM LOT SIZE: 5 ACRES
 TRACT 9 = 15.75 ACRES
 TRACT 20 = 19.58 ACRES
- SETBACKS / BUFFERS:
 1. FRONT YARD SETBACK:
 A. MAJOR THOROUGHFARE:
 I. ARTERIAL: 100 FEET
 II. COLLECTOR: 100 FEET
 B. MINOR THOROUGHFARE: 75 FEET
 2. REAR YARD SETBACK: 75 FEET
 3. SIDE YARD SETBACK: 50 FEET
 MIN. LOT WIDTH: 250 FEET
- MINIMUM FLOOR AREA: 1,200 SQUARE FEET
- EACH RESIDENTIAL BUILDING LOT HAS A MINIMUM CONTIGUOUS AREA OF 2.0 ACRES THAT IS FREE AND CLEAR OF ZONING SETBACKS, WATERSHED PROTECTION BUFFERS AND SETBACKS, JURISDICTIONAL WETLANDS, AND EASEMENTS OF ANY KIND.
 TRACT 9 = 2.03 ACRES
 TRACT 20 = 2.05 ACRES
- PER THE FLOOD INSURANCE RATE MAP # 13113C0094E, WHICH BEARS AN EFFECTIVE DATE OF SEPTEMBER 26, 2008, A PORTION OF THIS PROPERTY IS IN A SPECIAL FLOOD HAZARD AREA
- REVISED PLAT INFORMATION: RP-050-11, APPROVED DECEMBER 12, 2011
- THERE ARE NO EXISTING EASEMENTS ASSOCIATED WITH THE PROPERTY

THE PURPOSE OF THIS REVISION IS TO REVISE TRACT 9 AND ADD TRACT 20 TO ROUNTREE PLACE, PLAT BOOK 31 PAGE 88

AS REQUIRED BY SUBSECTION (D) OF O.C.G.A. SECTION 15-6-67, THIS PLAT HAS BEEN PREPARED BY A LAND SURVEYOR AND APPROVED BY ALL APPLICABLE LOCAL JURISDICTIONS FOR RECORDING AS EVIDENCED BY APPROVAL CERTIFICATES, SIGNATURES, STAMPS, OR STATEMENTS HEREON. SUCH APPROVALS OR AFFIRMATIONS SHOULD BE CONFIRMED WITH THE APPROPRIATE GOVERNMENTAL BODIES BY ANY PURCHASER OR USER OF THIS PLAT AS TO INTENDED USE OF ANY PARCEL. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT HIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEER AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67.

Scott D. Grusenmeyer
 SCOTT D. GRUSENMEYER GA RLS # 3130
 SGRUSENMEYER@INTSE.COM
 FIELD WORK PERFORMED: 6/7/17
 DATE OF PLAT PREPARATION: 6/27/17
 EQUIPMENT UTILIZED: LEICA TS12 P 3"

THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 24,570 FEET, AND AN ANGULAR ERROR OF 6" PER ANGLE POINT, AND WAS ADJUSTED USING LEAST SQUARES.

THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 641,568 FEET.



OWNER'S CERTIFICATE

We, the undersigned owner(s) and/or mortgagee(s) of the CAMP SOUTHERN GROUND Subdivision, hereby offer to dedicate and/or reserve for public use the rights-of-way, easements and other ground shown on this plat.

We, the undersigned owner(s), understand this Final Plat and any Maintenance Bond and/or Irrevocable Letter-of-Credit shall expire and thus become void if the Final Plat is not recorded into the Fayette County Clerk of Superior Court records within 90 calendar days (___/___/___) of the date of approval by the Planning Commission.

| Owner | Date | Mortgagee | Date |
|--------------------------|------------------|-----------|------|
| <u>Spotty Merle, LLC</u> | <u>7/18/2017</u> | | |

Fayette County does not accept the ownership, maintenance or responsibility for any drainage easement or overall drainage plan, or the lack of one, indicated by this plat.

WETLANDS

Wetlands shown on this plat are under the jurisdiction of the U.S. Army Corps of Engineers. Property owners may be subject to penalty by law for disturbance to these wetland areas without proper authorization.

APPROVALS

- Approved by Fayette County Environmental Health Department.
 Date 7/24/17 Signed Robert Smith
 Environmental Health Specialist
- Approved by the Fayette County Zoning Administrator.
 Date 9/14/2019 Signed [Signature]
 Zoning Administrator
- Approved by Fayette County Environmental Management.
 Date 7-19-17 Signed Jameson T. J. Amell
 Environmental Management Director
- Approved by Fayette County Engineer
 Date 7-18-17 Signed P. Maller
 Fayette County Engineer

Page 100 of 231
INTEGRATED Science & Engineering
 1039 Sullivan Road, Suite 200, Newnan, Georgia 30265
 (P) 678-552-2106 (F) 678-552-2107
 Atlanta/Savannah

| Rev. | Description | Date |
|------|--------------|---------|
| 2 | per comments | 7/14/17 |
| 1 | per comments | 7/6/17 |

Check by: JLV
 Drawn by: SDG
 Date: 6/27/17
 Project #: 1002.1205

REVISED FINAL PLAT
 OF
 TRACT 9
 ROUNTREE PLACE
 LOCATED IN LAND LOT 1 OF THE 7TH DISTRICT, FAYETTE COUNTY, GA

Enter MSMT

COPY

STATE OF GEORGIA
COUNTY OF FAYETTE

RESOLUTION
NO. 1222-11

WHEREAS, Russell W. and Donna S. Jordan and Spotty Merle, LLC, owners and Ken Ward, Agent, having come before the Fayette County Board of Commissioners on the 15th day of December, 2011 requested an amendment to the Fayette County Zoning Map pursuant to "The Zoning Ordinance of Fayette County, Georgia, 1980"; and

WHEREAS, said request to rezone 494.39 acres from A-R to PUD-PRL to develop a planned retreat and/or lodge; property is located in Land Lots 1, 2 and 3 of the 7th District and Land Lots 1 and 32 of the 5th District and fronts on Ebenezer Church Road, Arnold Road, and Green Meadow Lane;

WHEREAS, the Fayette County Board of Commissioners having duly convened and considered said request;

NOW, THEREFORE, be it resolved that the decision of the Fayette County Board of Commissioners on December 15, 2011 was that the request to rezone the subject property be approved with the following conditions:

1. The owner/developer shall dedicate, at no cost to Fayette County, additional right-of-way if required during design for the construction and long-term maintenance of shoulder, drainage ditch, and a deceleration lane/right turn lane from Ebenezer Church Road to proposed road. *(This condition is to ensure the provision of adequate right-of-way for future road improvements per an established policy of the Fayette County Comprehensive Plan and the Development Regulations which stipulate how much right-of-way is needed for compliance.)*
2. The pool on Tract #1, located in the buffer, will need a Variance approval to remain or will have to be removed prior to Preliminary Plat approval. *(This condition is to ensure no structure is located within the buffer.)*

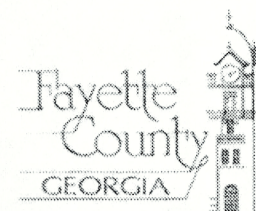
SO RESOLVED, this 16th day of December, 2011.

FAYETTE COUNTY BOARD
OF COMMISSIONERS

ATTEST:

By Karen Morley
Karen Morley, Chief Deputy Clerk

Herbert E. Frady
Herbert E. Frady, Chairman



Where Quality Is A Lifestyle

To: Fayette County Planning Commission
From: Dennis Dutton, Zoning Administrator
Date: September 25, 2012
Subject: Preliminary Plat to be considered on October 4, 2012

PRELIMINARY PLAT OWNER/APPLICANT
Camp Southern Ground Spotty Merle, LLC
Ken Ward, Agent

Recommend APPROVAL with one Condition of the Preliminary Plat dated 9/25/12 contingent on Approval of Relief to Section 8-505 (c) of the Fayette County Subdivision Regulations, Contiguous Areas for Residential Development for Lot 1.

CONDITION: The pool (located in the buffer) and the accessory structure (located in the front yard and front yard setback) on Lot 1 will need Variance approvals to remain or will have to be removed prior to Final Plat approval.

Mailing Address: 140 Stonewall Avenue West - Fayetteville, GA 30214 • Main Phone: 770.460.0730 • Web Site: www.fayettecountygga.gov

PLAN# NG.COMMISSION

DATE: October 4, 2012

The Fayette County Planning Commission considered Petition No. UH-002-12, for the owner's request of Undue Hardship for relief from the contiguous area requirements from the Fayette County Development Regulations, be:

Approved 5-0
 Disapproved
 Withdrawn
 Tabled until _____

Tim Thomas
TIM THOMAS, CHAIRMAN

Al Gilbert
AL GILBERT, VICE-CHAIRMAN

Bill Beckwith
BILL BECKWITH

Douglas L. Powell
DOUGLAS L. POWELL

Jim Gray
JIM GRAY

Remarks:



STATE OF GEORGIA
COUNTY OF FAYETTE

RESOLUTION
PETITION NO. A-599-13

WHEREAS, Spotty Merle, LLC, Owner, and Ben Ferguson, Agent, having come before the Fayette County Zoning Board of Appeals on December 16, 2013, requests a pursuant to "The Zoning Ordinance of Fayette County, Georgia, 1980"; and

WHEREAS, said request be as follows: Request a Variance for the purpose of obtaining (1) a variance to allow an existing accessory structure to remain in the front yard; (2) a 10 foot variance to reduce the front yard setback from 75 feet to 65 feet for an existing accessory structure; and (3) a variance to allow an existing pool to remain in a buffer. This property is located in Land Lot(s) 1 & 31/1, 2 & 3 of the 5th/7th District, fronts on Ebenezer Church Road, Arnold Road and Green Meadows Lane, and is zoned PUD-PRL; and

WHEREAS, the Fayette County Zoning Board of Appeals having convened, and considered said request; now

BE IT RESOLVED that based on the decision of the Fayette County Board of Appeals, said request was APPROVED.

The decision is based on the following reasons:
Relief would not be contrary to the public interest and, without relief, a literal enforcement of the Ordinance would result in a practical difficulty and/or unnecessary hardship.
No practical difficulty and/or unnecessary hardship was established.

ZONING BOARD OF APPEALS
OF
FAYETTE COUNTY

Respectfully submitted by:
[Signature]
ZBA SECRETARY

[Signature]
VIC BOLTON
CHAIRMAN

STATE OF GEORGIA
COUNTY OF FAYETTE

RESOLUTION
PETITION NO. A-613-14

WHEREAS, Camp Southern Ground, Inc. and Spotty Merle, LLC, Owner, and Drake Bivins and Ben Ferguson, Agent, having come before the Fayette County Zoning Board of Appeals on _____, requests a pursuant to "The Zoning Ordinance of Fayette County, Georgia, 1980"; and

WHEREAS, said request being as follows: Request Variance to Sec. 110-67 Street frontage for access. (a) (2), from the requirement of creating a property owners' association for the ownership of a private street which the owner of any lot within the subdivision is required to join.
This property is located in Land Lot(s) 3 of the 7th District, fronts on Ebenezer Church Road, and is zoned PUD-PRL; and

WHEREAS, the Fayette County Zoning Board of Appeals having convened, and considered said request; now

BE IT RESOLVED that based on the decision of the Fayette County Board of Appeals, said request was APPROVED with two (2) conditions as follows:

1. That the private road shall be maintained in perpetuity by Camp Southern Ground, said condition to run with the land.
2. That Camp Southern Ground shall provide irrevocable ingress and egress easements to Lots 1 and 2, said condition to run with the land.

The decision is based on the following reasons:
Relief would not be contrary to the public interest and, without relief, a literal enforcement of the Ordinance would result in a practical difficulty and/or unnecessary hardship.

ZONING BOARD OF APPEALS
OF
FAYETTE COUNTY

[Signature]
ATTEST

[Signature]
VIC BOLTON
CHAIRMAN

LEVEL III SOIL SURVEY

I, Eric A. Hamilton, C.P.S.S. do hereby certify that the Level III soil survey information provided on this plat was performed by

Applied Environmental Sciences, Inc. in accordance with the procedures specified in the Georgia Department of Human Resources' current Manual for On-Site Sewage Management Systems.

[Signature]
Signature of Soil Classifier

224
Georgia DHR Soil Classifier, Professional Geologist, or Professional Engineer
Registration No.
Registration Numbers/License Numbers

90-F Glenda Trace, #327, Newnan, GA 30265 / Phone: 678-262-4020
Company Address & Telephone

WETLAND DELINEATOR'S CERTIFICATE

I, John T. Vermont, P.W.S., C.E. of Corblu Ecology Group, LLC
name organization

do hereby certify that I have field inspected the property known as

REVISED TRACT 9 ROUNTREE PLACE on 6-30-17 and determined that the
subdivision name date

X contains _____ does not contain jurisdictional wetlands as defined by the U.S. Army Corps of Engineers.

[Signature]
(Electronic signature by permission)

Signature of Wetland Delineator
3225 South Cherokee Lane, Bld. 800, Woodstock, Ga. 30188 / Phone: 770-591-9990
Company Address & Telephone

Page 101 of 231

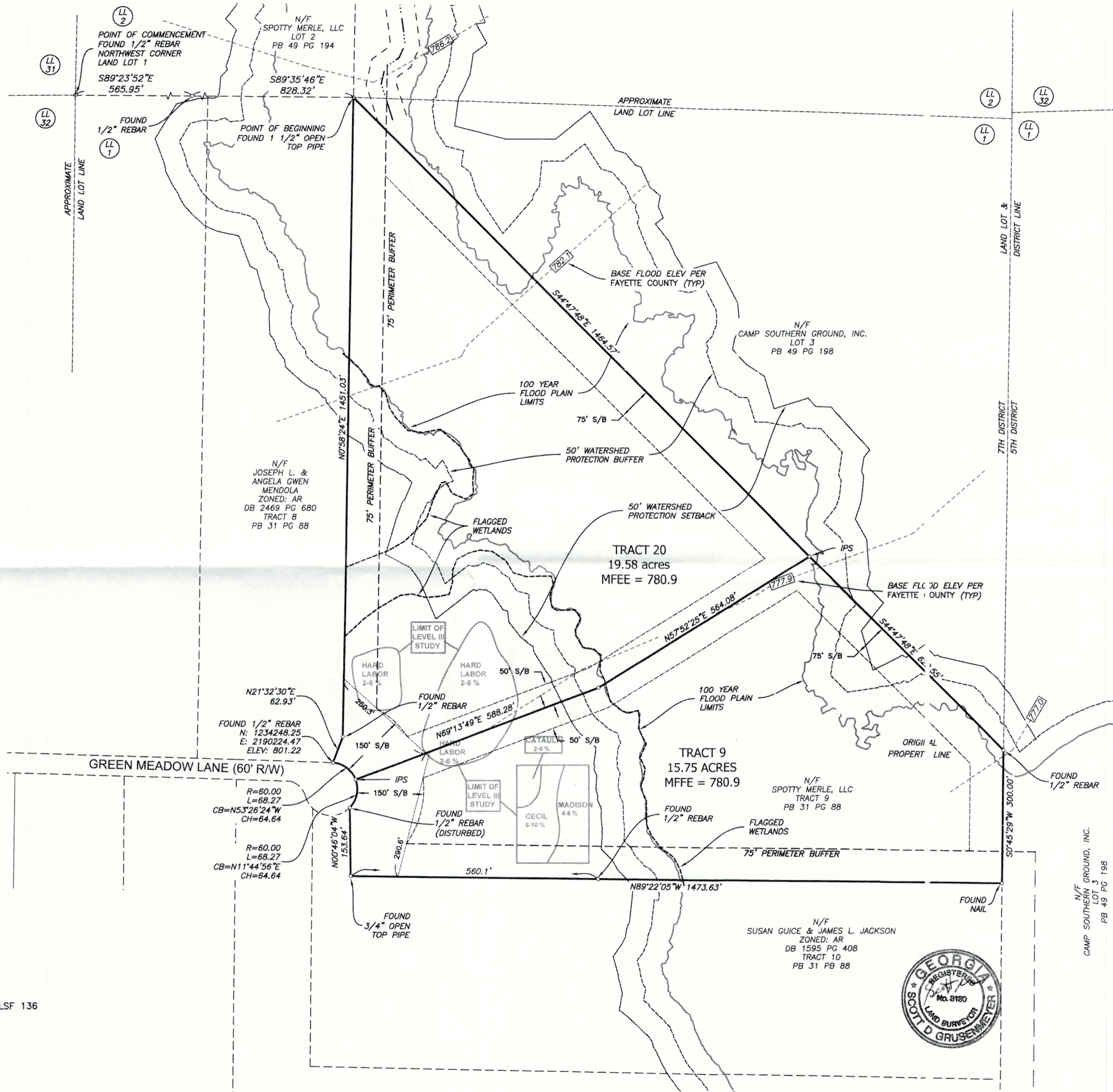
INTEGRATED Science & Engineering

1039 Sullivan Road, Suite 200, Newnan, Georgia 30265
(P) 678-552-2106 (F) 678-552-2107
Atlanta/Savannah

| | | | |
|-------------|-----------|--------------|---------|
| Date: | 6/27/17 | Check by: | JLW |
| Project #: | 1002.1205 | Drawn by: | SDG |
| Rev. | 2 | per comments | 7/14/17 |
| Description | 1 | per comments | 7/6/17 |

REVISED FINAL PLAT
OF
TRACT 9
ROUNTREE PLACE
LOCATED IN LAND LOT 1 OF THE 7TH DISTRICT, FAYETTE COUNTY, GA

COPY



| Date | Drawn by | Check by | Rev. | Description |
|---------|----------|----------|------|--------------|
| 6/27/17 | SDG | JLW | 2 | per comments |
| | | | 1 | per comments |

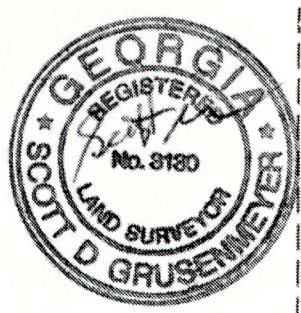
Scale: 1" = 150'

**REVISED FINAL PLAT
 OF
 TRACT 9
 ROUNTREE PLACE**
 LOCATED IN LAND LOT 1 OF THE 7TH DISTRICT, FAYETTE COUNTY, GA



GRID (GA WEST ZONE) NAD83

- LEGEND**
- S/B = BUILDING SETBACK LINE
 - IPF = IRON PIN FOUND
 - IPS = SET 1/2" REBAR WITH CAP LSF 136
 - DB = DEED BOOK
 - PG = PAGE
 - OTP = OPEN TOP PIPE
 - N/F = NOW OR FORMERLY
 - LL = LAND LOT
 - R = RADIUS
 - L = LENGTH
 - CB = CHORD BEARING
 - CH = CHORD LENGTH



COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Approval of Water Committee's recommendation to close Lake McIntosh Park on October 6 - 8, 2023 for the Greater Atlanta Air Show.

Background/History/Details:

The Greater Atlanta Air Show, LLC has requested Lake McIntosh Park be closed to the public October 6 - 8, 2023. Lake McIntosh Park will be part of the safe-fly zone and the event organizers are requesting the park be closed to the public all three days for safety reasons.

A sign will be placed at the park prior to the event to notify the public of the park being closed during this time.

What action are you seeking from the Board of Commissioners?

Approval of the Water Committee's recommendation to close Lake McIntosh Park on October 6 - 8, 2023 for the Greater Atlanta Air Show.

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:



SPECIAL EVENTS APPLICATION

PARKS AND RECREATION DEPARTMENT

140 W. STONEWALL AVE., FAYETTEVILLE, GA. 30214

770-716-4320

Date: _____
 Fee: _____
 Check/Cash: _____
Office Use Only

APPLICATION FEE: \$10.00

The application permit fee *partially* offsets the cost of reviewing your permit application and coordinating the event review process. Payment of the application fee does not guarantee that your special event permit application is complete nor does it guarantee that any or all aspects of the application will be approved.

NAME OF EVENT: _____

| APPLICANT TYPE | APPLICANT INFORMATION |
|---|--|
| <input checked="" type="checkbox"/> Regular <input type="checkbox"/> Non-Profit (501c) Must provide copy of IRS letter <input type="checkbox"/> County Sponsored Event <input type="checkbox"/> Other | Host Organization: <u>Greater Atlanta Air Show LLC</u> Chief Officer of Host Organization: <u>Bryan Lilley</u> Applicant Name: <u>Steven Webster</u> Address: Street <u>Po Box 360857</u> City <u>Melbourne</u> State <u>FL</u> Zip <u>32936</u> Telephone: Home _____ Cell <u>(443) 235-9888</u> Email: <u>steve@air.show</u> |

DATES REQUESTED FIRST CHOICE: 10 / 07 / 2023 SECOND CHOICE: _____ / _____ / _____

| EVENT TYPE | ACTIVITY DESCRIPTION | CHECK ALL THAT APPLY TO THIS ACTIVITY |
|--|---|--|
| <input type="checkbox"/> Athletic/Tournament <input checked="" type="checkbox"/> Exhibit/Special Attraction <input type="checkbox"/> Festival/Wedding <input type="checkbox"/> Parade/Procession/March <input type="checkbox"/> Concert/Performance <input type="checkbox"/> Farmer/Outdoor Market <input type="checkbox"/> Run/Walk/Bike <input type="checkbox"/> Fundraiser <input type="checkbox"/> Other | Public Air Show event featuring Military and Civilian aviation performances _____ _____ _____ _____ _____ _____ _____ _____ _____ _____ | <input checked="" type="checkbox"/> Alcohol <input checked="" type="checkbox"/> Signage/Banners <input checked="" type="checkbox"/> Amplified Sound/Music <input checked="" type="checkbox"/> Tents/Canopies <input type="checkbox"/> Fireworks/Lasers <input checked="" type="checkbox"/> Generators/Electricity <input checked="" type="checkbox"/> Portable Restrooms <input checked="" type="checkbox"/> Trash & Recycling <input checked="" type="checkbox"/> Crossing/Closing Roads <input checked="" type="checkbox"/> Lake/Pond Use <input type="checkbox"/> Carnival/Rides/Inflatable Recreation <input checked="" type="checkbox"/> Require Fire/EMS <input checked="" type="checkbox"/> Require Police <input type="checkbox"/> Require Public Work Staff <input checked="" type="checkbox"/> Cones/Barrels/Barricades <input checked="" type="checkbox"/> Transportation Shuttle <input checked="" type="checkbox"/> Vendors/Concessions <input checked="" type="checkbox"/> Require Hotel Rooms <input checked="" type="checkbox"/> Media Coverage/Press <input type="checkbox"/> Other (describe) _____ |

| ADMISSION | LOCATION DESCRIPTION |
|---|---|
| <input type="checkbox"/> Public Event (no cost) <input checked="" type="checkbox"/> Tickets/Entry Fees <input type="checkbox"/> Pre-Registration Only <input type="checkbox"/> Registration at Event <input type="checkbox"/> Private Event <input type="checkbox"/> Other | Atlanta Regional Airport - Falcon Field, Peachtree City, Georgia _____ _____ _____ _____ _____ FIELD #s (circle all that apply): 1 2 3 4 5 6 7 8 9 10 11 21 22 23 24 25 |

| ATTENDANCE | ANTICIPATED SPECTATORS | ANTICIPATED PARTICIPANTS | EVENT DATE/TIME DATE |
|------------------------|------------------------|--------------------------|---|
| Estimated Total | 7000 | 20 | SET UP DATE: <u>10/03/2023</u> SET UP TIME: <u>0800</u> |
| Estimated at Peak Time | 1300 | | EVENT START DATE: <u>10/07/2023</u> EVENT START TIME: <u>0900</u> |
| Total Attendance | 7020 | | EVENT END DATE: <u>10/08/2023</u> EVENT END TIME: <u>1600</u> |
| | | | DISMANTLE DATE: <u>10/09/2023</u> |

ADDITIONAL INFORMATION AND FEES SHALL BE REQUIRED BASED ON ADDITIONAL SERVICES REQUESTED. THESE INCLUDE, BUT ARE NOT LIMITED TO THE FOLLOWING: RENTAL FEES, CLEAN UP PLAN, SANITATION PLAN, SECURITY PLAN, LIFE SAFETY PLAN, EQUIPMENT DELIVERY/PICKUP/SETUP, DIRECTING TRAFFIC, UTILITIES, INSURANCE, FIELD/LANDSCAPING PREPARATION, INSPECTIONS, ETC.

| | |
|---------------------------------|-------------------------|
| SIGNATURE OF APPLICANT OR _____ | DATE: <u>06/30/2023</u> |
|---------------------------------|-------------------------|

SIGNAGE

Temporary signage for special events is permitted, but must comply with Fayette County Code of Ordinances. In general, signs cannot be placed within the medians or rights-of-way of most roadways within the county. A detailed sign plan, including the size of the signs and the proposed locations should be provided as a part of your application.

YES **NO**

- Will there be any signage at this event?
- Does any of the event signage exceed the maximum 35 square foot limit? Or 5' in height?
- Will signage have sponsorship or advertising message? If yes, include sign design/drawing.
- Will signage be placed on or along roads, street corners, sidewalks, medians, utility poles, fences, trees, or any other natural objects? If yes, include placement locations on route/site map.

If yes to any of the above questions, please describe or provide an attachment.

3x6 banners and directional signage on roadway

All signage must be picked up immediately after the event. Each sign recovered after the event will be charged a \$200 recovery fee. Signs/Balloons attached to utility signs, natural objects, and signs are prohibited.

ENTERTAINMENT & RELATED ACTIVITIES

YES **NO**

- Are there any musical entertainment features related to your event? Any dance component?
- Will sound amplification be used? Will sound checks be conducted prior to event? If yes, describe start & finish times below.
- Will there be any inflatable recreation (e.g. moonwalk) at this event?
- Will you need electricity at the event? If yes, please list how much amperage your equipment will use. (page 3)
- Does Your event include the use of generators?
- Do you plan on selling or launching balloons at this event?
- Does your event include the use of fireworks, rockets, lasers, or other pyrotechnics?
- Does your event include any live animals, carnival or amusement rides? If yes, describe below.
- Does your event include any tents or canopies?
- Do your event plans include any casino games, bingo games, drawings or lottery opportunities?

If yes to any of the above questions, please describe or provide an attachment.

TENTS/CANOPIES

A certificate of fire resistance is required for all tents larger than 10' x 10' (100 square feet). Tents larger than 500 SF require an interior layout plan be provided and an inspection by the Fire Marshal. Tents should be secured to the ground with a 40lb weight on each leg, **no stakes allowed**. If cooking is conducted under a tent, you must meet additional requirements.

| Number of 10' x 10' Tents | Number of 20' x 40' Tents | Number of 30' x 70' Tents | | Date | Time | Day of Week |
|---------------------------|---------------------------|---------------------------|---------------|------------|------|-------------|
| 12 | 2 | 3 | Setup | 10/03/2023 | 0800 | Tuesday |
| | | | Pickup | 10/09/2023 | 0700 | Monday |

Tent Company

Classic Tents

Address

Street _____
 City _____ State _____ Zip _____

Telephone

Day _____ Evening _____ Fax _____ Cell _____

*Tent/Canopy locations must be indicated on your site plan.

PORTABLE RESTROOMS

You are required to provide portable restroom facilities at your event unless you can substantiate the sufficient availability of both ADA accessible and non-accessible facilities in the immediate area of the event site which will be available to the public during your event.

| | | | |
|------------------------------------|--------------------------------|--------------------------------|---|
| Number of regular portable toilets | Number of ADA Portable toilets | Number of Handwashing Stations | Setup Date 10/05/2023 Time 0800 Day of Week Thursday |
| 50 | 5 | 3 | Pickup Date 10/09/2023 Time 0700 Day of Week Monday |

Restroom Company TBD

Address Street _____
City _____ State _____ Zip _____

Telephone Day _____ Evening _____ Fax _____ Cell _____

*Portable restroom locations must be indicated on your site plan.

SANITATION & RECYCLING

YES **NO**

Will you or your organization empty all trash cans at the end of your event? If no, you must hire a sanitation company.

| | | | |
|----------------------|----------------------|--------------------------|---|
| Number of Trash Cans | Number of Dumpsters* | Number of Recycling Bins | Setup Date 10/05/2023 Time 0800 Day of Week Thursday |
| TBD | 4-6 | TBD | Pickup Date 10/09/2023 Time 0700 Day of Week Monday |

*Estimate (1) eight-yard dumpster for every increment of 500 people attending the event or any event over 16 consecutive hours.

Sanitation Company GFL

Address Street _____
City _____ State _____ Zip _____

Telephone Day _____ Evening _____ Fax _____ Cell _____

Please describe your plan for cleanup and removal of recyclable goods, waste and garbage during and after your event.

EQUIPMENT/UTILITIES

YES NO

- Will you need *Pedestrian Barricades* for this event?
- Will you need *Traffic Barricades* for this event?
- Will you need *Traffic Barrels* for this event?
- Will you need *Traffic Cones* for this event?
- Will you *Tables* be set up for this event?
- Will you *Chairs* be set up for this event?
- Will you need Electricity for this event?

| How many? | Cost Per Unit | Total Cost |
|---------------------------------------|-------------------------------------|------------|
| | X TBD | |
| | X TBD | |
| | X TBD | |
| | X TBD | |
| | N/A | |
| | N/A | |
| How many amps? | \$TBD <small>electrical fee</small> | |
| Total cost of equipment needed | | |

Please describe or provide an attachment of where equipment will be placed. **NOTE: Equipment will be delivered to central location only; event organizer(s) responsible for setup and clean-up of equipment.**

FOOD CONCESSIONS OR PREPARATIONS & CONCESSIONAIRES

YES NO

- Does your event include food concession and/or preparation areas? If yes, describe below.
- Do you intend to cook food in the event area? If yes, describe method (gas, electric, charcoal, other) below.
- Will items or services be sold at your event? If yes, attach a complete list of vendors and include a sample of the vendor pass.
- Will items or services sold at your event present unique liability issues (e.g. guns, body piercing, animal rides, etc.)? If yes, please describe and attach a complete list of vendors.

If yes, please describe or provide an attachment of your plan.

NOTE: For existing concession stands within county facilities, please coordinate with the Recreation Department.

PARKING & SHUTTLE PLAN

- YES** **NO**
- Will your event involve the use of a transportation shuttle?
- Will you be utilizing a parking facility from an adjoining property? If yes, please attach agreement.
- Do you need all county vehicles removed from the facility parking lots for your event?
- Have you provided ADA accessible parking?

If yes to any of the above questions, please describe or provide an attachment.

SITE PLAN/ROUTE MAP

Event Site Plan: One (1) clear and clean paper copy must be brought to the Fayette County Parks & Recreation Department. The plans should be clearly and accurately drawn to include the items listed below.

| <i>Does your event plan/route map comply with or show the following?</i> | YES | N/A |
|--|-------------------------------------|--------------------------|
| (a) Name of the event, address, boundaries, date, north arrow, and scale of the plan; | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (b) The location and name of all existing streets adjacent to and within the event; | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (c) Assembly area, disbanding area, and route to be traveled (use arrows to indicate the direction of travel); | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (d) Identify vehicular and pedestrian circulation plans, access points, travel ways, parking, loading, stacking, sidewalks, and multi-use paths; | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (e) Health and sanitation facilities (portable toilets, restrooms); | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (f) Communication facilities and equipment (ham radios, event communication tent); | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (g) Medical treatment facilities and equipment (first aid and ambulances); | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (h) Vehicle access and parking requirements (parking spaces available); | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (i) The location of all canopies, tents, booths, and other temporary structures; | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (j) Exit locations of outdoor events that are fenced and/or locations within tents and tent structures; | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (k) The location of all stages, platforms, scaffolding, bleachers, and grandstands; | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (l) The location of amplified sound equipment (speakers, bullhorn); | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (m) Food vendor and water supply locations (cooking areas, water spigots); | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (n) A detail or close-up of the food booth and cooking area configuration including booth identification of all Vendors cooking with flammable gases or barbecue grills; | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (o) The location of additional lighting , generators, and /or source of electricity; | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (p) The location of all signage, banners, and inflatables recreation; | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (q) Placement of trash, dumpster, and recycling receptacles; | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (r) Placement of vehicles and/or trailers 9if these are to remain throughout the event); | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (s) The location of fencing, cones, barriers, and/or barricades, indicating any removable fencing /tape for emergency access; | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (t) The provision of minimum of twenty foot (20') emergency access lanes throughout the event venue; | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (u) Other related event components not listed above. | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

NARRATIVE

Please provide a narrative and timeline of your event. You may provide this information as an attachment if necessary. see attached sheet

ADVERTISING

Estimated advertising budget for this event? \$ 60K

In what publications/areas will you advertise this event? Atlanta Regional Metro Market

This event will attract people from: Local/County Region State National

SECURITY PLAN

YES

NO

Will this event cross any roads? If yes, please list below or attach in a separate document.
Will your event need overnight security?
Will you be employing a Sheriff Officer to develop and manage your event's security plan? If yes, you are required to provide a copy of the security company's valid private patrol operator license (see below).

Please describe your security plan including crowd, vehicle, and pedestrian control, internal security or venue safety, or attach the plan to this application.

See attached

FAYETTE COUNTY SHERIFF'S DEPARTMENT

Staffing of extra-duty assignments will be based upon officer availability and at the sole discretion of the Fayette County Sheriff's Department. The Fayette County Sheriff's Department has the right to reject any request. The Sheriff's Department will make final determination for number of officers needed.

THIS SECTION FOR SHERIFF'S DEPARTMENT USE ONLY

RATES

| | | | | | | | |
|-----------|---------------|---|-------------------|---|------------|---|-------|
| Traffic* | _____ | X | <u>\$40.00/hr</u> | X | _____ | = | _____ |
| | # of Officers | | Rate | | # of Hours | | TOTAL |
| Security* | _____ | X | <u>\$35.00/hr</u> | X | _____ | = | _____ |
| | # of Officers | | Rate | | # of Hours | | TOTAL |

*Per officer per hour, with a four (4) hour minimum. Payment of these services is required by CHECK or MONEY ORDER within five (5) business days of the event, unless previously approved by the Sheriff's Department. NOTE: Applicant will be notified if rates change.

