

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

September 28, 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 Commissioner Edward Gibbons

Acceptance of Agenda

PROCLAMATION/RECOGNITION:

PUBLIC HEARING:

1. Consideration of Petition No. 1331-23, Therol R. Brown and Judy R. Brown, Owners, request to rezone 5.42 acres from R-40 to A-R; property is located in Land Lot 60 of the 7th District, and fronts on Ebenezer Road. (pages 3-34)
2. Consideration of Petition No. 1332-23. Wright Chancey Ebenezer Bypass, LLC, Rod Wright, agent and Steven Jones, Atty., agent, request to rezone 84.746 acres from C-S to A-R to develop a single-family residential subdivision; property located in Land Lots 35 and 36 of the 7th District and fronts on Ebenezer Road, Ebenezer Church Road, and Ebenezer Bypass. (pages 35-80)

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:

3. Approval of staff's recommendation to adopt final supplemental budget adjustments for the fiscal year ended June 30, 2023, and authorization to adjust and close capital projects, moving remaining funds to project contingency. (pages 81-92)
4. Approval of the September 14, 2023 Board of Commissioners Meeting Minutes. (pages 93-97)

OLD BUSINESS:

NEW BUSINESS:

5. Request to accept the right-of-way dedication from Wright Chancy Ebenezer Bypass, LLC. (page 98)

6. Discussion of proposed amendments to the Fayette County Zoning Ordinance, Chapter 110 - Zoning; Article V.- Conditional Uses, Nonconformances, and Transportation Corridor Overlay Zone; Sec. 110-169.-Conditional use approval, regarding conditional uses. (pages 99-134)
7. Presentation by Ross & Associates & Hatley Plans, LLC - Impact Fee Methodology Report. (pages 135-191)
8. Request to approve the Parks and Recreation Selection Committee's recommendation to re-appoint Charles McCollum to the Recreation Commission for a term beginning September 1, 2023 and expiring August 31, 2027. (pages 192-203)
9. Request to award Contract #2321-S, USGS Water Flow & Stream Monitoring - FY 2024, to the U.S. Department of the Interior for surface water monitoring in the amount of \$247,900.00. (pages 204-212)
10. Request to adopt Ordinance 2023-10 to amend Code of Ordinance; Chapter 102-Building and Building Regulations; Article VI. -Procedures for the Administration of the Plumbing Code; Division 1.-Generally; Sec. 102-917.-Additions, alterations, or repairs, to remain in compliance with Department of Community Affairs (DCA) and meet the Metro Water District - Water Supply Conservation-8 Efficiency Code Requirements. (pages 213-222)
11. Request to execute the Georgia Power Encroachment Agreement for Easement on the Tactical Driving Course project for 100 feet of right-of-way extending in part through Land Lot 175 of the 5th District. (pages 223-227)
12. Request to approve Renewal #2 of Contract #2228-S between Fayette County and Judicial Correction Services (JCS), LLC for probation supervision and rehabilitation services beginning January 1, 2024 and terminating December 31, 2024. (pages 228-244)

ADMINISTRATOR'S REPORTS:

A: Contract #2128-B: Annual Contract for Waterline Extension Task Order 24-03: Ellen's Ridge Water Main (pages 245-247)

ATTORNEY'S REPORTS:

COMMISSIONERS' REPORTS:

EXECUTIVE SESSION:

ADJOURNMENT:

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Consideration of Petition No. 1331-23, Therol R. Brown and Judy R. Brown, Owners, request to rezone 5.42 acres from R-40 to A-R; property is located in Land Lot 60 of the 7th District, and fronts on Ebenezer Road.

Background/History/Details:

The property is a legal lot of record. This property is developed as a single-family residence with standard accessory structures.

July 12, 1979 -- Board of Commissioners approved Petition No. 387-79 to rezone the property from A-R to R-40. As defined in the Fayette County Comprehensive Plan, Low Density Residential is designated for this area and most of the surrounding property is zoned A-R, so the request for A-R zoning is appropriate. Based on the Investigation and Staff Analysis, Staff recommends APPROVAL of the request for a zoning of A-R, Agriculture-Residential District. On September 7, 2023, the Planning Commission voted 4-0 to approve (Mr. Arnold Martin was absent).

What action are you seeking from the Board of Commissioners?

Staff recommends APPROVAL of Petition No. 1331-23, Therol R. Brown and Judy R. Brown, Owners, request to rezone 5.42 acres from R-40 to A-R; property is located in Land Lot 60 of the 7th District, and fronts on Ebenezer Road.

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:

PETITION NO: 1331-23

REQUESTED ACTION: Rezone from R-40 to A-R

PARCEL NUMBER: 0714 036

PROPOSED USE: Agricultural-Residential

EXISTING USE: Single-Family Residential

LOCATION: 282 Ebenezer Road

DISTRICT/LAND LOT(S): 7th District, Land Lot 60

OWNERS: Therol R. Brown & Judy R. Brown

AGENT: N/A

PLANNING COMMISSION PUBLIC HEARING: September 7, 2023

BOARD OF COMMISSIONERS PUBLIC HEARING: September 28, 2023

APPLICANT'S INTENT

Applicant proposes to rezone 5.42 acres from R-40 to A-R for the purposes of continuing 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 **APPROVAL** of the request for a zoning of A-R, Agriculture-Residential District.

INVESTIGATION

A. GENERAL PROPERTY INFORMATION

The property is a legal lot of record. This property is not located in an Overlay Zone.

B. REZONING HISTORY:

July 12, 1979 -- Board of Commissioners approved Petition No. 387-79 to rezone the property from A-R to R-40.

C. CURRENT DEVELOPMENT HISTORY:

The property is developed as a single-family residence with standard accessory structures.

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	~ 6.2	R-70	Single Family Residential	Rural Residential 3 – 3-acre minimum
East	5	A-R	Single Family Residential	Rural Residential 3 – 3-acre minimum
South	6.9	A-R	Single Family Residential	Rural Residential 3 – 3-acre minimum
West	18	A-R	Undeveloped forested land	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 Ebenezer Road.

Site Plan: The applicant submitted a survey for the property. They do propose adding a new barn for farm equipment.

E. DEPARTMENTAL COMMENTS

- Water System** - FCWS has no objection to the proposed rezoning.
- Public Works** - No objections
- Environmental Management** - No objections.
 - **Floodplain Management** - The subject property **DOES NOT** contain floodplain per FEMA FIRM panel 13113C0091E 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 NO** 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

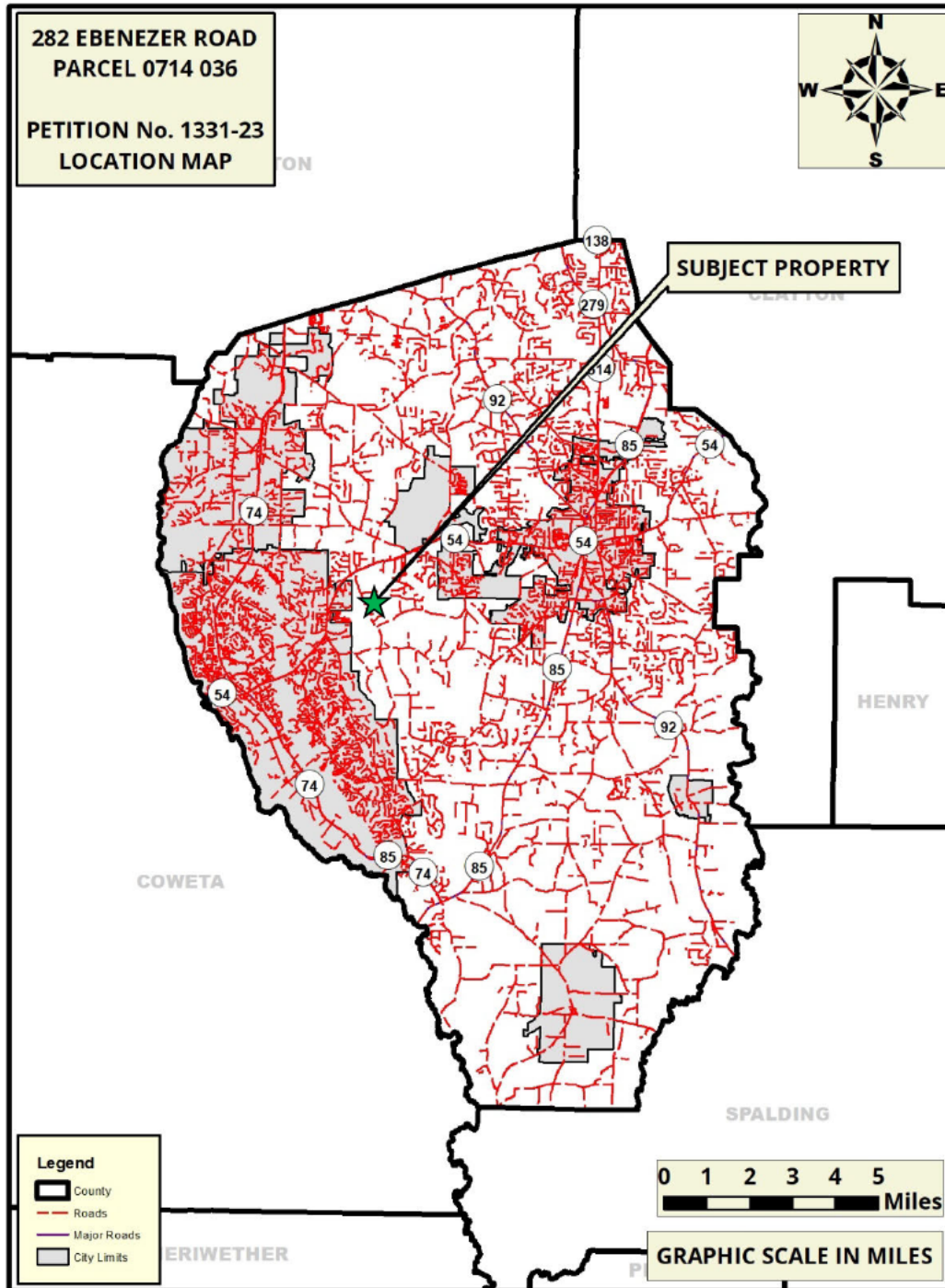
1. The subject property lies within an area designated for Rural Residential Uses. This request does conform to the Fayette County Comprehensive Plan in terms of the use and proposed lot size.
2. The area around the subject property is an area that already has various residential and agricultural uses. 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.

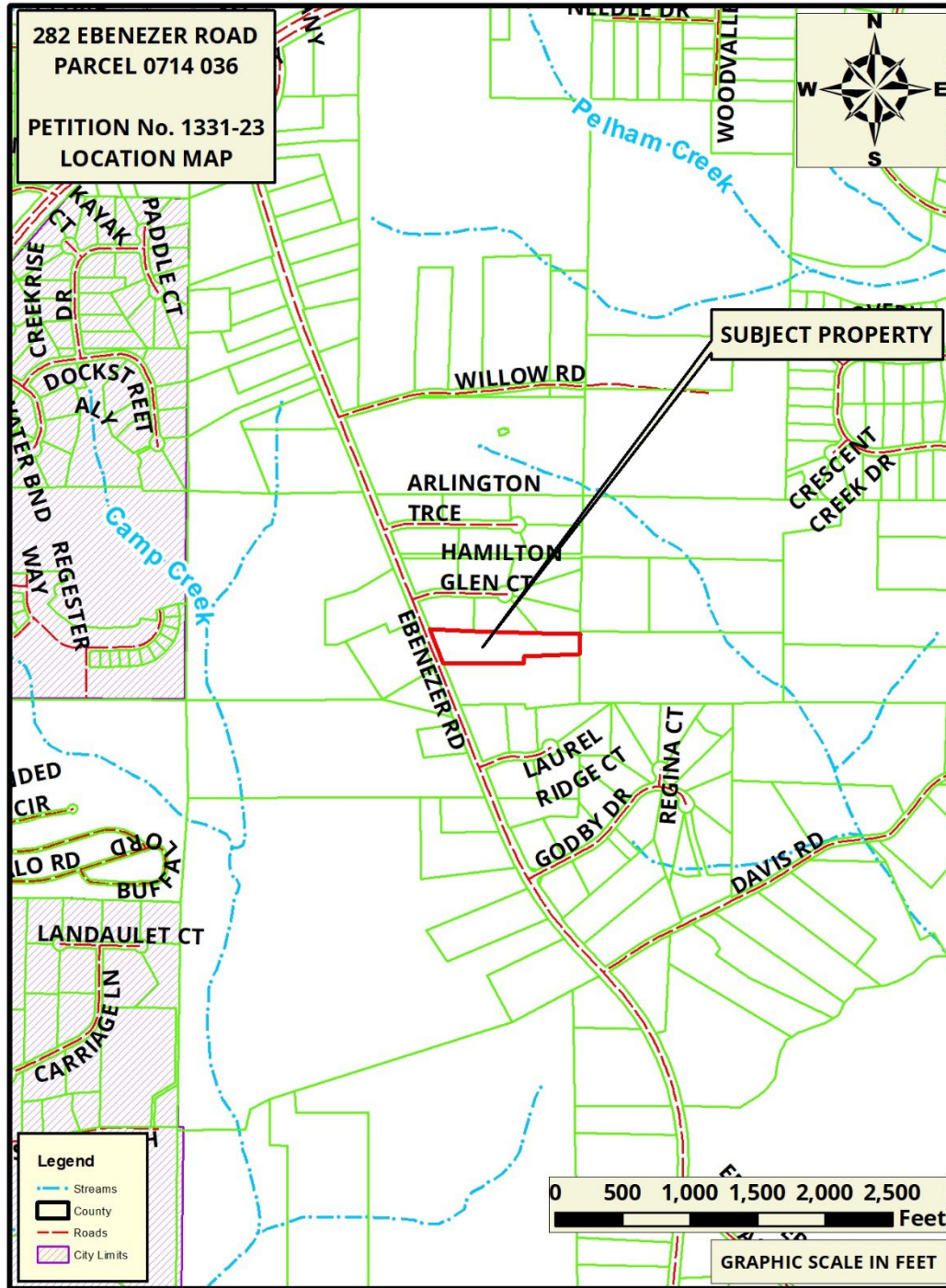
ZONING DISTRICT STANDARDS**Sec. 110-125. A-R, Agricultural-Residential District.**

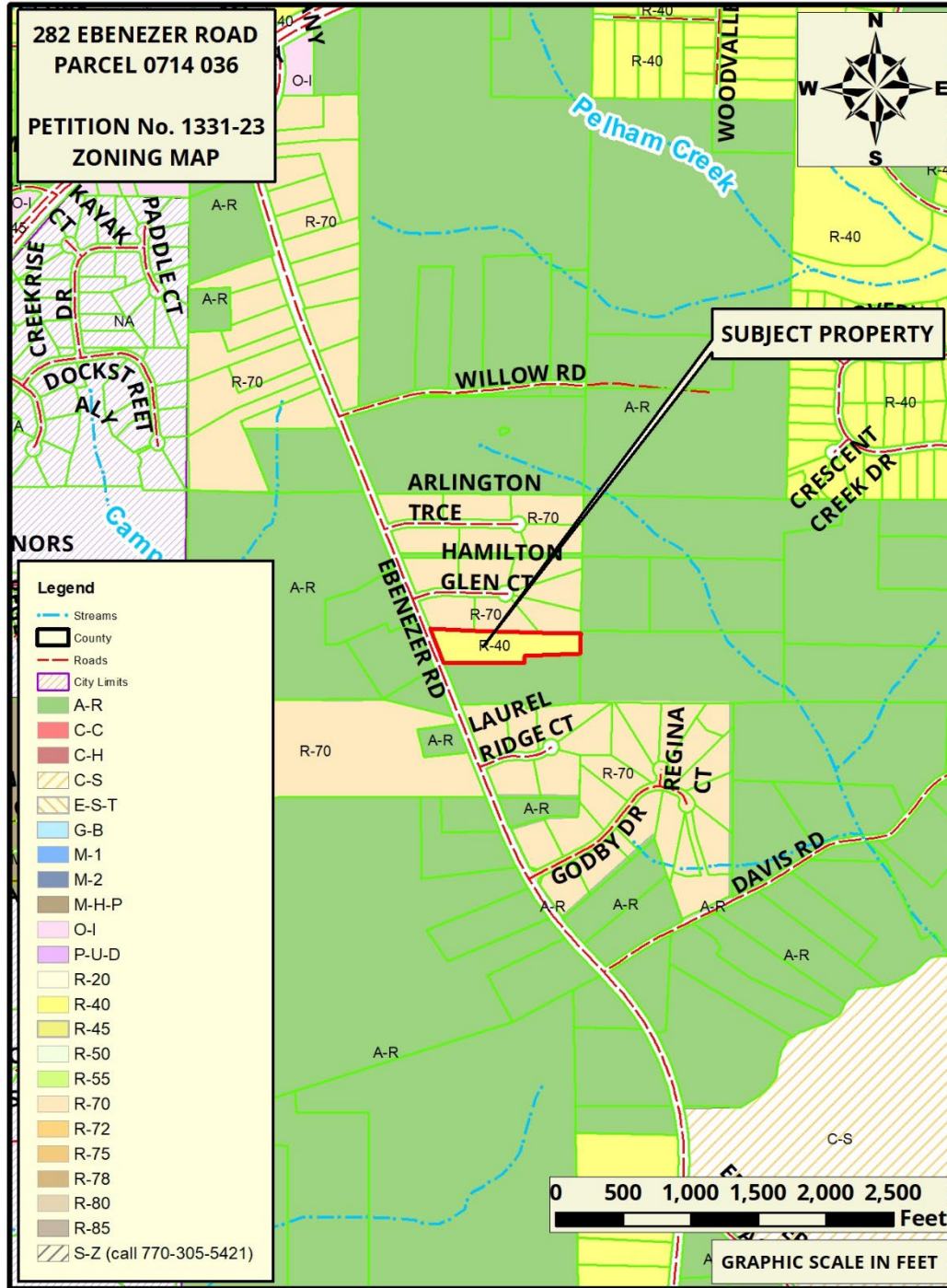
- (a) *Description of district.* This district is composed of certain lands and structures having a very low density single-family residential and agricultural character and designed to protect against the depreciating effects of small lot, residential development and those uses which are incompatible 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;

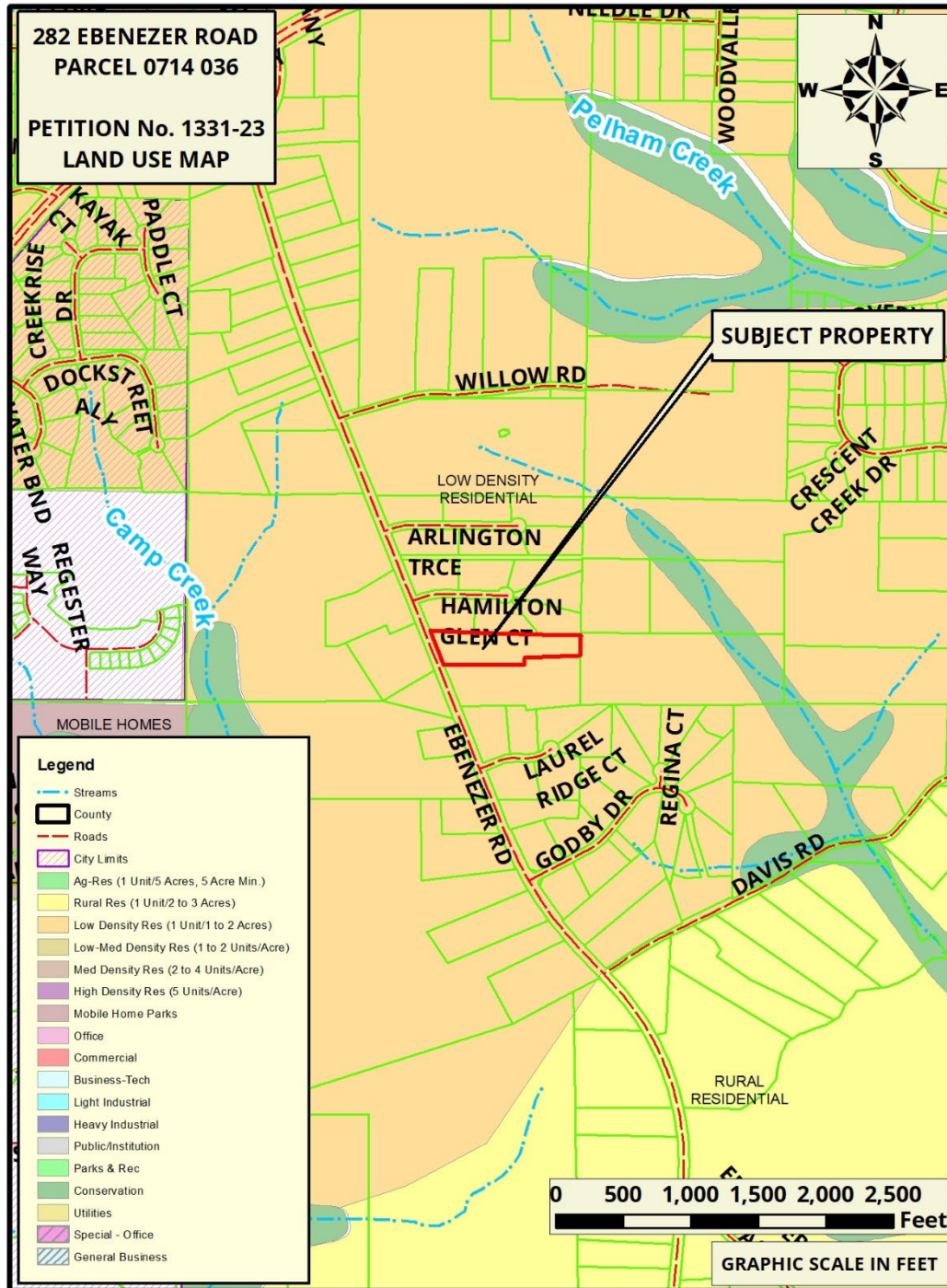
- (20) Recreation centers and similar institutions owned by nonprofit organizations as so registered with the state secretary of state office;
 - (21) Religious tent meeting; and
 - (22) Shooting range, outdoor.
- (d) *Dimensional requirements.* The minimum dimensional requirements in the A-R zoning 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.

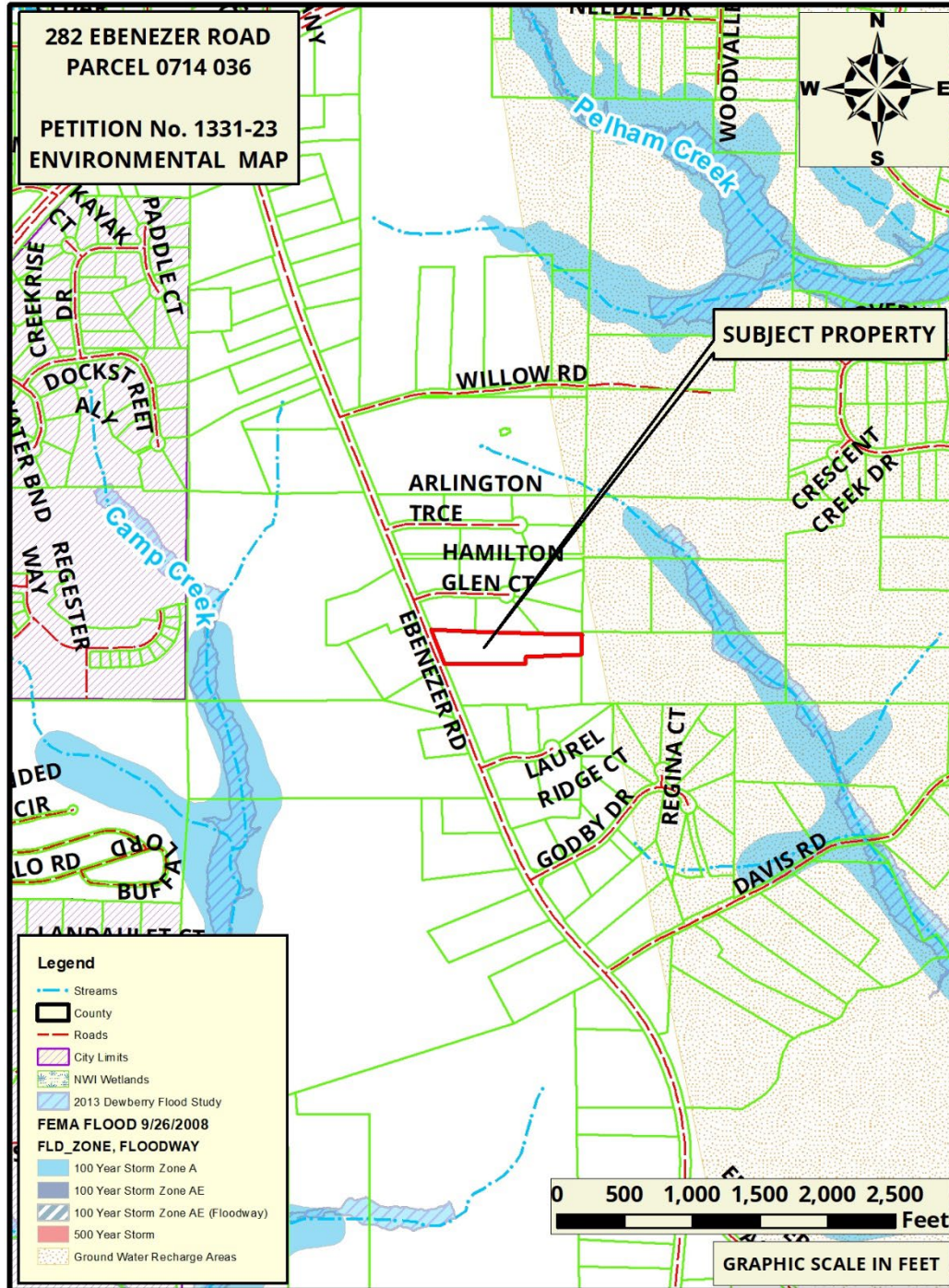
(Code 1992, § 20-6-1; Ord. of 7-28-2011; Ord. No. 2012-09, § 4, 5-24-2012; Ord. No. 2012-13, § 4, 12-13-2012; Ord. No. 2012-14, § 3, 12-13-2012; Ord. No. 2014-19, § 6,7, 12-11-2014; Ord. No. 2015-05, § 2, 3-26-2015; Ord. No. 2016-12, § 3, 7-28-2016; Ord. No. 2017-04, § 2, 3-23-2017; Ord. No. 2018-03,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