Approval of Security Company: _____ Date: _____

If the Sheriff Department is unable to provide event security, please list the security company you will be employing. NOTE: Fayette County Sherriff's Department will have final approval on all security companies used for events, as they will have the final deciaion in all matters involving safety and security at events.

| SECURITY COMPANY | | | |
|--|-----------------|----------------|----------------------|
| Security Organization | Skylar Securiry | | |
| Address | Street | 84 Peactree NW | |
| | City | Atlanta | State GA Zip 30303 |
| Telephone | Day _____ | Evening _____ | Fax _____ Cell _____ |
| Email | _____ | | |
| License#/County | _____ | | |
| NOTE: Fayette County Sheriff's Department will have final approval on all security companies used for events, as they will have the final decision in all matters involving safety and security at events. | | | |

FAYETTE COUNTY MARSHAL'S OFFICE

Staffing of extra-duty assignments will be based upon officer availability and at the sole discretion of the Fayette County Marshal's Office. The Fayette County Marshal's Office has the right to reject any request. The Marshal's Office will make final determination for number of officers needed.

| THIS SECTION FOR MARSHAL'S OFFICE USE ONLY | | | |
|--|---|------------|------------------|
| RATES | | | |
| Marshal* _____ | X | \$35.00/hr | X _____ = _____ |
| # of Officers | | Rate | # of Hours TOTAL |
| *Per officer per hour, with a four (4) hour minimum. Payment of these services is required by CHECK or MONEY ORDER within five (5) business days of the event, unless previously approved by the Marshal's Office. NOTE: Applicant will be notified if rates change. | | | |

LIFE SAFETY PLAN

- YES** **NO** Will you have fireworks/lighting/pyrotechnics at your event?
- Will part of your event take place in any Fayette County lake/pond?
- Will you be employing a first aid provider to develop and manage your event's life safety plan? If yes, you are required to provide the contact information of the first aid provider (see below).

Please describe your medical plan including your communication plan, the number, certification levels (MD, RN, Paramedic, EMT) and types of resources that will be at your event and the manner in which they will be managed and deployed. Your plan should include hours of setup and dismantle of medical aid areas. You may attach the plan to this application if necessary.

Peactree City Fire/EMS

NOTE: Fireworks must be permitted by Fayette County Probate Court no less than thirty days before the event.

FIRE/EMS DEPARTMENT

Staffing of extra-duty assignments will be based upon Fire/EMS availability and at the sole discretion of the Fayette County Fire and Emergency Services Department. The Fayette County Fire & EMS Department has the right to reject any request. Fayette County will make the final determination for the number of Fire/EMS staff needed.

THIS SECTION FOR FIRE DEPARTMENT USE ONLY

RATES

Fire/EMS Personnel* X \$35.00/hr X =

of Personnel Rate # of Hours TOTAL

*Per paramedic/EMT per hour, with a two (2) hour minimum and two personnel minimum. Payment of these services is required by CHECK or MONEY ORDER within five (5) business days of the event, unless previously approved by the Fire/EMS Department.
NOTE: Applicant will be notified if rates change.

MARKETING & PUBLIC RELATIONS

- | | | |
|---|--|---|
| <p>YES</p> <p><input type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> | <p>NO</p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> | <p>Do you have a professional event organizer, event service provider, or commercial fundraiser hired by you that is authorized to work on your behalf to plan, produce and/or manage your event?</p> <p>Is the media contact the same as the applicant? If no, fill in contact information below.</p> <p>Do you plan on notifying the impacted residents and businesses?</p> <p>Will this event be marketed, promoted, or advertised in any manner?</p> <p>Will there be live media coverage during the event?</p> <p>Will media vehicles be parked within the event?</p> <p>Do you have a plan to distribute promotional brochures, posters, programs, etc.?</p> <p>Are patron admissions, entry (gate fee) or participant fees required? If yes, fee: \$ _____</p> <p>Vendor or other fees required? If yes, fee: \$ _____</p> |
|---|--|---|

Event Planner/Media Contact Chris Dirato

Address Street _____
 City Fort Lauderdale State FL Zip 33334

Telephone Day _____ Evening _____ Fax _____ Cell (917) 921-9070

Email _____

If yes, please describe or provide an attachment of your plan.

APPLICANT'S ACKNOWLEDGEMENT OF REQUIREMENTS

1. The review period for special events does not begin until the completed application with Certificate of Insurance has been submitted. All special event applications at Fayette County facilities are subject to providing a refundable damage and clean-up deposit.
2. For any event on county property, Fayette County requires the applicant or the organization he/she represents, to have a liability insurance policy with limits set by Fayette County. The applicant must attach a Certificate of Insurance, covering all activities performed in accordance with this special event and listing Fayette County as an "additional insured." Proof of insurance coverage in proper form must be submitted prior to date of event. Fayette County reserves the right to request a copy of the entire policy of insurance.
3. The applicant agrees to fill out a post-event survey about the event including, but not limited to: receipts, disbursements, number of participants, and any other data requested.
4. The applicant agrees to remove all equipment from the Fayette County facility within 24 hours after the event. The applicant agrees not to park vehicles in unauthorized parking areas.
5. Fayette County exercises control over the setup of any equipment/materials on site. Fayette County reserves the right to refuse a special event permit if the parking of vehicles will substantially interfere with or destroy vegetation on Fayette County property.
6. It is understood that parade participants shall not engage in any behavior that creates a risk of bodily injury to other parade participants and the spectators at large. It is also to be understood that no fireworks or other explosive-type devices are used by parade participants to spectators along the route which may cause injury or danger to spectators or participants.
7. It is understood that the applicant shall be responsible for pre-event preparation. Fayette County will not supply any workers to prepare the fields, loan equipment, or supplies. Fayette County events and Fayette County-sponsored events are exempt.
8. The applicant understands that knowingly providing false information will automatically void the application and cancel the event.
9. The applicant further understands that at any time during the event, Fayette County Sheriff's Department or Fayette County Marshal's Office may order the termination of such event if it is in violation of any law or ordinance, or if it endangers the persons or participants or spectators, or if it threatens the peace and dignity of the community, or if it creates unmanageable problems for the public safety officials whereby the proper execution of their duties is endangered.
10. If the applicant purports to represent an organization in submitting an application for a Special Event, the applicant, if applicable, must attach proof of agency or letter of authorization showing his/her authority to represent the organization named herein prior to approval of this application.
11. The applicant agrees not to operate or conduct any event activities after the park is closed without advanced permission.
12. The applicant understands that the rate of pay to the officers for extra-duty employment shall be in the form of a CHECK or MONEY ORDER within five (5) business days prior to the event, unless previously approved.
13. The applicant understands that the staffing of extra-duty assignments will be based upon personnel availability and at the sole discretion of the Sheriff, Marshal, or Fire Department. The Fayette County Sheriff's, Marshal's, or Fire Department has the right to reject any request.
14. The applicant understands that, at all times, the public safety personnel have a primary obligation to Fayette County and in the event a situation should arise within the county consisting of an emergency or critical nature, determined at the sole discretion of the Fayette County Sheriff's, Marshal's, or Fire Department, the extra-duty employment personnel may be forced to terminate his/her extra-duty assignment.
15. The applicant understands that the extra-duty personnel are bound by departmental policies, rules, regulations, and standards of conduct while performing his/her duties. In addition, the applicant agrees not to provide the personnel with any gratuity or ask that the officer perform a function inconsistent with internal or external rules and regulations or enact that would compromise his or her ethics and integrity.
16. The applicant understands that the event must meet or exceed all applicable ordinances, codes, laws, and regulations including, but not limited to National Fire Prevention Association, Building, Plumbing, Electric, Land Development and County Codes. The County reserves the right to impose additional regulations if deemed necessary.
17. Events cancelled with less than 48 hours' notice will only be refunded 75% of their deposit. Reservation fees will not be refunded once the special event has been approved. If the event is cancelled due to inclement weather, it will be rescheduled based on facility availability.
18. Additional information and fees shall be required based on additional services requested. These include, but are not limited to the following: clean-up plan, sanitation plan, security plan, life safety plan, equipment delivery/pickup, directing traffic, utilities, insurance, field/landscaping preparation, inspections, etc.

INSURANCE REQUIREMENTS

Before the application can be accepted as complete, you will need proof of commercial general liability insurance or event insurance that names, as an additional insured, the Fayette County, 140 Stonewall Avenue West, Fayetteville, Georgia 30214," and any other public entities (e.g. County, volunteers, etc.) impacted by your event with waiver of subrogation in regards to workers compensation. Insurance coverage must be maintained for the duration of the event including setup and cleanup dates.

X **Insurance Requirement: \$1,000,000 Minimum**

APPLICANT'S AFFIDAVIT

I, applicant or authorized representative, have read and understand the contents of this application. The information contained in this application, attached exhibits and other information submitted, is complete and in all aspects true and correct, to the best of my knowledge. Knowingly providing false information will automatically void this application and cancel the event.

HOLD HARMLESS AGREEMENT

I, applicant or authorized representative, agree to indemnify, hold harmless, and defend the Fayette County, Georgia, against all liability and expenses, including reasonable attorney fees, arising out of claims in connection with this event.

Without limiting the generality of the foregoing, and all workmanship, actual or alleged infringement of any patent, trademark, copyright (or application for any thereof) or of any other violation of any applicable statute, ordinance, administrative order, rule or regulation, or decree of any court, shall be included in the indemnity hereunder. The applicant and/or organization further agrees to investigate, handle respond to, provide and/or defend any such claims, etc., at its sole expense and agrees to bear all other costs and expenses related thereto, even if it (claims, etc.) is groundless, false or fraudulent.

In any case in which such indemnification would violate any applicable legal prohibition, the foregoing provisions concerning indemnification shall not be construed to indemnify the County for damage arising out of bodily injury to persons or damage to property caused by or resulting from the sole negligence of the County or its employees.

This agreement shall be terminated by either party by providing written notice of its intent to terminate said relationship.

This permit may be cancelled by the Sheriff, Marshal, or Parks and Recreation Director at any time with or without cause.

MY SIGNATURE CONFIRMS THAT I HAVE READ AND UNDERSTAND THE PROVISIONS OF THIS APPLICATION AND WILL ACT IN FULL COMPLIANCE.

I, Steven Webster do certify that

APPLICANT NAME

I am Event Manager of Greater Atlanta Air Show LLC, and

TITLE OR POSITION

ENTITY or ORGANIZATION

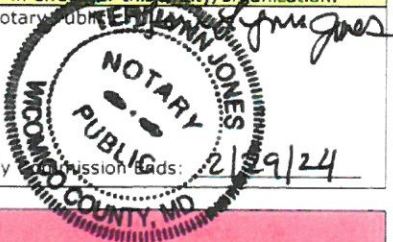
that I am authorized to sign this application and issue this hold harmless agreement, and that this hold harmless agreement is defined as an insured contract under a commercial general liability insurance policy currently in effect for this entity/organization.

Signature of Applicant or Authorized Representative

Date

Notary Public

Subscribed and sworn to before me this 30 day of June, 2023, who is personally known to me and/or produced drivers license as identification.



My Commission Ends: 2/29/24

Please submit application to:

**Anita Godbee, Director
Fayette County Parks & Recreation Department
140 Stonewall Avenue West
Fayetteville, Georgia 30214
agodbee@fayettecountyga.gov**

| ATLANTA AIR SHOW October 7-8, 2023 OPERATIONS TIMELINE | | |
|--|---|-------------------------------|
| | Saturday Sept 30 to Tuesday, Oct 10, 2023 | |
| KEY | Version #1 | |
| Saturday, Sept 30th | | |
| <u>TIME</u> | <u>Activity</u> | <u>Company</u> |
| 9am | Pickup of Hertz Supply truck in Melbourne FL | B Lilley Team |
| 9am-12pm | Loading of supply truck at MLB hanger, Melbourne FL | B Lilley Team |
| Tuesday Oct 3rd | | |
| <u>TIME</u> | <u>Activity</u> | <u>Company</u> |
| 9am-12pm | Truck and B Lilley Team arrive in Atlanta | B Lilley Team |
| Afternoon TBD | All Hands Good to Go meeting with Fire/Police/Airport/B Lilley Team | ALL |
| 1pm-5pm | Supplies offloaded at Falcon Field | B Lilley Team |
| Wednesday Oct 4th | | |
| <u>Time</u> | <u>Activity</u> | <u>Company</u> |
| TBD | Airport Closes Show Site Area; aircraft relocated from ramp tbd; Dixie Wing ramp? | Falcon Field Airport |
| 7am-5pm | B Lilley Team on site for unloading of traffic cones for parking lots (SANY, Eaton, others) and safety need of parked aircraft and eyelets | B Lilley Team |
| 7am-5pm | Fencing starts (NOTE: add in description of affected areas) | Fence Company & B Lilley Team |
| 7am-5pm | Golf Carts arrive/offload | Golf Cart Provider |
| 7am-12pm | Hospitality & Operations to start marking TENT & EXHIBITOR spaces. | B Lilley Team/ADC |
| 10am-12pm | Tent setup to start in VIP checkin and VIP Chalets area first proceeding as fencing is installed | Tent Company |
| 10am-12pm | Delivery and placement of dumpsters | Waste Company |
| 12pm | Port O Lets will be arriving for staging in various locations including parking lots | Port O Let Company |
| TBD | Radios will be delivered and setup for team in headquarters of operations onsite | B Lilley Team |
| Thursday Oct 5th | | |
| <u>Time</u> | <u>Activity</u> | <u>Company</u> |
| All Day/Overnight | Any security teams required in place | Skylar Security/Police |
| All Day | Planes arriving for tie down, safety cones around perimeter for static display TBD | Flight Operations |
| 7am | Tenting construction continues and load in of Tables and chairs. | Tent Company |
| All Day | Sound System will be arriving to start set up. They will be parking their Trailer at the show center point and will be starting to Unload. | In Concert Productions |
| 8am | Parking team to start construction of all needs in all parking lots. To include golf cart parking areas | Solutions Parking |
| 8am-5pm | Concessions will arrive and start to construct locations starting with the load in of their Main Vending Areas. Then moving in to secondary vending locations. These are food areas are operated by individual companies managed by Puff&Stuff Concessions. They will have multiple numbers of people in these condensed areas. | San Francisco Puffs N Stuff |
| 9am | Port-o-Lets . Zone 1 Hospitality areas. Regular and Handicap units will start to be loaded in to the GA part of show site. | Port O Let Company |
| 9am | Event Merchandise and Kid Zone team to load in. | Plane Things |
| 10am | Generators and cooling hardware to be placed starting in EMS area's and for VIP Restroom(Friday) and then in the Chalets & Food areas. | Generator Provider |
| 12pm | Fire extinguishers delivered for tents and aircraft needs | All Fire Safety |

| | | |
|-------------------------|---|-------------------------------|
| 12pm | Control barricades, cones, VTs signs and other various parking/directional signage staged outside of show site | B Lilley Team |
| 12pm | Team to drop Fire Extinguishers in locations where they are needed | B Lilley Team |
| 8am-5pm | Catering to arrive to setup for Flight Line Club areas | Catering Vendor |
| 6pm | Park closes for weekend dawn to dusk | Fayette County |
| Friday Oct 6th | | |
| <u>Time</u> | <u>Activity</u> | <u>Company</u> |
| All Day/Overnight | Any security teams required in place | Skylar Security/Police |
| All Day | Performers and aircraft arrive TBD/Static Display placement | Flight Operations |
| 8am | Parking team to finish construction of all needs in all parking lots. | Solutions Parking |
| 9am | Decoration Load-In to start for all hospitality. | B Lilley Team/Volunteer Corps |
| 8am-5pm | Optimal Load-In Times:All Exhibitors and Vendors | ALL |
| 9am | Ticketing Set Up | CTS |
| 9:30am-1pm | STEM Students to arrive at show site to be seated in Flight Line Club area TBD | B Lilley Team |
| 10am | Sound team will be setting up and testing systems | In Concert Productions |
| 12pm-4pm | TFR in effect | Flight Operations |
| 12pm-4pm | Directional parking signage outside show site placed | B Lilley Team |
| 12pm-4pm | Signage installation onsite and around perimeter roads as applicable | B Lilley Team |
| 12pm-4pm | Sponsor Banners Go Up | B Lilley Team |
| 12pm-4pm | Practice for show | Flight Operations |
| TBD | Parking leads and bus leads briefed by Solutions parking team | Solutions Parking |
| TBD | Security leads briefing | Skylar Security |
| 2pm | VIP Trailer arrives for Corporate Chalet Area | Port O Let Provider |
| 4pm | Final Code Inspection until gates open if needed. | FIRE/HEALTH INSPECTORS |
| 5pm | ALL LOAD-IN IS DONE | ALL |
| Saturday Oct 7th | | |
| Show Day | | |
| <u>Time</u> | <u>Activity</u> | <u>Company</u> |
| 6am | Cones and traffic control barricades placed | B Lilley Team |
| 7am | Golf cart crossing begins at J Cowman parkway and TDK | Police |
| 7am | Security Teams in place | Skylar Security |
| 7am | Fire/EMS in place | FIRE/EMS |
| 7am | Sound team will be setting up and testing systems | In Concert Productions |
| 7am | Any Road Closures/crossings in effect: Dividend drive closes to through traffic Saturday 5am between tdk blvd and falcon drive (and perhaps even further east if possible to aviation way ?). Dividend will be accessible only by golf carts , vip parking passes, show busses and special passes for airport personnel and local business Maintanance workers. This stretch of Dividend will be accessible only by golf carts with with pre purchases parking passes or buying them at the golf cart parking lots. Cars or golf carts with vip parking passes, show shuttle busses and cars with special passes for noah, airport personnel and local business Maintanance workers. | POLICE |
| 8am | Busses start in phases per separate schedule | Solutions Parking |
| 8am | Generators turned on at Box Office/Ticketing.Gas for GENERATORS FILL THE NIGHT BEFORE | CTS |
| 8am | Trash Pick Up team Arrives, Move around trash Rollers. | Waste Management company |
| 8am | Truck for Golf Cart Maintence arrives | Golf Cart Provider |
| 9am | Main Gate Opens | B Lilley Team |

| | | |
|-----------------------|--|--------------------------------------|
| 9am | VIP Trailer Unlocked | B Lilley Team |
| 10am | VIP areas open | B Lilley Team |
| 11:30am | Lunch Opens up in VIP areas. | B Lilley Team |
| 12pm-4pm | TFR in effect | Flight Operations |
| 12pm | Show Starts: | ALL |
| 3pm | VIP Services end. Beer Service Ends. Show Site to empty out. | |
| 4pm | Gates Close and Show Site Flip & Security Sweep | NASSF |
| TBD | Port-O-let/VIP trailer Cleaning | Port-O-Let company |
| TBD | Food, Beverage, Ice Truck Change out. | San Francisco Puffs N Stuff |
| TBD | Waste Management arrives through gate to change out dumpsters for the day | Waste Management company |
| Sunday Oct 8th | Show Day | |
| <u>Time</u> | <u>Activity</u> | <u>Company</u> |
| 7am | Security Teams in place | Skylar Security |
| 7am | Fire/EMS in place | FIRE/EMS |
| 7am | Sound team will be setting up and testing systems | In Concert Productions |
| 7am | Any Road Closures/crossings in effect | POLICE |
| 8am | Generators turned on at Box Office/Ticketing. Gas for GENERATORS FILL THE NIGHT BEFORE | CTS |
| 8am | Trash Pick Up team Arrives, Move around trash Rollers. | Waste Management company |
| 8am | Truck for Golf Cart Maintenance arrives | Golf Cart Provider |
| 9am | Main Gate Opens | B Lilley Team |
| 9am | VIP Trailer Unlocked | B Lilley Team |
| 10am | VIP areas open | B Lilley Team |
| 11:30am | Lunch Opens up in VIP areas. | B Lilley Team |
| 12pm-4pm | TFR in effect | Flight Operations |
| 12pm | Show Starts: | ALL |
| 3pm | VIP Services end. Beer Service Ends. Show Site to empty out. | |
| 3pm | Hospitality tear out (linens/centerpieces/fold up of tables/chairs) | B Lilley Team, Volunteer Corps |
| 4pm | Show Site Close and Clean Up HARD Security Sweep | Skylar Security/Police/B Lilley Team |
| 5pm-8pm | All exhibitors vacate site, Food vendors & merchandise Vendors to tear down | All |
| 5pm-8pm | Parking Lots to be cleared of all equipment. Signage removal and Cone pickup by B Lilley Team. | Solutions Parking/B Lilley Team |
| | | |
| Monday Oct 9th | | |
| <u>Time</u> | <u>Activity</u> | <u>Company</u> |
| 6am | Trash & Port-o-lets to be removed. Can stage out in the parking lot if extra time is needed. | Waste/Port O Let Companies |
| 7am | West to East and then remaining Tents to come down | Tent Company |
| 7am | Concessions to clear site | San Francisco Puffs N Stuff |
| 9am | Radios packed for shipping | B Lilley Team |
| 11am | 30 yard Trash receptacles and totters to be picked up. | Waste Management |
| 7am-12pm | Fencing Coming Down | Fence Company; B Lilley Team |
| 12pm | Truck is loaded and Departs | B Lilley Team |
| TBD | Final ALL Clear of show site | B Lilley Team |

Atlanta Air Show 2023

Non-Law Enforcement Security Plan

Location: Atlanta Regional Airport/Falcon Field

Operational Periods:

- Saturday October 7, 2023 0730-1600
- Sunday October 8, 2023 0730-1600

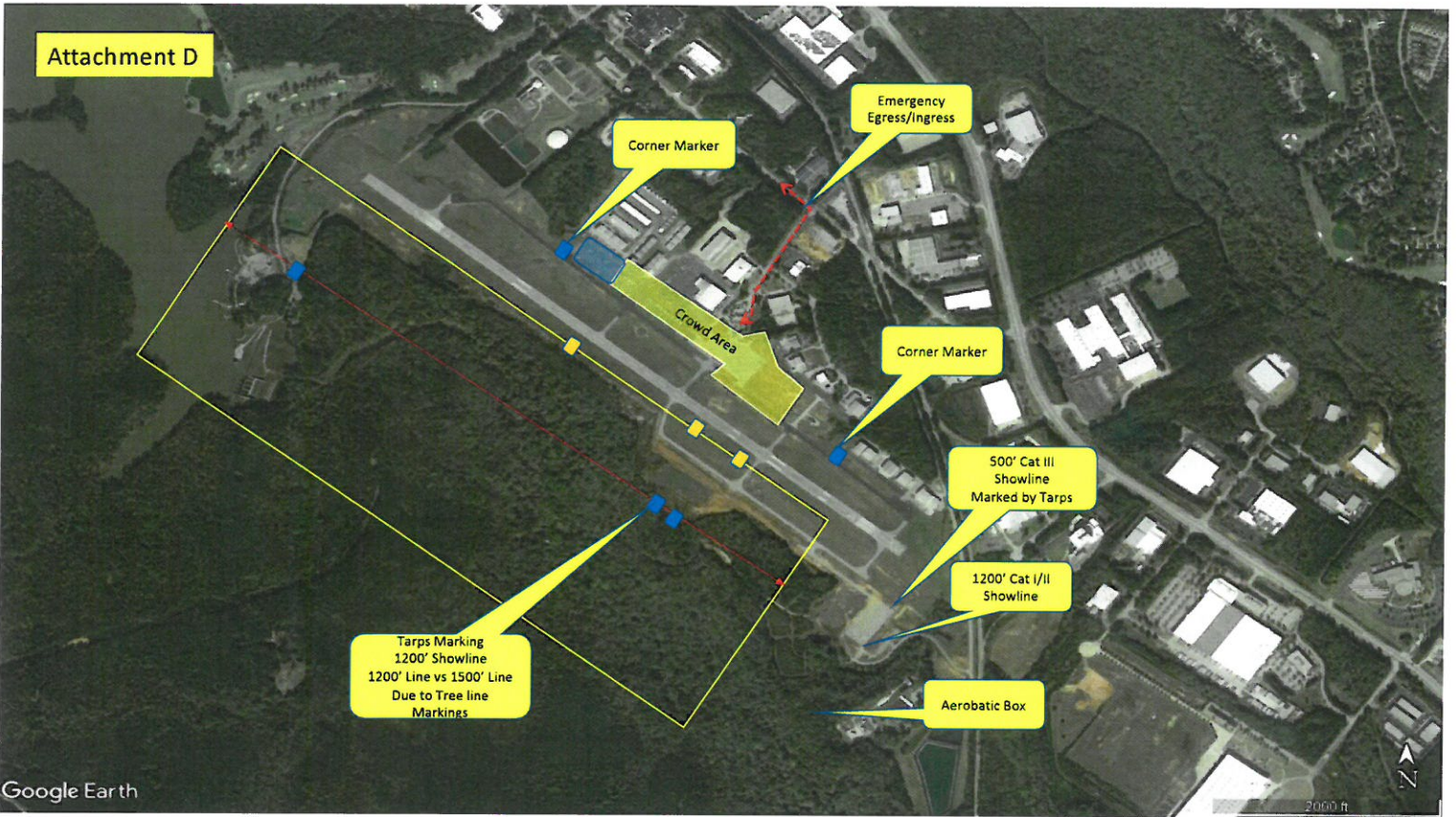
Private Security will be contracted and provided by Skylar Security and will be managed by the Emergency Services Lead for B. Lilley Productions, the producers of the Atlanta Air Show.

Skylar Security will provide onsite crowd management services to include:

- Bag Checks at designated event entry locations.
- Spectator ingress control to ensure orderly ingress to the event viewing areas
- Spectator egress control to ensure timely egress from the show site after the event is concluded
- Spectator egress control in coordination with law enforcement in event of an emergency, or weather event involving rapid, controlled evacuation of the show site as determined by the Incident Commander, Air Boss, and the air show production company representative.
- Event perimeter security on the airfield to prevent spectators from entering unauthorized areas and to prevent spectators from entering any flight operation areas as designated by the Airport Authority and the FAA.
- Other non-law enforcement security services as requested by the event management team.
- All security members will be outfitted with two-way radio communications with direct contact to a supervisor and the event Emergency Management Lead.
- If a situation arises that requires a law enforcement representative, Skylar will request an officer via two-way communication with the security supervisor and Emergency Services Lead.
- The Emergency Management Lead will be in direct contact with Incident Command and Air Boss for the duration of the event either face to face or via two-way radio and will relay any important information between the security supervisor and incident command.
- **Due to the configuration of the air show performance "box", Lake McIntosh and Lake McIntosh Park must be closed and monitored by law enforcement during all practice and performance periods.**

Contact Information:

- Skylar Security
Jamine Moton
P.O. Box 1444
Jonesboro, GA 30237
678-878-7263
Jamine.moton@skylarsecurity.com
- B. Lilley Productions
Scott Gaenicke, Emergency Services Lead
P.O. Box 360857
Melbourne, FL 32936
321-302-6287 cell
scottgaenicke@gmail.com



COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Approval of the Chairman to sign the Equitable Sharing Agreement and Annual Certification as required by the U.S. Department of Justice and the U.S. Department of Treasury.

Background/History/Details:

The Fayette County Sheriff's Office is required annually by the U.S. Department of Justice and the U.S. Department of the Treasury to submit an Equitable Sharing Agreement and Certification. The Certification is a breakdown of the total monies received from the U.S. Department of Justice and the U.S. Department of the Treasury and an accounting of how the monies were spent for the purpose of law enforcement enhancement.

What action are you seeking from the Board of Commissioners?

Approval of the Chairman to sign the Equitable Sharing Agreement and Annual Certification as required by the U.S. Department of Justice and the U.S. Department of Treasury.

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:



Equitable Sharing Agreement and Certification



NCIC/ORI/Tracking Number: GA0560000
Agency Name: Fayette County Sheriff's Office
Mailing Address: 155 Johnson Avenue
 Fayetteville, GA 30214

Type: Sheriff's Office

Agency Finance Contact

Name: Walker, Michelle
Phone: 770-716-4753
Email: mwalker@fayettecountyga.gov

Jurisdiction Finance Contact

Name: Weinmann, Sheryl
Phone: 770-305-5186
Email: sweinmann@fayettecountyga.gov

ESAC Preparer

Name: Norton, Cindy
Phone: 770-716-4754
Email: cnorton@fayettecountyga.gov

FY End Date: 06/30/2023

Agency FY 2024 Budget: \$25,077,299.00

Annual Certification Report

Summary of Equitable Sharing Activity

Justice Funds ¹

Treasury Funds ²

| 1 | Beginning Equitable Sharing Fund Balance | \$248,199.69 | \$40,720.25 |
|---|--|--------------|-------------|
| 2 | Equitable Sharing Funds Received | \$45,507.38 | \$52,065.59 |
| 3 | Equitable Sharing Funds Received from Other Law Enforcement Agencies and Task Force | \$0.00 | \$0.00 |
| 4 | Other Income | \$466.66 | \$720.00 |
| 5 | Interest Income | \$825.80 | \$33.07 |
| 6 | Total Equitable Sharing Funds Received (total of lines 2-5) | \$46,799.84 | \$52,818.66 |
| 7 | Equitable Sharing Funds Spent (total of lines a - n) | \$174,402.99 | \$51,680.15 |
| 8 | Ending Equitable Sharing Funds Balance (difference between line 7 and the sum of lines 1 and 6) | \$120,596.54 | \$41,858.76 |

¹Department of Justice Asset Forfeiture Program Investigative Agency participants are: FBI, DEA, ATF, USPIA, USDA, DCIS, DSS, and FDA

²Department of the Treasury Asset Forfeiture Program participants are: IRS-CI, ICE, CBP and USSS.

Summary of Shared Funds Spent

Justice Funds

Treasury Funds

| a | Law Enforcement Operations and Investigations | \$0.00 | \$0.00 |
|---|--|---------------------|--------------------|
| b | Training and Education | \$26,830.00 | \$3,629.00 |
| c | Law Enforcement, Public Safety, and Detention Facilities | \$0.00 | \$0.00 |
| d | Law Enforcement Equipment | \$107,711.92 | \$36,500.00 |
| e | Joint Law Enforcement/Public Safety Equipment and Operations | \$0.00 | \$0.00 |
| f | Contracts for Services | \$0.00 | \$0.00 |
| g | Law Enforcement Travel and Per Diem | \$39,861.07 | \$11,551.15 |
| h | Law Enforcement Awards and Memorials | \$0.00 | \$0.00 |
| i | Drug, Gang, and Other Education or Awareness Programs | \$0.00 | \$0.00 |
| j | Matching Grants | \$0.00 | \$0.00 |
| k | Transfers to Other Participating Law Enforcement Agencies | \$0.00 | \$0.00 |
| l | Support of Community-Based Programs | \$0.00 | \$0.00 |
| m | Non-Categorized Expenditures | \$0.00 | \$0.00 |
| n | Salaries | \$0.00 | \$0.00 |
| | Total | \$174,402.99 | \$51,680.15 |

Equitable Sharing Funds Received From Other Agencies

| Transferring Agency Name | Justice Funds | Treasury Funds |
|--------------------------|---------------|----------------|
| | | |

Other Income

| Other Income Type | Justice Funds | Treasury Funds |
|-------------------|---------------|----------------|
| Adjustment | \$1.66 | |
| Sale Proceeds | \$465.00 | \$720.00 |

Matching Grants

| Matching Grant Name | Justice Funds | Treasury Funds |
|---------------------|---------------|----------------|
| | | |

Transfers to Other Participating Law Enforcement Agencies

| Receiving Agency Name | Justice Funds | Treasury Funds |
|-----------------------|---------------|----------------|
| | | |

Support of Community-Based Programs

| Recipient | Justice Funds | |
|-----------|---------------|--|
| | | |

Non-Categorized Expenditures

| Description | Justice Funds | Treasury Funds |
|-------------|---------------|----------------|
| | | |

Salaries

| Salary Type | Justice Funds | Treasury Funds |
|-------------|---------------|----------------|
| | | |

Paperwork Reduction Act Notice

Under the Paperwork Reduction Act, a person is not required to respond to a collection of information unless it displays a valid OMB control number. We try to create accurate and easily understood forms that impose the least possible burden on you to complete. The estimated average time to complete this form is 30 minutes. If you have comments regarding the accuracy of this estimate, or suggestions for making this form simpler, please write to the Money Laundering and Asset Recovery Section at 1400 New York Avenue, N.W., Washington, DC 20005.

Privacy Act Notice

The Department of Justice is collecting this information for the purpose of reviewing your equitable sharing expenditures. Providing this information is voluntary; however, the information is necessary for your agency to maintain Program compliance. Information collected is covered by Department of Justice System of Records Notice, 71 Fed. Reg. 29170 (May 19, 2006), JMD-022 Department of Justice Consolidated Asset Tracking System (CATS). This information may be disclosed to contractors when necessary to accomplish an agency function, to law enforcement when there is a violation or potential violation of law, or in accordance with other published routine uses. For a complete list of routine uses, see the System of Records Notice as amended by subsequent publications.

Single Audit Information**Independent Auditor****Name:****Company:** Nichols, Cauley & Associates**Phone:** 478-275-1163**Email:**

Page 17 of 23
Were equitable sharing expenditures included on the Schedule of Expenditures of Federal Awards (SEFA) for the jurisdiction's Single Audit for the prior fiscal year? If the jurisdiction did not meet the threshold to have a Single Audit performed, select Threshold Not Met.

YES NO THRESHOLD NOT MET

Prior Year Single Audit Number Assigned by Federal Audit Clearinghouse: 967772

Under penalty of perjury, the undersigned officials certify that they have read and understand their obligations under the *Guide to Equitable Sharing for State, Local, and Tribal Law Enforcement Agencies (Guide)* and all subsequent updates, this Equitable Sharing Agreement, and the applicable sections of the Code of Federal Regulations. The undersigned officials certify that the information submitted on the Equitable Sharing Agreement and Certification form (ESAC) is an accurate accounting of funds received and spent by the Agency.