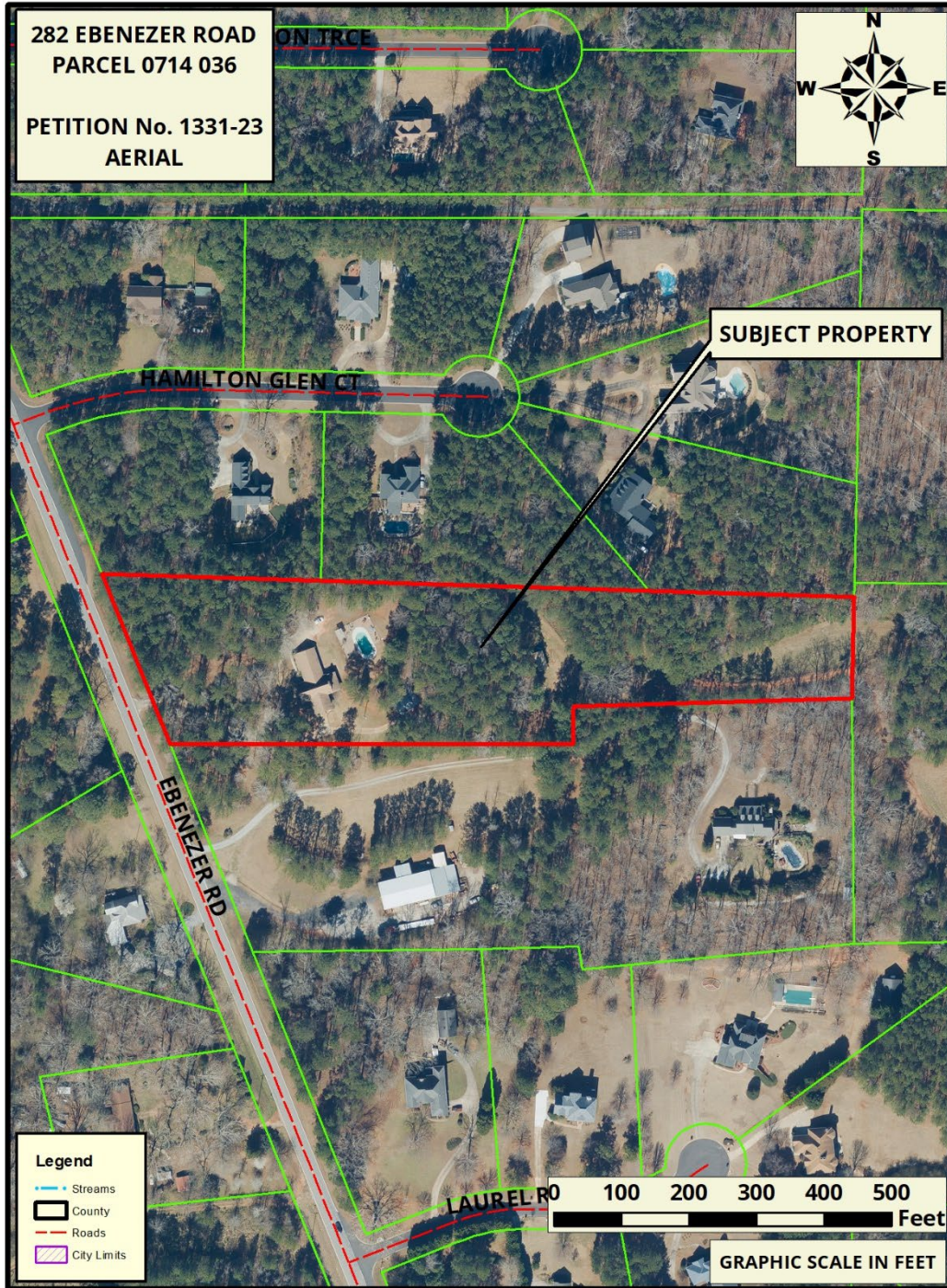


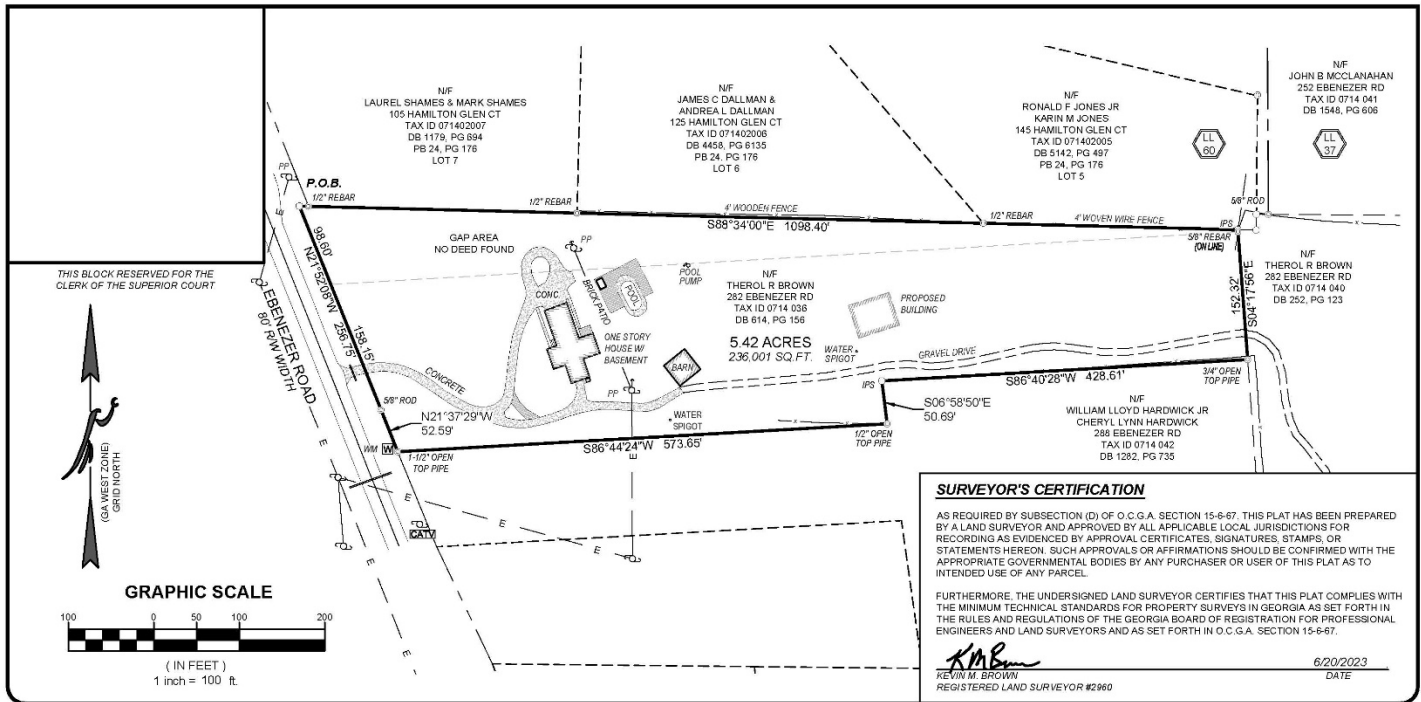












SURVEYOR'S CERTIFICATION

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 THIS 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 ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67.

K.M.B.
 KEVIN M. BROWN
 REGISTERED LAND SURVEYOR #2960

6/20/2023
 DATE

SHEET NUMBER: 1 OF 1 THIS DOCUMENT IS NOT VALID UNLESS IT BEARS THE ORIGINAL SIGNATURE OF THE REGISTRANT ACROSS THE REGISTRANT'S SEAL.		REVISIONS 1. _____ 2. _____ 3. _____ 4. _____ 5. _____	BOUNDARY SURVEY THEROL R. BROWN #282 EBENEZER ROAD LOCATED IN: LAND LOT 60, 7TH DISTRICT FAYETTE COUNTY, GEORGIA	CIVIL ENGINEERING LAND PLANNING LAND SURVEYING CONSTRUCTION MANAGEMENT LANDSCAPE ARCHITECT
DATE: 06-20-2023 SCALE: 1"=100' DRAWN BY: J. ROBERTS REVIEWED BY: K. BROWN	Know what's below. Call before you dig. UTILITIES PROTECTION CENTER 1-800-285-5411 THRU-CONNECT GEORGIA OR DIAL 811	REGISTERED No. 2960 PROFESSIONAL LAND SURVEYOR KEVIN M. BROWN 6/20/23 COA# LSF 000995	STENOGRAPH OFFICE 222 COMMERCE STREET FAYETTEVILLE, GEORGIA 30215 (770) 842-1100 WWW.STENOGRAPH.COM	

SURVEY

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

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

***Please turn off or turn to mute all electronic devices during the
Planning Commission Meetings**

NEW BUSINESS

1. Call to Order.
2. Pledge of Allegiance.
3. Approval of Agenda.

Jim Oliver noted Agenda Item 7A needed to be added to discuss the Draft 2024 Planning Commission Meeting. Danny England made the motion to approve the agenda with the addition of item 7A. John Culbreth seconded the motion. The motion passed 4-0. Arnold Martin was absent.

4. Consideration of the Minutes of the meeting held on August 3, 2023.

John Culbreth made the motion to approve the Minutes of the meeting held on August 3, 2023. Danny England seconded the motion. The motion passed 4-0.

5. Consideration of a Minor Final Plat of A1-Mart. This property will consist of one (1) lot zoned C-C, is located in Land Lot 216 of the 5th District and fronts on GA Highway 85 North.

Danny England made the motion to approve the Minor Final Plat of A-1 Mart. John Culbreth seconded. The motion passed 4-0.

6. Consideration of a Minor Final Plat of the Panter/Glaze Estates. This property will consist of three (3) lots, zoned A-R, is located in Land Lots 35 & 62 of the 4th District and fronts on Price Road.

Danny England made the motion to approve the Minor Final Plat of Panter/Glaze Estates. John Culbreth seconded. The motion passed 4-0.

7. Consideration of a Minor Final Plat For The William Mercer Massengale Disclaimer By-Pass Trust.

This property will consist of one (1) lot, zoned A-R, is located in Land Lot 157 of the 4th District and fronts on Rising Star Road.

John Kruzan made the motion to approve the Minor Final Plat of the William Mercer Massengale Disclaimer By-Pass Trust. Danny England seconded. The motion passed 4-0.

- 7A. Discussion of the Draft Meeting Agenda for the 2024 Planning Commission Meetings. The calendar to be adopted at the next meeting.

PUBLIC HEARING

8. Consideration of Petition No. 1331-23, Therol R. Brown and Judy R. Brown, Owner, request to rezone 5.42 acres from R-40 to A-R. This property is located in Land Lot 60 of the 7th District, and fronts on Ebenezer Road.

John Culbreth made the motion to recommend approval to rezone 5.42 acres from R-40 to A-R. Danny England seconded the motion. The motion passed 4-0.

9. Consideration of Petition No. 1332-23, Wright Chancey Ebenezer Bypass, LLC, Owner, and Taylor English Duma LLP (Steven L. Jones), Agent, request to rezone 84.746 acres from C-S to A-R. This property is located in Land Lots 35 and 36 of the 7th District, and fronts on Ebenezer Road, Ebenezer Bypass and Ebenezer Church Road.

John Kruzan made the motion to recommend denial of the petition to rezone 84.746 acres from C-S to A-R. Jim Oliver and Danny England seconded the motion to recommend denial. The motion passed 4-0.

Meeting Minutes 9/7/23

THE FAYETTE COUNTY PLANNING COMMISSION met on September 7th, 2023 at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia.

MEMBERS PRESENT: Jim Oliver, Chairman
John H. Culbreth Sr., Vice Chairman
John Kruzan
Danny England

MEMBERS ABSENT: Arnold Martin

STAFF PRESENT: Debbie Bell, Planning and Zoning Director
Deborah Sims, Zoning Administrator
E. Allison Ivey Cox, County Attorney

NEW BUSINESS

1. Call to Order.
2. Pledge of Allegiance.
3. Approval of Agenda.

Chairman Oliver noted the need to add item 7A, Discussion of the Draft Meeting Agenda for 2024.

Danny England made a motion approve the agenda with the inclusion of item 7A. John Culbreth, Sr. seconded the motion. The motion passed 4-0.

4. Consideration of the Minutes of the meeting held on August 3, 2023.

John Culbreth, Sr. made a motion to approve the Minutes of the meeting held on August 3, 2023. Danny England seconded the motion. The motion passed 4-0.

5. Consideration of a Minor Final Plat of A1 – Mart. The property will consist of one (1) lot, zoned C-C, is located in Land Lots 216 of the 5th District and fronts on Georgia Highway 85 North.

Debbie Bell stated both parcels are zoned the same, it is just a combination of the two (2) existing parcels to create one coherent commercial project. They are developing this as a convenience store gas station. There are no zoning issues. The plat has been reviewed and approved by staff.

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September 7, 2023
PC Meeting

Danny England asked if this was the site of the old US Station.

Debbie Bell responded this is the old Harris property.

Chairman Oliver asked if the Board had any questions or comments, there were none. The petitioner was not present.

Danny England made a motion to approve the Minor Final Plat of A1-Mart. John Culbreth seconded the motion. The motion passed 4-0.

6. Consideration of a Minor Final Plat of the Panter/Glaze Estates. The property will consist of three (3) lots, zoned A-R, is located in Land Lots 35 and 62 of the 4th District and fronts on Price Rd.

Debbie Bell stated the parcels are on two (2) different pages just because of the way they fit into the plat framework. This plat has been approved by staff.

Randy Boyd, agent for the petitioner, stated these lots were large. The entire tract is 42 acres. The parcel to the east is the existing parcel. The parcels to the left and the strips are the new parcels.

Chairman Oliver asked if it was for family.

Randy Boyd stated they already had purchasers. That is why it is called the Panter/Glaze Estates.

Chairman Oliver asked if the Board had any questions or comments, there were none.

Chairman Oliver asked if anyone in the audience wished to speak, there were none.

Danny England made a motion to approve the Minor Final Plat of Panter/Glaze Estates. John Culbreth Sr. seconded the motion. The motion passed 4-0.

7. Consideration of a Minor Final Plat for The William Mercer Massengale Disclaimer By-Pass Trust. This property will consist of one (1) lot, zoned A-R, is located in Land Lot 157 of the 4th District, and fronts on Rising Star Road.

Debbie Bell stated it has been reviewed and approved by staff.

Randy Boyd, representative for the petitioner. He did the surveying and prepared the plat. There will probably be two (2) or three (3) more lots and they will be large lots also.

Chairman Oliver asked if anyone in the audience wished to speak, there were none.

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PC Meeting

John Kruzan made a motion to approve the Minor Final Plat for The William Mercer Massengale Disclaimer By-Pass Trust. Danny England seconded the motion. The motion passed 4-0.

7A. Discussion of the 2024 Schedule.

Debbie Bell stated we just wanted to take a quick look at the 2024 Schedule. There were individual discussions that only the first monthly meeting would be published. If a special called meeting was needed for the second meeting of the month, that could be done. Also, the first Thursday in July was the 4th of July. Staff recommends only one (1) regular meeting in July and to set that meeting for July 18th. If the proposals are agreeable, staff will prepare the calendar and formally present it at the next monthly meeting for approval.

Chairman Oliver stated he looked good to him.

John Culbreth stated he liked how to track the Planning Commission, Board of Commissioners, Zoning Board of Appeals, and the Planning Commission application process. This is very good.

Debbie Bell stated this is our draft on keeping track of the meetings ,when advertisements were due, and the submittal deadlines. Staff will write this up in a little bit more coherent fashion. This is our cheat sheet.

Danny England stated the first week in July is kind of always a bust. Always have multiple people out.

Debbie Bell stated staff will prepare the official calendar for approval at the next meeting.

PUBLIC HEARING

- 8.** Consideration of Petition No. 1331-23, Therol R. Brown and Judy R. Brown, Owner, request to rezone 5.42 acres from R-40 to A-R. This property is located in Land Lot 60 of the 7th District, and fronts on Ebenezer Road.

Debbie Bell stated as this is low-density residential as defined in the Comprehensive Plan and the request for A-R zoning is appropriate. Staff recommends approval of the request. This was previously rezoned to R-40 from A-R and the owner desires to rezone it back to A-R. It is on the east side of Ebenezer Rd. Most of the surrounding property is still zoned A-R. Staff has reviewed the proposal and there are no recommended conditions.

Therol Brown and Judy Brown, owners. They also have adjoining land already zoned A-R. Mr. Brown was in the planning process of building a shop/storage building when a discrepancy was discovered in the deeds and the boundaries. He had it resurveyed and A-R is the proper zoning and complies with the Land Use Plan.

Chairman Oliver asked if anyone in the audience wished to speak, there were none.

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September 7, 2023
PC Meeting

Chairman Oliver asked if the Board had any questions, there were none.

John Culbreth made a motion to recommend approval of petition 1331-23 to rezone 5.2 acres from R-40 to A-R. Danny England seconded the motion. The motion passed 4-0.

9. Consideration of Petition No. 1332-23, Wright Chancey Ebenezer Bypass, LLC, Owner, and Taylor English Duma LLP (Steven L. Jones), Agent, request to rezone 84.746 acres from C-S to A-R. This property is located in Land Lots 36 and 36 of the 7th District, and fronts on Ebenezer Road, Ebenezer Bypass, and Ebenezer Church Road.

Debbie Bell stated this is designated as low density residential per the Comprehensive Plan, so A-R zoning is appropriate. However, there is an outstanding right-of-way dedication issue. Staff is recommending denial of the rezoning request until that issue is addressed.

On January 13, 2022, the Board of Commissioners approved petition 1314-21 to rezone the property from A-R to C-S for the purpose of developing a conservation subdivision. There are traffic and sight distance issues in this area. The county worked with the developer and the developer agreed to dedicate right-of-way. The county has constructed a new one (1) way paved road to remediate the traffic and sight distance issues on a construction easement in anticipation of right-of-way dedication. The right-of-way has not been dedicated and staff is recommending denial of the rezoning request until the right-of-way dedication is made.

Rod Wright, petitioner, is requesting approval for his rezoning application. The road just opened last month. There are still four (4) things that must be completed before the right-of-way may be donated.

1. Metes and bounds must be approved by staff.
2. The bank that loaned the funds to purchase the property must release. The bank is ready to sign the release.
3. Mr. Wright is happy to donate the land, but of course he would like the tax write-off. An appraiser has been engaged for the appraisal of the property.
4. The County must sign off on the appraisal for the IRS to approve the deduction.

Mr. Wright and Fayette County had a one (1) year agreement. Additional time was needed to complete road construction, so the agreement was extended six (6) months. Mr. Wright is agreeable to dedicate the property, but there are a few items that must be accomplished before that can happen. He would like to move forward with the rezoning and not be made to wait another thirty (30) or sixty (60) days for the right-of-way dedication. He hopes to have the right-of-way dedicated prior to the September 28th Board of Commissioners meeting.

Chairman Oliver explained the Planning Commission is only a recommending body, but if this petition is denied by the Board of Commissioners, Mr. Wright will have to wait six (6) months before applying to rezone the property.

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September 7, 2023
PC Meeting

Mr. Wright stated he understood. He doesn't want to be penalized more. He has been waiting eighteen (18) months and paying interest. He will dedicate the land as soon as it is ready to dedicate. He wants to proceed with the hearing.

Attorney Cox, stated it was her understanding the waiting period for dedication was to allow Mr. Wright to have the tax deduction, not Fayette County's request. In order to get the tax right-off, the land had to be held by Mr. Wright for a certain period of time. Instead of insisting on right-of-way dedication eighteen (18) months ago, the county chose to construct the road with a permanent easement. That was done for Mr. Wright's benefit, not for Fayette County.

Mr. Wright stated he was looking for the tax write-off for donating the land to the county.

Attorney Cox stated the waiting period was not at the county's request.

Mr. Wright stated he remembered that. He guesses he could have dedicated the land months ago.

Mrs. Cox stated there was no requirement for the road to be completed for the right-of-way dedication.

Chairman Oliver inquired as to whether the petition could be withdrawn prior to the Board of Commissioners hearing. The county attorney stated yes. If he chooses to withdraw prior to the calling of the item, then it would be withdrawn.

Mr. Wright stated he is not withdrawing the item. He is moving forward with the hearing and will donate the property. He doesn't want to keep paying interest and being held up.

John Culbreth asked staff to elaborate on the conditions if the request was approved.

Debbie Bell the recommendations were provided by Public Works and principally about right-of-way dedication. The six (6) recommended conditions are:

1. Fayette County requires the dedication of right-of-way for the realigned Ebenezer Church Road as depicted on the 7/4/23 Rezoning Plat and totaling 2.981 acres.
2. Fayette County requires the dedication of right-of-way, as needed, to provide 50 feet of right of way as measured from the existing centerline of Ebenezer Road. Per Fayette County's Thoroughfare Plan, Ebenezer Road is a minor arterial.
3. Any land dedicated to Fayette County shall be made free and clear of structures (e.g., signs, fences, etc.), debris, and vegetation (except for ground cover) prior to conveying to Fayette County unless approved otherwise, in writing, from the County Engineer.
4. Each lot associated with the A-R zoning shall be limited to two (2) driveways. (A-

Page 6
September 7, 2023
PC Meeting

R zoning does not restrict the number of agricultural driveways but staff believes it is appropriate to do so in this situation given the current C-S zoning prohibited driveways onto Ebenezer Church Road and Ebenezer Road.)

5. The remnant parcel on the southwest side of Ebenezer Bypass is a nonconforming parcel. It shall be labeled as “Not a Buildable Lot” on the final plat and designated as common area under the ownership of the subdivision’s Homeowners’ Association.
6. Prior to submission of a final plat(s) and irrespective of the number of lots in the plat(s), the developer shall be required to extend the water line between Ebenezer Road and Ebenezer Church Road to provide water service for the lots. The water line extension shall be constructed to the standards outlined in Sec. 12-90. - Mandatory connection to public water system, including the installation of fire hydrants.

Debbie Bell explained that fourth condition regarded traffic safety. A-R properties are not typically restricted on the number of driveways. In other zoning districts, they are only allowed two (2) driveways. Condition #4 has to do with traffic safety.

John Culbreth asked the petitioner about hardship. He understood there was a development loan.

Mr. Wright stated he obtained a loan when he purchased the property. The bank is ready to sign a release, but that document has to be given to them before they can sign.

Mr. Wright objects to condition #5. He plans on selling that portion of the property to an adjoining land owner to incorporate into an existing property. One day it will become part of the other lot which will be a buildable lot. In the future, it will probably tie into the other property.

John Culbreth stated he was unclear if Mr. Wright had a development loan on the property.

Mr. Wright stated he did not have an A & D Loan on the property. The loan is only on the land purchase.

Debbie Bell elaborated on Condition #5. There is a remnant parcel. As it currently sits, it is an unbuildable parcel because it doesn’t meet acreage, frontage, and width requirement. If approved, staff would like to remove the last part of the condition designating it as “common area”. It needs to be labeled as an unbuildable parcel as it sits. If it is added to some other existing residential lot, then the non-buildable designation would go away.

Danny England asked if that was something in the future.

Debbie Bell stated that would be done as a revision to a minor final plat process.

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September 7, 2023
PC Meeting

Mr. Wright stated he was willing to complete the minor final plat process.

Danny England asked Attorney Allison Cox what was the benefit of denial versus approval with conditions.

Attorney Cox stated now was the best time to obtain right-of-way because we currently have leverage. The original conditions to rezone in 1314-21 have not yet been met.

Danny England understood that there were too many things going on at once.

Mr. Wright stated the county could come get it at that point. He did not want to be punished any more.

Chairman Oliver asked if anyone in the audience would like to speak on the petition. There were none.

Chairman Oliver stated the county has a problem and Mr. Wright has a problem too. He understood the original rezoning was technically incomplete because the right-of-way had not been dedicated. He was surprised it reached this point.

John Culbreth asked if this was because the county did not do its due diligence.

Attorney Cox stated this was at the request of the petitioner to retain the property to obtain the tax benefits. The county drafted a temporary construction easement to accommodate the request. It took eighteen (18) months to build the road, but it was done at the petitioner's request instead of insisting on the dedication a year ago.

Debbie Bell clarified, in the interim, construction drawings for development of the C-S subdivision had been submitted. Tonight's proposal was first submitted with the rezoning request only a couple of months ago. Prior reviews were as development of the C-S subdivision as depicted in Rezoning Petition 1314-21.

John Kruzan made a motion to recommend denial of Petition No. 1332-23 request to rezone 84.746 acres from C-S to A-R. Jim Oliver and Danny England seconded the motion. The motion carried 4-0.

ADJOURNMENT:

John Culbreth moved to adjourn the meeting. Danny England seconded. The motion passed 4-0.

The meeting adjourned at 7:34 p.m.

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September 7, 2023
PC Meeting

**PLANNING COMMISSION
OF
FAYETTE COUNTY**

JIM OLIVER, CHAIRMAN

ATTEST:

PC SECRETARY

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

PROPERTY OWNERS: THEROL R. BROWN & JUDY R. BROWN
MAILING ADDRESS: 282 EBENEZER RD., FAYETTEVILLE, GA 30215
PHONE: 770-630-5480 E-MAIL: [REDACTED]

AGENT FOR OWNERS: N/A

MAILING ADDRESS: _____

PHONE: _____ E-MAIL: _____

PROPERTY LOCATION: LAND LOT 60 LAND DISTRICT 7th PARCEL 0714 036
LAND LOT _____ LAND DISTRICT _____ PARCEL _____

TOTAL NUMBER OF ACRES REQUESTED TO BE REZONED: 5.42

EXISTING ZONING DISTRICT: R-40 PROPOSED ZONING DISTRICT: A-R

ZONING OF SURROUNDING PROPERTIES: A.R. and R-70

PRESENT USE OF SUBJECT PROPERTY: Residential

PROPOSED USE OF SUBJECT PROPERTY: A-R

LAND USE PLAN DESIGNATION: Rural Residential

NAME AND TYPE OF ACCESS ROAD: EBENEZER RD.

LOCATION OF NEAREST WATER LINE: EBENEZER RD.

(THIS AREA TO BE COMPLETED BY STAFF): PETITION NUMBER: 1331-23

[] 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: September 7, 2023

DATE OF COUNTY COMMISSIONERS HEARING: September 28, 2023

Received from Therol Brown a check in the amount of \$ 250.00 DWS ~~300.00~~ for application filing fee, and \$ 50.00 for deposit on frame for public hearing sign(s).