The undersigned certify that the Agency is in compliance with the applicable nondiscrimination requirements of the following laws and their Department of Justice implementing regulations: Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*), Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 *et seq.*), Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794), and the Age Discrimination Act of 1975 (42 U.S.C. § 6101 *et seq.*), which prohibit discrimination on the basis of race, color, national origin, disability, or age in any federally assisted program or activity, or on the basis of sex in any federally assisted education program or activity. The Agency agrees that it will comply with all federal statutes and regulations permitting federal investigators access to records and any other sources of information as may be necessary to determine compliance with civil rights and other applicable statutes and regulations.

Equitable Sharing Agreement

This Federal Equitable Sharing Agreement, entered into among (1) the Federal Government, (2) the Agency, and (3) the Agency's governing body, sets forth the requirements for participation in the federal Equitable Sharing Program and the restrictions upon the use of federally forfeited funds, property, and any interest earned thereon, which are equitably shared with participating law enforcement agencies. By submitting this form, the Agency agrees that it will be bound by the *Guide* and all subsequent updates, this Equitable Sharing Agreement, and the applicable sections of the Code of Federal Regulations. Submission of the ESAC is a prerequisite to receiving any funds or property through the Equitable Sharing Program.

1. Submission. The ESAC must be signed and electronically submitted within two months of the end of the Agency's fiscal year. Electronic submission constitutes submission to the Department of Justice and the Department of the Treasury.

2. Signatories. The ESAC must be signed by the head of the Agency and the head of the governing body. Examples of Agency heads include police chief, sheriff, director, commissioner, superintendent, administrator, county attorney, district attorney, prosecuting attorney, state attorney, commonwealth attorney, and attorney general. The governing body head is the head of the agency that appropriates funding to the Agency. Examples of governing body heads include city manager, mayor, city council chairperson, county executive, county council chairperson, administrator, commissioner, and governor. The governing body head cannot be an official or employee of the Agency and must be from a separate entity.

3. Uses. Shared assets must be used for law enforcement purposes in accordance with the *Guide* and all subsequent updates, this Equitable Sharing Agreement, and the applicable sections of the Code of Federal Regulations.

4. Transfers. Before the Agency transfers funds to other state or local law enforcement agencies, it must obtain written approval from the Department of Justice or Department of the Treasury. Transfers of tangible property are not permitted. Agencies that transfer or receive equitable sharing funds must perform sub-recipient monitoring in accordance with the Code of Federal Regulations.

5. Internal Controls. The Agency agrees to account separately for federal equitable sharing funds received from the Department of Justice and the Department of the Treasury, funds from state and local forfeitures, joint law enforcement operations funds, and any other sources must not be commingled with federal equitable sharing funds.

The Agency certifies that equitable sharing funds are maintained by its jurisdiction and the funds are administered in the same manner as the jurisdiction's appropriated or general funds. The Agency further certifies that the funds are subject to the standard accounting requirements and practices employed by the Agency's jurisdiction in accordance with the requirements set forth in the *Guide*, any subsequent updates, and the Code of Federal Regulations, including the requirement to maintain relevant documents and records for five years.

The misuse or misapplication of equitably shared funds or assets or supplantation of existing resources with shared funds or assets is prohibited. The Agency must follow its jurisdiction's procurement policies when expending equitably shared funds. Failure to comply with any provision of the *Guide*, any subsequent updates, and the Code of Federal Regulations may subject the Agency to sanctions.

6. Single Audit Report and Other Reviews. Audits shall be conducted as provided by the Single Audit Act Amendments of 1996 and OMB Uniform Administrative Requirements, Costs Principles, and Audit Requirements for Federal Awards. The Agency must report its equitable sharing expenditures on the jurisdiction's Schedule of Expenditures of Federal Awards (SEFA) under Assistance Listing Number 16.922 for Department of Justice and 21.016 for Department of the Treasury. The

7. Freedom of Information Act (FOIA). Information provided in this Document is subject to the FOIA requirements of the Department of Justice and the Department of the Treasury. Agencies must follow local release of information policies.

8. Waste, Fraud, or Abuse. An Agency or governing body is required to immediately notify the Department of Justice's Money Laundering and Asset Recovery Section and the Department of the Treasury's Executive Office for Asset Forfeiture of any allegations or theft, fraud, waste, or abuse involving federal equitable sharing funds.

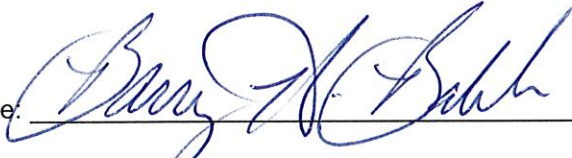
Civil Rights Cases

During the past fiscal year: (1) has any court or administrative agency issued any finding, judgment, or determination that the Agency discriminated against any person or group in violation of any of the federal civil rights statutes listed above; or (2) has the Agency entered into any settlement agreement with respect to any complaint filed with a court or administrative agency alleging that the Agency discriminated against any person or group in violation of any of the federal civil rights statutes listed above?

Yes No

Agency Head

Name: Babb, Barry H.
Title: Sheriff, Fayette County, GA
Email: bbabb@fayettecountyga.gov

Signature:  Date: 7/28/2023

To the best of my knowledge and belief, the information provided on this ESAC is true and accurate and has been reviewed and authorized by the Law Enforcement Agency Head whose name appears above. Entry of the Agency Head name above indicates his/her agreement to abide by the Guide, any subsequent updates, and the Code of Federal Regulations, including ensuring permissibility of expenditures and following all required procurement policies and procedures.

Governing Body Head

Name: Hearn, Lee
Title: Chairman, Fayette County BOC
Email: Lhearn@fayettecountyga.gov

Signature: _____ Date: _____

To the best of my knowledge and belief, the Agency's current fiscal year budget reported on this ESAC is true and accurate and the Governing Body Head whose name appears above certifies that the agency's budget has not been supplanted as a result of receiving equitable sharing funds. Entry of the Governing Body Head name above indicates his/her agreement to abide by the policies and procedures set forth in the Guide, any subsequent updates, and the Code of Federal Regulations.

I certify that I have obtained approval from and I am authorized to submit this form on behalf of the Agency Head and the Governing Body Head.

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Request to purchase two (2) vehicles as replacement for vehicles that were deemed a total loss by insurance companies.

Background/History/Details:

The Sheriff's Office has been informed by Fleet Maintenance that two (2) Sheriff's Office vehicles have been declared a total loss through insurance and that the county has received settlements which should be used for the purchase of replacement vehicles.

The first vehicle, a 2020 Chevrolet Tahoe bearing VIN# 1GNLCDEC5LR180341 was totaled and a settlement of \$25,000.00 was received from Liberty Mutual and an additional \$12,249.00 was received from Crawford/AmGuard for a total settlement of \$37,249.00. The second vehicle, a 2018 Chevrolet Tahoe bearing VIN# 1GNLCDEC6JR126379 was totaled and a settlement of \$25,000.00 was received from Geico insurance.

We have conducted an inventory of emergency equipment which is salvageable from these two vehicles. Using this equipment, the total cost for replacement of each of these vehicles would be \$55,399.60. The vehicle is at a cost of \$46,563.60 and additional required emergency equipment would be at a cost of \$8,836.00 for the total of \$55,399.60.

In addition to the settlements received and the salvageable equipment, the Sheriff's Office is requesting funding of \$48,550.20.

What action are you seeking from the Board of Commissioners?

Approval for purchase of two replacement vehicles.

If this item requires funding, please describe:

Funding within the Vehicle Replacement program of \$48,550.20 (in addition to settlements already received) for the purchase of two (2) vehicles which would replace totaled vehicles.

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:

CLAIM OFFICE ADDRESS:
P.O. BOX 1525
DOVER, NH 03821-1525



| | | |
|----------------|------------------------------|------------------------|
| B. CODE 404 | CHECK REFERENCE 57643409 | CHECK DATE 01/11/23 |
| | CHECK AMOUNT MM\$25000.00 | BLOCK NUMBER 000804 |

CONTACT: BROOKS, EMILY
PHONE: 1-800-2CLAIMS

ACCIDENT DATE: 07/31/22

PAGE 1 OF 1
U/W CO: THE FIRST LIBERTY INSURANCE CORPORATION
OSN: VV0101011101-001393
CLAIM NUMBER: 050361738-0002
POLICY NUMBER: A06-251-275950-802
INSURED OPERATOR:

INSURED NAME: BROWN, TERRY

LATMANT NAME: FAYETTE COUNTY BOARD OF COMMISS

| COVERAGE | INVOICE NO | DATES OF SERVICE | CHARGES | PAYD AMT | ADJUSTMENTS |
|--|------------|------------------|----------------------------|----------|-------------|
| LIABILITY PROPERTY DAMAGE | | | 25000.00 | 25000.00 | |
| PAYMENT TO: FAYETTE COUNTY BOARD OF COMMISSION | | | TOTAL CHARGE: | 25000.00 | |
| | | | TOTAL PAID: | 25000.00 | |
| | | | TOTAL DEDUCTIBLE: | 0.00 | |
| | | | TOTAL FEDERAL WITHHOLDING: | 0.00 | |
| | | | CHECK AMOUNT: | 25000.00 | |

NOTES
ATTN: BILL LACKEY CLAIM # 4036964 (ID BOBBY SHORTER - DOL: 7/31/22)

JAN 17 '23 PM 3:28
REC'D FINANCE DEPT

PLEASE REFERENCE CLAIM NO AND SEND THIS EOP WITH ALL CORRESPONDENCE

CAREFULLY DETACH CHECK BEFORE DEPOSITING - RETAIN STATEMENT FOR YOUR RECORDS

VERIFY THE AUTHENTICITY OF THIS MULTI-TONE SECURITY DOCUMENT. CHECK BACKGROUND AREA CHANGES COLOR GRADUALLY FROM TOP TO BOTTOM.

VIS *000804*
LAKE MARY, FL
P.O. BOX 1525
DOVER, NH 03821-1525



51-44/119
BANK OF AMERICA
HARTFORD, CT

MM\$25000.00

*PAY*TWENTY*FIVE*THOUSAND*DOLLARS*NO*CENTS*

| OFFICE NO. | B. CODE | PAYMENT IDENTIFICATION | CHECK NUMBER | CHECK DATE |
|------------|---------|------------------------|--------------|------------|
| 0508 | 404 | CLAIM 050361738-0002 | 57643409 | 01/11/23 |

PAY MM\$25000.00

VOID IF NOT PRESENTED WITHIN 90 DAYS OF ISSUE DATE OF CHECK

PAY TO THE ORDER OF

FAYETTE COUNTY BOARD OF COMMISSION
115 MCDONOUGH RD
FAYETTEVILLE GA 30214-4324

Handwritten signature

⑈57643409⑈ ⑆011900445⑆ 002240072065⑈



Gm Global Tech Svcs
5335 Triangle Pkwy
Peachtree Corners, GA 30092-8500

Telephone: 404-300-1220
Fax: 404-300-1248

To: FAYETTE COUNTY BOARD
140 STONEWALL AVENUE WEST
FAYETTEVILLE, GA 30214

Trust Account: T36166 - GUARD Insurance Group
(American Public Risk Program)
Claim Number: 4036964
Insured Name: Fayette County Board Commissio
Loss Date: 07-31-2022
Type of Payment: PAYMENT
Check Number: 9160672840
Amount: \$12,249.00
Payee Name: Fayette County Board Commissioners
Type Of Loss: COMMERCIAL PROP
Check Date: 01-12-2023

Check Description: Payment for total loss of 2020 Chevrolet
Tahoe, VIN: 1GNLCDEC5LR180341

Stub Notes: Payment for total loss of 2020 Chevrolet Tahoe, VIN: 1GNLCDEC5LR180341

Claimant Name
Fayette County Board Commissioners

Reserve Code
UDM - Under Insured Motorist

Amount
12249.00

JAN 17 12:29 PM '23
REC'D FINANCE DEPT

VOID IF PINK BACKGROUND IS MISSING

Crawford

Bank of America
Atlanta, GA

GM GLOBAL TECH SVCS
5335 TRIANGLE PKWY
PEACHTREE CORNERS, GA 30092

GA 1278111 GA

9160672840

DATE: 01-12-2023


VOID AFTER 180 DAYS

AMOUNT
\$12,249.00

PAY TO THE ORDER OF

Twelve Thousand Two Hundred Forty-Nine Dollars And 00/100 Cents

Fayette County Board Commissioners
140 Stonewall Avenue West
Fayetteville, GA 30214



⑈9160672840⑈ ⑆061112788⑆ 335 949 0649⑈



Government Employees Insurance Company

One Geico Center
Macon, GA 31296-0001

5/18/2023

Fayette County
To Whom It May Concern
140 Stone Wall Ave W
Fayetteville, GA 30214

Company Name: Government Employees Insurance Company
Claim Number: 873507860 0000 003
Loss Date: Sunday, April 9, 2023
Policyholder: Michael Garner
Driver: Michael Garner jr

To Whom It May Concern,

Enclosed please find the Property Damage Release in the amount of \$25,000.00. This is for full and final settlement of any property damage claim including but not limited to vehicle damages, personal property damages, loss of use and any rental expenses. In order to resolve the claim and forward a check, the Release must contain a signature of the owner of the vehicle, an authorized representative of your company, if applicable, and any others having an interest in the property damage.

This is also to confirm that as a condition of this settlement, no other property damage, loss of use, or rental expense payments will be or have been expected, requested, solicited or compromised with our insured, our insured driver or any other person considered a named insured under the above claim. If this is not the case, please return the Release and call me to discuss how we will proceed with resolution of this matter.

If you have any further questions, please call me at the number listed below.

Sincerely,

Aunrie Bakon
478-744-5385
Claims Department

Encl: Property Damage Release, Return Envelope

PROPERTY DAMAGE RELEASE

CLAIM NO 873507860 0000 003

KNOW ALL MEN BY THESE PRESENTS

That the Undersigned being of lawful age for sole consideration of twenty-five thousand dollars and zero cents (\$25,000.00) to be paid to Fayette County Sheriff Department do/does hereby and for my/our/its heirs, executors, administrators, successors and assigns release, acquit and forever discharge Michael Garner, Michael Garner Jr. and his, her, their, or its agents, servants, successors, heirs, executors, administrators and all other persons, firms, corporations, associations or partnerships of and from any and all claims, actions, causes of action, demands, rights, damages, costs, loss of service, expenses and compensation whatsoever which the undersigned now has/have or which may hereafter accrue on account of or in any way growing out of any and all known and unknown, foreseen and unforeseen property damages and the consequences thereof resulting or to result from the occurrence on or about the 9th day of April, 2023 at or near Fayetteville, Ga.

It is understood and agreed that this settlement is the compromise of a doubtful and disputed claim and that the payment made is not to be construed as an admission of liability on the part of the party or parties hereby released and that said releaseses deny liability therefore and intend merely to avoid litigation and buy their peace.

The undersigned further declare(s) and represent(s) that no promise, inducement or agreement not herein expressed has been made to the undersigned and that this Release contains the entire agreement between the parties hereto and that the terms of this Release are contractual and not a mere recital.

The undersigned hereby acknowledge receipt of notice in writing as required by O.C.G.A. Section 33-7-12 that the party or parties hereby released have not consented and do not consent to this settlement and that said parties are not hereby precluded from the further assertion of claims against the undersigned or third parties.

THE UNDERSIGNED HAS READ THE FOREGOING RELEASE AND FULLY UNDERSTANDS IT

Signed, sealed, and delivered this 26th day of May 2023 CAUTION READ BEFORE SIGNING BELOW

Lee Hearn (Signature) LS Releasor

James Smith - County Clerk (Signature) LS Witness



STATE OF Georgia COUNTY OF Fayette

On the 26th day of May 2023 before me personally appeared Lee Hearn to be known to be the person(s) named herein and who executed the foregoing Release and he acknowledged to me that he voluntarily executed the same Term expires 6/27 2026

Jenny S. Mayson (Signature) Notary Public



Detailed Payment Summary

GOVERNMENT EMPLOYEES INSURANCE CO

Field Claim Center: 02 Southeast

NO. N 242981115

Date: 06/08/2023

ONE GEICO CENTER
MACON, GA 31296-0001

Claim #: 8735078600000003

Date of Loss: 04/09/2023

Claimant Name: Fayette County Board Of Com
Insured Name: Michael Garner
Tax ID / SS# /
Atty ADJ Code:
Adjuster Code: FAMY

Pay To:
Fayette County Board Of
Commissioners



Fayette County Board Of Commissioners
115 McDonough Rd
Fayetteville Ga 30214-4324

Total Amount:
\$***25,000.00

Payment Type:
LOSS

IP AND FEATURE AND AMOUNT

03 APD \$**25000.00

In Payment Of
Property Damage Coverage
ATTN: BILL LACKEY

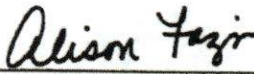
Visit geico.com

Now, parties involved in a GEICO claim can track the progress of the claim, view damage photos and more at geico.com! *GEICO policyholders can make a payment, change drivers or vehicles and request additional coverages.* Not insured with GEICO? 15 minutes could save you 15% or more on car insurance. Of course, we're also available for policy or claim service 24/7 at 1-800-841-3000.

* These online services are unavailable to Assigned Risk policyholders and Commercial policyholders.

clmschck

PLEASE DETACH AND KEEP FOR YOUR RECORDS

| | | | |
|---|--|--|---|
| GOVERNMENT EMPLOYEES INSURANCE CO ONE GEICO CENTER MACON, GA 31296-0001 | Bank of America South Portland, ME 04106 | 52-153 112 ME | NO. N 242981115 |
| Claimant: Fayette County Board Of Com Insured Name: Michael Garner | Claim Number: 8735078600000003 In Payment of: Property Damage Coverage ATTN: BILL LACKEY | | VOID AFTER 180 DAYS Date: 06/08/2023 |
| Feature Symbol & Amount APD \$**25000.00 | | | Amount: \$***25,000.00 |
| **TWENTY-FIVE-THOUSAND*AND*00/100*DOLLARS***** | | | |
| Pay to the Order of: FAYETTE COUNTY BOARD OF COMMISSIONERS | | Mail To: Fayette County Board Of Commissioners 115 McDonough Rd Fayetteville Ga 30214-4324 | |
| | |  Authorized Signer | |

⑈ 24 298 1 1 1 5 ⑈ ⑆ 0 1 1 20 1 5 3 9 ⑆ 2 2 200 7 9 6 0 7 ⑈

40002173507860000003001172

1015376493 00001075 00000001/00000001 00001172/00010000

Hardy Chevrolet

| | | | |
|--|-----------------------------|------------|--------------------|
| 2024 Chevrolet Tahoe Pursuit Std. | | | |
| Equipment: V8, Auto, A/C, AM/FM/BT, Power windows, locks, mirrors, power drivers seat, cloth bucket w/no console, vinyl rear seat, tilt steering wheel, cruise control, remote keyless entry, vinyl floor covering, rear view camera, aux.battery | | | \$45,042.40 |
| Available options: | place "x" if desired | | |
| Admin pkg, (Aluminum wheels, Carpet, Bucket Seats, Remote Start) | | \$1,140.00 | |
| Inoperable inside door handle, windows | x | \$206.00 | \$206.00 |
| Red/White front aux. dome light | x | \$214.80 | \$214.80 |
| 4 x 4 Drive train (5W4 Special Service) | | \$2,969.00 | |
| 4 x 4 Drive trian (Pursut) | | \$3,606.00 | |
| 6 extra key fobs / keys | x | \$130.80 | \$130.80 |
| Spotlamp (non LED) | | \$408.00 | |
| Spotlamp LED | x | \$738.00 | \$738.00 |
| Carpet flooring w / mats (included w/admin) | | \$173.00 | |
| Grill lamp & Siren speaker wiring | x | \$231.60 | \$231.60 |
| Delivery | | \$150.00 | |
| Ext Color: Siren Red _____ extra charge | | \$500.00 | |
| Black _____ White _____ | | | |
| Silver Ice _____ Satin Steel _____ | | | |
| Perrerdust _____ | | | |
| Blue Velvet _____ Shadow Gray _____ | | | |
| Total per unit | | | \$46,563.60 |
| Number of units | | | |
| Total purchase order | | | |

SWC 40199-409

jlizano@hardyautomotive.com

phone 770-445-9411x198 fax 770-445-9659



455 Merrydale Dr
 Fayetteville, GA 30215
 policecarman@gmail.com
 www.seenandheardelectronics.com

ADDRESS

Capt. Troy McCollum
 Fayette SO
 Fayette County Sheriff's Dept.
 155 Johnson Ave.
 Fayetteville, Ga. 30214

Estimate 1822**DATE 07/26/2023**

| ACTIVITY | DESCRIPTION | QTY | RATE | AMOUNT |
|--|--|-----|--------|---------|
| | 2023 TAHOE PPV (REGULAR Deputy build) Wreck Replacement from previous body style Tahoe. | | | 0.00 |
| JOT-425-6678 (2021+) Chevy Tahoe w/Brother Contour Console Wide w/Storage | JOT-425-6678 (2021+) Chevy Tahoe w/Brother Contour Wide Body Console w/Storage | 1 | 695.00 | 695.00T |
| JOT-425-6164 x2 USB x2 Cig - 2in Faceplate | JOT-425-6164 Jotto USB x 2 & 12V Power Outlets x2 in 2" Faceplate | 1 | 99.00 | 99.00T |
| JOT-425-6205 External cup holder | JOTTO-425-6205 EXTERNAL DUAL CUP HOLDER | 1 | 67.00 | 67.00T |
| JOT-425-0029 Armrest, Tall - Rear Mounted | JOT-425-0029 Jotto Armrest, Tall - Rear Mounted | 1 | 94.00 | 94.00T |
| JOT-425-0150/4138 Mamba Mount w/A-MOD Crdl | JOT 425-0150/4138 Jotto Desk Mamba Mount with A-MOD Laptop Computer cradle (NEW - Will allow a little more leg room for FTO) | 1 | 659.00 | 659.00T |
| JOT-425-6728 SoundOff 500 Self Cont 4" Faceplate | JOT-425-6728 SoundOff Signal 500 Series (Console) - 4" Faceplate | 1 | 0.00 | 0.00T |
| JOT-425-6304 Jotto Faceplate for Kenwood Viking | JOT-425-6304 Jotto Faceplate for Kenwood Viking | 1 | 0.00 | 0.00T |

| ACTIVITY | DESCRIPTION | QTY | RATE | AMOUNT |
|---|---|-----|----------|-----------|
| SAM-450INVERTER | SAM-450INVERTER SAMLEX 450 PK MODIFIED SINE WAVE INVERTER | 1 | 89.00 | 89.00T |
| Misc. Parts | Whelen legacy light bar from wrecked vehicle | 1 | 0.00 | 0.00T |
| Misc. Parts | Legacy light bar mounting feet and clamp kit for 2021 body Tahoe | 1 | 80.00 | 80.00T |
| Misc. Parts | Rocker lights from wrecked vehicle | 2 | 0.00 | 0.00T |
| Misc. Parts | PIT bumper lights and rear hatch lights from wrecked vehicle | 6 | 0.00 | 0.00T |
| Misc. Parts | Side Mirror Lights from wrecked vehicle | 1 | 0.00 | 0.00T |
| Misc. Parts | Rear Window Light Bar from wrecked vehicle | 1 | 0.00 | 0.00T |
| Misc. Parts | Setina push bumper w/Whelen cuttouts in top tube | 1 | 495.00 | 495.00T |
| Misc. Parts | Setina PIT and Headlight guards | 1 | 590.00 | 590.00T |
| Misc. Parts | Light controls / Siren and speakers from wrecked car | 1 | 0.00 | 0.00T |
| Misc. Parts | Whelen howler low frequency siren from wrecked vehicle | 1 | 0.00 | 0.00T |
| WHE-HWLRB23 Howler dual speaker bracket kit for 2021 Tahoe | WHE-HWLRB23 Howler dual speaker bracket kit for 2021 Tahoe | 1 | 96.00 | 96.00T |
| STR-75456 SLI STINGER DS HL W/12VDC CHGR (NMH BATTERY) | STR-75456 SLI STINGER DS HL W/12VDC CHGR (NMH BATTERY) From Wrecked Vehicle | 2 | 0.00 | 0.00T |
| SET-QK2023TAH21 SMC #12 EXPANDED METAL Cargo Partition W/ SEAT Full REPLACEMENT Transport SeatTPO PlasticWith Center Pull Seat Belts | SET- QK2023TAH21 SMC #12 EXPANDED METAL Cargo Partition W/ SEAT Full REPLACEMENT Transport SeatTPO PlasticWith Center Pull Seat Belts | 1 | 1,349.00 | 1,349.00T |
| SET-PK0355TAH21 SMC #10 RP COATED POLY PARTITION 2021 Chevy Tahoe PPV | SET-PK0355TAH21 SMC #10 RP COATED POLY PARTITION 2021 Chevy Tahoe PPV | 1 | 769.00 | 769.00T |
| Misc. Parts | Setina cargo box install kit for 2021 Tahoe w/cargo barrier | 1 | 140.00 | 140.00T |
| SET-WK0514TAH21H SETINA REAR WINDOW BARS 2021 Tahoe | SET-WK0514TAH21H SETINA REAR WINDOW BARS 2021 Tahoe | 1 | 269.00 | 269.00T |
| SET-GK1409E BLAC RAC Rifle retention lock (no extrusion) | Gun Lock from Wrecked Vehicle | 1 | 0.00 | 0.00T |
| Misc. Parts | Misc. Installation Supplies | 1 | 145.00 | 145.00T |

| ACTIVITY | DESCRIPTION | QTY | RATE | AMOUNT |
|----------------|--|-----|----------|----------|
| Misc. Parts | Freight | 1 | 750.00 | 750.00T |
| L2-Labor Hours | Technical Labor (2 Technicians) Installation of all above listed components with the addition of 2 customer supplied two-way radios and customer supplied Watch Guard 4RE w/Vista and WiFi offload video system. | 1 | 2,450.00 | 2,450.00 |

| | |
|--------------|-------------------|
| SUBTOTAL | 8,836.00 |
| TAX | 0.00 |
| TOTAL | \$8,836.00 |

Accepted By

Accepted Date

BOARD OF COUNTY COMMISSIONERS

Lee Hearn, Chairman
 Edward Gibbons, Vice Chairman
 Eric K. Maxwell
 Charles W. Oddo
 Charles D. Rousseau

**FAYETTE COUNTY, GEORGIA**

Steve Rapson, County Administrator
 Dennis A. Davenport, County Attorney
 Tameca P. Smith, County Clerk
 Marlena Edwards, Chief Deputy County Clerk

140 Stonewall Avenue West
 Public Meeting Room
 Fayetteville, GA 30214

MINUTES

July 27, 2023

5:00 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 5:00 p.m.

Call to Order

Chairman Lee Hearn called the July 27, 2023 Board of Commissioners meeting to order at 5:00 p.m. A quorum of the Board was present.

Invocation and Pledge of Allegiance by Commissioner Eric Maxwell

Vice Chairman Edward Gibbons offered the invocation and led the audience in the Pledge of Allegiance.

Acceptance of Agenda

Commissioner Charles Oddo moved to approve the agenda as written. Vice Chairman Gibbons seconded. The motion passed 5-0.

PROCLAMATION/RECOGNITION:**PUBLIC HEARING:**

Planning and Zoning Director Debbie Bell read the Introduction to Public Hearings.

- 1. Consideration of Ordinance 2023-06 to amend Fayette County Ordinance; Chapter 110. Zoning, Article V. Conditional Uses, Nonconformances, and Transportation Corridor Overlay Zone, to add Sec. 110-175 - Special use of property, to provide procedures for special use of property.**

Planning and Zoning Director, Deborah Bell, advised the Board that the red-lined version showing the amendments was the final page of the agenda package for this item. She continued stating that this request was providing for the procedure called, "special use of property" and was step one of the following three agenda items.

Chairman Hearn asked for a summary of the intent of this revision.

Fayette County Attorney Dennis Davenport stated that this request stemmed from an issue that developed from a combination of a need for regulation at the local level, via a county ordinance, as well as language existing in state law that provided additional regulations. This series of ordinance would accomplish several things. It would identify the use of the subsequent ordinance, then identify the actual zoning district where that use was allowed. He noted that there would be an application process, which was the final piece of the puzzle, all of which was absent from the current ordinance. He added that the following series of public hearings and language would be added to the zoning ordinance allowing the county to move forward in the process.

No one spoke in favor or opposition.

Vice Chairman Gibbons moved to approve Ordinance 2023-06 to amend Fayette County Ordinance; Chapter 110. Zoning, Article V. Conditional Uses, Nonconformances, and Transportation Corridor Overlay Zone, to add Sec. 110-175 - Special use of property, to provide procedures for special use of property. Commissioner Oddo seconded.

Chairman Hearn asked how this application process would work as it related to a car show request.

Ms. Bell stated that this application process was different from the special events ordinance, which was still being developed. This request was specific to the "special use of property". She acknowledged that the two ordinances did coincide and were muddled but were two separate ordinances.

Chairman Hearn asked where this ordinance would be applied.

Ms. Bell explained that this request was initiated from a request by Adam Kaye to operate a substance abuse detox facility and at the time of that request, this type of use was not included in the County ordinance. With that in mind, a substance abuse detox facility was subject to state zoning procedure law. These laws outlined how local governments must conduct certain activities including zoning procedures.

County Administrator Steve Rapson reiterated the step-by-step process of amending and updating the County ordinances via state law to add the ability to operate a drug treatment facility within the county.

Gibbons moved to approve Ordinance 2023-06 to amend Fayette County Ordinance; Chapter 110. Zoning, Article V. Conditional Uses, Nonconformances, and Transportation Corridor Overlay Zone, to add Sec. 110-175 - Special use of property, to provide procedures for special use of property. Oddo seconded. The motion passed 5-0.

2. Consideration of Ordinance 2023-07 to amend Fayette County Ordinance; Chapter 110. Zoning; Article V. Conditional Uses, Nonconformances, and Transportation Corridor Overlay Zone; Sec. 110-175 - Special use of property, to add Drug abuse treatment facility as a special use of property.

Ms. Bell stated that this request built on the previous ordinance approval and would add drug abuse treatment facility as a special use of property. This ordinance would define where it was allowed with outlined conditions, similar to the way a conditional use permit operated. She stated that it was proposed that this be allowed in the O-I zoning district. Ms. Bell stated that the conditions attached to this proposal were copied from the same conditional use permit text of "care homes" because it was a similar use, with the addition of a requirement for a fence and some specific state requirements related to licensing and public notices.

Rick Lindsey of Peachtree City stated that he was in favor of this request but asked that the Board consider amending the fencing condition. He asked if the fencing requirement could either be removed completely or at least lowered to a 4-ft. non-privacy fence.

No one spoke in opposition.

Commissioner Maxwell asked where the fence height requirement came from.

Ms. Bell stated that the height requirement was arbitrary.

Commissioner Maxwell asked Commissioner Charles Rousseau if it was his intent to require this type of fencing.

Commissioner Rousseau stated that from his recollection his comments regarding this fencing condition were specific to potential facilities that were adjacent to and/or abut residential property. He added that his primary concern was that if these facilities were

adjacent to residential property the fencing requirement would provide the Board with some leverage with those who may be in opposition to having these type facilities so close to their homes.

Commissioner Eric Maxwell asked if Commissioner Rousseau was “married” to the 8-ft height requirement for the fencing.

Commissioner Rousseau stated no, he was not married to the 8-ft height requirement. He noted that there was no specific height requirement mentioned in the initial discussion. As a point of clarification, Commissioner Rousseau asked Mr. Davenport, if approved with the condition, would it be set at 8-ft or could that be changed.

Mr. Davenport stated that if included in the ordinance as 8-ft., that requirement would be set.

Commissioner Rousseau stated that he was open to loosening the height restriction, however if the potential facility was adjacent to residential communities his preference was for a higher fence height requirement.

Commissioner Maxwell asked Mr. Lindsey what the zoning of the property on each side of the proposed facility location was.

Mr. Lindsey stated that on the eastside of the property was a church zoned R-40, which was residential. As outlined in the proposed ordinance the 8-ft fencing requirement went into effect if the adjacent property was zoned residential regardless of how it was being used. He stated that the western side of the property was City of Fayetteville property and zoned residential-professional, which he would assume was a residential type zoning as well. As a result, as it related to this property, about $\frac{3}{4}$ would be subject to the 8-ft privacy fencing requirement. He concluded that they did not want the facility to have a prison-like look and did not feel that was the goal of the Board either.

Commissioner Maxwell stated that from conversations with the Sheriff’s Office, he expressed the request not to use privacy fencing regardless of the height due to safety concerns. Commissioner Maxwell stated that he was against the privacy fence and would prefer a 4-ft decorative fence.

Commissioner Rousseau stated that although he did not want to create a stockade, nor a stigma associated with those who may utilize this facility, from his experience there was some benefit to residents who live nearby to not be able to see over and or into the facility grounds. He preferred the fence height be set at nothing lower than 6-ft. Commissioner Rousseau stated that although this discussion was in reference to a specific location, other facilities would crop up in the future and wanted the Board to be cautious of how this condition could affect other residents surrounding those facilities. He stated that he was open to a 6-ft fence height requirement but opposed to 4-ft fence.

Commissioner Oddo stated that in his opinion, the Board should be mindful of residence surrounding this proposed facility. He continued stating that residents may feel more confident with the 8-ft fencing as opposed the 4-ft fencing. Commissioner Oddo stated that he would much rather start the requirement higher and then lower it, if needed in the future. He noted that he did not want to delay the process, however he felt the 8-ft fence was more reasonable. He concluded that he was in support of the 8-ft fencing requirement and if he voted in opposition to the 6-ft fencing requirement, it did not mean he would vote against the final project.

Mr. Rapson reminded the Board that the approvals made tonight were establishing the confines of the ordinance. As a part of the process, there would be a state required second public hearing held in January 2024. So, although these conditions would be set in ordinance form, there would still be an opportunity to amend, if needed, before the final adoption.

Commissioner Maxwell asked if the property was posted for this current public hearing.

Ms. Bell stated, “yes it was”.

Commissioner Maxwell stated that to him, it was significant that no one came out to speak in opposition of this request.