Date Paid: 7/10/2023 Receipt Number: _____

OWNER'S AFFIDAVIT

NAME: Therol R. & Judy R. Brown PETITION NUMBER: 1331-23
ADDRESS: 282 EBENEZER Rd., Fayetteville, GA 30215

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

Therol R. & Judy R. Brown affirms that ^{we are} ~~he is~~ the owner or the specifically authorized agent of the property described below. Said property is located in a(n) 7th Zoning District. ~~He/She~~ ^{we} respectfully petitions the County to rezone the property from its present classification and tenders herewith the sum of \$ to cover all expenses of public hearing. ~~He/She~~ ^{we} petitions the above named to change its classification to A-R.

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

PUBLIC HEARING to be held by the Board of Commissioners of Fayette County on the 28th day of September, 20 23 at 7:00 P.M.

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

Therol R. Brown
SIGNATURE OF PROPERTY OWNER

Judy R. Brown
SIGNATURE OF PROPERTY OWNER

Debra 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

We, Therol R. & Judy R Brown, 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 _____ 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 July, 2023.

Therol R. Brown
SIGNATURE OF PROPERTY OWNER

Judy R. Brown
SIGNATURE OF PROPERTY OWNER

Deborah M Sims
NOTARY PUBLIC

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

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.

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

to be held before the Fayette County Planning Commission on Thursday, September 7, 2023, at 7:00 P.M., and before the Fayette County Board of Commissioners on Thursday, September 28, 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.:1331-23

Owner/Agent:

Owners: Therol R. Brown and Judy R. Brown

Existing Zoning District: R-40

Proposed Zoning District:A-R

Parcel Number:0714 036

Area of Property:5.42 acres

Proposed Use: A-R

Land Lot(s)/District:

Land Lot 60 of the 7th District

Fronts on: Ebenezer Road

Legal Description:

All that tract or parcel of land situate lying and being in Land Lot 60 of the 7th Land District, Fayette County, Georgia being 5.42 acres+/- and being more particularly described as follows: Commence at a 1/2" Rebar located at the southwest corner of Lot 7 of Hamilton Glen Subdivision pursuant to Plat Book 24, Page 176, run thence along the southern line of Lot 7 of Hamilton Glen subdivision South 88 degrees 34 minutes 00 seconds East 314.08 feet to a point; run thence along the southern line of Lot 6 of Hamilton Glen subdivision South 88 degrees 34 minutes 00 seconds East 475.50 feet to a point; run thence along the southern line of Lot 5 of Hamilton Glen subdivision South 88 degrees 34 minutes 00 seconds East 308.82 feet to a 5/8" Rebar; run thence South 04 degrees 17 minutes 56 seconds East 152.32 feet to a 3/4" Open Top Pipe; run thence South 86 degrees 40 minutes 28 seconds West 428.61 feet to a point; run thence South 06 degrees 58 minutes 50 seconds East 50.69 feet to a 1/2" Open Top Pipe, run thence South 86 degrees 44 minutes 24 seconds West 573.65 feet to a 1-1/2" Open Top Pipe located on the easterly right of way of Ebenezer Road (80' R/W); run thence along said easterly right of way, North 21 degrees 37 minutes 29 seconds West 52.59 feet to a 5/8" rod; run thence along said easterly right of

Type: WD
Recorded: 6/23/2023 11:05:00 AM
Fee Amt: \$25.00 Page 1 of 2
Transfer Tax: \$0.00
Fayette, Ga. Clerk Superior Court
Sheila Studdard Clerk of Court

Please return to:
Lawson, Beck & Sandlin, LLC
1125 Commerce Drive, Suite 300
Peachtree City, GA 30269
File #23-LAW-HAD

Participant ID(s): 1138094925,
7067927936

Cross Index Deed Book 204, Page 65
Deed Book 5627, Page 230
Deed Book 614, Page 156
BK 5627 PG 230 - 231

STATE OF GEORGIA
COUNTY OF FAYETTE

3

Draw Deed Only

LIMITED WARRANTY DEED

THIS INDENTURE made this 21st day of June, 2023 between **Therol R. Brown and Judy R. Brown** as party or parties of the first part, hereinafter called Grantor, and **Therol R. Brown and Judy R. Brown as Joint Tenants with Rights of Survivorship** as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of TEN DOLLARS and other good and valuable consideration (\$10.00) in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee, the following described property:

All that tract or parcel of land situate lying and being in Land Lot 60 of the 7th Land District, Fayette County, Georgia being 5.42 acres +/- and being more particularly described as follows: Commence at a 1/2" Rebar located at the southwest corner of Lot 7 of Hamilton Glen Subdivision pursuant to Plat Book 24, Page 176, run thence along the southern line of Lot 7 of Hamilton Glen subdivision South 88 degrees 34 minutes 00 seconds East 314.08 feet to a point; run thence along the southern line of Lot 6 of Hamilton Glen subdivision South 88 degrees 34 minutes 00 seconds East 475.50 feet to a point; run thence along the southern line of Lot 5 of Hamilton Glen subdivision South 88 degrees 34 minutes 00 seconds East 308.82 feet to a 5/8" Rebar; run thence South 04 degrees 17 minutes 56 seconds East 152.32 feet to a 3/4" Open Top Pipe; run thence South 86 degrees 40 minutes 28 seconds West 428.61 feet to a point; run thence South 06 degrees 58 minutes 50 seconds East 50.69 feet to a 1/2" Open Top Pipe, run thence South 86 degrees 44 minutes 24 seconds West 573.65 feet to a 1-1/2" Open Top Pipe located on the easterly right of way of Ebenezer Road (80' R/W); run thence along said easterly right of way, North 21 degrees 37 minutes 29 seconds West 52.59 feet to a 5/8" rod; run thence along said easterly right of way, North 21 degrees 52 minutes 08 seconds West 256.75 feet to a point; thence leaving said right of way run South 88 degrees 34 minutes 00 seconds East 10.89 feet to a 1/2" Rebar and the POINT OF BEGINNING.

Said property is a combination of the property owned by Therol R. Brown and Judy R. Brown in Land Lot 60 of the 7th Land District, Fayette County, Georgia

Said property is conveyed subject to an ingress/egress easement which services the property of Therol R. Brown located in Land Lot 37 of the 7th Land District, Fayette County, Georgia records.

Subject to restrictive covenants and easements of record.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in FEE SIMPLE.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons claiming by through or under Grantor.

IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal this first day and year first above written.

Signed, Sealed and delivered in the presence of:

[Handwritten signature]

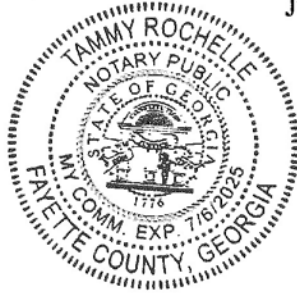
Unofficial Witness

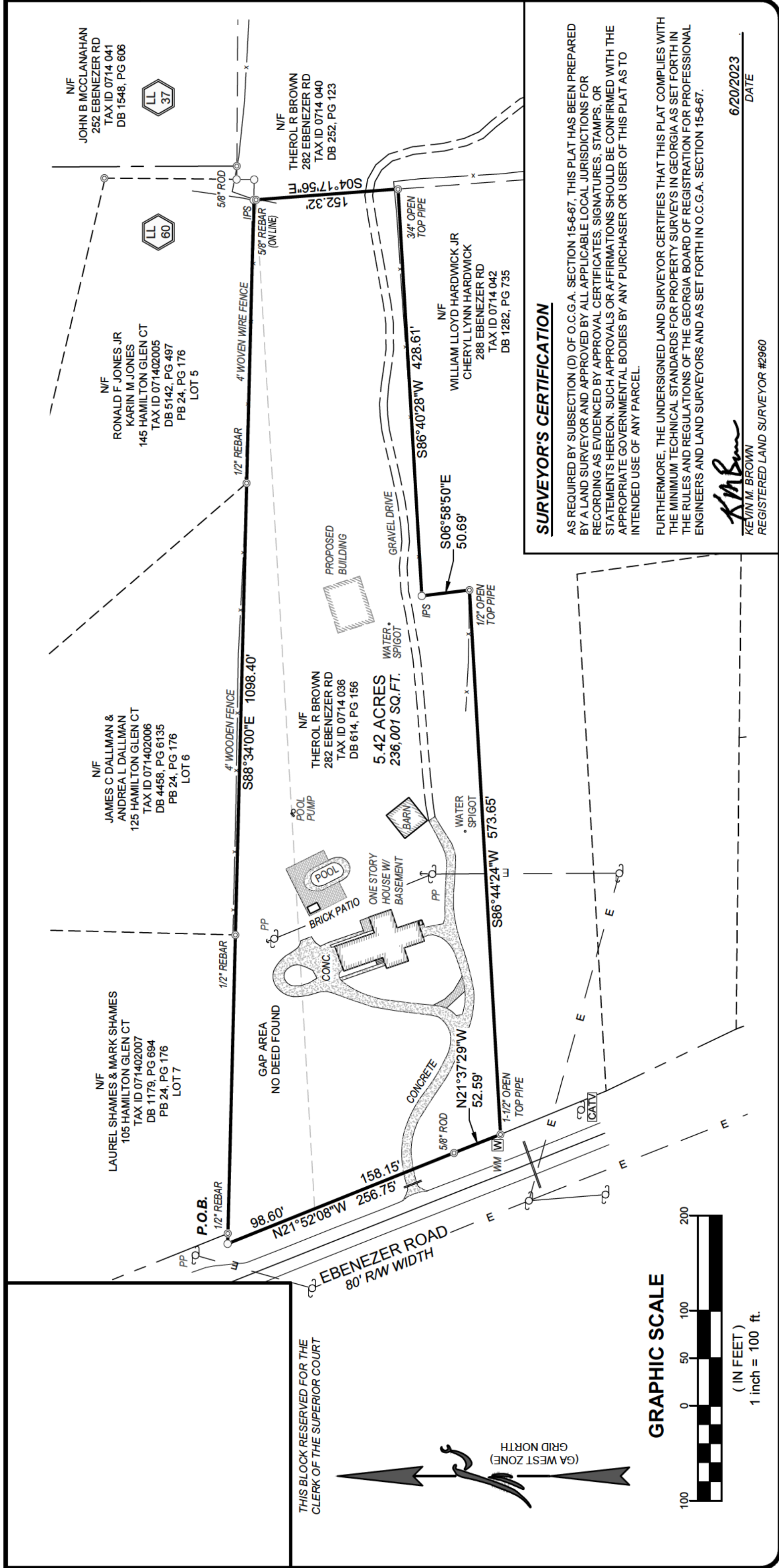
[Handwritten signature]

Therol R. Brown

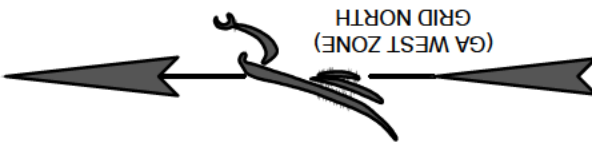
[Handwritten signature]
Notary Public

[Handwritten signature]
Judy R. Brown





THIS BLOCK RESERVED FOR THE CLERK OF THE SUPERIOR COURT



GRAPHIC SCALE



(IN FEET)
1 inch = 100 ft.

SURVEYOR'S CERTIFICATION

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 THIS 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 ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67.

KMB
KEVIN M. BROWN
REGISTERED LAND SURVEYOR #2960

6/20/2023
DATE

FALCON DESIGN CONSULTANTS, LLC. ALL RIGHTS ARE RESERVED. ANY POSSESSION, REPRODUCTION OR OTHER USE OF THIS DOCUMENT WITHOUT PRIOR WRITTEN PERMISSION FROM FALCON DESIGN CONSULTANTS, LLC. IS EXPRESSLY PROHIBITED.

SHEET NUMBER: 1 OF 1	DATE: 06-20-2023 SCALE: 1"=100' DRAWN BY: J. ROBERTS REVIEWED BY: K. BROWN	REVISIONS <table border="1"> <tr><td>1.</td><td></td></tr> <tr><td>2.</td><td></td></tr> <tr><td>3.</td><td></td></tr> <tr><td>4.</td><td></td></tr> <tr><td>5.</td><td></td></tr> </table>	1.		2.		3.		4.		5.		Know what's below. Call before you dig. UTILITIES PROTECTION CENTER 1 (800) 282-7411 THROUGHOUT GEORGIA OR DIAL 811		THIS DOCUMENT IS NOT VALID UNLESS IT BEARS THE ORIGINAL SIGNATURE OF THE REGISTRANT ACROSS THE REGISTRANT'S SEAL.
	1.														
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BOUNDARY SURVEY THEROL R. BROWN #282 EBENEZER ROAD LOCATED IN: LAND LOT 60, 7TH DISTRICT FAYETTE COUNTY, GEORGIA	CIVIL ENGINEERING LAND PLANNING LAND SURVEYING CONSTRUCTION MANAGEMENT LANDSCAPE ARCHITECT STOCKBRIDGE OFFICE 500 HICKORY RD., STE C STOCKBRIDGE, GEORGIA 30281 PH: (770) 389-8666 - Fax: (770) 389-8656 NEWNAN OFFICE 409 SHERWAY CT., STE A NEWNAN, GA 30568 PH: (770) 755-9978 www.fdc-llc.com														

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Consideration of Petition No. 1332-23. Wright Chancey Ebenezer Bypass, LLC, Rod Wright, agent and Steven Jones, Atty., agent, request to rezone 84.746 acres from C-S to A-R to develop a single family residential subdivision; property located in Land Lots 35 and 36 of the 7th District and fronts on Ebenezer Road, Ebenezer Church Road, and Ebenezer Bypass.

Background/History/Details:

Wright Chancey Ebenezer Bypass LLC, represented by Rod Wright, proposes to rezone 84.746 acres from C-S (Conservation Subdivision) to A-R (Agriculture-Residential) for the purpose of developing a single family residential subdivision. The project was rezoned from A-R to C-S on January 13, 2022, with two (2) conditions: (1.) Restricting driveway access. (2.) Right of way dedication required for improvements to Ebenezer Bypass.

Developer agreed to dedicate right-of-way for the County to improve Ebenezer Bypass. These changes improve intersection safety by increasing sight distances & providing one-way traffic at intersection of Ebenezer Rd. and Ebenezer Church Rd. Improvements could not be made at the original intersection of Ebenezer & Ebenezer Church Roads due to proximity of an historic cemetery. Developer proceeded with construction plans but did not obtain a Land Disturbance Permit. Fayette County Public Works proceeded to construct the improved roadway on a permanent construction easement. The developer had access to his property throughout the process so he could begin construction whenever he obtained the appropriate permits. In July 2023, he applied to rezone back to A-R but the ROW has not been dedicated.

In the absence of this dedication, staff recommends DENIAL. On Sept. 7, 2023, the Planning Commission voted to recommend DENIAL with a 4-0 vote (Mr. Arnold Martin was absent).

What action are you seeking from the Board of Commissioners?

Staff recommends DENIAL of the request unless the appropriate right of way is dedicated and accepted.

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:

If the rezoning is approved, staff recommends it be done with CONDITIONS. Please see staff report for full text of conditions. If the ROW is dedicated beforehand, some of the conditions will no longer be applicable to the case.

PETITION NO: 1332-23**REQUESTED ACTION:** Rezone from C-S to A-R**PARCEL NUMBER:** 0715 029**PROPOSED USE:** Agricultural-Residential**EXISTING USE:** Vacant, undeveloped land**LOCATION:** 622 Ebenezer Road**DISTRICT/LAND LOT(S):** 7th District, Land Lot 36**OWNERS:** Wright Chancey Ebenezer Bypass, LLC**AGENT:** RODWRIGHTCORP c/o Steven L. Jones, Taylor English Duma LLP**PLANNING COMMISSION PUBLIC HEARING:** September 7, 2023**BOARD OF COMMISSIONERS PUBLIC HEARING:** September 28, 2023**APPLICANT'S INTENT:** Applicant proposes to rezone 86 acres from C-S to A-R for the purposes of developing 10 single-family homesites.**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. However, until the right-of-way is properly dedicated, Staff recommends that the rezoning request be **DENIED**.

Should the request be approved, staff recommends the following **CONDITIONS**:

1. Fayette County requires the dedication of right-of-way for the realigned Ebenezer Church Road as depicted on the 7/4/23 Rezoning Plat and totaling 2.981 acres.
2. Fayette County requires the dedication of right-of-way, as needed, to provide 50 feet of right of way as measured from the existing centerline of Ebenezer Road. Per Fayette County's Thoroughfare Plan, Ebenezer Road is a minor arterial.
3. Any land dedicated to Fayette County shall be made free and clear of structures (e.g., signs, fences, etc.), debris, and vegetation (except for ground cover) prior to conveying to Fayette County unless approved otherwise, in writing, from the County Engineer.
4. Each subdivision lot associated with the A-R zoning shall be limited to two (2) driveways. *(Staff Note: A-R zoning does not restrict the number of agricultural driveways but staff believes it is appropriate to do so in this situation given the current C-S zoning prohibited driveways onto Ebenezer Church Road and Ebenezer Road.)*
5. The remnant parcel on the southwest side of Ebenezer Bypass is a nonconforming parcel. It shall be labeled as "Not a Buildable Lot" on the final plat of the subdivision. If the parcel is later combined with other legal lot(s) of record, the "unbuildable lot" status will no longer apply.
6. Prior to submission of a final plat(s) and irrespective of the number of lots in the plat(s), the developer shall be required to extend the water line between Ebenezer Road and Ebenezer Church Road to provide water service for the lots. The water line extension shall be constructed to the standards outlined in Sec. 12-90. - Mandatory connection to public water system, including the installation of fire hydrants.

INVESTIGATION**A. GENERAL PROPERTY INFORMATION**

The property is a legal lot of record. It is not located in an Overlay Zone and is currently undeveloped.

B. ZONING & CONSTRUCTION HISTORY:

May 3, 2021 – Wright Chancey Ebenezer Bypass, LLC, Rod Wright as Agent, submitted a petition to rezone the property from A-R to R-80 (Rezoning Petition No. 1310-21).

June 3, 2021 – Wright Chancey Ebenezer Bypass, LLC requested that the Planning Commission table the petition to work on the road realignment with the county. The Planning Commission approved to table the hearing until August 5, 2021.

July 16, 2021 – Wright Chancey Ebenezer Bypass, LLC requested to withdraw the petition.

August 5, 2021 – The Planning Commission recommended approval of the request to withdraw the petition.

November 1, 2021 - Wright Chancey Ebenezer Bypass, LLC, as Agent, submitted a petition to rezone the property from A-R to C-S (Rezoning Petition No. 1314-21).

December 2, 2021 – The Planning Commission voted to recommend approval of Petition 1314-21 with 2 conditions.

January 13, 2022 -- Board of Commissioners approved Petition No. 1314-21 to rezone the property from A-R to C-S with 2 conditions:

1. That no lot shall have direct driveway access onto Ebenezer Road or Ebenezer Church Road. (This condition will be enforced by the Engineering/Public Works Department.)
2. That the owner/developer dedicate by deed, at no cost to the county, adequate right-of-way for the re-alignment of Ebenezer Church Road as depicted on the Development Plan submitted with this rezoning petition dated 10/19/2021. (This condition will be administered by the Engineering/Public Works Department.)

**The developer did not dedicate the right-of-way immediately because he desired to retain ownership of the property for a sufficient period of time to benefit from the tax deduction that is allowed with such a dedication. The County worked with the developer to accommodate his request and obtained a permanent construction easement for the road improvements. It was agreed that the right-of-way dedication could be done prior to the submission of a final plat.*

The work was performed by Fayette County Public Works Department. Throughout the project, the County provided access to the property so the Developer could start construction of the subdivision at any time.

May/June 2022 – County cleared right-of-way area.

July 21, 2022 -- The Preliminary Plat for Sterling Ridge was approved by the Planning Commission.

March 2023 – County installed stormwater pipes.

June/July/August 2023 – County graded and paved the new roadway.

September 22, 2023 – The developer submitted subdivision construction plans for review.

March 7, 2023 – Subdivision construction drawings were approved. Developer never obtained a land disturbance permit or initiated construction of the subdivision.

July 10, 2023 – Developer applied to downzone the property from C-S to A-R.

C. SURROUNDING ZONING AND USES

Near the subject property is land that 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	18.6	A-R	Undeveloped	Rural Residential – 3 (1 Unit/3 Acres)
	6.32	A-R	Single-family Residential	
	6.32	A-R	Single-family Residential	
	12.89	A-R	Undeveloped	
	10.1	A-R	Single-family Residential	
	9.8	A-R	Undeveloped	
South (across Ebenezer Bypass)	5.0	A-R	Single-family Residential	Rural Residential – 3 (1 Unit/3 Acres)
	3.0	A-R	Single-family Residential	
South (across Ebenezer Church Road)	1.95	A-R	Church	Rural Residential – 3 (1 Unit/3 Acres)
	1.95	A-R	Cemetery	
	2.0	A-R	Single-family Residential	
	7.08	A-R	Church	
East (across Ebenezer Road)	8.7	R-40	Single-family Residential	Rural Residential – 3 (1 Unit/3 Acres)
	2.7	A-R	Single-family Residential	
West	28.8	A-R	Agriculture	Rural Residential – 3 (1 Unit/3 Acres)
	11.26	A-R	Undeveloped	
	5.0	A-R	Single-family Residential	
	3.72	A-R	Single-family Residential	

C. COMPREHENSIVE PLAN

The subject property lies within an area designated for Rural Residential – 3 (1 Unit/3 Acres) and Environmentally Sensitive Areas (floodplain). This request conforms to the Fayette County Comprehensive Plan.

D. ZONING/REGULATORY REVIEW

Access & Right-of Way: The property has existing access on Ebenezer Church Road, Ebenezer Bypass and Ebenezer Road. Please refer to Public Works notes below.

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

There is a remnant parcel on the southwest side of Ebenezer Bypass. In the original development plan, this was intended to be HOA-owned greenspace. It is 1.887 acres and does not meet the zoning requirements for a buildable lot in the A-R zoning district. It should be clearly designated as unbuildable.

Realignment of Ebenezer Church Road and Ebenezer_Bypass: The realignment of Ebenezer Church Road to connect to Ebenezer Road is complete. The new realignment is shown on the Revised Development Plan.

E. DEPARTMENTAL COMMENTS

- Water System** - FCWS has no objection to the proposed rezoning. Water is available on the East side of Ebenezer Rd in a 16 in ductile iron water main. Water is also available on the South side of Ebenezer Church Rd in a 12 in ductile iron main.
- Public Works** notes the following should be incorporated into the conditions of zoning:
 - Fayette County requires the dedication of right-of-way for the realigned Ebenezer Church Road as depicted on the 7/4/23 Rezoning Plat and totaling 2.981 acres.
 - Fayette County requires the dedication of right-of-way, as needed, to provide 50 feet of right of way as measured from the existing centerline of Ebenezer Road. Per Fayette County's Thoroughfare Pla, Ebenezer Road is a minor arterial.
 - Any land dedicated to Fayette County shall be made free and clear of structures (e.g., signs, fences, etc.), debris, and vegetation (except for ground cover) prior to conveying to Fayette County unless approved otherwise, in writing, from the County Engineer.
 - Each lot associated with the A-R zoning shall be limited to two (2) driveways. (A-R zoning does not restrict the number of agricultural driveways but staff believes it is appropriate to do so in this situation given the current C-S zoning prohibited driveways onto Ebenezer Church Road and Ebenezer Road.)
- Environmental Management** – No objections to the rezoning request.
 - **Floodplain Management** - The subject property **DOES** contain floodplain per FEMA FIRM panel 13113C0091E & 13113C0092E, dated September 26, 2008, and 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** 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** – The Fire Marshal recommends a requirement that the developer provide connections to the public water system for all lots, to include fire hydrants, in compliance with Sec. 12-90.-Mandatory connection to public water system. This will allow the residents of Sterling Ridge to have water and most importantly improve Fire EMS response.
- 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

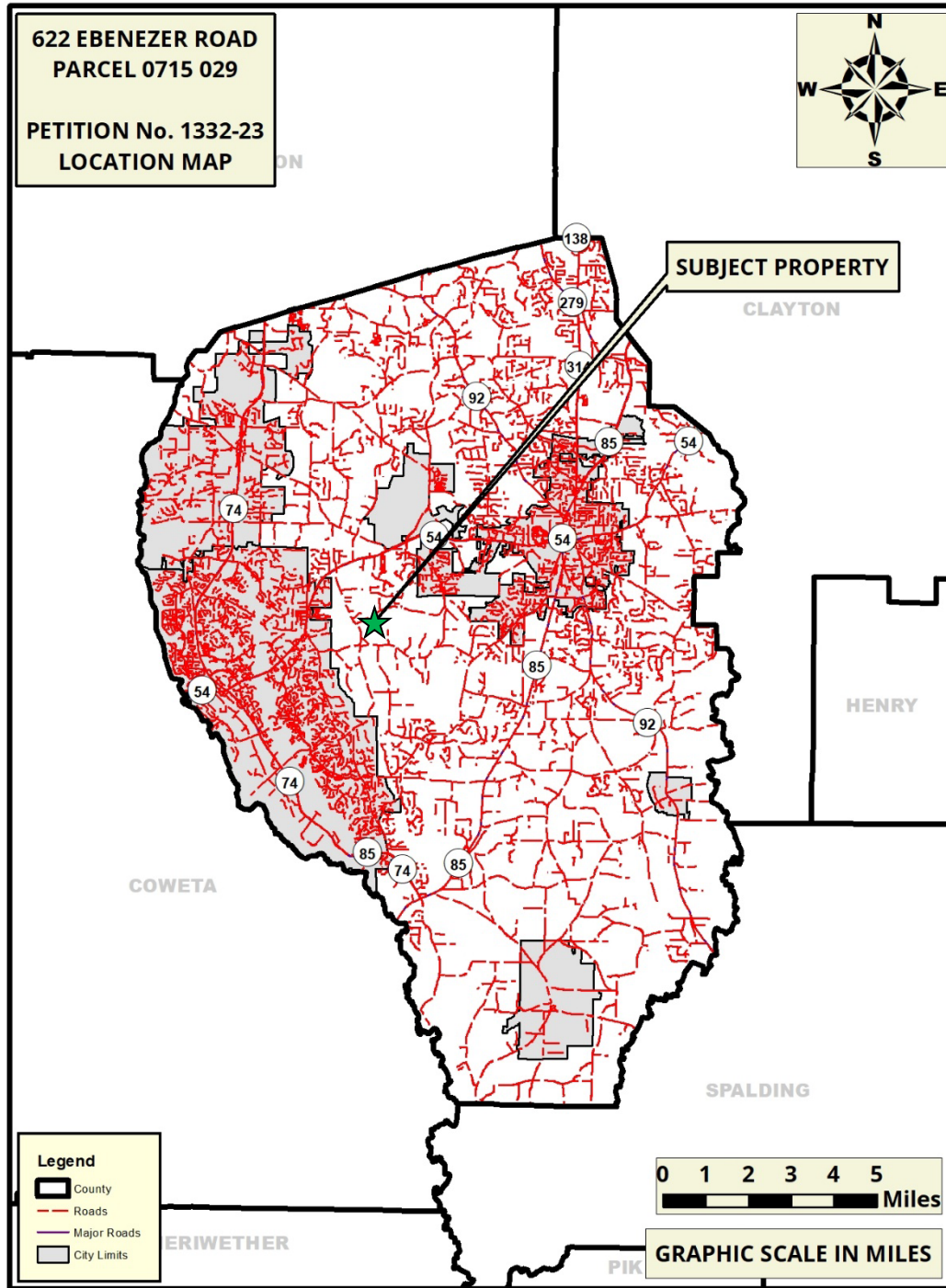
1. The subject property lies within an area designated for Rural Residential Uses. This request does conform to the Fayette County Comprehensive Plan in terms of the use and proposed lot size.
2. The area around the subject property is an area that already has various residential and agricultural uses. 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.