Commissioner Maxwell moved to approve Ordinance 2023-07 to amend Fayette County Ordinance; Chapter 110. Zoning; Article V. Conditional Uses, Nonconformances, and Transportation Corridor Overlay Zone; Sec. 110-175 - Special use of property, to add Drug abuse treatment facility as a special use of property, with the approval of special conditions #1-#7, except #3; striking 8-ft. changing it to 4 -ft. and making it a decorative fence. Vice Chairman Gibbons seconded. The motion passed 3-2, with Commissioner Oddo and Commissioner Rousseau voting in opposition.

3. Consideration of Ordinance 2023-08 to amend Chapter 110. Zoning; Article V. Conditional Uses, Nonconformances, and Transportation Corridor Overlay Zone; Sec. 110-142. Office-Institutional., to add Drug abuse treatment facility as a special use of property in the O-I district.

Ms. Bell stated that this request built on the previous ordinance approval and would add drug abuse treatment facility as a special use of property in the Office Institutional (O-I) district.

No one spoke in favor or opposition.

Commissioner Oddo moved to approve Ordinance 2023-08 to amend Chapter 110. Zoning; Article V. Conditional Uses, Nonconformances, and Transportation Corridor Overlay Zone; Sec. 110-142. Office-Institutional., to add Drug abuse treatment facility as a special use of property in the O-I district. Vice Chairman Gibbons seconded. The motion passed 5-0

4. The first of two Public Hearings for the consideration of an application for a Special Use of Property at 1008 Hwy 54 W to operate a Drug Abuse Treatment Facility, in accordance with Sec. 110-175.

Ms. Bell stated that this request was the first of two Public Hearings for the consideration of an application for a Special Use of Property at 1008 Hwy 54 W to operate a Drug Abuse Treatment Facility, in accordance with Sec. 110-175. She continued that Mr. Adam Kaye inquired about this process in March officially filing a request in April to operate a drug abuse treatment facility as a special use of property in the O-I zoning district. Ms. Bell stated that both staff and the Planning Commission recommended approval. She advised the Board that the second public hearing would tentatively be held on January 25, 2024.

Adam Kaye stated that he knew the Board was familiar with the project and expressed his appreciation for the process thus far. Mr. Kaye stated that he was available if the Board had any questions.

No one spoke in opposition.

No vote taken.

PUBLIC COMMENT:

Jeff Longino of Fayetteville thanked the Board for the opportunity to provide input as well as approving a recent notice permit application. He expressed his concerns and frustration with the current noise permit language and enforcement. He asked for Board consideration to update this ordinance/process.

Chairman Hearn in response to Mr. Longino's comments acknowledged that the Board was working on revising the noise permit ordinance.

Rick Metter of Fayetteville also expressed his concern as it related to the noise permit ordinance, especially the decimal levels allowed with the ordinance. He asked the Board to consider and be mindful of all the uses that could contribute to high decimal levels.

CONSENT AGENDA:

Vice Chairman Gibbons moved to approve the Consent Agenda. Commissioner Oddo seconded. The motion passed 5-0.

5. Approval of the July 13, 2023 Board of Commissioners Meeting Minutes.

OLD BUSINESS:

NEW BUSINESS:

Mr. Rapson stated that the Public Facilities Authority was a volunteer body, comprised of three (3) individuals who were appointed to one-year terms by the Fayette County Board of Commissioners. This request includes appointment for an extended one year, per the county policy.

- 6. Request to approve the Public Facilities Authority Selection Committee's recommendation to reappoint Thomas Gray to the Public Facilities Authority for a term beginning July 24, 2023 and expiring July 23, 2024 and to extend said appointment to the next successive term ending July 23, 2025 per County Policy 100.19; Board Appointments.**

Vice Chairman Gibbons moved to approve to reappoint Thomas Gray to the Public Facilities Authority for a term beginning July 24, 2023 and expiring July 23, 2024 and to extend said appointment to the next successive term ending July 23, 2025 per County Policy 100.19; Board Appointments. Oddo seconded. The motion passed 5-0.

- 7. Request to approve the Public Facilities Authority Selection Committee's recommendation to reappoint Alice Reeves to the Public Facilities Authority for a term beginning July 24, 2023 and expiring July 23, 2024 and to extend said appointment to the next successive term ending July 23, 2025 per County Policy 100.19; Board Appointments.**

Vice Chairman Gibbons moved to approve to reappoint Alice Reeves to the Public Facilities Authority for a term beginning July 24, 2023 and expiring July 23, 2024 and to extend said appointment to the next successive term ending July 23, 2025 per County Policy 100.19; Board Appointments. Commissioner Oddo seconded. The motion passed 5-0.

- 8. Request to approve the Public Facilities Authority Selection Committee's recommendation to reappoint Edward Outlaw to the Public Facilities Authority for a term beginning July 24, 2023 and expiring July 23, 2024 and to extend said appointment to the next successive term ending July 23, 2025 per County Policy 100.19; Board Appointments.**

Commissioner Rousseau moved to approve to reappoint Edward Outlaw to the Public Facilities Authority for a term beginning July 24, 2023 and expiring July 23, 2024 and to extend said appointment to the next successive term ending July 23, 2025 per County Policy 100.19; Board Appointments. Vice Chairman Gibbons seconded. The motion passed 5-0.

- 9. Request to award Contract #2240-P: Justice Center Build-out - Architectural & Engineering Services to IPG, Inc. in the amount of \$655,200 to provide architectural and engineering services for the build-out of the Justice Center.**

Mr. Rapson stated that this request was for the third floor Justice Center buildout for Architectural & Engineering Services. He stated that in reviewing the bid rankings the selected firm was the lowest cost, as well as the highest ranked.

Vice Chairman Gibbons moved to approve to award Contract #2240-P: Justice Center Build-out - Architectural & Engineering Services to IPG, Inc. in the amount of \$655,200 to provide architectural and engineering services for the build-out of the Justice Center. Commissioner Rousseau seconded.

Commissioner Maxwell asked if there were any basic drawings available.

Mr. Rapson stated no. He noted there were some very high-level floor plans in rough draft form.

Vice Chairman Gibbons moved to approve to award Contract #2240-P: Justice Center Build-out - Architectural & Engineering Services to IPG, Inc. in the amount of \$655,200 to provide architectural and engineering services for the build-out of the Justice Center. Commissioner Rousseau seconded. The motion passed 5-0.

10. Request to award Contract #2291-A to CDW Government, LLC, for a three-year Microsoft Enterprise Agreement for the total three-year commitment amount of \$670,863.96.

Information Technology, Director Phill Frieder, stated that this request was to award Contract #2291-A to CDW Government, LLC, for a three-year Microsoft Enterprise Agreement for the total three-year commitment amount of \$670,863.96.

Vice Chairman Gibbons moved to approve to award Contract #2291-A to CDW Government, LLC, for a three-year Microsoft Enterprise Agreement for the total three-year commitment amount of \$670,863.96. Commissioner Oddo seconded.

Commissioner Oddo asked for a brief overview of this request.

Mr. Frieder stated that for the last six years the County contracted with Microsoft to use their subscription-based cloud powered productivity platform, referred to as Office365. This included mainstream applications and services such as Email, Microsoft Teams, Microsoft Office Suite, Share Point and Unified Cybersecurity Threat Management and protection. He stated that the pricing of The Enterprise Agreement was primarily founded on the number of computers/users being licensed, number and type of Enterprise Servers, cyber security measures and support. The pricing was subscription based calculated on a three-year commitment.

Vice Chairman Gibbons moved to approve to award Contract #2291-A to CDW Government, LLC, for a three-year Microsoft Enterprise Agreement for the total three-year commitment amount of \$670,863.96. Commissioner Oddo seconded. The motion passed 5-0.

Commissioner Rousseau asked about a recent data breach regarding an EMS vendor, and if they interfaced with the County system/network at all.

Mr. Rapson stated that the breach occurred separate from the county and did not interface with our system. However, it did pull information from our system as a result 2,600 individuals were impacted but was being handled.

ADMINISTRATOR'S REPORTS:

Mr. Rapson stated that these fourteen contract approvals were line items included in the FY24 budget.

A: Contract #1867-P: Water System Engineer of Record Task Order 24-01: FY24 On-Call Support Services (\$100,000)

B: Contract #1867-P: Water System Engineer of Record Task Order 24-02: Groundwater/Surface Water Landfill Monitoring (\$83,114)

C: Contract #1945-P: Business Personal Property Compliance Audits Renewal 2 (\$50,000)

D: Contract #2019-P: Parks & Recreation Multiuse Facility – Architectural & Engineering Services; Change Order 1: Building Increase and Additional Site Work (\$125,000)

E: Contract #2225-B: Grass Cutting Services (\$177,725)

F: Contract #2249-S: SeaQuest (\$97,445.70)

G: Contract #2250-S: Purate for Water Treatment (\$118,800)

H: Contract #2256-S: Carusol-20 (Sodium Permanganate) (\$93,555)

I: Contract #2257-S: Lime (\$120,616)

J: Contract #2258-B: Utility Locating (\$110,500)

K: Contract #2265-A: RoadTemporary Labor (\$107,100)

L: Contract #2266-S: Phone Carrier Service – Revised (\$67,468.08)

M: Contract #2271-A: Annual Hauling Contract (\$100,000)

N: Contract #2274-S: Motorola (Spillman) Annual Maintenance (\$54,294.98)

Inman Road

Mr. Rapson acknowledged the Inman Road stormwater project ribbon cutting held on July 27, 2023. He stated that the roadway would be re-opened on July 28, 2023. Mr. Rapson thanked the Board for their participation and advised that the project was completed on-time and under-budget.

ATTORNEY'S REPORTS:

Notice of Executive Session: County Attorney Dennis Davenport stated that there were four items for Executive Session. Two items involving threatened litigation, one item involving real estate acquisition and the review of the June 22, 2023 Executive Session Minutes.

COMMISSIONERS' REPORTS:

Commissioner Rousseau

Commissioner Rousseau advised the Board of the recent passing of Marvin Arrington Sr. whose son, Marvin Arrington Jr., serves on the Fulton County Board of Commissioners. He noted that Mr. Arrington's services would be held July 28, 2023 at Ebenezer Baptist Church downtown. He expressed his condolences to the family acknowledging Mr. Arrington's vast contributions and service to the community.

Commissioner Rousseau stated that he recently attended the NACO Conference in Texas and was available to provide insight regarding various topics highlighted, i.e., public health, mental health, human services, and infrastructure.

Commissioner Rousseau asked for an update regarding the standing of the HUD challenge.

Commissioner Oddo

Commissioner Oddo expressed his condolences to the Arrington family. He relayed his kudos for the Inman Road stormwater project. He stated that we should be proud of those who do this kind of work for us.

Commissioner Oddo stated that he would like the applicant who initiated the challenge to HUD to issue a letter withdrawing the complaint.

He advised that he recently underwent eye surgery and would be working through it for the foreseeable future.

He welcomed his sister-in-law and brother-in-law who were visiting from South America.

Chairman Hearn

Chairman Hearn advised that Ebenezer Church Road would be closed to through traffic west of Lester Road from July 31, 2023-August 2, 2023 for construction.

Chairman Hearn thanked Phil Mallon and his team for a job well done on the Inman Road stormwater project. He urged department heads to be mindful and vigilant of their employees, specifically, those who work outside in the heat.

EXECUTIVE SESSION:

Two items involving threatened litigation, one item involving real estate acquisition and the review of the June 22, 2023 Executive Session Minutes. Commissioner Oddo moved to go into Executive Session. Vice Chairman Gibbons seconded. The motion passed 5-0.

The Board recessed into Executive Session at 5:50 p.m. and returned to Official Session at 6:50 p.m.

Return to Official Session and Approval to Sign the Executive Session Affidavit: Commissioner Oddo moved to return to Official Session and for the Chairman to sign the Executive Session Affidavit. Vice Chairman Gibbons seconded. The motion passed 5-0.

Approval of the June 22, 2023 Executive Session Minutes: Commissioner Oddo moved to approve June 22, 2023 Executive Session Minutes. Vice Chairman Gibbons seconded. The motion passed 5-0.

2023 Fall ACCG Leadership Conference Voting Delegate: Chairman Hearn moved to appoint Commissioner Oddo as the Voting Delegate for the 2023 Fall ACCG Leadership Conference. Vice Chairman Gibbons seconded. The motion passed 5-0.

ADJOURNMENT:

Commissioner Oddo moved to adjourn the June 22, 2023 Board of Commissioners meeting. Vice Chairman Gibbons seconded. The motion passed 5-0.

The July 27, 2023 Board of Commissioners meeting adjourned at 6:54 p.m.

Marlena M. Edwards, Chief Deputy County Clerk

Lee Hearn, Chairman

The foregoing minutes were duly approved at an official meeting of the Board of Commissioners of Fayette County, Georgia, held on the 10th day of August 2023. Attachments are available upon request at the County Clerk's Office.

Marlena Edwards, Chief Deputy County Clerk

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Background/History/Details:

What action are you seeking from the Board of Commissioners?

If this item requires funding, please describe:

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:

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Consideration of a Step 2 Annexation Notification from Peachtree City regarding a request from Michael Hyde to annex approximately 52 acres located between end of Stagecoach Road and Spear Road.

Background/History/Details:

Peachtree City has received a request for annexation of the above referenced property and indicates the intent to rezone from A-R (Agricultural-Residential) to ER (Estate Residential) with 2 estate lots and LUR (Limited Use Residential) for a 21 single family lots. The annexation application indicates that the total property is approximately 52 acres.

The subject parcels are currently zoned A-R and is proposed for a mix of LUR and ER zoning in Peachtree City and sensitive areas being donated to Southern Conservation Trust. This area is designated rural residential (1 unit/3 acres) and environmentally sensitive areas on the Fayette County Future Land Use Map. Proposed density of 1 unit / 2.26 acres. Removing the 12 environmentally sensitive areas creates a proposed density of 1 unit / 1.74 acres. Both are greater than the County's proposed density of 1 unit / 3 acres.

The annexation and proposed development of 23 single family homes with access from Stagecoach Road will not have an adverse impact to Fayette County Roads. It does create an opportunity for a future transportation project. The northern boundary of parcels 0715 018 and 0715 005 generally align with a former road/drive that extended from that area to Ebenezer Road. Historical photographs show it aligning with existing Davis Road. The project's proposed construction of a bridge over Camp Creek would facilitate the connection.

What action are you seeking from the Board of Commissioners?

Staff has no objection to the annexation and suggests discussion between Fayette County and Peachtree City to determine if the project is feasible and desired.

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:

Please see staff report for complete assessment and maps.



Planning & Development

Peachtree City
153 Willowbend Road
Peachtree City, GA 30269
Phone: 770-487-5731
PeachtreeCityGA.gov

August 3, 2023

VIA E-MAIL: srapson@fayettecountyga.gov

Board of Commissioners Fayette County
C/O County Administrator
140 Stonewall Avenue West, Suite 100
Fayetteville, GA 30214



SUBJECT: Notice of annexation request into Peachtree City of land currently within unincorporated Fayette County

Dear Commissioners:

Please be advised that the City of Peachtree City, Georgia, by the authority vested in the Mayor and Council of the City of Peachtree City, Georgia by Article 2 of Chapter 36, Title 36, of the Official Code of Georgia Annotated (O.C.G.A), intends to consider and potentially annex the property hereinafter described by ordinance at a regular meeting of the Mayor and City Council.

This letter has been sent to you by certified mail, return receipt requested, within five (5) business days of acceptance of an application for annexation, in accordance with O.C.G.A §36-36-6 and O.C.G.A. §36-36-9 and after receipt of the application for zoning pursuant to O.C.G.A §36-36-111.

The property consists of about 52 acres and is located at the end of Stagecoach Road and along Spear Road. A map of the requesting property is attached to this letter. The property is currently zoned A-R in unincorporated Fayette County, and is asking to rezone 13.2 acres to ER Estate Residential and the remaining 39.6 acres to LUR Limited Use Residential for a 21-lot single family subdivision.

Pursuant to O.C.G.A §36-36-7 and O.C.G.A §36-36-9, you must notify the City of Peachtree City in writing and by certified mail, return receipt requested, of any county facilities or property located within the property to be annexed, within five (5) business days of receipt of this letter.

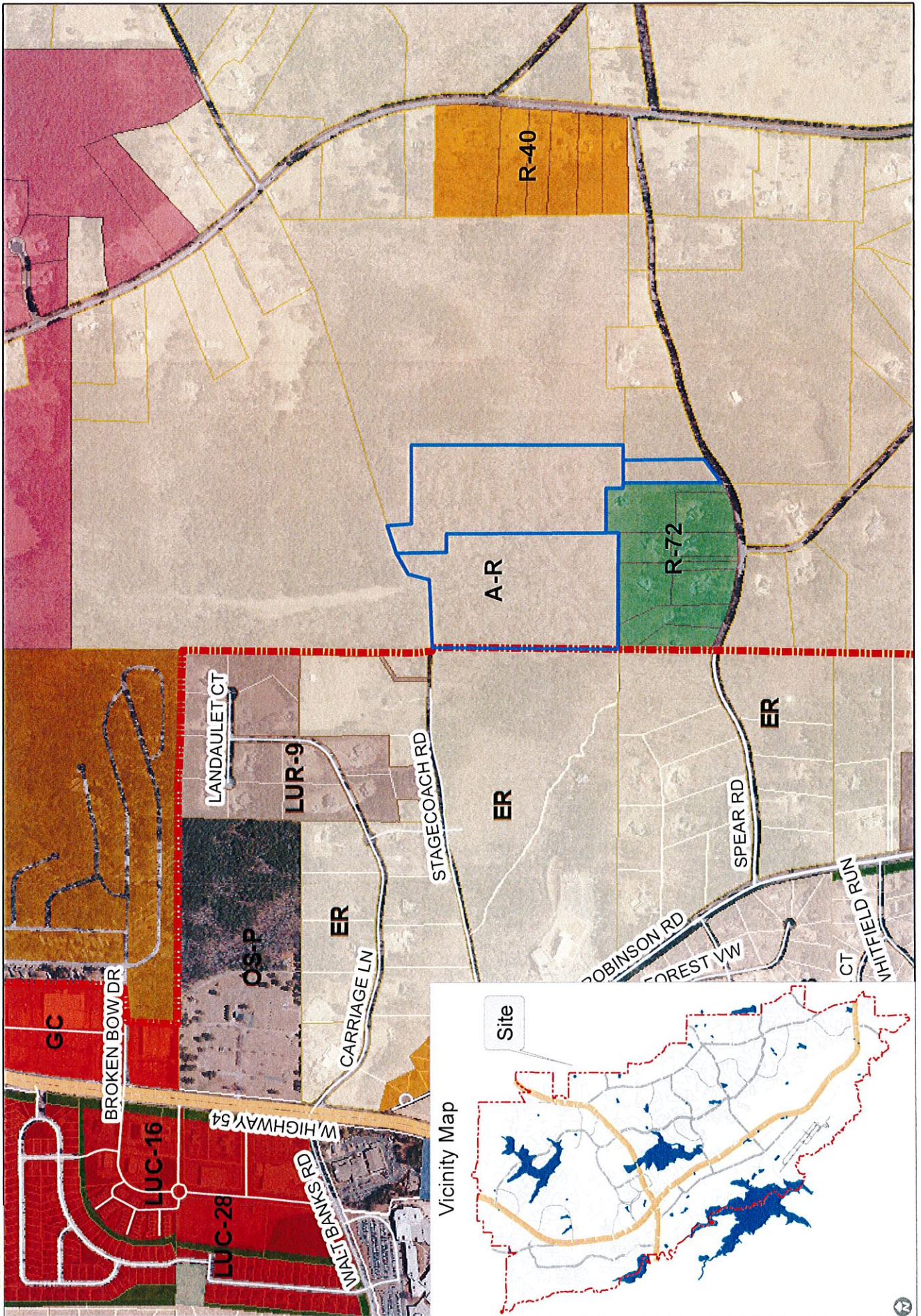
Pursuant to O.C.G.A §36-36-4, a public hearing on zoning of the property to be annexed as ER and LUR will be held on September 7, 2023 at Peachtree City Hall, located at 151 Willowbend Road in Peachtree City, Georgia. If the county has an objection under O.C.G.A §36-36-113, in accordance with the objection and resolution process, you must notify the City Manager within thirty (30) calendar days of the receipt of this notice.

Sincerely,

A handwritten signature in black ink that reads "Robin Bechtel Cailloux".

Robin Bechtel Cailloux
Director Planning & Development

Location Map
Step 2 Annexation Request
52 acres on Stagecoach & Spear Roads
(properties highlighted in blue outline)



To: Board of Commissioners

From: Deborah Sims, Zoning Administrator

Date: August 10, 2023

Re: Staff Comments – Final Revised August 10, 2023

Peachtree City request for parcels at the end of Stagecoach Rd. and on Spear Rd. It is anticipated that the Step Two request will be presented to the Peachtree City Council on September 7, 2023.

General Description:

Peachtree City has received a request for annexation of the above referenced property and indicates the intent to rezone from A-R (Agricultural-Residential) to ER (Estate Residential) with 2 estate lots and LUR (Limited Use Residential) for a 21 single family lots. The annexation application indicates that the total property is approximately **52 acres**.

Staff Recommendation:

Staff has no objection to the annexation and suggests discussion between Fayette County and Peachtree City to determine if the project is feasible and desired.

Peachtree City Zoning Ordinance. Appendix A. Article X.

ER Estate Residential. It is intended that the ER zoning district be reserved and developed for low-density residential purposes where agriculture-type conditional uses would be expected. The regulations which apply to this district are designed to encourage the formation and continuance of a stable, healthy environment for one-family dwellings situated on zoning lots having an area of three acres or more with provisions for on-site sewage disposal and limited agricultural activities. These regulations are also intended to discourage encroachment by commercial, industrial or other uses capable of adversely affecting the intended residential character of the district.

LUR Limited-Use Residential. It is intended that the LUR zoning district be established and reserved for restricted residential development allowing flexibility in design. The regulations which apply to this district are designed to encourage the formation and continuance of a stable, healthy environment while allowing for a uniqueness in design.

Subject Parcel(s)

| | Parcel ID | Acreage | Current Zoning | County Land Use Designation | Proposed City Land Use |
|--------------------|-----------------------------------|---------|----------------|--|--|
| Old Stagecoach Rd. | 0715 005 | 23.39 | A-R | Rural Residential – 3 (1 Unit/3 Acres) and Environmentally Sensitive Areas | Part of 21 Large, upscale homes equivalent to Hyde Park. |
| Old Stagecoach Rd. | 0715 018 | 24.40 | A-R | Rural Residential – 3 (1 Unit/3 Acres) and Environmentally Sensitive Areas | 2 Large Estate Lots and dedication of environmentally sensitive areas to Southern Conservation Trust |
| Spear Rd. | 0715 062 subdivided from 0715 016 | 3.69 | A-R | Rural Residential – 3 (1 Unit/3 Acres) and Environmentally Sensitive Areas | Part of the 21 large, upscale homes equivalent to Hyde Park. |

The subdivision of parcel 0715 016 by deed created two (2) non-conforming lots. Permits for 0715 062 and 0715 016 may not be issued prior to the non-conformity being cured.

The proposed annexation would not create an island. Stagecoach Road would be extended over a new bridge to the eastside of Camp Creek.

The parcels are bounded by the following uses and zoning:

| Direction | Acreage | Zoning | Use | Comprehensive Plan |
|-----------|---------|--------|--|--|
| North | 109.6 | A-R | Single-Family Dwelling Unincorporated County | Rural Residential (1 unit/3 acres) and Conservation Areas |
| South | 41.84 | ER | Little Creek Subdivision City of Peachtree City | Single-Family Low Density |
| | | R-72 | Shaker Ridge Estates Unincorporated County | Rural Residential (1 unit/ 3 acres) and Conservation Areas |
| East | 73.00 | A-R | Single-Family Dwelling Unincorporated County | Rural Residential (1 unit/ 3 acres) |
| | | A-R | Single-Family Dwelling Unincorporated County | Rural Residential (1 unit/ 2 to 3 acres) and |
| West | 37.1 | ER | Board of Education | Single-Family Low Density |

History

The parcels are zoned A-R and zoning has not changed.

Parcel 0715 016 was subdivided by deed April 3, 2020. Parcels created before November 13, 1980 are considered legal, non-conforming lots. The two lots are not legal, nonconforming. **Permits for 0715 062 and 0715 016 may not be issued prior to the non-conformity being cured.**

A portion (24.46 acres) of the subject property was under consideration for rezoning in 1996 (Petition 929-96). The request was to rezone from A-R to R-60 (R-60 has since be changed to R-72) which requires two acre minimum lots. While the request conformed to the Land Use Plan Map (Low Density/Agricultural .2 to .5 units/acre) in terms of density, the rezoning was denied because it did not conform to the policies for residential development in regards to an adequate level of service, specifically access via Stagecoach Road in Peachtree City which is a narrow unpaved road and its impact on the delivery of public safety. It was not feasible for the developer to upgrade the entire length of Stagecoach Road from Robinson Road to

the proposed development.

A portion (48.151 acres) was considered in 2009 for annexation.

DEPARTMENTAL COMMENTS

Planning and Zoning:

The subject parcels are currently zoned A-R and is proposed for a mix of LUR and ER zoning in Peachtree City and sensitive areas being donated to Southern Conservation Trust. This area is designated rural residential (1 unit/3 acres) and environmentally sensitive areas on the Fayette County Future Land Use Map. Proposed density of 1 unit / 2.26 acres. Removing the 12 environmentally sensitive areas creates a proposed density of 1 unit / 1.74 acres. Both are greater than the County's proposed density of 1 unit / 3 acres.

Planning and Zoning Staff: A minor increase in burden upon the county as a result of this annexation and rezoning of the subject property to LUR and ER (see State Law below). The maximum density under the Land Use Map is 1 unit / 3 acres. The proposed density for the project is 1 unit per 2.26 acres, which will result in a minimal increased traffic increase.

State Law

The county governing authority may by majority vote to object to the annexation because of a material increase in burden upon the county. The material increase in burden upon the county must be directly related to any one or more of the following:

- (1) The proposed change in zoning or land use;
- (2) Proposed increase in density; and
- (3) Infrastructure demands related to the proposed change in zoning or land use.

The objection shall document the nature of the objection specifically providing evidence of any financial impact forming the basis of the objection. Delivery of services may not be a basis for a valid objection but may be used in support of a valid objection if directly related to one or more of the subjects enumerated in (1), (2), and (3) above.

In order for an objection to be valid, the proposed change in zoning or land use must:

- (1) Result in:
 - (A) A substantial change in the intensity of the allowable use of the property or a change to a significantly different allowable use; or
 - (B) A use which significantly increases the net cost of infrastructure or significantly diminishes the value or useful life of a capital outlay project, as such term is defined in Code Section 48-8-110, which is furnished by the county to the area to be annexed; and
- (2) Differ substantially from the existing uses suggested for the property by the county's

Staff Report – Peachtree City Step Two Annexation Request:
Hyde Park Phase 2 – Stagecoach Rd. & Spear Rd.

comprehensive land use or permitted for the property pursuant to the county's zoning ordinance or its land use ordinances.

Fire/EMS: The issue from the Fire & Emergency Services perspective is the loss of revenue to the County fire services from an annexation of these properties into the City. The Fire Fund loses approximately \$411.36 per year in revenue and EMS loses approximately \$67.

Environmental Health: Our department has no objection to the annexation. It appears they plan for onsite septic systems; the minimum lot size appears to be sufficient for an onsite septic system (1 acre minimum with public water). Environmental Health will need to complete a subdivision review prior to approval of final plat and construction. A subdivision review application must be submitted to Environmental Health along with applicable fees, a property scaled Level 3 soil report that bears the original soil scientist's stamp and signature and a copy of the Soil Scientist's Certificate of Liability Insurance. The soil report must overlay the proposed final plat to indicate property lines and contain a two-foot contour interval topography map. The fee for review is \$300 plus \$50 per lot.

Environmental Management:

- Floodplain - Per FEMA FIRM panel 13113C0091E and Fayette County's 2013 Limited Detail Study, the property does contain floodplain.
- Wetlands - The property does not contain wetlands per the U.S. Department of the Interior, Fish and Wildlife Service 1994 National Wetland Inventory Map.
- Watershed - Per the USGS Tyrone Quadrangle, there are water bodies subject to the County watershed protection buffers and setbacks.
- 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).

Water System: The change in density may require the water line on Stagecoach Road to be upgraded by the developer. The approval of the annexation request does not change water service area.

Public Works/ Engineering: The annexation and proposed development of 23 single family homes with access from Stagecoach Road will not have an adverse impact to Fayette County Roads. It does create an opportunity for a future transportation project.

The northern boundary of parcels 0715 018 and 0715 005 generally align with a former road/drive that extended from that area to Ebenezer Road. Historical photographs show it aligning across from existing Davis Road. The project's proposed construction of a bridge over Camp Creek would facilitate the possible extension of Stagecoach Road to Ebenezer along the old roadbed. Public Works recommends additional discussion between Fayette County and Peachtree City to see if such a project is feasible and desired.

Sheriff's Office: The Sheriff's Office has no objections to this annexation.

SUMMARY:

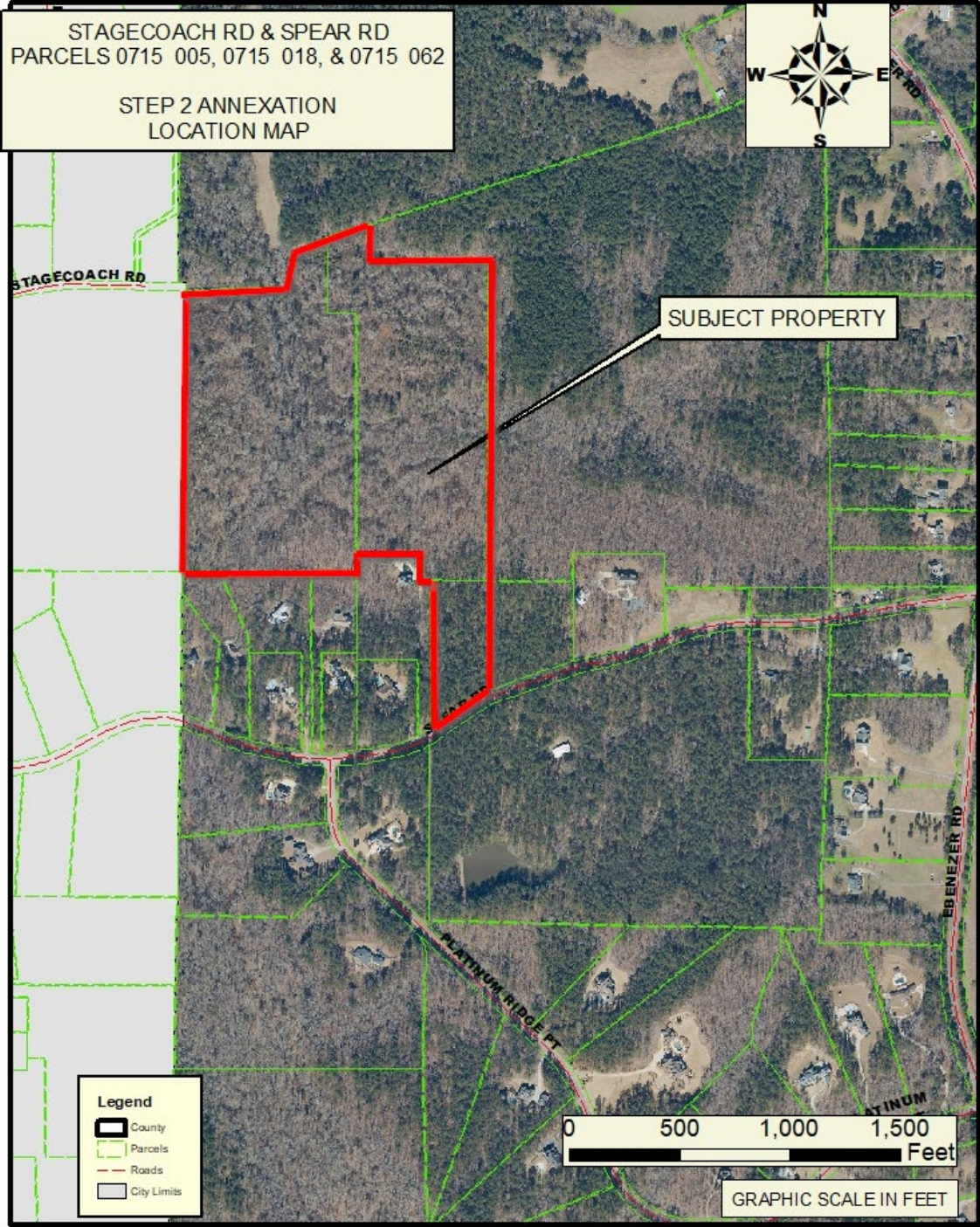
The subject property is currently zoned A-R in the County. The development will increase density of overall residential development. It will not add any additional commercial uses. The annexation will not create an unincorporated island. The annexation application does not include a concept plan for development.

Planning and Zoning staff find a minor increase in burden upon the county as a result of annexation and rezoning of the subject property. The proposed land use is a slightly higher density than the Future Land Use Map.

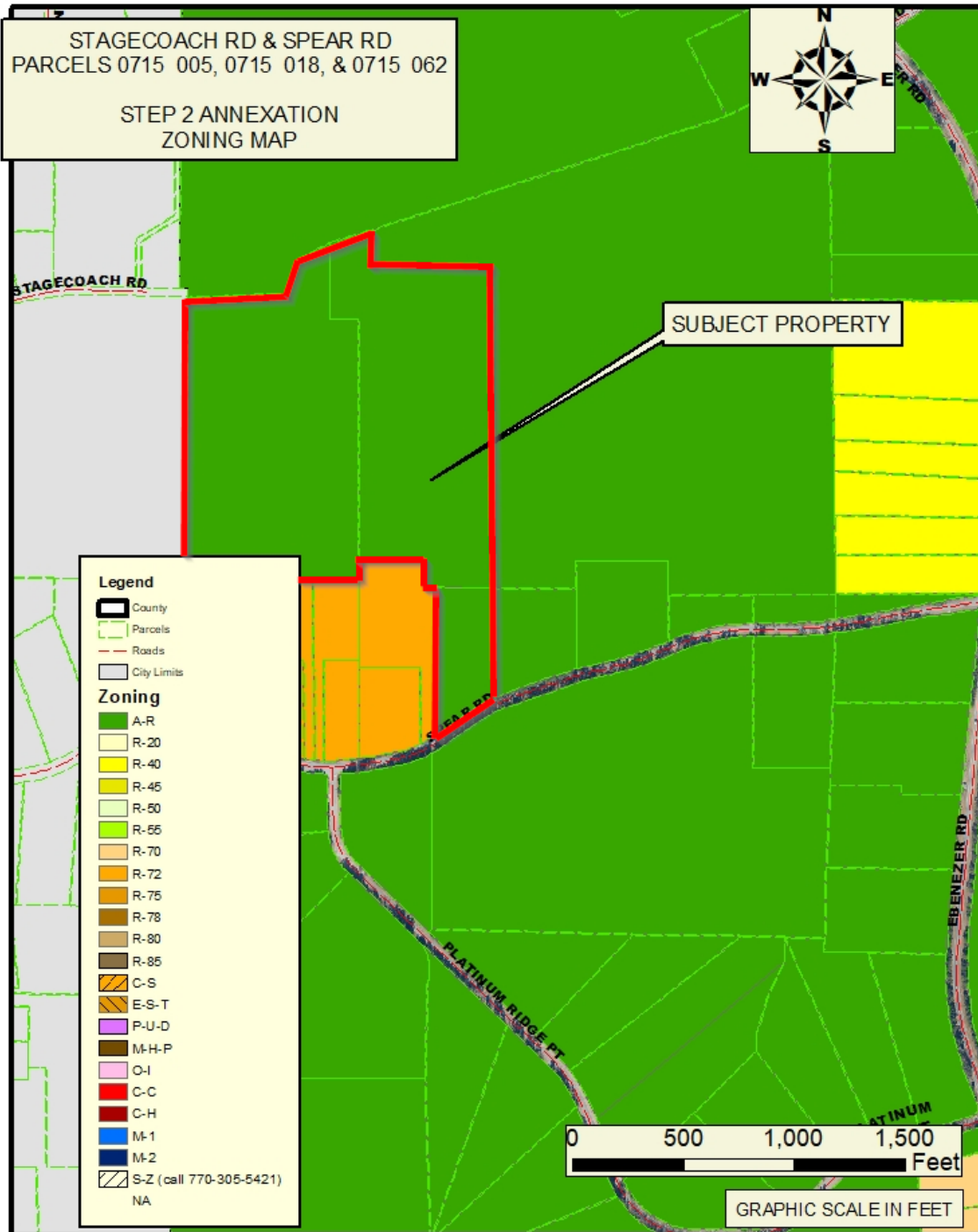
Public Works sees an opportunity to possibly extend Stagecoach Road to Ebenezer Road.

Fire, Environmental Health, Fayette County Sheriff, and Fayette County Water System do not object to the request.

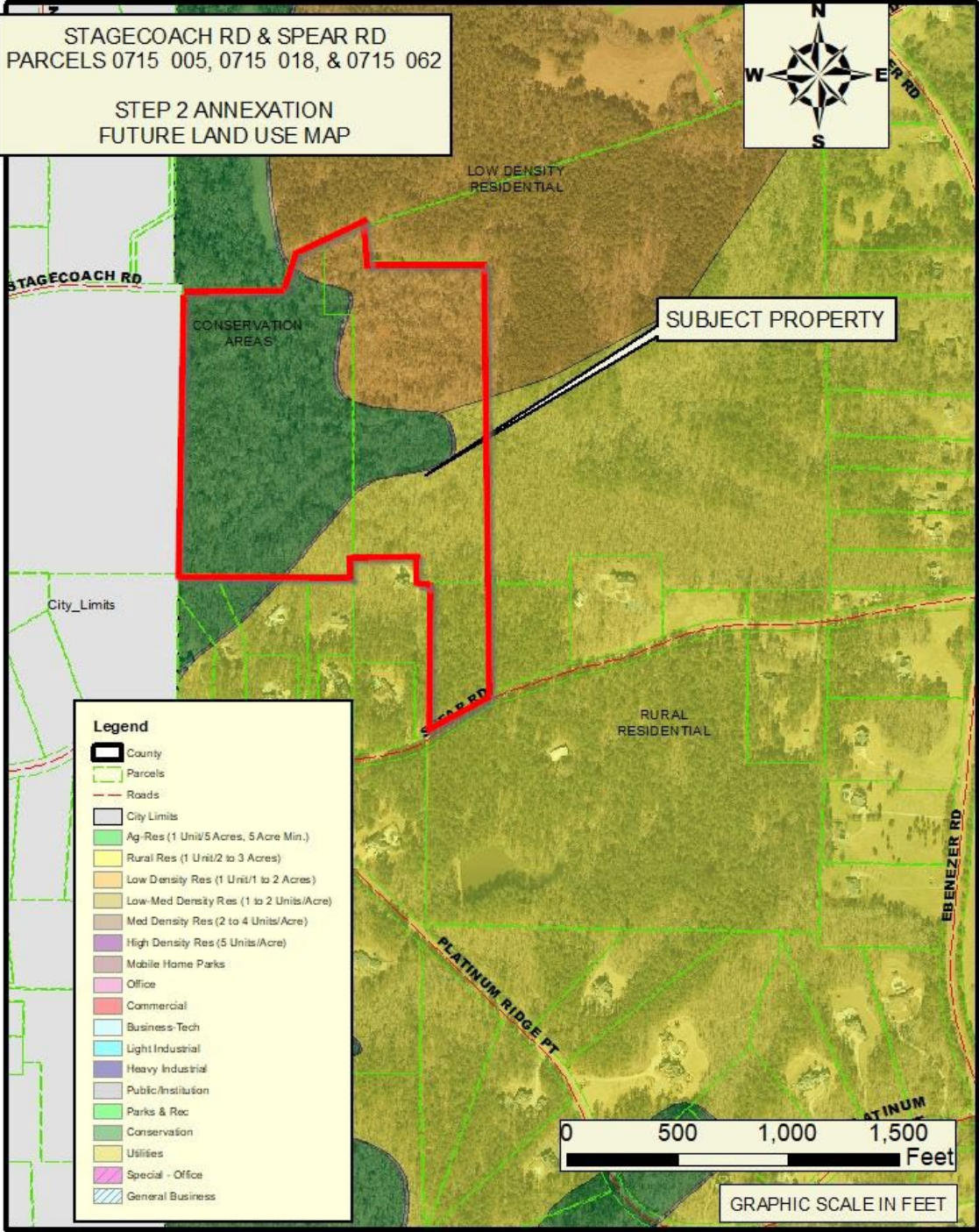
CONCLUSION: It is Staff's opinion that the proposed annexation and development does not have an adverse impact to unincorporated Fayette County.



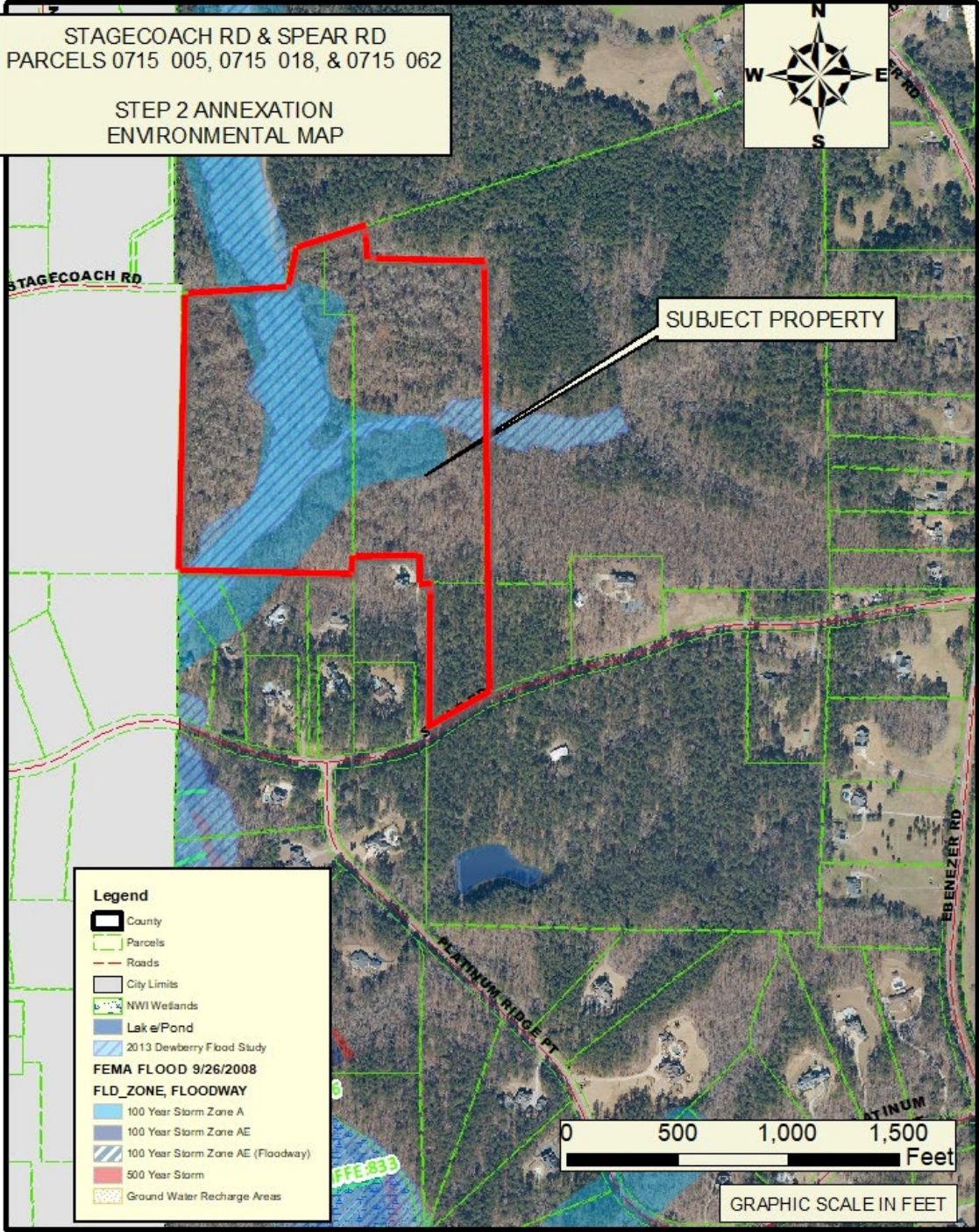
Staff Report – Peachtree City Step Two Annexation Request:
Hyde Park Phase 2 – Stagecoach Rd. & Spear Rd.



Staff Report – Peachtree City Step Two Annexation Request:
Hyde Park Phase 2 – Stagecoach Rd. & Spear Rd.



Staff Report – Peachtree City Step Two Annexation Request:
Hyde Park Phase 2 – Stagecoach Rd. & Spear Rd.



Staff Report – Peachtree City Step Two Annexation Request:
Hyde Park Phase 2 – Stagecoach Rd. & Spear Rd.

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Request to approve Georgia Department of Transportation (GDOT) Invoice INV-013023, in the amount of \$530,566.16 to supply all construction engineering and contract supervision for water distribution line relocations, adjustments and improvements on State Route 85 from State Route 279 in Fayette County to the county line.

Background/History/Details:

On March 24, 2022 Fayette County entered into a contract agreement with GDOT to supply all construction engineering and contract supervision for water distribution line adjustments and improvements on State Route 85 from State Route 279 in Fayette County to the county line for a not to exceed amount of \$125,906.42. This project involves more or less the relocation of 640 linear ft. of 6-in., 8-in., and 10-in. diameter pipes, two 4X6 fire vaults, one fire hydrant and approximately 800 ft. of 3/4, 1, and 1.5 in. service lines.

On August 1, 2023, FCWS received GDOT Invoice INV-013023 in the amount of \$530,566.16 for the above described work. This amount represents an approximate 325 percent increase over the original GDOT-approved estimate.

What action are you seeking from the Board of Commissioners?

Approval of Georgia Department of Transportation (GDOT) Invoice INV-013023, in the amount of \$530,566.16 to supply all construction engineering and contract supervision for water distribution line relocations, adjustments and improvements on State Route 85 from State Route 279 in Fayette County to the county line.

If this item requires funding, please describe:

Funding is available in CIP Projects: 22WSI SR 85 Replacement (\$103,450), 1VPWE Veterans Pkwy (\$10,126), 21WSA Solids Handling (\$3,334), 22WSA Process Impr SAGES (\$10,000), 23WSC Lead Ser Line (\$105,000) and the Revenue and Extension Fund (\$298,657)

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:



INVOICE

Invoice# INV-013023

Balance Due
\$530,566.16

Bill To
Fayette County Board of Commissioners
140 Stonewall Ave W
Suite 100
Fayetteville, GA 30214

Invoice Date : 08.01.2023
PI# : 721290

| # | Description | Qty | Rate | Amount |
|---|-------------------------------------|------|------------|------------|
| 1 | Contract ID# 48400-240-UAOUT2400122 | 1.00 | 530,566.16 | 530,566.16 |

Sub Total 530,566.16

Total \$530,566.16

Balance Due \$530,566.16

PLEASE RETURN BOTTOM PORTION WITH YOUR PAYMENT

Fayette County Board of Commissioners

| | |
|-----------------------|--------------|
| Invoice Number | INV-013023 |
| Due Date | |
| Amount Due | \$530,566.16 |

The P.O. Box address below is for payments only

Make all checks payable to:
Georgia Department of Transportation
P.O. Box 931900
Atlanta, GA 31193-1900

Make payments by ACH or Wire to:
Routing# - 121000248
Account# - 297948400000000004



Russell R. McMurry, P.E., Commissioner
One Georgia Center
600 West Peachtree Street, NW
Atlanta, GA 30308
(404) 631-1000 Main Office

August 1, 2023

Mr. Lee Hearn
Chairman
Fayette County Board of Commissioners
140 Stonewall Avenue W., Suite 100
Fayetteville, Georgia 30214

SUBJECT: Project No. STP00-0074-02(021), Clayton and Fayette Counties
P.I. No. 721290-, Call No. 023
Contract Item Agreement Authorization – Water Facilities

Dear Chairman Hearn:

C.W. Matthews Contracting Co., Inc., as contractor for the Department of Transportation, was awarded a contract on **June 30, 2023**, to proceed with the proposed construction on the above numbered project.

The installation of Fayette County's water facilities in conflict with the project has been included in the project as requested. Attached is an executed counterpart of the Contract Item Utility Agreement dated **July 28, 2023** addressing Fayette County's reimbursement of this work to the Department. The agreement is supported by your initial estimate of **\$125,906.42** including betterment; however, the actual bid cost of the work is **\$530,566.16 (out of which \$252,560.81 are In-Kind Costs and \$278,005.35 are Betterment Costs)** of which Fayette County is responsible for **100%** or **\$530,566.16** and the Department will bear **0%** or **\$0.00**.

As outlined in Article 8, this reimbursement includes the bid cost of all items necessary to complete the work. Fayette County will reimburse the Department in the amount of **\$530,566.16**. Please send the Department a check to my attention in the amount of **\$530,566.16** payable to the Georgia Department of Transportation, Office of Utilities, P.O. Box 931900, Atlanta, Georgia 31193-1900.

The Department will provide construction engineering and contract supervision for the water facilities included in the project contract; however, you may visit the jobsite at any time to satisfy yourself that work is proceeding according to plan; but, please be reminded that only one "Final Inspection" can be conducted after the contractor notifies the Department that work is complete and the inspection must be arranged by the Department's Area Manager. All instructions or corrective items must be given through Department personnel.

Mr. Lee Hearn
Project No. STP00-0074-02(021), Clayton and Fayette Counties
P.I. No. 721290-, Call No. 023
Contract Item Agreement Authorization – Water Facilities
August 1, 2023; Page 2 of 2

Mr. Rubin McCullors, Area 3 Manager, under Paul DeNard, District 7 Engineer, Chamblee, Georgia will be responsible for the construction supervision and inspection on this project. Mr. McCullors can be reached by email at RuMcCullors@dot.ga.gov or by mail addressed to 4125 Roosevelt Highway, College Park, Georgia 30349.

You may contact Danah Bonny, Utilities Preconstruction Specialist, if further information is needed at 404-631-1709, or by mail addressed to Georgia Department of Transportation, Office of Utilities, 10th Floor, One Georgia Center, 600 West Peachtree St, NW, Atlanta, Georgia 30308 or by e-mail at dbonny@dot.ga.gov.

Very truly yours,



Shajan Joseph, P.E.
Assistant State Utilities Administrator

For: Nicholas Fields
State Utilities Administrator

NF: SPJ: MGC: DB

Attachments (Agreement, and Estimate)
cc: Marc Mastronardi, P.E., Director of Construction
Paul DeNard, P.E., District 7 Engineer
Shun Pringle, District 7 Utilities Manager
Pat Brown, District 7 Contracts Supervisor
Rubin McCullors, Area 3 Manager
Emma DeLouis, Financial Manager
Frantz Boileau, Utilities Preconstruction Specialist
Abdulvahid Munshi, Utilities Coordinator

P.I. 721290 FayetteCounty - Fayette County Water System - Water Utility

| Pay Item and Description | Additional Description | Unit | In-Kind Items | | | Betterment Items | | In-Kind / Betterment Total Qty | Actual Bid Costs | | | | | Final QTY | Final Cost |
|---|--|------|--|----------------|--------------------|--|---------------------------|---|----------------------|-----------------------|--|---|--------------------------------------|-------------|------------|
| | | | Orig Plan Total Qty | Orig Est Price | Unit Orig Est Cost | Orig Plan Total Qty | Orig Est Cost | | Actual Bid Total Qty | Actual Bid Unit Price | Actual Total Bid Cost | Actual In-Kind Bid Cost | Actual Betterment Bid Cost | | |
| 670-1060 WATER MAIN, 6 IN *** Requires Special Provision ** *(670-1060) | * | LF | | \$ 41.43 | | 200 | \$ 8,286.00 | 100 | 100 | \$ 438.86 | \$ 43,886.00 | \$ - | \$ 43,886.00 | | \$ - |
| 670-1080 WATER MAIN, 8 IN *** Requires Special Provision ** *(670-1080) | | LF | | \$ 68.45 | \$ - | 300 | \$ 20,535.00 | 300 | 300 | \$ 349.78 | \$ 104,934.00 | \$ - | \$ 104,934.00 | | \$ - |
| 670-1100 WATER MAIN, 10 IN *** Requires Special Provision ** *(670-1100) | | LF | | \$ 64.80 | \$ - | 240 | \$ 15,552.00 | 240 | 240 | \$ 384.75 | \$ 92,340.00 | \$ - | \$ 92,340.00 | | \$ - |
| 670-2002 VALVE MARKER *** Requires Construction Detail ** *(670-2002) | | EA | 7 | \$ 64.07 | \$ 448.49 | 7 | \$ 448.49 | 14 | 14 | \$ 402.09 | \$ 5,629.26 | \$ 2,814.63 | \$ 2,814.63 | | \$ - |
| 670-2060 GATE VALVE, 6 IN *** Requires Special Provision ** *(670-2060) | | EA | | \$ 1,246.74 | \$ - | 1 | \$ 1,246.74 | 1 | 1 | \$ 4,003.72 | \$ 4,003.72 | \$ - | \$ 4,003.72 | | \$ - |
| 670-2080 GATE VALVE, 8 IN *** Requires Special Provision ** *(670-2080) | | EA | | \$ 1,949.81 | \$ - | 4 | \$ 7,799.24 | 4 | 4 | \$ 4,691.66 | \$ 18,766.64 | \$ - | \$ 18,766.64 | | \$ - |
| 670-2100 GATE VALVE, 10 IN(670-2100) | | EA | | \$ 2,298.18 | \$ - | 2 | \$ 4,596.36 | 2 | 2 | \$ 5,630.18 | \$ 11,260.36 | \$ - | \$ 11,260.36 | | \$ - |
| 670-4000 FIRE HYDRANT *** Requires Special Provision ** *(670-4000) | | EA | 1 | \$ 4,605.97 | \$ 4,605.97 | | \$ - | 1 | 1 | \$ 9,998.92 | \$ 9,998.92 | \$ - | \$ 9,998.92 | | \$ - |
| 670-4920 REMOVE EXISTING FIRE HYDRANT *** Requires Special Provision ** *(670-4920) | | EA | 1 | \$ 737.92 | \$ 737.92 | | \$ - | 1 | 1 | \$ 5,236.12 | \$ 5,236.12 | \$ - | \$ 5,236.12 | | \$ - |
| 670-5010 WATER SERVICE LINE, 1 IN(670-5010) | | LF | 320 | \$ 23.56 | \$ 7,539.20 | | \$ - | 320 | 320 | \$ 122.55 | \$ 39,216.00 | \$ 39,216.00 | \$ - | \$ - | \$ - |
| 670-5020 WATER SERVICE LINE, 2 IN *** Requires Special Provision ** *(670-5020) | | LF | 270 | \$ 45.21 | \$ 12,206.70 | | \$ - | 270 | 270 | \$ 187.63 | \$ 50,660.10 | \$ 50,660.10 | \$ - | \$ - | \$ - |
| 670-5620 WATER SERVICE LINE, 3/4 IN *** Requires Special Provision ** *(670-5620) | | LF | 180 | \$ 22.57 | \$ 4,062.60 | | \$ - | 180 | 180 | \$ 118.06 | \$ 21,250.80 | \$ 21,250.80 | \$ - | \$ - | \$ - |
| 670-9730 RELOCATE EXIST WATER METER, INCL BOX *** Requires Special Provision * | | EA | 9 | \$ 874.22 | \$ 7,867.98 | | \$ - | 9 | 9 | \$ 2,823.26 | \$ 25,409.34 | \$ 25,409.34 | \$ - | \$ - | \$ - |
| 611-8140 ADJUST WATER VALVE BOX TO GRADE(611-8140) | | EA | 6 | \$ 1,320.18 | \$ 7,921.08 | | \$ - | 6 | 6 | \$ 2,923.45 | \$ 17,540.70 | \$ 17,540.70 | \$ - | \$ - | \$ - |
| 665-0020 STEEL CASING, *** Requires Special Provision ** *(665-0020) | | LF | 100 | \$ 165.82 | \$ 16,582.00 | | \$ - | 100 | 100 | \$ 265.58 | \$ 26,558.00 | \$ 26,558.00 | \$ - | \$ - | \$ - |
| 000-0001 FLOWABLE FILL(000-0001) | | CV | 6 | \$ 238.86 | \$ 1,433.16 | | \$ - | 6 | 6 | \$ 750.00 | \$ 4,500.00 | \$ 4,500.00 | \$ - | \$ - | \$ - |
| 500-2300 CLASS B CONCRETE(500-2300) | | CY | 9 | \$ 448.61 | \$ 4,037.49 | | \$ - | 9 | 9 | \$ 819.54 | \$ 7,375.86 | \$ 7,375.86 | \$ - | \$ - | \$ - |
| 670-9727 RELOCATE 4FT X 6FT CONCRETE VAULT | ** | EA | | | | | | 2 | 2 | \$ 21,000.17 | \$ 42,000.34 | \$ 42,000.34 | \$ - | \$ - | \$ - |
| | | | TOTAL EST In-Kind | | | TOTAL Betterment EST | | TOTAL Actual Bid Cost | | | TOTAL Actual In-Kind Bid Cost | TOTAL Actual Betterment Bid Cost | TOTAL | \$ - | |
| GDOT SHARE 0.00% | | | \$ 67,442.59 | | | \$ 58,463.83 | | \$ 530,566.16 | | | \$ 252,560.81 | \$ 278,005.35 | | | |
| UTILITY OWNER SHARE 100.00% | | | NON-REIMBURSIBLE / FACILITY OWNER SHARE | | | TOTAL ESTIMATE IN-KIND & BETTERMENT | | TOTAL BID COST NON-REIMBURSIBLE / FACILITY OWNER SHARE | | | TOTAL BID COST IN-KIND & BETTERMENT | | CHECK RECEIVED | \$ - | |
| | | | \$ 67,442.59 | | | \$ 125,906.42 | | \$ 530,566.16 | | | \$ 530,566.16 | | | | |
| | | | REIMBURSIBLE / GDOT SHARE | | | TOTAL ESTIMATE IN-KIND (NON-REIMBURSABLE) FACILITY OWNER SHARE & BETTERMENT | | TOTAL BID COST / REIMBURSIBLE / GDOT SHARE | | | TOTAL BID COST IN-KIND (NON-REIMBURSABLE) FACILITY OWNER SHARE & BETTERMENT | | AMOUNT DUE FROM UTILITY OWNER | \$ - | |
| | | | \$ - | | | \$ 125,906.42 | | \$ - | | | \$ 530,566.16 | | | | |
| NOTE: | *ITEM 670-1060 (WATER MAIN, 6IN) QUANTITY ON "SUMMARY OF QUANTITIES" AND "TABULATION OF BIDS" IS 100 LF. 4FT X 6FT CONCRETE VAULT) WAS ADDED IN THE "SUMMARY OF QUANTITIES" AMENDMENT. | | | | | | **ITEM 670-9727 (RELOCATE | | NOTES: | | | | | | |

Account No. – Class: 733005-309

Department ID: 4848010000

Program No.: 4181401

CONTRACT ITEM AGREEMENT

Georgia Project No.: STP00-0074-02(021), Clayton/Fayette County
G.D.O.T. P.I. No.: 721290-

THIS AGREEMENT, made this 7/28/2023, by and between the Department of Transportation, an agency of the State of Georgia, hereinafter called the DEPARTMENT, first party, and Fayette County, a political subdivision of the State of Georgia, hereinafter called the LOCAL AGENCY, second party;

WITNESS that:

WHEREAS, the DEPARTMENT proposes under the above numbered project to reconstruct State Route 85 from State Route 279 in Fayette County to County Road 820/Roberts Drive in Clayton County, Georgia; and

WHEREAS, due to the construction of this project, it will become necessary to make certain adjustments or additional installation of utility facilities of the LOCAL AGENCY, the cost of which shall be determined in accordance with Articles 8, 9, & 10 below; and

WHEREAS, the LOCAL AGENCY has requested that the DEPARTMENT include the adjustment or installation of water facilities in its highway construction contract as shown on the attached plans; and

WHEREAS, this Agreement being for the sole purpose of providing a contractor for work performed on the LOCAL AGENCY'S water facilities, the LOCAL AGENCY shall bear the cost of said work to be determined as hereinafter set forth;

WHEREAS, the preliminary engineering, including preparation of detailed plans and contract estimate for adjustment of the utilities described above have been accomplished by the LOCAL AGENCY;

WHEREAS, the plans for the utility work have been approved by both the DEPARTMENT and the LOCAL AGENCY prior to commencing work;

NOW THEREFORE, in consideration of the premises and the mutual covenants of the parties hereinafter set forth, it is agreed:

1. All construction engineering and contract supervision shall be the responsibility of the DEPARTMENT and the DEPARTMENT shall be responsible to assure that all utility work is accomplished in accordance with plans and specifications and to consult with the LOCAL AGENCY or LOCAL AGENCY'S Consultant before authorizing any changes or deviations which affect the LOCAL AGENCY'S facility.

CONTRACT ITEM AGREEMENT

2. The LOCAL AGENCY or the LOCAL AGENCY'S Consultant shall have the right to visit and inspect the work at any time and advise the DEPARTMENT'S Engineer of any observed discrepancies or potential problems. The DEPARTMENT agrees to notify the LOCAL AGENCY when all utility work is completed and ready for final inspection by the LOCAL AGENCY.

3. It is specifically understood that the project number shown above is for the DEPARTMENT'S identification purposes only and may be subject to change by the DEPARTMENT. In the event it becomes necessary for the DEPARTMENT to assign a different project number, the DEPARTMENT shall notify the LOCAL AGENCY of the new project designation. Such change in project designation shall have no effect whatsoever on any of the other terms of this Agreement.

4. The DEPARTMENT shall include in its contract for this project all work necessary to accomplish the adjustment of the LOCAL AGENCY'S facilities as shown on the highway plans along with the necessary specifications to assure that the work conforms to sound construction practices.

5. In the event it becomes necessary to add pay items that are not provided for in the contract, the DEPARTMENT shall negotiate prices with the contractor and enter into a supplemental agreement with the contractor for completion of the additional items. Upon notification, the LOCAL AGENCY shall furnish a check for the additional cost as determined in Article 8 below.

6. The DEPARTMENT shall furnish on the project the construction engineering inspection and testing by its own forces required to assure that the work is done in accordance with the plans, specifications and Special Provisions.

7. Upon completion of the work and upon certification by the DEPARTMENT'S engineers that the work has been completed in accordance with the aforesaid plans and specifications, the LOCAL AGENCY shall accept the adjusted and additional facilities and shall thereafter operate and maintain the adjusted and additional facilities without further cost to the DEPARTMENT or its contractor. Such maintenance and all operations and activities shall be subject to the DEPARTMENT'S rules, policies and procedures as contained in its Utility Accommodation Policy and Standards, current edition.

8. The DEPARTMENT shall include in its highway contract those items shown as "materials" for permanent installation on the aforesaid plans. The price bid for the appropriate items shall include all labor, materials and incidentals necessary to complete the work. The cost of the requested work shall be determined from unit quantities and unit prices as shown in the DEPARTMENT'S tabulation of bids. The approximate non-binding pre-let estimate, including betterment, is **\$125,906.42** based on the LOCAL AGENCY'S estimate attached hereto of which the Department shall bear **\$0.00 or 0% and the LOCAL AGENCY shall bear \$125,906.42 or 100% out of which \$67,442.59 are In-kind costs and \$58,463.83 are Betterment costs.**

CONTRACT ITEM AGREEMENT

9. It is mutually agreed that as soon as practicable after the opening of bids and acceptance of a bid by the DEPARTMENT, the DEPARTMENT shall notify the LOCAL AGENCY in writing of the amount due the DEPARTMENT. The LOCAL AGENCY shall pay to the DEPARTMENT the amount due within sixty (60) days.

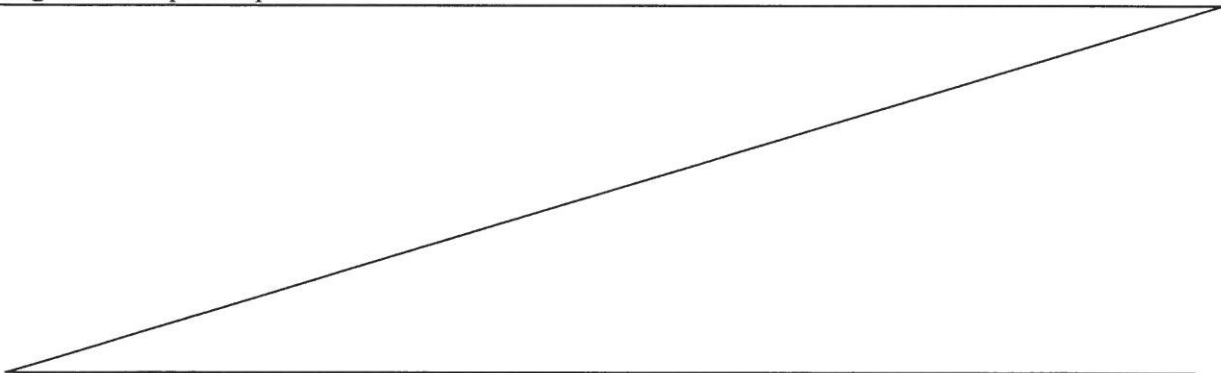
10. It is further mutually agreed that the final cost of the work performed on behalf of the LOCAL AGENCY shall be determined by measurement of the actual quantities of installed materials, including added items under Article 5, multiplied by the actual bid prices. Accordingly, after the project has been completed, the DEPARTMENT shall determine the final cost to be borne by the LOCAL AGENCY and, as the case may be, shall refund to the LOCAL AGENCY or shall request of the LOCAL AGENCY an additional payment in the amount of the difference between the final cost to be borne by the LOCAL AGENCY and the amount which the LOCAL AGENCY has previously paid to the DEPARTMENT. In the event additional payment is due to the DEPARTMENT, the LOCAL AGENCY agrees to pay same within sixty (60) days after the statement is received from the DEPARTMENT. In the event a refund is due the LOCAL AGENCY, the DEPARTMENT agrees to pay the LOCAL AGENCY within sixty (60) after the refund amount is determined or final acceptance is made by the DEPARTMENT.

11. The covenants herein contained shall, except as otherwise provided, accrue to the benefit of and be binding upon the successors and assigns of the parties hereto.

12. Pursuant to O.C.G.A. Sec. 50-5-85, LOCAL AGENCY hereby certifies that it is not currently engaged in, and agrees that for the duration of this contract, it will not engage in a boycott of Israel.

13. It is mutually agreed between the parties hereto that this document shall be deemed to have been executed in the Fulton County, Georgia, and that all questions of interpretation and construction shall be governed by the laws of the State of Georgia.

14. This Agreement may be executed in any number of counterparts, each of which so executed shall be deemed to be an original, and such counterparts shall together constitute but one and the same Agreement. The parties shall be entitled to sign and transmit an electronic signature of this Agreement (whether by facsimile, PDF or other email transmission), which signature shall be binding on the party whose name is contained therein. Any party providing an electronic signature agrees to promptly execute and deliver to the other parties an original signed Agreement upon request.



CONTRACT ITEM AGREEMENT

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed in three counterparts, each to be considered as original by their authorized representative the day and date hereinabove written.

FAYETTE COUNTY



BY: [Signature]
TITLE: Chairman

Signed on behalf of FAYETTE COUNTY pursuant to resolution dated March 24, 2022.