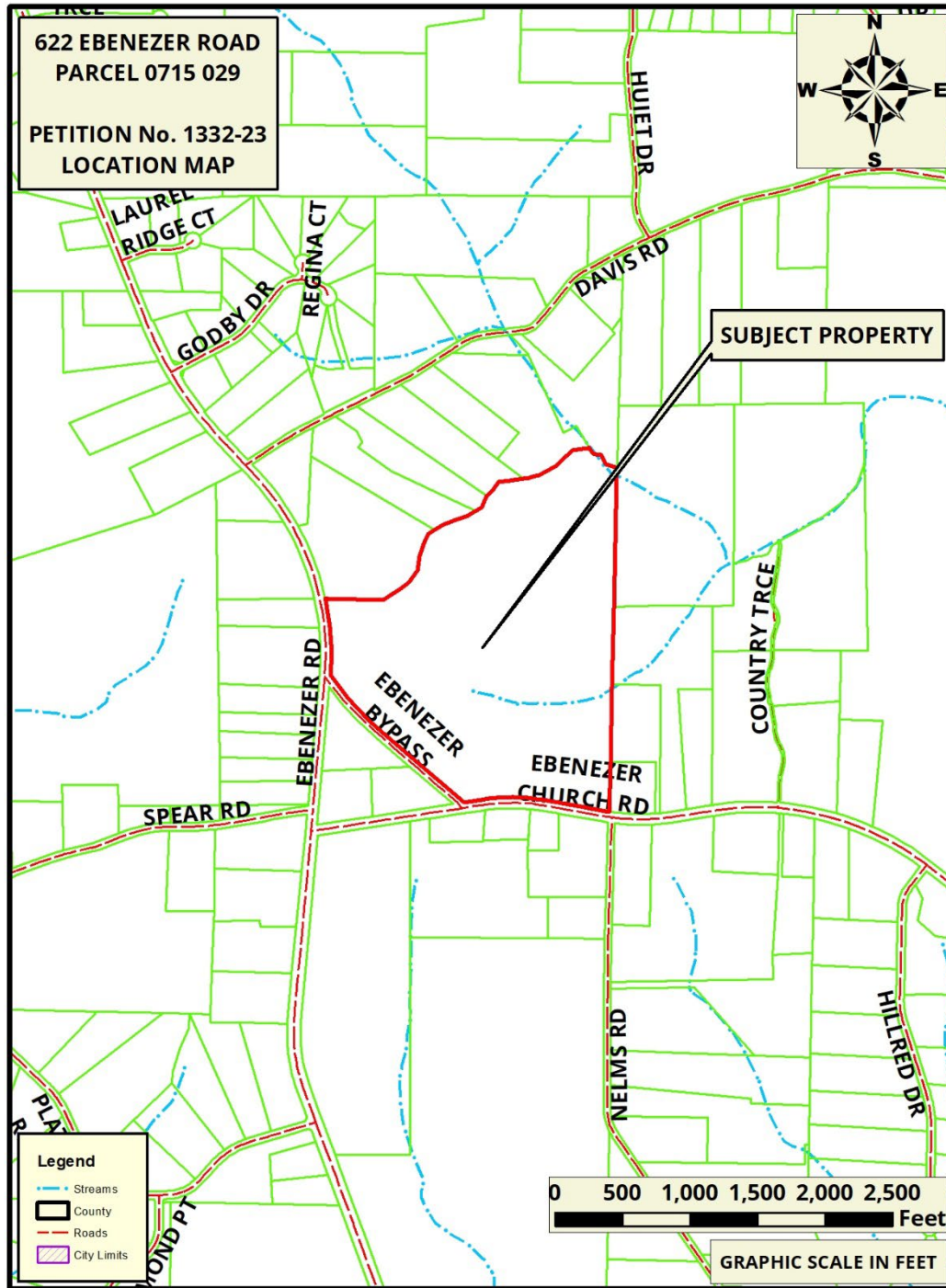
ZONING DISTRICT STANDARDS**Sec. 110-125. A-R, Agricultural-Residential District.**

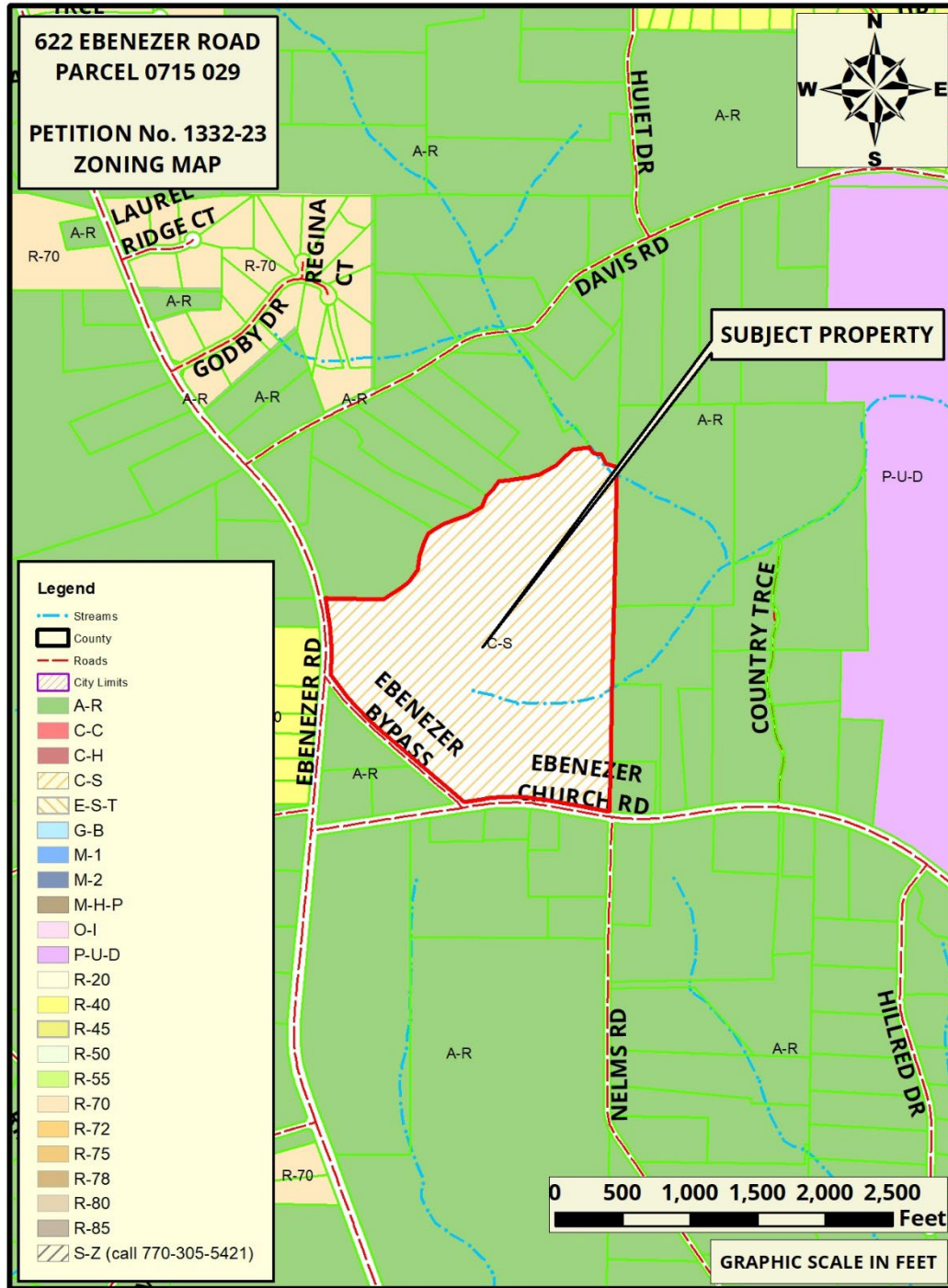
- (a) *Description of district.* This district is composed of certain lands and structures having a very low density single-family residential and agricultural character and designed to protect against the depreciating effects of small lot, residential development and those uses which are incompatible 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.

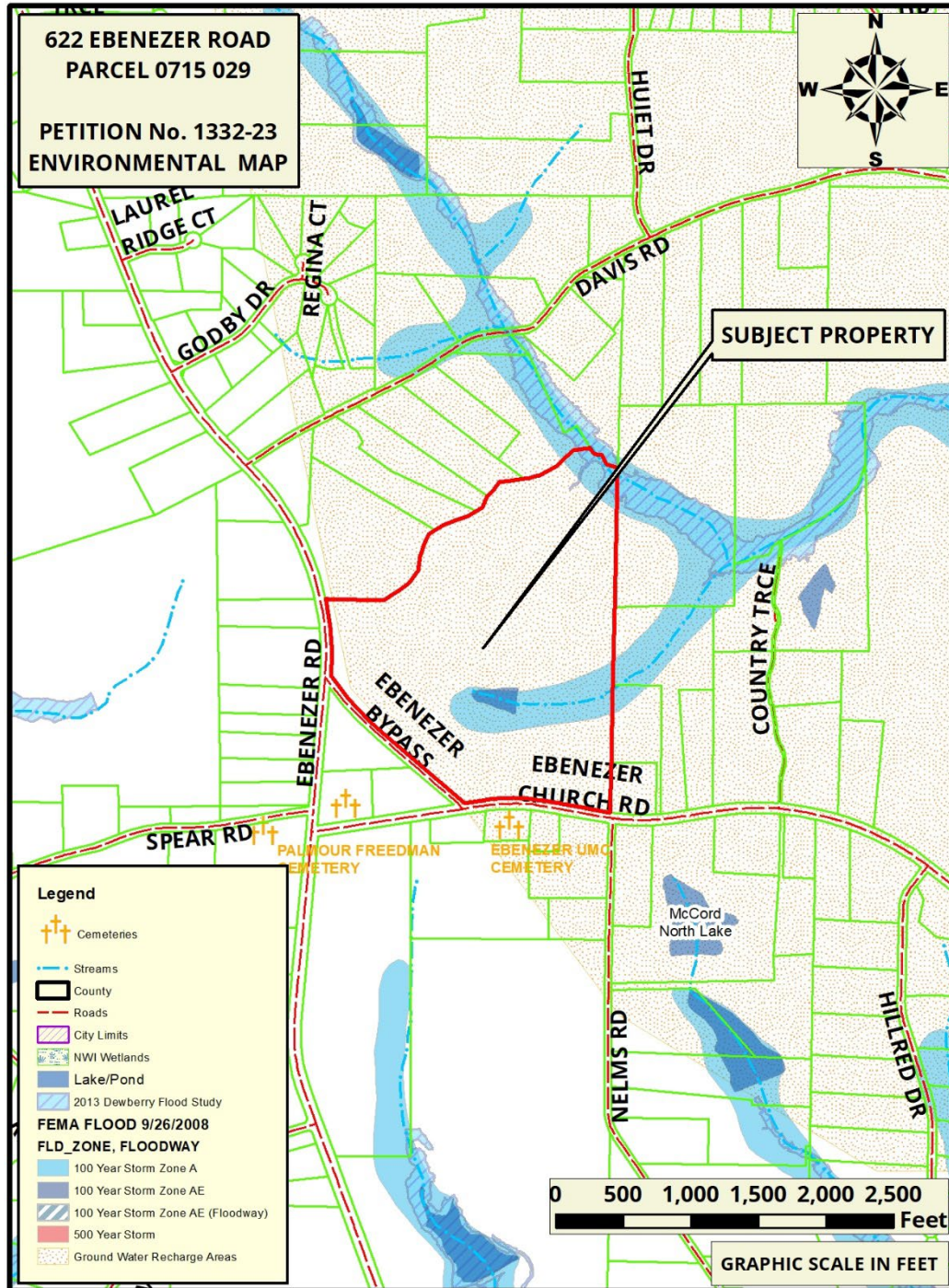
(Code 1992, § 20-6-1; Ord. of 7-28-2011; Ord. No. 2012-09, § 4, 5-24-2012; Ord. No. 2012-13, § 4, 12-13-2012; Ord. No. 2012-14, § 3, 12-13-2012; Ord. No. 2014-19, § 6,7, 12-11-2014; Ord. No. 2015-05, § 2, 3-26-2015; Ord. No. 2016-12, § 3, 7-28-2016; Ord. No. 2017-04, § 2, 3-23-2017; Ord. No. 2018-03,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