FEIN 58-6000826

BY: [Signature], COUNTY CLERK
SECRETARY/ASST. SECRETARY
(OFFICIAL SEAL)

RECOMMENDED:
BY: [Signature]
STATE UTILITIES ADMINISTRATOR

ACCEPTED:
DEPARTMENT OF TRANSPORTATION
BY: [Signature]
COMMISSIONER

PROJECT NO.: STP00-0074-02(021)
COUNTY: Clayton, Fayette
G.D.O.T. P.I. NO.: 721290-
DATE: February 25, 2022 DB

Signed, sealed and delivered this _____
day of 7/28/2023, 20_____,
(OFFICIAL SEAL OF THE DEPARTMENT)

I attest that the seal imprinted herein is the Official Seal of the DEPARTMENT
BY: [Signature]
TREASURER
OFFICIAL CUSTODIAN OF THE SEAL

CONTRACT ITEM AGREEMENT

RESOLUTION

STATE OF GEORGIA

FAYETTE COUNTY

BE IT RESOLVED by the BOARD OF COMMISSIONERS of FAYETTE COUNTY, and it is hereby resolved, that the foregoing attached Agreement, relative to project STP00-0074-02(021), CLAYTON & FAYETTE COUNTIES, P.I. No. 721290- to reconstruct State Route 85 from State Route 279 in Fayette County to County Road 820/Roberts Drive in Clayton County and that the Honorable Lee Hearn as Chairman and Tameca P. Smith, as County Clerk, be and they are, thereby authorized and directed to execute the same for and in behalf of said by the Board of Commissioners of FAYETTE COUNTY.

Passed and adopted, this the 24th day of March, 20 22.

ATTEST:

Tameca P. Smith
COUNTY CLERK

BY: [Signature]
CHAIRMAN

STATE OF GEORGIA,

FAYETTE COUNTY

I Tameca P. Smith, as County Clerk, do hereby certify that I am custodian of the books and records of the same, and that the above and foregoing copy of the original is now on file in my office, and was passed by the BOARD OF COMMISSIONERS of FAYETTE COUNTY WITNESS my hand and official signature, this the 24th day of March,

20 22.

BY: Tameca P. Smith
COUNTY CLERK



GEORGIA SECURITY AND IMMIGRATION COMPLIANCE ACT AFFIDAVIT

| | |
|---|--|
| Contractor's Name: | FAYETTE COUNTY |
| Solicitation/Contract No. / Call No. or Project Description: | Project No. STP00-0074-02(021), PI No. 721290-, Clayton and Fayette Counties; to reconstruct State Route 85 from State Route 279 in Fayette County to County Road 820/Roberts Drive in Clayton County. |

CONTRACTOR AFFIDAVIT

By executing this affidavit, the undersigned contractor verifies its compliance with O.C.G.A. § 13-10-91, stating affirmatively that the individual, entity or corporation which is engaged in the physical performance of services on behalf of the Georgia Department of Transportation has registered with, is authorized to use and uses the federal work authorization program commonly known as E-Verify, or any subsequent replacement program, in accordance with the applicable provisions and deadlines established in O.C.G.A. § 13-10-91.

Furthermore, the undersigned contractor will continue to use the federal work authorization program throughout the contract period and the undersigned contractor will contract for the physical performance of services in satisfaction of such contract only with subcontractors who present an affidavit to the contractor with the information required by O.C.G.A. § 13-10-91(b). Contractor hereby attests that its federal work authorization user identification number and date of authorization are as follows:

475666
 Federal Work Authorization User Identification Number
 (EEV/E-Verify Company Identification Number)

July 17, 2007
 Date of Authorization

Fayette County
 Name of Contractor

I hereby declare under penalty of perjury that the foregoing is true and correct

Lee Hearn
 Printed Name (of Authorized Officer or Agent of Contractor)

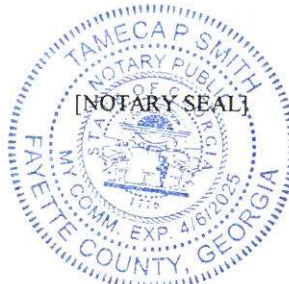
Chairman
 Title (of Authorized Officer or Agent of Contractor)

[Signature]
 Signature (of Authorized Officer or Agent)

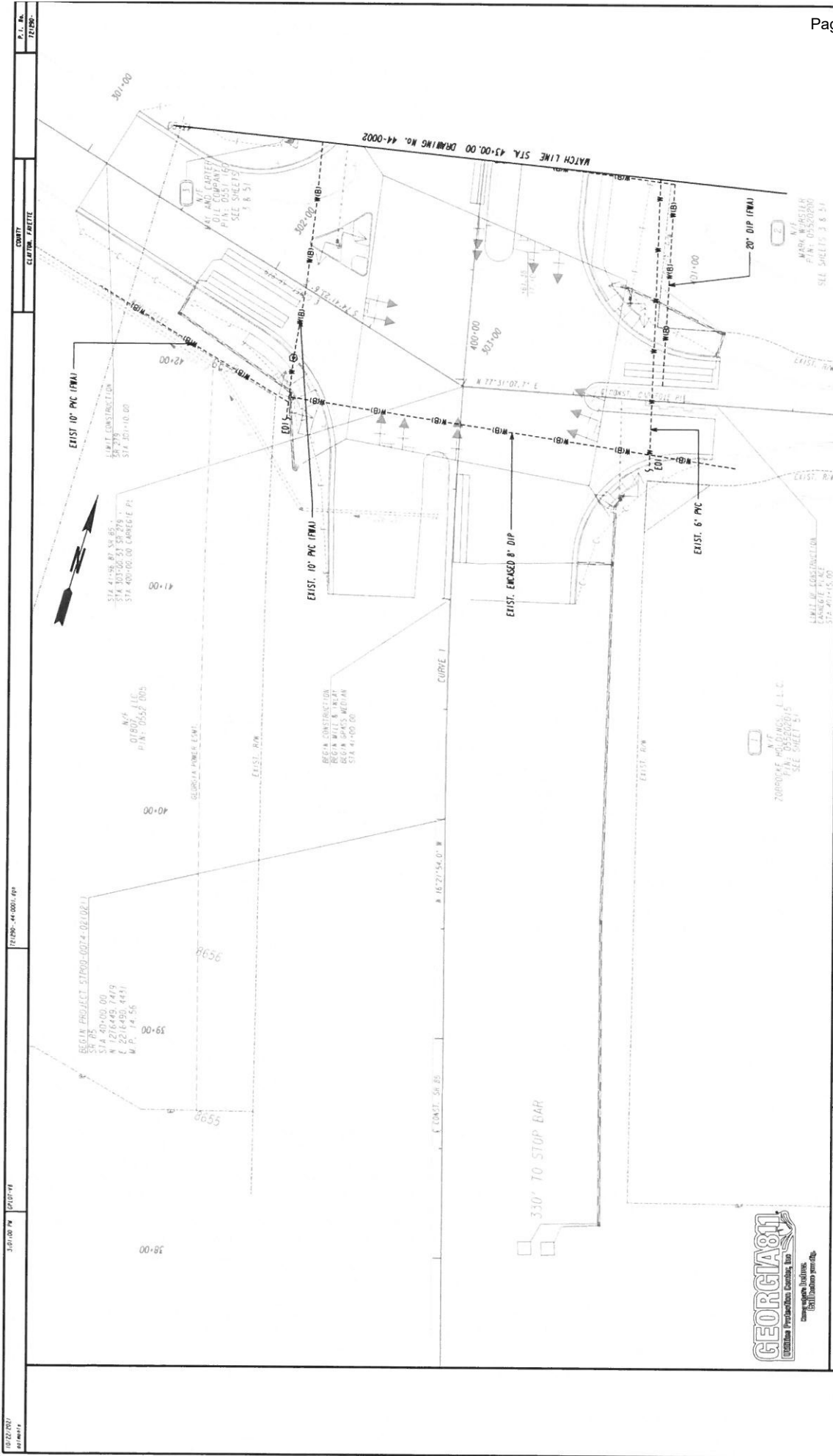
March 24, 2022
 Date Signed

SUBSCRIBED AND SWORN BEFORE ME ON THIS THE

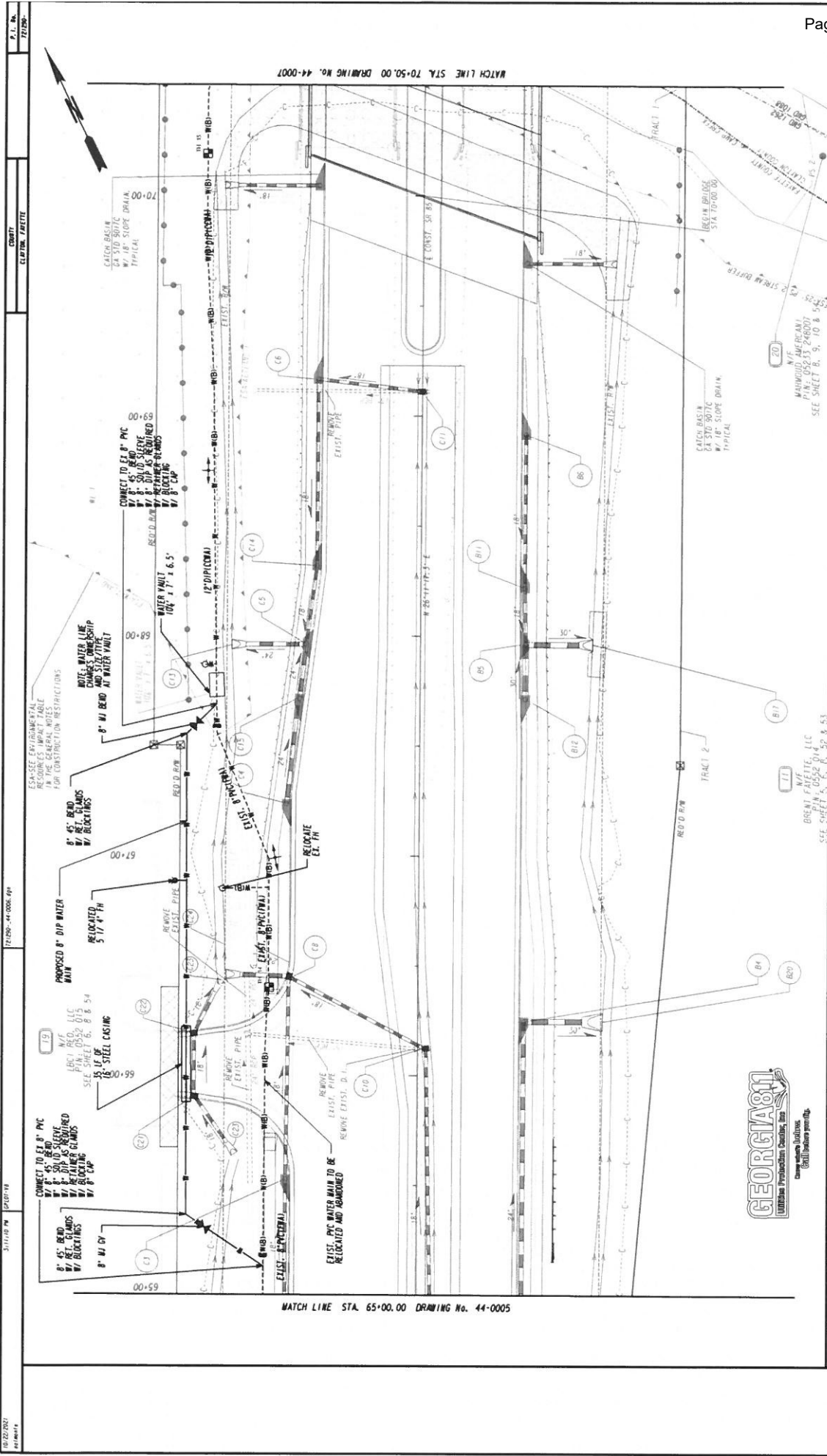
24th DAY OF March, 2022
[Signature]
 Notary Public



My Commission Expires: April 6, 2025



| | | |
|---|--|---|
| | UTILITY PLANS SR 85 WIDENING FROM SR 279 TO ROBERTS DRIVE | DRAWING NO. 44-0001 |
| SCALE IN FEET 0 20 40 80 | REVISION DATES | CHECKED: _____ DATE: _____ DESIGNED: _____ DATE: _____ DRAWN: _____ DATE: _____ |
| BEGIN LIMIT OF ACCESS.....BLA END LIMIT OF ACCESS.....ELA LIMIT OF ACCESS.....CLA RED'D R/W & LIMIT OF ACCESS.....DRA ORANGE BARRIER FENCE.....DRA ESA - EMV SENSITIVE AREA (SEE ERIT TABLE).....DRA | | |
| PROPERTY AND EXISTING R/W LINE REQUIRED R/W LINE CONSTRUCTION R/W LIMITS EASEMENT FOR CONSTR & MAINTENANCE OF SLOPES EASEMENT FOR CONSTR OF DROPS EASEMENT FOR CONSTR OF DRIVES | | |



MATCH LINE STA. 65+00.00 DRAWING No. 44-0005

MATCH LINE STA. TO 50.00 DRAWING No. 44-0007

10/22/2021 3:11:10 PM 2/28/18 72109-44-0006-000

UTILITY PLANS
 SR 85 WIDENING FROM SR 279
 TO ROBERTS DRIVE

REVISION DATES

| NO. | DATE | DESCRIPTION |
|-----|------|-------------|
| | | |
| | | |
| | | |
| | | |

SCALE: 1" = 40 FEET

FAYETTE County Water System

GEORGIA
 LUMBER TRANSPORTATION DIVISION, INC.
 10000 Peachtree Industrial Blvd., Atlanta, GA 30339

PROPERTY AND EXISTING R/W LINE
 REQUIRED R/W LINE
 CONSTRUCTION LIMITS
 EASEMENT FOR CONSTR & MAINTENANCE OF SLOPES
 EASEMENT FOR CONSTR OF DRIVES

BEGIN LIMIT OF ACCESS
 END LIMIT OF ACCESS
 RED'D R/W & LIMIT OF ACCESS
 ORANGE BARRIER FENCE
 ESA - ENV. SENSITIVE AREA (SEE ERIT TABLE)

LEGEND

- B/LA
- - - - - E/LA
- RED'D R/W & LIMIT OF ACCESS
- ORANGE BARRIER FENCE
- ESA - ENV. SENSITIVE AREA (SEE ERIT TABLE)

NOTES:
 1. ESA - SEE ENVIRONMENTAL RESTRICTIONS IN THE GENERAL NOTES FOR CONSTRUCTION RESTRICTIONS.
 2. N/E LERICI REC'D, LLC P.I.N. 05253 2-6001 SEE SHEET B, 9, 10 & 11.
 3. N/E MAHMOUD AMERIKALI P.I.N. 05253 2-6001 SEE SHEET B, 9, 10 & 11.
 4. N/E GREAT FAYETTE, LLC P.I.N. 05253 2-6001 & 533 SEE SHEET B, 9, 10 & 11.

Certificate Of Completion

Envelope Id: 99F4E6E9E72842F3A927688C983BEFCD
 Subject: 48400-240-UAOUT2400122/FAYETTE COUNTY
 Source Envelope:
 Document Pages: 16
 Certificate Pages: 5
 AutoNav: Enabled
 Envelopeld Stamping: Enabled
 Time Zone: (UTC-05:00) Eastern Time (US & Canada)

Status: Completed

Envelope Originator:
 GDOT DocuSign Admin
 600 W Peachtree St, NW
 Atlanta, GA 30308
 gdot_contracts@dot.ga.gov
 IP Address: 143.100.53.12

Record Tracking

| | | |
|--|--|--------------------|
| Status: Original 7/2/2023 11:20:15 PM | Holder: GDOT DocuSign Admin gdot_contracts@dot.ga.gov | Location: DocuSign |
| Security Appliance Status: Connected | Pool: StateLocal | |
| Storage Appliance Status: Connected | Pool: Georgia Department of Transportation | Location: DocuSign |

Signer Events

Nick Fields
 nfields@dot.ga.gov
 Security Level: Email, Account Authentication (None)

Signature

DocuSigned by:

 46A62DB44BC349D...

Signature Adoption: Uploaded Signature Image
 Using IP Address: 143.100.55.13

Timestamp

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 Viewed: 7/12/2023 9:43:22 PM
 Signed: 7/12/2023 9:44:25 PM

Electronic Record and Signature Disclosure:

Accepted: 8/9/2021 8:17:17 AM
 ID: 0c269c69-edfe-40d3-b4d9-b58315335e09

Russell R McMurry
 rmcumurry@dot.ga.gov
 Commissioner
 Georgia Department of Transportation
 Security Level:
 .Email
 7/28/2023 3:20:58 PM

DocuSigned by:

 76D6577D00644FA...

Signature Adoption: Pre-selected Style
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Electronic Record and Signature Disclosure:

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Angela O. Whitworth
 awhitworth@dot.ga.gov
 Treasurer
 Security Level:
 .Email
 ID: 535f4029-2377-440c-9efb-c64b335b73c6
 7/31/2023 7:32:21 PM

DocuSigned by:

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 Signed: 7/31/2023 7:32:35 PM

Electronic Record and Signature Disclosure:

Accepted: 2/26/2016 10:03:38 AM
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In Person Signer Events**Signature****Timestamp****Editor Delivery Events****Status****Timestamp****Agent Delivery Events****Status****Timestamp****Intermediary Delivery Events****Status****Timestamp**

| Certified Delivery Events | Status | Timestamp |
|---|------------------|----------------------|
| Carbon Copy Events | Status | Timestamp |
| Witness Events | Signature | Timestamp |
| Notary Events | Signature | Timestamp |
| Envelope Summary Events | Status | Timestamps |
| Envelope Sent | Hashed/Encrypted | 7/2/2023 11:23:11 PM |
| Envelope Updated | Security Checked | 7/12/2023 8:20:15 AM |
| Envelope Updated | Security Checked | 7/28/2023 3:08:39 PM |
| Envelope Updated | Security Checked | 7/28/2023 3:08:39 PM |
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| Envelope Updated | Security Checked | 7/31/2023 7:31:59 PM |
| Certified Delivered | Security Checked | 7/31/2023 7:32:27 PM |
| Signing Complete | Security Checked | 7/31/2023 7:32:35 PM |
| Completed | Security Checked | 7/31/2023 7:32:35 PM |
| Payment Events | Status | Timestamps |
| Electronic Record and Signature Disclosure | | |

ELECTRONIC RECORD AND SIGNATURE DISCLOSURE

From time to time, Georgia Department of Transportation (we, us or Company) may be required by law to provide to you certain written notices or disclosures. Described below are the terms and conditions for providing to you such notices and disclosures electronically through your DocuSign, Inc. (DocuSign) Express user account. Please read the information below carefully and thoroughly, and if you can access this information electronically to your satisfaction and agree to these terms and conditions, please confirm your agreement by clicking the 'I agree' button at the bottom of this document.

Getting paper copies

At any time, you may request from us a paper copy of any record provided or made available electronically to you by us. For such copies, as long as you are an authorized user of the DocuSign system you will have the ability to download and print any documents we send to you through your DocuSign user account for a limited period of time (usually 30 days) after such documents are first sent to you. After such time, if you wish for us to send you paper copies of any such documents from our office to you, you will be charged a \$0.00 per-page fee. You may request delivery of such paper copies from us by following the procedure described below.

Withdrawing your consent

If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

Consequences of changing your mind

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. To indicate to us that you are changing your mind, you must withdraw your consent using the DocuSign 'Withdraw Consent' form on the signing page of your DocuSign account. This will indicate to us that you have withdrawn your consent to receive required notices and disclosures electronically from us and you will no longer be able to use your DocuSign Express user account to receive required notices and consents electronically from us or to sign electronically documents from us.

All notices and disclosures will be sent to you electronically

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through your DocuSign user account all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

How to contact Georgia Department of Transportation:

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by email send messages to: gdot_contracts@dot.ga.gov

To advise Georgia Department of Transportation of your new e-mail address

To let us know of a change in your e-mail address where we should send notices and disclosures electronically to you, you must send an email message to us at gdot_contracts@dot.ga.gov and in the body of such request you must state: your previous e-mail address, your new e-mail address.

We do not require any other information from you to change your email address..

In addition, you must notify DocuSign, Inc to arrange for your new email address to be reflected in your DocuSign account by following the process for changing e-mail in DocuSign.

To request paper copies from Georgia Department of Transportation

To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an e-mail to gdot_contracts@dot.ga.gov and in the body of such request you must state your e-mail address, full name, US Postal address, and telephone number. We will bill you for any fees at that time, if any.

To withdraw your consent with Georgia Department of Transportation

To inform us that you no longer want to receive future notices and disclosures in electronic format you may:

- i. decline to sign a document from within your DocuSign account, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;
- ii. send us an e-mail to gdot_contracts@dot.ga.gov and in the body of such request you must state your e-mail, full name, IS Postal Address, telephone number, and account number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

Required hardware and software

| | |
|----------------------------|--|
| Operating Systems: | Windows2000? or WindowsXP? |
| Browsers (for SENDERS): | Internet Explorer 6.0? or above |
| Browsers (for SIGNERS): | Internet Explorer 6.0?, Mozilla FireFox 1.0, NetScape 7.2 (or above) |
| Email: | Access to a valid email account |
| Screen Resolution: | 800 x 600 minimum |
| Enabled Security Settings: | <ul style="list-style-type: none"> •Allow per session cookies •Users accessing the internet behind a Proxy Server must enable HTTP 1.1 settings via proxy connection |

** These minimum requirements are subject to change. If these requirements change, we will provide you with an email message at the email address we have on file for you at that time providing you with the revised hardware and software requirements, at which time you will have the right to withdraw your consent.

Acknowledging your access and consent to receive materials electronically

To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please verify that you were able to read this electronic disclosure and that you also were able to print on paper or electronically save this page for your future reference and access or that you were able to e-mail this disclosure and consent to an address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format on the terms and conditions described above, please let us know by clicking the 'I agree' button below.

By checking the 'I Agree' box, I confirm that:

- I can access and read this Electronic CONSENT TO ELECTRONIC RECEIPT OF ELECTRONIC RECORD AND SIGNATURE DISCLOSURES document; and
- I can print on paper the disclosure or save or send the disclosure to a place where I can print it, for future reference and access; and
- Until or unless I notify Georgia Department of Transportation as described above, I consent to receive from exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to me by Georgia Department of Transportation during the course of my relationship with you.

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Request to approve Resolution 2023-07 and approval of the Agreement to Sell and Purchase to acquire from the Fayette County Board of Education, the East Fayette Elementary School (Parcel 05-2404-012); 245 Booker Avenue, Fayetteville, Georgia, located on Land Lot 122 of the 5th District for \$3,000,000.00.

Background/History/Details:

On January 26, 2023, the Board of Commissioners approved the renovation of East Fayette Elementary to provide for a new Department of Public Health building.

Fayette County Board of Education are the owners of certain real property known as East Fayette Elementary, 245 Booker Avenue, Fayetteville, Georgia, located on Land Lot 122 of the 5th District, also known as tax parcel 05-2404-012. Resolution 2023-07 and the Agreement to Sell and Purchase are for the County to purchase this property.

Purchase – \$3,000,000.00

Earnest Money – \$150,000

Closing – \$1,350,000 – October 2, 2023

Balance – \$1,500,000 – October 2, 2024

What action are you seeking from the Board of Commissioners?

Approval of Resolution 2023-07 and the Agreement to Sell and Purchase to acquire from the Fayette County Board of Education, the East Fayette Elementary School (Parcel 05-2404-012); 245 Booker Avenue, Fayetteville, Georgia, located on Land Lot 122 of the 5th District for \$3,000,000.00.

If this item requires funding, please describe:

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:

STATE OF GEORGIA

FAYETTE COUNTY

RESOLUTION

NO. 2023-_____

A RESOLUTION OF THE BOARD OF COMMISSIONERS FOR FAYETTE COUNTY TO ACQUIRE CERTAIN REAL PROPERTY; TO ADVANCE THE WELFARE OF THE CITIZENS OF FAYETTE COUNTY; AND FOR OTHER PURPOSES.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS FOR FAYETTE COUNTY THAT A 14 ACRE PARCEL OF LAND LOCATED IN LAND LOT 122 OF THE 5th LAND DISTRICT OF FAYETTE COUNTY FORMERLY KNOWN AS EAST FAYETTE ELEMENTARY SCHOOL AND LOCATED AT 245 BOOKER AVENUE IN FAYETTEVILLE, GEORGIA, ALSO KNOWN AS TAX PARCEL 05-2404-012, BE ACQUIRED FROM THE FAYETTE COUNTY BOARD OF EDUCATION:

WHEREAS, Fayette County is a political subdivision of the State of Georgia; and

WHEREAS, the powers of the government of Fayette County include the power to acquire any real property; and

WHEREAS, the powers of the government of Fayette County are to be exercised by the governing authority; and

WHEREAS, the Board of Commissioners is the governing authority vested with all the powers for governing Fayette County; and

WHEREAS, the Fayette County Board of Education is the owners of certain real property known as East Fayette Elementary School and located at 245 Booker Avenue in Fayetteville, Georgia, in Land Lot 122 of the 5th Land District of Fayette County, also known

tax parcel 05-2404-12, hereinafter referred to as the “Parcel” and as described in Exhibit “A” attached hereto and hereby incorporated herein; and

WHEREAS, the Board of Commissioners for Fayette County has agreed to expend a sum of three million dollars (\$3,000,000.00) to acquire the Parcel; and

WHEREAS, it has been determined that the acquisition of the Parcel is in the best interest of Fayette County.

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners for Fayette County and the same does hereby declare that a sum of three million dollars (\$3,000,000.00) be disbursed from the funds of Fayette County to the Fayette County Board of Education as consideration for the conveyance of the Parcel described in Exhibit “A” attached hereto; and

BE IT FURTHER RESOLVED that the County Administrator for Fayette County be authorized to execute any and all documents and expend additional, related funds (not to exceed \$5,000) as necessary to complete the County’s acquisition of the Parcel from the Fayette County Board of Education.

(SIGNATURES FOLLOW ON NEXT PAGE)

SO RESOLVED this _____ day of _____, 2023.

**BOARD OF COMMISSIONERS
FAYETTE COUNTY**

(SEAL)

By: _____
Lee Hearn, Chairman

ATTEST:

Tameca P. Smith, County Clerk

Approved as to form:

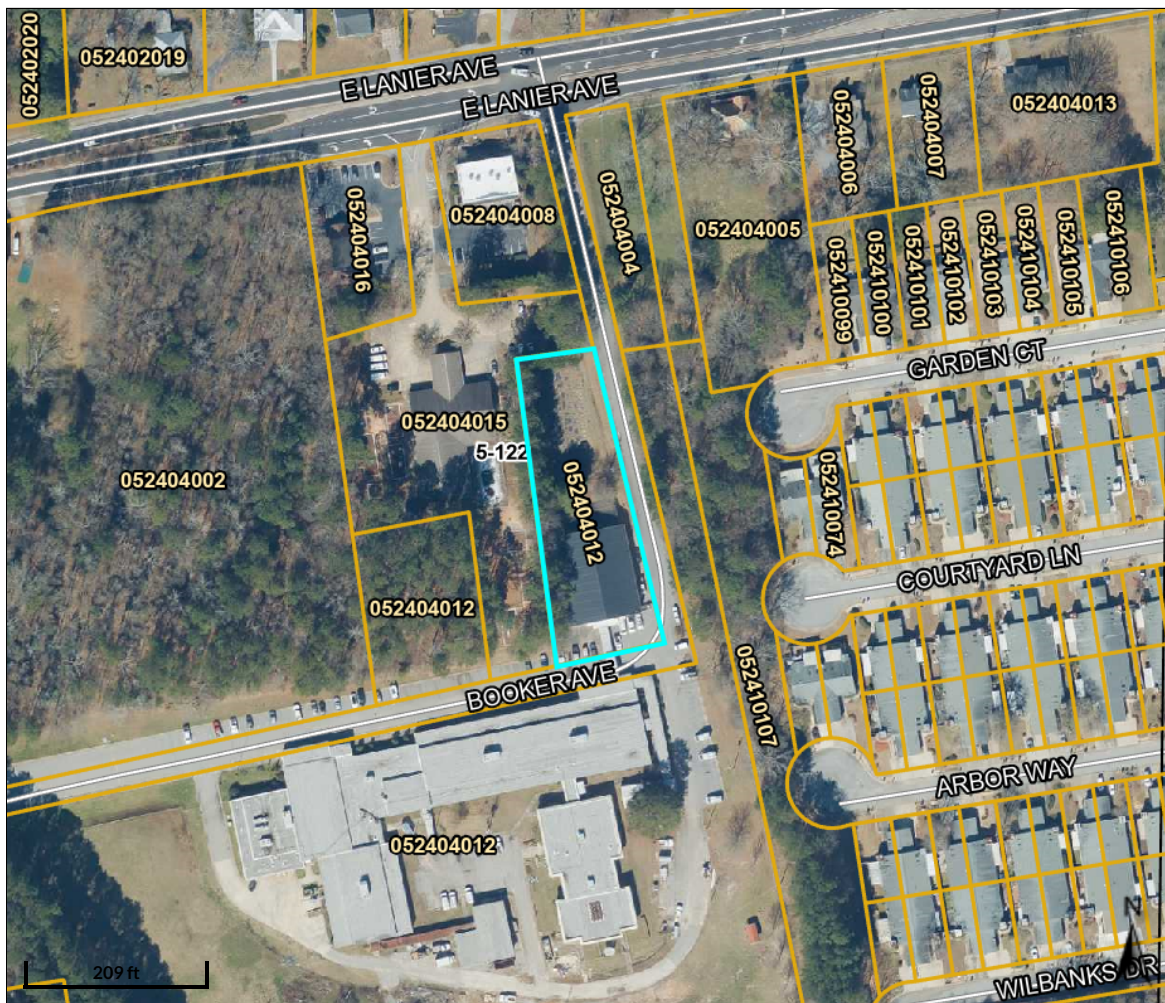
County Attorney

EXHIBIT "A"
LEGAL DESCRIPTION

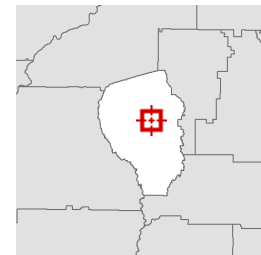
All that parcel located at 245 Booker Avenue having tax parcel ID 05-2404-012



Fayette County, GA



Overview



Legend

- Parcels
- Land Lots
- Roads

| | | | | | |
|------------------|----------------|--------------|------|---------------|--------------------------|
| Parcel ID | 052404012 | Alternate ID | n/a | Owner Address | FAYETTE COUNTY BRD OF ED |
| Sec/Twp/Rng | -- | Class | E6 | | EAST FAYETTE ELEMENTARY |
| Property Address | 245 BOOKER AVE | Acreage | 14.0 | | 210 STONEWALL AVE |
| | | | | | FAYETTEVILLE, GA 30214 |

District 02
 Brief Tax Description SCHOOL-EAST FAYETTE ELEMENTARY
 (Note: Not to be used on legal documents)

Date created: 7/26/2023
 Last Data Uploaded: 7/26/2023 7:06:30 AM

Developed by Schneider
 GEOSPATIAL

**STATE OF GEORGIA,
COUNTY OF FAYETTE**

AGREEMENT TO SELL AND PURCHASE REAL PROPERTY

THIS AGREEMENT TO SELL AND PURCHASE REAL PROPERTY, (hereinafter referred to as this "Agreement"), is made and entered into this day _____ of _____, 2023, (hereinafter referred to as "the "Effective date"), by and between the Fayette County Board of Education, Party of the First Part, hereinafter referred to as "Seller", and FAYETTE COUNTY, GEORGIA a political subdivision of the State of Georgia whose address is 140 Stonewall Avenue West, Fayetteville Georgia 30214, Party of the Second Part, hereinafter referred to as "Purchaser,"

WHEREAS, Seller owns certain real property being and lying in Fayette County, Georgia, and more particularly described in Exhibit "A" attached hereto (hereinafter referred to as "Property"); and

WHEREAS, Seller desires to sell and Purchaser desires to purchase the Property;

NOW, THEREFORE, for and in consideration of the payment by Purchaser to Seller of the sum of (5% of the Purchase Price), hereinafter referred to as "Earnest Money," the mutual covenants and agreements set forth herein, all of which both parties respectively agree constitutes sufficient consideration; the parties agree as follows:

Section 1: USAGE AND DEFINITIONS

1.1 As used in this Agreement, the following words and terms set forth in this section refer to, or mean, or include in their meaning, the following:

1.1.1 The words "County" and "Fayette County" shall mean the "Fayette County, Georgia."

1.1.2 The words "party" or "parties" are sometimes used herein to refer to either Seller or Purchaser or collectively to Seller and Purchaser.

1.1.3 The words "execute", or "execution" are used interchangeable herein to mean the signing, sealing and delivery of the called for Deed, instruments, documents and/or legal pleadings.

1.1.4 The term "Seller" as used herein shall mean The Fayette County Board of Education and shall include their agents.

1.1.5 The word "Closing" shall mean the consummation of the sale and purchase of the Property, hereinafter referred to as the "transaction" contemplated by this

Agreement by the execution, deliveries and acceptances required by this Agreement.

- 1.2 All words used in this Agreement include in their meaning the masculine, feminine and neuter gender; singular and plural number; and present, past and future tense; and all appropriate grammatical adjustments shall be assumed as though in each case fully expressed.

Section 2: SALE OF PROPERTY

Seller agrees to sell to Purchaser, and Purchaser agrees to purchase from Seller, upon the provisions hereof, that certain real property described in Exhibit "A" attached hereto and hereinafter referred to as the "Property". The Property is to be conveyed "as is, where is," and with all faults and without warranties.

Section 3: PURCHASE PRICE

The Purchase Price of the Property is three million thousand dollars (\$3,000,000.00).

Section 4: EARNEST MONEY

Within five (5) days after the Execution of this Agreement, Purchaser shall deposit with the Closing Attorney, a sum equal to five percent (5%) of the Purchase Price, the sum of One hundred fifty thousand dollars (\$150,000.00), which sum Purchaser agrees shall not earn him any interest. At closing, all Earnest Money shall be applied against the Purchase Price.

Section 5: ENTRY ONTO THE PROPERTY

Acting at Purchaser's own risk and expense, Seller hereby permits Purchaser and his authorized representatives to enter onto the Property for the purposes of making inspections. Buyer may select qualified professionals to make "Inspections" (including tests, borings, surveys, studies, inspections, investigations and interviews of persons familiar with the Property) concerning the Property, including but not limited to tests of structures, wells, septic tanks, underground storage tanks, soils, geologic hazards, utility lines and systems and environmental hazards (including Phase I and Phase II environmental assessments); provided that Buyer shall not conduct any soil borings or other physically invasive tests of the Property without Seller's prior written consent (which shall not be unreasonably withheld or delayed), and provided further that all Inspections shall be performed in a manner that shall not unreasonably interfere with the ongoing use of the Property by the Seller or the tenants. Buyer shall keep the Property free of any liens, and repair any material physical damages caused by Buyer, its agents, employees, contractors or subcontractors and restore the Property to its condition prior to Inspections. Buyer shall indemnify, defend and hold Seller harmless against all losses, damages, claims, demands and liabilities which may be suffered by or asserted against Seller by reason of Buyer's Inspections, which indemnity obligation shall survive termination of this Agreement or Closing.

Section 6: SELLER REPRESENTATIONS

- 6.1 To induce Purchaser to accept this offer, Seller makes the following representations (and these are the only representations made by Seller), upon which Purchaser is entitled to rely and each of which shall be deemed to be material to this Agreement:

6.1.1 THE PROPERTY IS BEING SOLD "AS IS", "WHERE IS" AND "WITH ALL FAULTS" AS OF CLOSING, WITHOUT ANY REPRESENTATION OR WARRANTY WHATSOEVER AS TO ITS CONDITION, FITNESS FOR ANY PARTICULAR PURPOSE, MERCHANTABILITY OR ANY OTHER WARRANTY, EXPRESS OR IMPLIED. SELLER SPECIFICALLY DISCLAIMS ANY WARRANTY, GUARANTY OR REPRESENTATION, ORAL OR WRITTEN, PAST OR PRESENT, EXPRESS OR IMPLIED, CONCERNING THE PROPERTY. BUYER ACKNOWLEDGES THAT BUYER IS PURCHASING THE PROPERTY BASED SOLELY UPON BUYER'S OWN INDEPENDENT INSPECTIONS, INVESTIGATIONS AND FINDINGS AND NOT IN RELIANCE UPON ANY INFORMATION PROVIDED BY SELLER OR SELLER'S AGENTS.

6.1.2 Seller makes no other representations or warranties, expressed or implied, with respect to the subject matter of this Agreement except as contained herein. Seller has not surveyed or inspected the Property to determine the existence of any hazardous materials, substances or constituents. The purchase/sale is made "as is, where is, and with all faults."

Section 7: RISK OF LOSS AND DAMAGE

- 7.1 Pending acceptance of this offer by Purchaser and thereafter through and including the Closing Date, the risk of loss of the Property will remain with the Seller.
- 7.2 In the event the Property, or a material portion thereof, is destroyed or damaged by fire or other casualty after acceptance of this offer but prior to Closing, then Purchaser, at his option, may cancel this agreement, whereupon Seller shall return the Earnest Money to Purchaser and thereafter the parties shall have no further duty, obligation, financial or otherwise, or liability hereunder to each other; or close the transaction with the Purchase Price reduced by an amount equivalent to the difference between the fair market value of the Property immediately prior to such damage or destruction less the fair market value of the Property immediately after such damage or destruction, as mutually determined.

Section 8: TAXES AND ASSESSMENTS

- 8.1 Seller shall pay all valid delinquent real property taxes, water rates, sewer charges, assessments, special and otherwise, and other charges which are a valid lien against the Property as of the Closing Date. Current real estate taxes and current installments of special assessments, if any, shall be prorated on a due date basis to the date of Closing, in accordance with the local custom for the county in which the Property is located. Any federal, state and local documentary or revenue stamps, transfer, sales and other taxes relating to the sale of the Property shall be paid by Buyer and/or Seller at Closing based on local custom for the county in which the Property is located and both parties agree to execute any tax forms required.
- 8.2 All net property tax refunds and credits attributable to any period prior to the Closing, if any, shall be the property of Seller. All net property tax refunds and credits attributable to any period subsequent to the Closing, if any, shall be the property of Buyer.

Section 9: TITLE EXAMINATION

Purchaser shall have thirty (30) days commencing with execution of this Agreement to examine the title to the Property and secure, at Purchaser's expense, a written owner's title insurance commitment, from a duly authorized title insurance company (issued through its Georgia Office) to insure, at its standard rates or less, Purchaser and the title to the Property to be conveyed by Seller to Purchaser pursuant to this Agreement (hereinafter referred to as "Commitment"). If the Commitment sets up (or sets forth) any title objection(s), Seller shall have five (5) days from receipt of the notice of title objection(s) to analyze said title objection(s) and determine, in its sole discretion, whether or not to cure the same and to notify Purchaser of Seller's decision thereon. Seller and Purchaser understand and agree that the Property is sold "as is, where is, and with all faults" and Seller makes no warranty of any type or kind whatsoever.

Section 10: CLOSING

10.1 Closing Attorney

Buyer and Seller hereby agree that the "Closing Attorney" shall be:

Michelle Rothmeier
Lawson & Beck, LLC
michelle@lawsonandbeck.com

Peachtree City office:
1125 Commerce Drive, Suite 300
Peachtree City, Georgia 30269
Phone: 770-486-8949

Newnan office:
1201 Lower Fayetteville Road, Suite C
Newnan, Georgia 30265
Phone: 678-487-6002

Buyer and Seller further agree that the Closing Attorney will act as the escrow agent in this transaction.

10.2 The Closing Date of this transaction shall be October 2, 2023. The time and place of Closing shall be designated by Purchaser and notice thereof shall be given to Seller not less than seven (7) days prior to the designated Closing Date. Purchaser may designate the attorney who will conduct the Closing (hereinafter referred to as the "Closing Attorney"), and the Closing Attorney shall represent Purchaser at the Closing.

10.3 At Closing, Seller and Purchaser shall respectively pay the following costs and expenses, hereinafter referred to as "expenses":

10.3.1 Seller shall pay the following expenses:

(a) Fees of the Seller's attorney; and

10.3.2 Purchaser shall pay the following expenses, and those specified elsewhere in Section 10:

- (a) Fees and expenses of Purchaser's attorney(s) and closing attorney; and
- (b) Fee for examination and certification of the title to the Property; and
- (c) Fee and premium to a title insurance company for the commitment and any issued owners title insurance policy; and
- (d) Expenses for filing and recording the Deed with the Fayette County Clerk of Superior Court, as required by Seller, or any other appropriate local authorities, and any other documents or instruments which Purchaser deems necessary or desirable to place of record; and
- (e) The expenses of any inspection or appraisal obtained by Purchaser; and
- (f) Any real property ad valorem taxes that may be assessed and levied against the Property by the taxing authorities of any city or county; and
- (g) Any other expenses actually incurred by Purchaser.

10.4 At the Closing, Seller and Purchaser shall each deliver to the other the following:

10.4.1 Purchaser shall tender to Seller the Purchase Price in the manner set forth in subsection numbered 10.5 hereof.

10.4.2 Seller shall deliver to Purchaser the following:

- (a) A Deed, conveying to Purchaser, fee simple, all of Seller's right, title and interest in and to the Property, the legal description contained therein to be verbatim as set forth in EXHIBIT "A" attached hereto; and
- (b) If requested, a copy of official records of Seller authorizing execution of the Deed and other instruments, documents and legal pleadings necessary to implement and finalize this transaction.

10.5 At the Closing, Purchaser shall tender to Seller an amount equal to the one half of the Purchase Price, less the amount of Earnest Money, one million three hundred fifty thousand dollars (\$1,350,000.00) . Payment may be delivered through some cash equivalent payment by cash, wire, or other means acceptable to Seller. On October 2, 2024 Purchaser shall tender to Seller an amount equal to the remaining one half of the Purchase Price, one million five hundred thousand dollars (\$1,500,000.00)

Section 11: DELIVERY OF POSSESSION

At the Closing, Seller will deliver to Purchaser all the possession it has in and to the Property in the same condition as the Property existed on the date hereof, acts of God, normal wear and tear, and the commission of any criminal acts on or to the Property, excepted.

Section 12: DEFAULT

12.1 If, following Purchaser's acceptance of this offer, the transaction contemplated by this Agreement is not consummated on account of Seller's default hereunder, then Purchaser may elect to cancel this Agreement, whereupon Seller shall return the Earnest Money to Purchaser and Purchaser and Seller shall then have no further duty, obligation, financial or otherwise, or liability hereunder to each other.

12.2 If the sale and purchase of the Property contemplated by this Agreement is not consummated on account of the Purchaser's default hereunder, the Earnest Money paid by Purchaser to Seller shall be kept by Seller and considered by Seller and Purchaser to be full and complete liquidated damages. Further, Seller shall have no further duty, obligation, financial or otherwise, or liability hereunder to Purchaser.

Section 13: NOTICES

Purchaser may give oral notice, followed by notification in writing, to Seller of the place and Closing Date of this transaction. All other notices (which includes acceptances and consents) given under and pursuant to this Agreement shall be in writing and given by depositing the same in the United States Certified Mail with a request for the return of a receipt showing the name of the recipient and the date of delivery. Notices shall be addressed to the party to be notified at the address first set forth hereinabove. Either party may, from time to time, by five (5) days' prior notice to the other party, specify a different address to which notices shall be sent. Rejection or refusal to accept a notice or inability to deliver a notice because of a changed address of which no notice was given shall be deemed a delivery of the notice on the date when postmarked.

Notice shall also be provided to:

If to Buyer:
McNally, Fox, Grant & Davenport
Attention: Dennis A. Davenport
100 Habersham Drive
Fayetteville, Georgia 30214

If to Seller:

Section 14: ASSIGNMENT

This agreement is personal to Purchaser and may not be transferred or assigned by Purchaser without the prior written consent of Seller

Section 15: REAL ESTATE BROKERS AND ATTORNEYS

Purchaser represents that no agents or brokers have been retained in this transaction. Should Seller or Purchaser retain a broker or agent to represent them, the financial obligations accrued thereby shall be discharge by the Party retaining said services. Further, the party retaining said services covenants and agrees to indemnify and hold harmless from all claims and liabilities from any such brokers or agents, the non-retaining party.

Section 16: GENERAL PROVISIONS OF THIS AGREEMENT

- 16.1 All rights, powers and privileges conferred hereunder shall be cumulative and not restrictive of those given by law.
- 16.2 All time limits stated herein are of the essence of this offer and Agreement.

- 16.3 If any one or more of the provisions contained herein is for any reason held by a court of competent jurisdiction to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provision hereof, and this Agreement shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein.
- 16.4 All provisions of this Agreement shall survive the Closing and **shall not** be merged into either the Deed or any other instruments, documents or pleadings executed by the parties either prior to or at the Closing.
- 16.5 The brief headings or titles preceding each section hereof are for purposes of identification and convenience only and should be disregarded in construing this Agreement.
- 16.6 This Agreement shall be governed, construed under, performed and enforced in accordance with the laws of the State of Georgia in the courts of Fayette County, Georgia.
- 16.7 This Agreement may be executed in two (2) counterparts (Seller's counterpart and Purchaser's counterpart) which are separately numbered and identified but each of which is deemed an original of equal dignity with the other and which is deemed one and the same instrument as the other.

Section 17: ENTIRE AGREEMENT

This Agreement, supersedes all prior negotiations, discussions, statements and agreements between Seller and Purchaser and constitutes the full, complete and entire agreement between Seller and Purchaser with respect hereto; no member, officer, employee, agent or representative of Seller or Purchaser has authority to make, or has made, any statement, agreement, representation or contemporaneous agreement, oral or written, in connection herewith, amending, supplementing, modifying, adding to, deleting from, or changing the provisions of this Agreement. No modification of or amendment to this Agreement shall be binding on either Seller or Purchaser unless such modification or amendment is signed by both Seller and Purchaser.

Section 18: GOVERNING LAW AND ATTORNEY'S FEES

This Agreement shall be governed and enforced by and construed in accordance with the laws of the state in which the Property is located. In the event either party hereto finds it necessary to employ legal counsel or to bring an action at law or other proceedings against the other party to enforce any of the terms, covenants or conditions hereof, the prevailing party in such action or proceeding shall be paid all reasonable attorneys' fees, as determined by the court and not the jury, and in the event any judgment is secured by such prevailing party, all such attorneys' fees shall be included in any such judgment in such action or proceedings.

Section 19: COUNTERPARTS

This Agreement may be executed in multiple counterparts, each of which shall be deemed to be an original, but all of which, together, shall constitute one and the same instrument.

(SIGNATURES TO FOLLOW ON NEXT PAGE)

IN WITNESS WHEREOF, the Parties have executed this Agreement this _____ day of _____ 2023.

SELLER:
Fayette County Board of Education

By: _____
Roy Rabold, Chairman

Witness: _____
By: _____

PURCHASER,
Fayette County, Georgia

By: Lee Hearn, Chairman

Attest: _____
By: Tameca P. Smith, Clerk

(County SEAL)

EXHIBIT "A"
Legal Description
Tax Parcel ID:



Purchasing Department
140 Stonewall Avenue West, Ste 204
Fayetteville, GA 30214
Phone: 770-305-5420
www.fayettecountyga.gov

To: Steve Rapson
Through: Ted L. Burgess *TLB*
From: Natasha M. Duggan *NMD*
Date: July 13, 2023
Subject: **Contract #2289-S: Crosstown Filter Console VT SCADA Upgrade**

Crosstown and South Fayette Water Treatment Plants (WTP) use a Supervisory Control and Data Acquisition (SCADA) system to control processes locally; monitor, gather and process real-time data; and directly interact with devices such as sensors, valves pumps, and motors. The SCADA system requires periodic upgrades and modifications to maintain successful operation.

On April 14, 2022, the Board of Commissioners approved Task Order 22-11 allowing Arcadis, the Water System Engineer of Record, to review the existing SCADA system and to identify system improvements. The upgrade to the Crosstown WTP's computers and software is part of the improvements identified by Arcadis. Industrial Control Systems, Inc. (ICS), which is now part of ITAC, supplied and installed the existing filter control system.

This contract will allow ITAC to provide a VTSCADA upgrade for the Crosstown plant filter control consoles. This upgrade provides for continuity of operations between the two treatment plants (South Fayette Consoles were installed with VTSCADA in FY22). Updated hardware in the consoles is necessary to complete the full SCADA system project that is currently underway.

A Contractor Performance Evaluation for ICS's work at the South Fayette WTP Filter Control System is attached (Attachment 1).

Specifics of the proposed contract are as follows:

| | | |
|------------------------|--|------------------------------|
| Contract Name | #2289-S: Crosstown Filter Console VT SCADA Upgrade | |
| Contractor | ITAC | |
| Contract Amount | \$199,500.00 | <i>Per Retreat Attention</i> |
| Budget: | | |
| Org Code | 50740400 | Water CIP |
| Object | 542540 | |
| Project | 6SCAD | SCADA Upgrade |
| Available | \$489,811.04 | As of 7/11/2023 |

Approved by: *[Signature]* Date: 7/13/23

Place on County Administrator's Report? Yes No

On Agenda Dated: _____

FAYETTE COUNTY, GEORGIA CONTRACTOR PERFORMANCE EVALUATION

Page 1

1. Use this form to record contractor performance for any contract of \$50,000 or above.
2. The person who serves as project manager or account manager is the designated party to complete the evaluation.
3. This form is to be completed and forwarded to the Purchasing Department not later than 30 days after completion or expiration of a contract. Past performance is considered on future contracts.

| VENDOR INFORMATION | COMPLETE ALL APPLICABLE INFORMATION |
|--|--|
| Company Name: ITAC (ICS) | Contract Number: 1837-S (ICS) |
| Mailing Address: 13141 N. Enon Church Road | Contract Description or Title: South Fayette WTP Filter Control System |
| City, St, Zip Code: Chester, VA 23836 | Contract Term (Dates) From: 10/2/2020 - 6/24/2021 (20210185) |
| Phone Number: 804-414-1100 | Task Order Number: n/a |
| Cell Number: N/A | Other Reference: for award of Contract 2289-S |
| E-Mail Address: | |

DEFINITIONS

OUTSTANDING – Vendor considerably exceeded minimum contractual requirements or performance expectations of the products/services; The vendor demonstrated the highest level of quality workmanship/professionalism in execution of contract.

EXCELLENT (Exc) - Vendor exceeded minimum contractual requirements or performance expectations of the products/services.

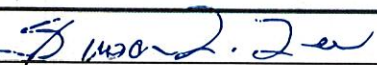
SATISFACTORY (Sat) - Vendor met minimum contractual requirements or performance expectations of the products/services.

UNSATISFACTORY (UnSat) - Vendor did not meet the minimum contractual requirements or performance expectations of the products and/or services; Performed below minimum requirements

EVALUATIONS (Place "X" in appropriate box for each criterion.)

| Criteria (includes change orders / amendments) | Out-standing | Exc | Sat | Un-Sat | Not Apply |
|--|--------------|-----|-----|--------|-----------|
| 1. Work or other deliverables performed on schedule | | X | | | |
| 2. Condition of delivered products | | X | | | |
| 3. Quality of work | | X | | | |
| 4. Adherence to specifications or scope of work | | X | | | |
| 5. Timely, appropriate, & satisfactory problem or complaint resolution | | X | | | |
| 6. Timeliness and accuracy of invoicing | | X | | | |
| 7. Working relationship / interfacing with county staff and citizens | | X | | | |
| 8. Service Call (On-Call) response time | | X | | | |
| 9. Adherence to contract budget and schedule | | X | | | |
| 10. Other (specify): | | | | | |
| 11. Overall evaluation of contractor performance | | X | | | |

EVALUATED BY

| | |
|--|-------------------------------|
| Signature:  | Date of Evaluation: 1/12/2023 |
| Print Name: Susan L. Lee | Department/Division: Water |
| Title: Production & Operations Manager | Telephone No: 770 320-6087 |



Purchasing Department
140 Stonewall Avenue West, Ste 204
Fayetteville, GA 30214
Phone: 770-305-5420
www.fayettecountyga.gov

To: Steve Rapson
Through: Ted L. Burgess *TLB*
From: Natasha M. Duggan *ND*
Date: July 11, 2023
Subject: **Contract 1867-P: Water System Engineer of Record**
Task Order 24-03: Electrical System Condition Assessment and Power Distribution Study

Arcadis U. S., Inc. currently serves as the Water System Engineer of Record. Under this task order, Arcadis will evaluate the power system at both Crosstown and South Fayette Water Treatment Plants and Pump Station facilities in advance of a planned power system improvement project to held identify critical improvements.

Specifics of the proposed contract task order are as follows:

| | | |
|-----------------------------|---|----------------------|
| Contract Name | #1867-P: Water System Engineer of Record | |
| Task Order | 24-03 Electrical System Condition Assessment and Power Distribution Study | |
| Contractor | Arcadis U. S., Inc. | |
| Not to Exceed Amount | \$76,591.00 <i>24</i> | |
| Budget: | | |
| Org Code | 50541010 | Water System Admin |
| Object | 521211 | Engineering Services |
| Available Budget | \$252,250.00 | As of July 10, 2023 |

Approved by: *[Signature]* Date: 7/10/23

Place on County Administrator's Report? Yes No

On Agenda Dated: _____



Arcadis U.S., Inc.
2839 Paces Ferry Road SE
Suite 900
Atlanta, Georgia 30339
Phone: 770 431 8666
www.arcadis.com

Vanessa Tigert, PG
Director
Fayette County Water System
245 McDonough Road
Fayetteville, Georgia 30214

Date: May 26, 2023

Ref: Contract #1867-P Water System Engineer of Record (Arcadis PN 30171943)

Subject: Task Order TO 24-03 – Electrical System Condition Assessment and Power Distribution Study-REV 1

Dear Ms. Tigert,

Arcadis is pleased to submit this Task Order (TO) for professional services to be performed for the Fayette County Water System (FCWS) Electrical System Condition Assessment and Power Distribution Study.

Background

FCWS has requested Arcadis to evaluate the power system at both Crosstown and South Fayette Water Treatment Plants (WTP) and Pump Station (PS) facilities in advance of a planned power system improvement project to help identify critical improvements. This evaluation is to provide a high-level analysis of the existing power system to identify potential improvements for implementation during later projects.

The scope of services to be provided by Arcadis for this effort is to review the existing power system to provide a consolidated view for system coordination and identify aged, single sourced and single points of failure, power quality, and maintenance intensive electrical equipment. The review will include on site observations, existing drawings review, maintenance record review, and discussions with key staff regarding operational and maintenance history.

The Technical Memo (TM) developed under this project will provide FCWS with critical information needed to systematically upgrade the existing power system at their facilities to support long term needs while continuing to provide uninterrupted water services to customers. FCWS will have the opportunity to use this TM as a resource when making budget planning-based decisions.

Vanessa Tigert, PG
 Fayette County Water System
 May 26, 2023

Scope of Work

The detailed scope of engineering work is defined in this section. FCWS is requesting Arcadis review the current electrical power system at the Crosstown WTP, South Fayette WTP, Lake Peachtree PS, Lake McIntosh PS, Lake Horton PS, Flint River PS, Ellis Road Tank and Crabapple Tank Facility to help FCWS define the extent of a series of future electrical power improvement projects. The scope of this task order is to identify the electrical power equipment that is aged, single sourced and established single points of failure, unacceptable power quality, and maintenance intensive electrical equipment. The review will include onsite observations, drawing review, maintenance record review, and discussions with key staff regarding operational and maintenance history.

Arcadis will review existing drawings, visually observe equipment, review electrical maintenance data, and conduct meetings with key stakeholders to gather data on the performance of the electrical equipment. Arcadis will then review and evaluate the data collected from interviews about the existing facilities.

Arcadis will recommend improvements for the power system, including identifying possible space for these improvements, and preliminary construction sequencing that will provide the required reliability of the power system.

This task will include an estimate of probable construction costs. Arcadis will work with FCWS to determine preferred replacement equipment, including identifying and reserving space suitable for the recommended new equipment. A breakdown of tasks is outlined below:

1. Project Coordination and Management
2. Data Collection and Analysis
 - a. Kickoff Meeting
 - b. Review existing power system equipment
 - c. Site investigations
 - d. Interviews with FCWS selected staff members
3. Conduct Workshops
 - a. First FCWS workshop to review Gap Analysis and site visit findings
 - b. Second FCWS workshop to review draft Technical Memorandum (TM) elements
4. Power System Improvements (Draft and Final)
 - a. Arcadis to develop Draft improvements TM with cost estimate
 - b. Arcadis to make edits as needed and submit Final TM to FCWS

Please note the condition assessment of electrical equipment will include the following:

1. Investigate electrical distribution equipment at the following locations:
 - i. Crosstown WTP
 - ii. South Fayette WTP
 - iii. Lake Peachtree PS
 - iv. Lake McIntosh PS
 - v. Lake Horton PS
 - vi. Flint River PS
 - vii. Ellis Road Tank
 - viii. Crabapple Tank

Vanessa Tigert, PG
Fayette County Water System
May 26, 2023

2. Provide Gap analysis on electrical equipment documentation
 - i. Identify areas where information is missing where that information could impact operations or maintenance
3. Provide analysis on power quality considerations:
 - i. Power outages
 - ii. Storm Reliability
 - iii. Known Voltage Fluctuations
4. Assessment to consider for each of the following:
 - i. Potential failures
 - ii. Age
 - iii. Space for installation and sequencing
 - iv. Reliability
 - v. Maintenance
 - i. History of service
 - ii. Manufacturer spare parts availability
 - iii. Safety
 - iv. Environmentally preferred spaces (air conditioned, ventilated)
5. Electrical Assessment to include following equipment at each site as applicable:
 - i. Switchgear
 - ii. Pump motor starters
 - iii. Underground distribution, access, and routing of distribution feeders
 - iv. Process considerations/impact
 - v. 480V/120V distribution and starters for process equipment
 - vi. As determined from field investigation include process impact - power panels, MCC
 - vii. Equipment Life expectancy / spare parts availability
 - viii. Identify space for electrical equipment / starters for replacement.

Deliverables

The final TM will incorporate all FCWS comments. Deliverables included under scope of work are mentioned below:

1. Workshop No.1 and workshop No.2 presentation material.
2. Electrical Improvements Technical Memorandum - Draft and Final
 - a. Sequence of Construction
 - b. Preliminary Electrical Space Planning
 - c. Opinion of Probable Construction Costs

Vanessa Tigert, PG
 Fayette County Water System
 May 26, 2023

Meetings and Site Visits

There will be four hybrid on-site/Teams meetings for this project between FCWS and Arcadis. An initial project kickoff meeting and site visit will be conducted where the project goals, deliverables, and schedule will be discussed and agreed between all parties. There will be one staff interview meeting where selected FCWS staff will be able to voice ongoing concerns or request potential improvements and two workshop meetings to review site findings and discuss draft TM respectively. Meeting Minutes will be submitted to FCWS within five business days following each meeting. Summary of the meetings and site visits is shown in table below.

| Meeting Name/Site Visit | Quantity | Duration Per Each Meeting (Hrs.) | Total Duration (Hrs.) |
|---------------------------------------|----------|----------------------------------|-----------------------|
| Kickoff Meeting | 1 | 1 | 1 |
| Data Collection from Sites | 5 | 8 | 40 |
| Interview With Selected Staff Members | 1 | 2 | 2 |
| Workshop No.1 | 1 | 3 | 3 |
| Workshop No.2 | 1 | 3 | 3 |

Project Team

The key members of our project team are listed below. The team may vary as needed. Arcadis may utilize subcontractors to address specific scope elements as needed. Arcadis shall submit subcontractors to FCWS for approval prior to initiating any activities.

1. Aaron Capelouto, PE, MIB – Deputy Account Lead
2. Travis Thomas, PE – Project Manager
3. Thomas Powell, PE – Regional Lead Electrical and Instrumentation Engineer
4. Hamilton Giles, PE – Process Mechanical Engineer
5. Ninad Deshpande – Staff Electrical Engineer
6. Kuron Seabrun – Junior Electrical Engineer

Vanessa Tigert, PG
 Fayette County Water System
 May 26, 2023

Schedule

The Arcadis team will begin work under this TO when authorized by the FCWS.

| Fayette County Water System | | 2023 | | | | | | | | | | | | | | | | | | | | | | | |
|-----------------------------|--|------|----|----|----|------|----|----|----|--------|----|----|----|-----------|----|----|----|---------|----|----|----|----|----|----|--|
| Electrical Assesment | | June | | | | July | | | | August | | | | September | | | | October | | | | | | | |
| # | Milestone | Week | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 | 35 | 36 | 37 | 38 | 39 | 40 | 41 | 42 | 43 | 44 | |
| 1 | Notice to Proceed | | | | | | | | | | | | | | | | | | | | | | | | |
| 2 | Existing Data Review | | | | | | | | | | | | | | | | | | | | | | | | |
| 3 | Kickoff Meeting | | | | | | | | | | | | | | | | | | | | | | | | |
| 4 | Data Gathering and Field Investigation | | | | | | | | | | | | | | | | | | | | | | | | |
| 5 | Workshop No.1 (Analysis and Site Findings) | | | | | | | | | | | | | | | | | | | | | | | | |
| 6 | Draft TM Development and Submission | | | | | | | | | | | | | | | | | | | | | | | | |
| 7 | Workshop No.2 (Draft TM) | | | | | | | | | | | | | | | | | | | | | | | | |
| 8 | Submit Final TM | | | | | | | | | | | | | | | | | | | | | | | | |

Notes:
 1. Each FCWS Review Phase includes two weeks for review. The subsequent activity will not begin until meeting minutes from the previous activity are finalized.

Fee

Compensation for the work in this professional services assignment will be based on a not to-exceed, time and materials fee as shown in the attached fee table. The compensation was determined using the previously agreed upon rates associated with Arcadis' Engineer of Record contract with the County.

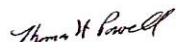
Assumptions

1. FCWS will provide review and comments to submittals within two weeks of receiving a submittal to maintain the project schedule.
2. FCWS will provide Arcadis with relevant documentation needed to complete the project within five business days of request. Any delays beyond five business days may result in a project delay.
3. There will be four (4) meetings held for this project between FCWS and Arcadis.
 - a. Kickoff Meeting (One 1-hour)
 - b. Interview Meeting with selected staff (One 2-hour)
 - c. Workshops with selected staff (Two 3-hour)
4. FCWS's review of draft documents will be scheduled for two weeks or 10 business days to maintain the project schedule.
5. Both the Kickoff Meeting and Staff Interviews will be held in-person. A link to Microsoft Teams will also be included in the meeting invite for staff joining remotely.
6. Arcadis will submit biweekly progress emails to FCWS.
7. Arcadis will request FCWS's assistance in determining which staff to interview and include in the workshop.
8. The deadline for this project is beginning of November 2023 assuming Arcadis receives notice to proceed by the second week of July.
9. The only expenses for this project will include car mileage expenses for Arcadis staff to and from the listed sites.
10. The final deliverable will be approximately 10% design completion.

Vanessa Tigert, PG
Fayette County Water System
May 26, 2023

We appreciate the opportunity to submit this proposal for this Task Order. If you have any questions, please do not hesitate to contact me. We look forward to working with you and the FCWS team on this project.

Sincerely,

A handwritten signature in cursive script that reads "Tom Powell".

Tom Powell, PE
Regional Lead Electrical and Instrumentation Engineer
Arcadis U.S., Inc.

CC: FCWS – Susan Lee; Russell Ray
Arcadis – Michael Diaz, MS, PE; Aaron Capelouto, PE, MIB; Travis Thomas, PE

Attachments: Attachment A – Engineering Fee Table

Attachment A
FCWS - TO 24-03 Electrical System Condition Assessment and Power Distribution Study Fee Table

| Discipline | Project Management | | | | Process Mechanical | | | Electrical | | | Total Labor Cost | Subtotal |
|---|---------------------|-----------------|-------------------|------------------|--------------------|--------------------------|------------------|----------------|----------------|--|------------------|----------|
| | Deputy Account Lead | Project Manager | Project Assistant | Technical Editor | Lead Engineer | QA/QC | Lead Engineer | Jr. Engineer | Staff Engineer | | | |
| Staff Proposed | A. Capelouto | T. Thomas | L. Mire | S. Budd | H. Giles | T. Powell | N. Deshpande | K. Seabrun | | | | |
| Labor Category | Project Manager | Project Manager | Project Assistant | Project Engineer | Senior Engineer | Principal Engineer / SME | Project Engineer | Staff Engineer | | | | |
| Labor Rate (See Rate Table) | \$175.10 | \$175.10 | \$84.46 | \$142.14 | \$190.55 | \$216.30 | \$142.14 | \$111.24 | | | | |
| Total Role Hours | 10 | 44 | 6 | 15 | 26 | 66 | 214 | 120 | | | | |
| Total Role Percentage | 13% | 59% | 8% | 20% | 100% | 17% | 54% | 30% | | | | |
| Total Role Cost | \$1,751 | \$7,704 | \$507 | \$2,132 | \$4,954 | \$14,276 | \$30,418 | \$13,349 | | | | |
| Total Hours (by Discipline) | 75 | 15% | 15% | 7% | 26 | 400 | 80% | 501 | | | | |
| Total Hours Percentage (by Discipline) | | | | | | | | | | | | |
| Total Labor Cost (by Discipline) | | | | | | | | | | | | |
| Total Labor Cost Percentage (by Discipline) | | | | | | | | | | | | |
| TASK 1 Project Management Services | | | | | | | | | | | | |
| 1.1 Project Management and Task Order Development | | 1 | | | | | | | | | | \$459 |
| 1.2 Client Kick-off Meeting and Initial Site Visit | | 1 | | | | 2 | 4 | 8 | | | | \$1,351 |
| 1.3 Preparation of Biweekly Progress Reports | | 1 | | | | | | | | | | \$459 |
| 1.4 Preparation of Meeting Minutes | | 1 | | | | | | | | | | \$459 |
| 1.5 Project Monthly Invoicing | | 1 | 4 | | | | | | | | | \$797 |
| 1.6 Project Closeout | | 1 | 2 | | | | | | | | | \$803 |
| Sub-total Task Hours | | 6 | 6 | | | 2 | 14 | | | | | \$4,330 |
| TASK 2 Data Collection and Analysis | | | | | | | | | | | | |
| 2.1 Review of the existing information | | | | | 8 | | | | | | | \$5,764 |
| 2.2 Internal Progress Meetings (30 Mins./Meeting) | | 4 | | | | 4 | | | | | | \$2,134 |
| 2.3 Kickoff Meeting Material Preparation | | | | | | | | | | | | \$284 |
| 2.4 Kickoff Meeting | | 1 | | | | 1 | | | | | | \$884 |
| 2.5 Kickoff Meeting Minutes | | 2 | | | | | | | | | | \$142 |
| Site Visits | | | | | | | | | | | | |
| 1. Crosstown WTP | | | | | | | | | | | | |
| 2. South Fayette WTP | | | | | | | | | | | | |
| 3. Lake Peachtree PS | | | | | | | | | | | | |
| 4. Lake McIntosh PS | | | | | | | | | | | | |
| 5. Lake Horton PS | | | | | | | | | | | | |
| 6. Flint River PS | | | | | | | | | | | | |
| 7. Ellis Road Tank | | | | | | | | | | | | |
| 8. Crabapple Tank | | | | | | | | | | | | |
| Sub-total Task Hours | | 10 | | | | 34 | 40 | 40 | | | | \$17,489 |
| TASK 3 Conduct Workshops | | | | | | | | | | | | |
| 3.1 Prepare Workshop #1 Materials | | 4 | | | | | | | | | | \$2,282 |
| 3.2 Conduct Workshop #1 (Analysis & Site Visit Findings) | | 4 | | | 4 | 4 | | | | | | \$3,422 |
| 3.3 Prepare Workshop #1 Meeting Minutes and address any FCWS comments | | | | | | | | | | | | \$1,014 |
| 3.4 Prepare Workshop #2 Materials | | 4 | | | | 1 | 8 | 4 | | | | \$2,499 |
| 3.5 Conduct Workshop #2 (Draft Technical Memorandum) | | 4 | | | 4 | 4 | | | | | | \$3,422 |
| ARCADIS Subtotals | | | | | | | | | | | | |
| Total Hours | | | | | | | | | | | | |
| Total Labor Cost | | | | | | | | | | | | |
| Subtotal | | | | | | | | | | | | |





| Role | Deputy Account Lead | Project Manager | Project Assistant | Technical Editor | Lead Engineer | QA/QC | Lead Engineer | Lead Engineer | Jr. Engineer | Total Hours | Total Labor Cost | Subtotal |
|--|---------------------|-----------------|-------------------|------------------|-----------------|--------------------------|------------------|----------------|--------------|-------------|------------------|-----------------|
| Staff Proposed | A. Capelouto | T. Thomas | L. Mire | S. Budd | H. Giles | T. Powell | N. Deshpande | K. Seabrun | | | | |
| Labor Category | Project Manager | Project Manager | Project Assistant | Project Engineer | Senior Engineer | Principal Engineer / SMF | Project Engineer | Staff Engineer | | | | |
| Labor Rate (See Rate Table) | \$175.10 | \$175.10 | \$84.46 | \$142.14 | \$190.55 | \$216.30 | \$142.14 | \$111.24 | | | | |
| Total Role Hours | 10 | 44 | 6 | 15 | 26 | 66 | 214 | 120 | | | | |
| Total Role Percentage | 13% | 59% | 8% | 20% | 100% | 17% | 54% | 30% | | | | |
| Total Role Cost | \$1,751 | \$7,704 | \$507 | \$2,132 | \$4,954 | \$14,276 | \$30,418 | \$13,349 | | | | |
| Total Hours (by Discipline) | 75 | | | | | | | | | | | |
| 3.6 Prepare Workshop #2 Meeting Minutes and address any FCWS comments | | | | | | | | | 4 | 12 | \$1,582 | \$1,582 |
| TASK 4 Draft Power System Improvements | | | | | | | | | 16 | 97 | \$14,220 | \$14,220 |
| 4.1 Draft Technical Memorandum Development (including sequence of construction, preliminary electrical space renderings, and opinion of probable construction costs) | | 6 | | 6 | | 2 | 48 | | 20 | 82 | \$11,384 | \$11,384 |
| 4.2 Address FCWS comments on Draft Technical Memorandum | | 2 | | | | 2 | 16 | | 8 | 28 | \$3,947 | \$3,947 |
| 4.3 Final Technical Memorandum Development (including sequence of construction, preliminary electrical space renderings, and opinion of probable construction costs) | | | | 8 | | 2 | 24 | | 8 | 44 | \$6,221 | \$6,221 |
| TASK 5 Contingency | | | | | | | | | 36 | 154 | \$21,552 | \$21,552 |
| 5.1 Contingency | 1 | 2 | | 1 | 4 | 4 | 8 | | 4 | 24 | \$3,877 | \$3,877 |
| Budgetary Expenses (Other Direct Costs) | | | | | | | | | | | | |
| TOTAL | | | | | | | | | | 501 | \$75,091 | \$75,091 |
| <i>Scope assumptions defined in the proposal.</i> | | | | | | | | | | | | \$76,591 |



Purchasing Department
 140 Stonewall Avenue West, Ste 204
 Fayetteville, GA 30214
 Phone: 770-305-5420
 www.fayettecountyga.gov

To: Steve Rapson
 Through: Ted L. Burgess *TB*
 From: Natasha M. Duggan *NMD*
 Date: July 11, 2023
 Subject: **Contract 1867-P: Water System Engineer of Record**
Task Order 24-04: Water System Facilities Visual Structural Assessment

Arcadis U. S., Inc. currently serves as the Water System Engineer of Record. Under this task order, Arcadis will perform a visual structural condition assessment of the Water Treatment Plans and Pump Station facilities. This is being done to identify defects and deficiencies, potential structural repairs, and improvements to assist with planning future repair and rehabilitation work.

Specifics of the proposed contract task order are as follows:

| | | |
|-----------------------------|--|----------------------|
| Contract Name | #1867-P: Water System Engineer of Record | |
| Task Order | 24-04 Water System Facilities Visual Structural Assessment | |
| Contractor | Arcadis U. S., Inc. | |
| Not to Exceed Amount | \$73,130.00 | |
| Budget: | | |
| Org Code | 50541010 | Water System Admin |
| Object | 521211 | Engineering Services |
| Available Budget | \$252,250.00 | As of July 10, 2023 |

Approved by: *[Signature]* Date: 7/10/23

Place on County Administrator's Report? Yes No

On Agenda Dated: _____



Arcadis U.S., Inc.
2839 Paces Ferry Road SE
Suite 900
Atlanta, Georgia 30339
Phone: 770 431 8666
www.arcadis.com

Vanessa Tigert, PG
Director
Fayette County Water System
245 McDonough Road
Fayetteville, Georgia 30214

Date: June 6, 2023

Ref: Contract #1867-P Water System Engineer of Record (Arcadis PN 30178500)

Subject: Task Order TO 24-04 – Fayette County Water System Facilities Visual Structural Assessment - REV 1

Dear Ms. Tigert,

Arcadis is pleased to submit this Task Order (TO) to perform a Visual Structural Condition Assessment of the Water Treatment Plants and Pump Station facilities of the Fayette County Water System (FCWS).

Background

FCWS has requested Arcadis to perform the structural assessment at both Crosstown and South Fayette Water Treatment Plants (WTPs) and associated Pump Station (PS) facilities. This evaluation is to provide a high-level visual structural assessment of the existing buildings to identify defects and deficiencies, potential structural repairs, rehabilitation, and improvements for implementation during future projects.

The Technical Memo (TM) developed under this project will provide FCWS with structural deficiencies observed and possible critical information needed to systematically plan repair and rehabilitation work. The TM will also serve FCWS by helping maintain structural integrity of these critical infrastructure assets while continuing operations of the facilities and delivery of safe drinking water to the community. FCWS will have the opportunity to use this TM as a resource when making budget planning-based decisions.

Scope of Work

The scope of services to be provided by Arcadis consist of reviewing existing building data and a visual assessment of the structural condition of the buildings and supporting plant structures at the Crosstown WTP, South Fayette WTP, Lake Peachtree PS, Lake McIntosh PS, Lake Horton PS, and Flint River PS facilities. The project only includes visual assessments. No non-destructive/destructive testing will occur during the project duration. The building roof assessments and confined-space area assessments are not included in this scope.

A draft TM will be provided summarizing the assessment findings and include recommendations for any non-destructive/destructive testing and/or damage monitoring required as necessary. The TM will include descriptions and photographs of any building and plant supporting structure defects and findings. The intent is to not perform a safety audit of the buildings, but any significant structural deficiencies should be noted.

Vanessa Tigert, PG
 Fayette County Water System
 June 6, 2023

A workshop will be conducted to discuss all the findings and a final TM will be submitted addressing all comments and feedback received from FCWS.

A breakdown of tasks is outlined below:

1. Project Coordination and Management
2. Kickoff Meeting
3. Existing Data Review
 - a. Review existing information including drawings, existing condition assessments, maintenance records.
4. Visual Assessment and Staff Discussion
 - a. Perform detailed structural assessment photographing and documenting any visual structural damages or defects.
 - b. Interviews with FCWS selected staff members.
5. Prepare Draft TM
 - a. The report is to include the following:
 - i. Visual assessment findings.
 - ii. Non-destructive/destructive testing recommendations required for further investigation.
 - b. Submit Draft TM to FCWS
6. Visual Structural Assessment Findings Workshop
 - a. Discuss visual assessment findings.
 - b. Discuss destructive/non-destructive testing recommendations.
7. Prepare Final TM
 - a. Address FCWS comments.
 - b. Submit Final TM to FCWS.

Please note that the structural scope will include the following:

1. Visual Structural Assessment of buildings and plant supporting structures at the following locations:
 - i. Crosstown WTP
 - ii. South Fayette WTP
 - iii. Lake Peachtree PS
 - iv. Lake McIntosh PS
 - v. Lake Horton PS
 - vi. Flint River PS
 - vii. Crabapple Booster PS
 - viii. Ellis Road Booster PS
2. Refer to Attachment A for the list of buildings and plant supporting structures at Crosstown WTP, South Fayette WTP, Raw Water Pump Station, and Booster Pump Station facilities that are part of the scope.

Deliverables

1. Bi-weekly Progress Emails
2. Draft TM

Vanessa Tigert, PG
 Fayette County Water System
 June 6, 2023

3. Workshop presentation materials
4. Final TM

Meetings and Site Visits

There will be two in-person meetings for this project between FCWS and Arcadis. An initial project kickoff meeting will be conducted where the project goals, deliverables, and schedule will be discussed and agreed between all parties. The other workshop meeting will be conducted to review site findings and discuss the draft TM respectively. Meeting Minutes will be submitted to FCWS within five business days following each meeting. A summary of the meetings and site visits is shown in table below.

| Meeting Name/Site Visit | Quantity | Duration Per Each Meeting (Hrs.) | Total Duration (Hrs.) |
|---------------------------------------|----------|----------------------------------|-----------------------|
| Kickoff Meeting | 1 | 1 | 1 |
| Interview With Selected Staff Members | 1 | 1 | 1 |
| Workshop | 1 | 2 | 2 |

Project Team

The key members of our project team are listed below. The team may vary as needed.

1. Travis Thomas, PE – Project Manager
2. Donnell Duncan, PE, SE – Regional Lead Structural Engineer
3. Carlos Gallo, PE, SE – Principal Structural Engineer
4. Piyush Lunkad, EIT – Staff Structural Engineer
5. Nandan Sadashiva – Junior Structural Engineer
6. Hamilton Giles, PE, MS – Senior Process/Mechanical Engineer
7. Aaron Capelouto, PE, MIB – Deputy Account Lead

Schedule

The Arcadis team will begin work under this TO when authorized by the FCWS.

Vanessa Tigert, PG
Fayette County Water System
June 6, 2023

| Fayette County Water System | | 2023 | | | | | | | | | | | | | | | | | | |
|---|--|------|----|----|----|--------|----|----|----|-----------|----|----|----|---------|----|----|----|----|----|----|
| Structural Assessment | | July | | | | August | | | | September | | | | October | | | | | | |
| # | Milestone | Week | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 | 35 | 36 | 37 | 38 | 39 | 40 | 41 | 42 | 43 | 44 |
| 1 | Notice to Proceed | | | | | | | | | | | | | | | | | | | |
| 2 | Kickoff Meeting | | | | | | | | | | | | | | | | | | | |
| 3 | Existing Data Review | | | | | | | | | | | | | | | | | | | |
| 4 | Site Visit Structural Assessment | | | | | | | | | | | | | | | | | | | |
| 5 | Draft TM Development and Client Review | | | | | | | | | | | | | | | | | | | |
| 6 | Workshop | | | | | | | | | | | | | | | | | | | |
| 7 | Submit Final TM | | | | | | | | | | | | | | | | | | | |
| Notes: | | | | | | | | | | | | | | | | | | | | |
| 1. Each FCWS Review Phase includes two weeks for review. The subsequent activity will not begin until meeting minutes from the previous | | | | | | | | | | | | | | | | | | | | |

Fee

Compensation for the work in this professional services assignment will be based on a not to-exceed, time and materials fee as shown in the attached fee table. The compensation was determined using the previously agreed upon rates associated with Arcadis' Engineer of Record contract with the County.

Assumptions

1. FCWS will provide review and comments to submittals within two weeks of receiving a submittal to maintain the project schedule.
2. FCWS will provide Arcadis with relevant documentation needed to complete the project within five business days of request. Any delays beyond five business days may result in a project delay.
3. Arcadis will request FCWS's assistance in determining which staff to interview and include in the workshop.

We appreciate the opportunity to submit this Task Order proposal. If you have any questions, please do not hesitate to contact us. We look forward to working with you and the FCWS team on this project.

Sincerely,

Carlos Gallo, PE SE
Principal Structural Engineer
Arcadis U.S., Inc.

Vanessa Tigert, PG
Fayette County Water System
June 6, 2023

CC: FCWS – Susan Lee; Russell Ray

Arcadis – Michael Diaz, MS, PE; Aaron Capelouto, PE, MIB; Travis Thomas, PE

Attachments:

Attachment A – FCWS List of Structures

Attachment B - Engineering Fee Table

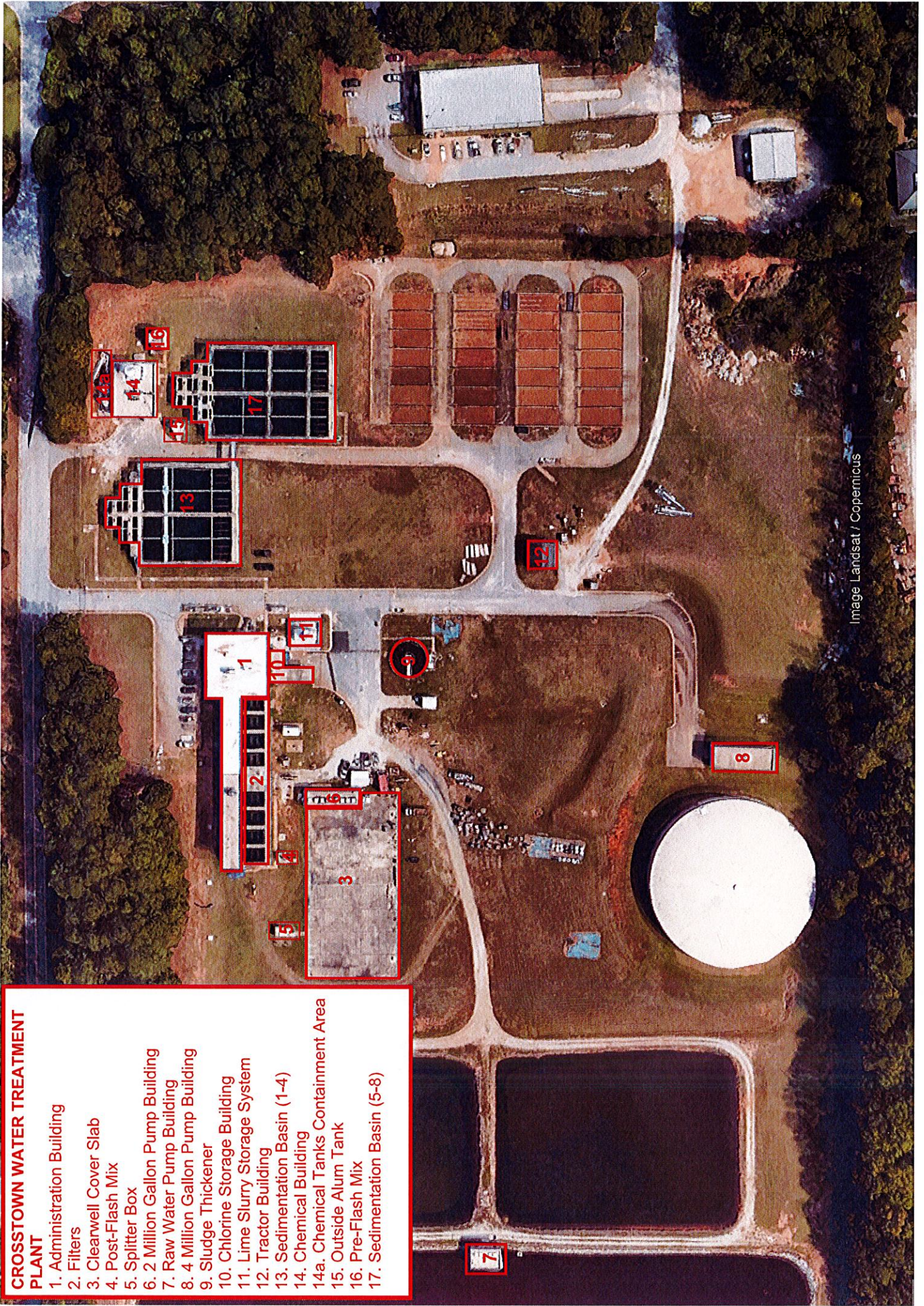
ATTACHMENT A

FCWS LIST OF STRUCTURES



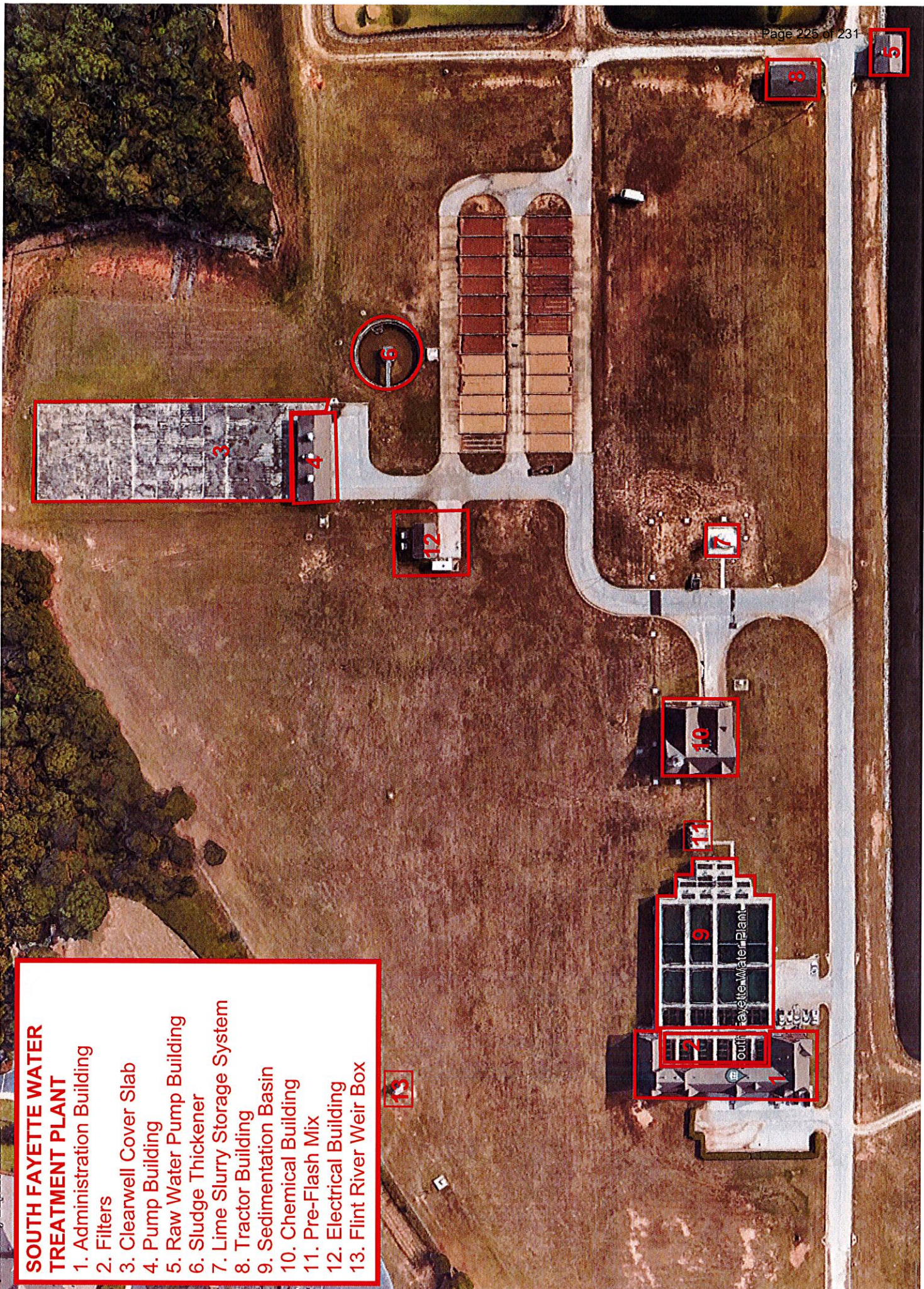
CROSTOWN WATER TREATMENT PLANT

- 1. Administration Building
- 2. Filters
- 3. Clearwell Cover Slab
- 4. Post-Flash Mix
- 5. Splitter Box
- 6. 2 Million Gallon Pump Building
- 7. Raw Water Pump Building
- 8. 4 Million Gallon Pump Building
- 9. Sludge Thickener
- 10. Chlorine Storage Building
- 11. Lime Slurry Storage System
- 12. Tractor Building
- 13. Sedimentation Basin (1-4)
- 14. Chemical Building
- 14a. Chemical Tanks Containment Area
- 15. Outside Alum Tank
- 16. Pre-Flash Mix
- 17. Sedimentation Basin (5-8)



SOUTH FAYETTE WATER TREATMENT PLANT

- 1. Administration Building
- 2. Filters
- 3. Clearwell Cover Slab
- 4. Pump Building
- 5. Raw Water Pump Building
- 6. Sludge Thickener
- 7. Lime Slurry Storage System
- 8. Tractor Building
- 9. Sedimentation Basin
- 10. Chemical Building
- 11. Pre-Flash Mix
- 12. Electrical Building
- 13. Flint River Weir Box



5

8

6

3

4

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7

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11

2

9

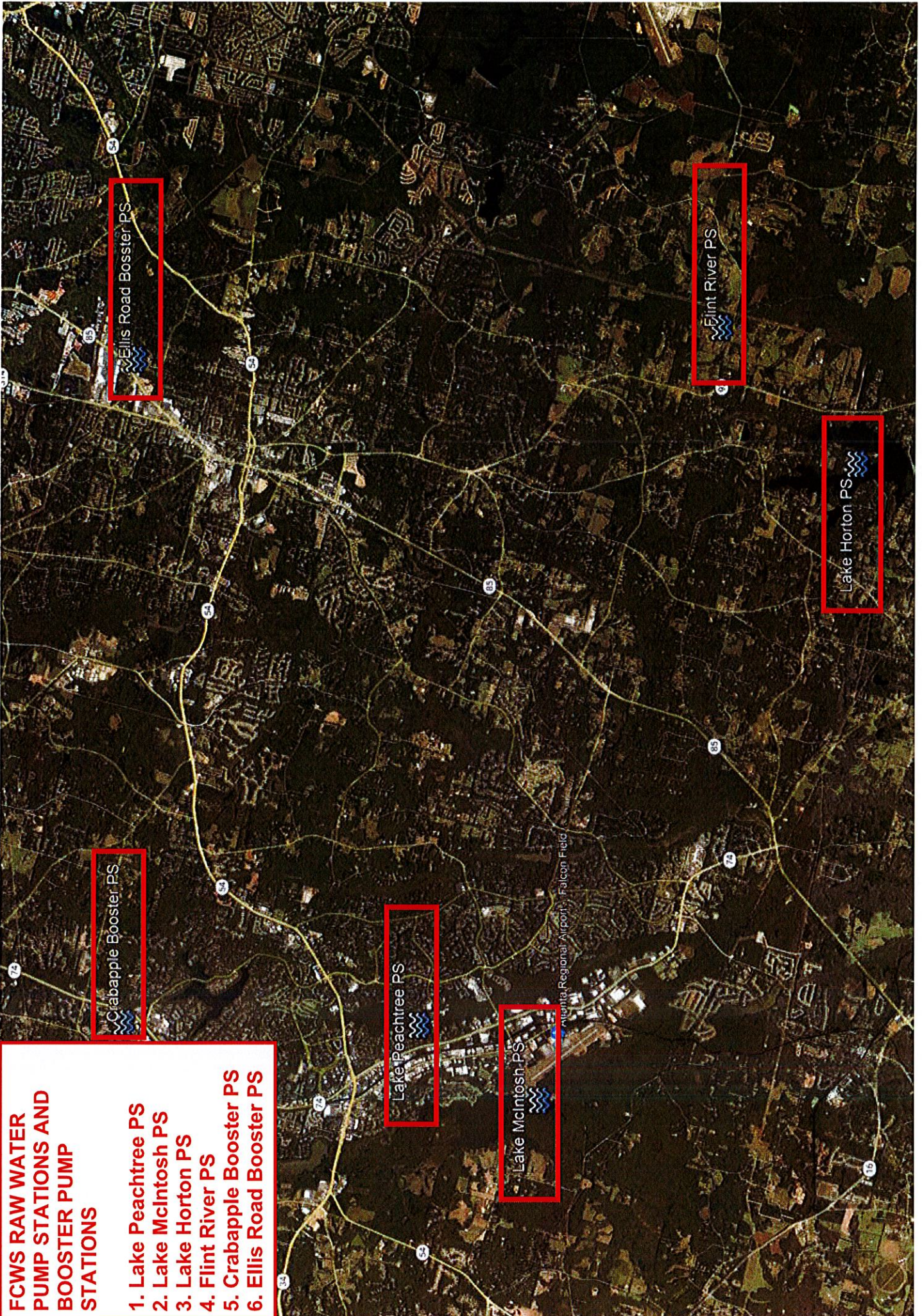
13

1

South Fayette Water Plant

**FCWS RAW WATER
PUMP STATIONS AND
BOOSTER PUMP
STATIONS**

1. Lake Peachtree PS
2. Lake McIntosh PS
3. Lake Horton PS
4. Flint River PS
5. Crabapple Booster PS
6. Ellis Road Booster PS



ATTACHMENT B

ENGINEERING FEE TABLE



Attachment B
FCWS - TO 24-04 Structural Condition Assessment Fee Table.

| Discipline | Project Management | | | | Structural | | | Process Mechanical | |
|--|---------------------|-----------------|-------------------|------------------|---------------------------|---------------------------|------------------|-------------------------|-----------------|
| | Deputy Account Lead | Project Manager | Project Assistant | Technical Editor | QA/QC | Principal Engineer | Project Engineer | Jr. Structural Engineer | Lead Engineer |
| Staff Proposed | A. Capelouto | T. Thomas | L. Mire | S. Budd | D. Duncan | C. Gallo | P. Lunikad | N. Sadashiva | H. Giles |
| Labor Category | Project Manager | Project Manager | Project Assistant | Project Engineer | Principal Engineer / SIME | Principal Engineer / SIME | Project Engineer | Staff Engineer | Senior Engineer |
| Labor Rate (See Rate Table) | \$180.35 | \$180.35 | \$86.99 | \$146.40 | \$222.79 | \$222.79 | \$146.40 | \$114.58 | \$196.27 |
| Total Role Hours | 5 | 20 | 6 | 12 | 14 | 87 | 181 | 96 | 8 |
| Total Role Percentage | 12% | 47% | 14% | 28% | 4% | 23% | 48% | 25% | 100% |
| Total Role Cost | \$902 | \$3,607 | \$522 | \$1,757 | \$3,119 | \$19,383 | \$26,499 | \$10,999 | \$1,570 |
| Total Hours (by Discipline) | 43 | | | | 378 | | | 8 | |
| Total Hours Percentage (by Discipline) | 10% | | | | 88.1% | | | 2% | |
| Total Labor Cost (by Discipline) | \$6,788 | | | | \$60,000 | | | \$1,570 | |
| Total Labor Cost Percentage (by Discipline) | 10% | | | | 88% | | | 2% | |
| TASK 1 Project Management Services | | | | | | | | | |
| 1.1 Project Management and Task Order Development | 1 | 1 | | | | 2 | 4 | | |
| 1.2 Preparation of Biweekly Progress Reports | | 4 | | | 1 | 1 | 1 | 1 | |
| 1.3 Preparation of Meeting Minutes | | 1 | | | 1 | 2 | 2 | 2 | |
| 1.4 Project Monthly Invoicing | 2 | 2 | 4 | | | | | | |
| 1.5 Project Closeout | 1 | 1 | 2 | | | | | | |
| Sub-total / Task Hours | 4 | 9 | 6 | | | 4 | 7 | 3 | |
| TASK 2 Meetings | | | | | | | | | |
| 2.1 Kickoff Meeting Material Preparation | | | | | | 1 | 2 | 2 | |
| 2.2 Kickoff Meetings | 1 | 2 | | | 1 | 1 | 1 | 1 | |
| 2.3 Kickoff Meeting Minutes | | 1 | | | 1 | 1 | 1 | 1 | |
| Sub-total / Task Hours | 1 | 3 | | | 3 | 4 | 4 | 4 | |
| TASK 3 Existing Data Review | | | | | | | | | |
| 3.1 Review of the existing information | | | | | | 12 | 12 | 16 | 2 |
| Sub-total / Task Hours | | | | | | 12 | 12 | 16 | 2 |
| TASK 4 Visual Structural Condition Assessment | | | | | | | | | |
| Site Visits | | | | | | | | | |
| Crosstown WTP | | | | | | | | | |
| South Fayette WTP | | | | | | | | | |
| Lake Peachtree PS | | | | | | | | | |
| Lake McIntosh PS | | | | | | | | | |
| Lake Horton PS | | | | | | | | | |
| Flint River PS | | | | | | | | | |
| Crabapple Booster PS | | | | | | | | | |
| Ellis Road Booster PS | | | | | | | | | |
| Sub-total / Task Hours | | | | | | 32 | 52 | 16 | |
| TASK 5 Draft TM Preparation | | | | | | | | | |
| 5.1 Upload and Log Condition Assessment Data | | | | | | | 4 | 8 | |
| 5.2 Develop Draft TM | | | | | | 24 | 68 | 32 | 4 |
| 5.3 Internal QA/QC of Draft TM | | | | | | 2 | 4 | 2 | |
| 5.4 Submit Draft TM to FCWS | | | | | | | 1 | | |
| Sub-total / Task Hours | | | | | | 26 | 77 | 42 | 4 |
| TASK 6 Workshop | | | | | | | | | |
| 6.1 Prepare Workshop Materials | | 2 | | | | 2 | 12 | 4 | 2 |
| 6.2 Conduct Workshop | | 4 | | | | 4 | 4 | | |
| ARCADIS Subtotals | | | | | | | | | |
| Total Hours | | | | | | | | | |
| Total Labor Cost | | | | | | | | | |
| Subtotal | | | | | | | | | |





Purchasing Department
 140 Stonewall Avenue West, Ste 204
 Fayetteville, GA 30214
 Phone: 770-305-5420
 www.fayettecountyga.gov

To: Steve Rapson
 Through: Ted L. Burgess *[Signature]*
 From: Ted Crumbley *[Signature]*
 Date: June 29, 2023
 Subject: Contract #2284-S: Audit Services

Georgia law at O.C.G.A. § 36-81-7 requires “an annual audit of the financial affairs and transactions of all funds and activities of the local government.” To satisfy this requirement, the county contracts with an independent audit firm to conduct the annual audit.

On July 1, 2018 the county entered into a contract with Nichols, Cauley & Associates, LLC for audit services. The contract expires June 30, 2023. The Finance Department requests this 12-month contract to enable them to complete work on the audit for the currently ending fiscal year.

Attachment 1 is a Contractor Performance Evaluation. Specifics of the proposed contract are as follows:

| | |
|-----------------------------------|--|
| Contract Name | 2284-S: Audit Services |
| Vendor | Nichols, Cauley & Associates, LLC |
| Type of Contract | Professional services |
| Term of Contract | One year (July 1, 2023 to June 30, 2024) |
| Contract Price | \$57,500 |
| Budget for FY 2024: | |
| Fund | 100 (General Fund) & 505 (Water System) |
| Object | 521210 Audit Services |
| Amount Requested: | |
| Org 10010510 Finance Department | \$30,250.00 |
| Org 50541010 Water System Admin | 25,000.00 |
| Org 10030310 Sheriff single audit | <u>2,500.00</u> |
| Total FY 2024 Budget | \$57,750.00 |

Awarding Authority: County Administrator

Approval Signature

[Signature]

Date: 6/29/23

| FAYETTE COUNTY, GEORGIA CONTRACTOR PERFORMANCE EVALUATION | | Page 1 | | | |
|---|--------------|---|-----|--------|-----------|
| 1. Use this form to record contractor performance for any contract of \$50,000 or above. 2. The person who serves as project manager or account manager is the designated party to complete the evaluation. 3. This form is to be completed and forwarded to the Purchasing Department not later than 30 days after completion or expiration of a contract. Past performance is considered on future contracts. | | | | | |
| VENDOR INFORMATION | | COMPLETE ALL APPLICABLE INFORMATION | | | |
| Company Name: Nichols, Cauley & Associates, Inc. | | Contract Number: 1465-P | | | |
| Mailing Address: 1300 Bellevue Avenue | | Contract Description or Title: Audit Service | | | |
| City, St, Zip Code: Dublin, Georgia 31021 | | Contract Term (Dates) From: July 1, 2018 To: June 30, 2023 | | | |
| Phone Number: 478-275-1163 | | Task Order Number: NA | | | |
| Cell Number: | | Other Reference: NA | | | |
| E-Mail Address: gchapman@nicholscauley.com | | | | | |
| DEFINITIONS | | | | | |
| OUTSTANDING – Vendor considerably exceeded minimum contractual requirements or performance expectations of the products/services; The vendor demonstrated the highest level of quality workmanship/professionalism in execution of contract. | | | | | |
| EXCELLENT (Exc) - Vendor exceeded minimum contractual requirements or performance expectations of the products/services. | | | | | |
| SATISFACTORY (Sat) - Vendor met minimum contractual requirements or performance expectations of the products/services. | | | | | |
| UNSATISFACTORY (UnSat) - Vendor did not meet the minimum contractual requirements or performance expectations of the products and/or services; Performed below minimum requirements | | | | | |
| EVALUATIONS (Place "X" in appropriate box for each criterion.) | | | | | |
| Criteria (includes change orders / amendments) | Out-standing | Exc | Sat | Un-Sat | Not Apply |
| 1. Work or other deliverables performed on schedule | X | | | | |
| 2. Condition of delivered products | X | | | | |
| 3. Quality of work | X | | | | |
| 4. Adherence to specifications or scope of work | X | | | | |
| 5. Timely, appropriate, & satisfactory problem or complaint resolution | X | | | | |
| 6. Timeliness and accuracy of invoicing | X | | | | |
| 7. Working relationship / interfacing with county staff and citizens | X | | | | |
| 8. Service Call (On-Call) response time | X | | | | |
| 9. Adherence to contract budget and schedule | X | | | | |
| 10. Other (specify): | | | | | |
| 11. Overall evaluation of contractor performance | X | | | | |
| EVALUATED BY | | | | | |
| Signature: <i>Sheryl Weinmann</i> | | Date of Evaluation: 06-28-2023 | | | |
| Print Name: Sheryl Weinmann | | Department/Division: Finance | | | |
| Title: CFO | | Telephone No: 770-305-5186 | | | |