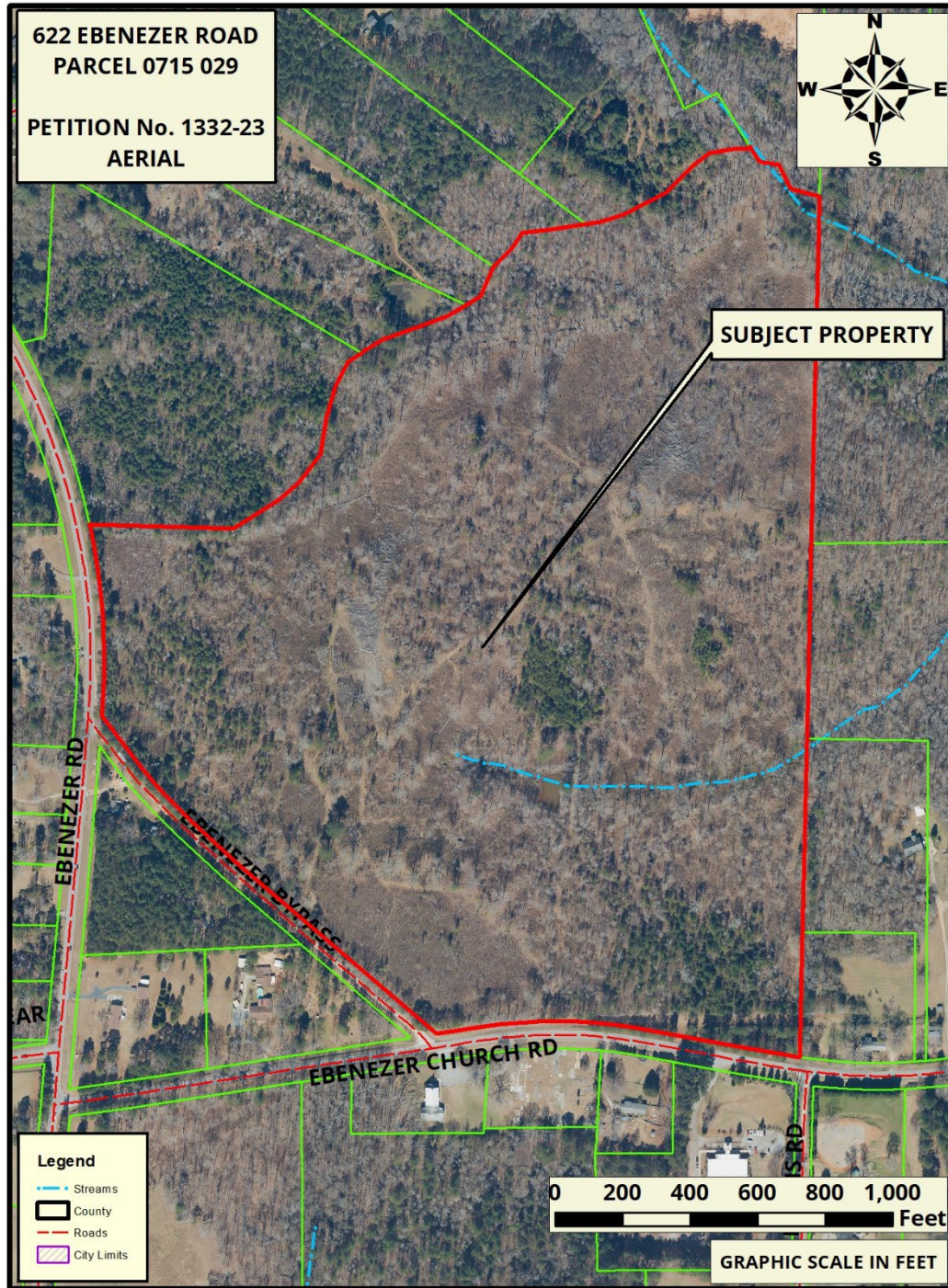


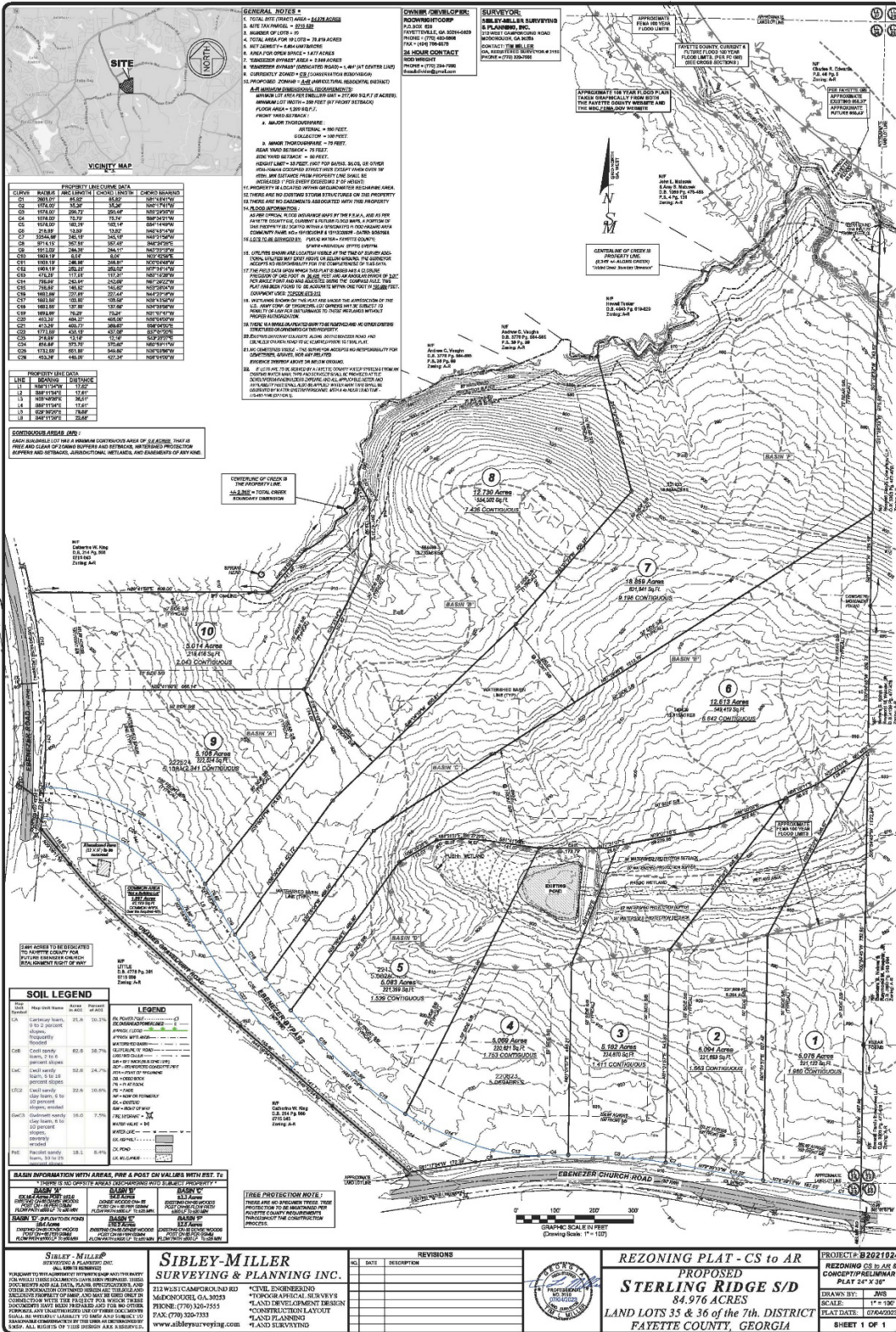












SURVEY

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

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

***Please turn off or turn to mute all electronic devices during the
Planning Commission Meetings**

NEW BUSINESS

1. Call to Order.
2. Pledge of Allegiance.
3. Approval of Agenda.

Jim Oliver noted Agenda Item 7A needed to be added to discuss the Draft 2024 Planning Commission Meeting. Danny England made the motion to approve the agenda with the addition of item 7A. John Culbreth seconded the motion. The motion passed 4-0. Arnold Martin was absent.

4. Consideration of the Minutes of the meeting held on August 3, 2023.

John Culbreth made the motion to approve the Minutes of the meeting held on August 3, 2023. Danny England seconded the motion. The motion passed 4-0.

5. Consideration of a Minor Final Plat of A1-Mart. This property will consist of one (1) lot zoned C-C, is located in Land Lot 216 of the 5th District and fronts on GA Highway 85 North.

Danny England made the motion to approve the Minor Final Plat of A-1 Mart. John Culbreth seconded. The motion passed 4-0.

6. Consideration of a Minor Final Plat of the Panter/Glaze Estates. This property will consist of three (3) lots, zoned A-R, is located in Land Lots 35 & 62 of the 4th District and fronts on Price Road.

Danny England made the motion to approve the Minor Final Plat of Panter/Glaze Estates. John Culbreth seconded. The motion passed 4-0.

7. Consideration of a Minor Final Plat For The William Mercer Massengale Disclaimer By-Pass Trust.

This property will consist of one (1) lot, zoned A-R, is located in Land Lot 157 of the 4th District and fronts on Rising Star Road.

John Kruzan made the motion to approve the Minor Final Plat of the William Mercer Massengale Disclaimer By-Pass Trust. Danny England seconded. The motion passed 4-0.

- 7A. Discussion of the Draft Meeting Agenda for the 2024 Planning Commission Meetings. The calendar to be adopted at the next meeting.

PUBLIC HEARING

8. Consideration of Petition No. 1331-23, Therol R. Brown and Judy R. Brown, Owner, request to rezone 5.42 acres from R-40 to A-R. This property is located in Land Lot 60 of the 7th District, and fronts on Ebenezer Road.

John Culbreth made the motion to recommend approval to rezone 5.42 acres from R-40 to A-R. Danny England seconded the motion. The motion passed 4-0.

9. Consideration of Petition No. 1332-23, Wright Chancey Ebenezer Bypass, LLC, Owner, and Taylor English Duma LLP (Steven L. Jones), Agent, request to rezone 84.746 acres from C-S to A-R. This property is located in Land Lots 35 and 36 of the 7th District, and fronts on Ebenezer Road, Ebenezer Bypass and Ebenezer Church Road.

John Kruzan made the motion to recommend denial of the petition to rezone 84.746 acres from C-S to A-R. Jim Oliver and Danny England seconded the motion to recommend denial. The motion passed 4-0.

Meeting Minutes 9/7/23

THE FAYETTE COUNTY PLANNING COMMISSION met on September 7th, 2023 at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia.

MEMBERS PRESENT: Jim Oliver, Chairman
John H. Culbreth Sr., Vice Chairman
John Kruzan
Danny England

MEMBERS ABSENT: Arnold Martin

STAFF PRESENT: Debbie Bell, Planning and Zoning Director
Deborah Sims, Zoning Administrator
E. Allison Ivey Cox, County Attorney

NEW BUSINESS

1. Call to Order.
2. Pledge of Allegiance.
3. Approval of Agenda.

Chairman Oliver noted the need to add item 7A, Discussion of the Draft Meeting Agenda for 2024.

Danny England made a motion approve the agenda with the inclusion of item 7A. John Culbreth, Sr. seconded the motion. The motion passed 4-0.

4. Consideration of the Minutes of the meeting held on August 3, 2023.

John Culbreth, Sr. made a motion to approve the Minutes of the meeting held on August 3, 2023. Danny England seconded the motion. The motion passed 4-0.

5. Consideration of a Minor Final Plat of A1 – Mart. The property will consist of one (1) lot, zoned C-C, is located in Land Lots 216 of the 5th District and fronts on Georgia Highway 85 North.

Debbie Bell stated both parcels are zoned the same, it is just a combination of the two (2) existing parcels to create one coherent commercial project. They are developing this as a convenience store gas station. There are no zoning issues. The plat has been reviewed and approved by staff.

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PC Meeting

Danny England asked if this was the site of the old US Station.

Debbie Bell responded this is the old Harris property.

Chairman Oliver asked if the Board had any questions or comments, there were none. The petitioner was not present.

Danny England made a motion to approve the Minor Final Plat of A1-Mart. John Culbreth seconded the motion. The motion passed 4-0.

6. Consideration of a Minor Final Plat of the Panter/Glaze Estates. The property will consist of three (3) lots, zoned A-R, is located in Land Lots 35 and 62 of the 4th District and fronts on Price Rd.

Debbie Bell stated the parcels are on two (2) different pages just because of the way they fit into the plat framework. This plat has been approved by staff.

Randy Boyd, agent for the petitioner, stated these lots were large. The entire tract is 42 acres. The parcel to the east is the existing parcel. The parcels to the left and the strips are the new parcels.

Chairman Oliver asked if it was for family.

Randy Boyd stated they already had purchasers. That is why it is called the Panter/Glaze Estates.

Chairman Oliver asked if the Board had any questions or comments, there were none.

Chairman Oliver asked if anyone in the audience wished to speak, there were none.

Danny England made a motion to approve the Minor Final Plat of Panter/Glaze Estates. John Culbreth Sr. seconded the motion. The motion passed 4-0.

7. Consideration of a Minor Final Plat for The William Mercer Massengale Disclaimer By-Pass Trust. This property will consist of one (1) lot, zoned A-R, is located in Land Lot 157 of the 4th District, and fronts on Rising Star Road.

Debbie Bell stated it has been reviewed and approved by staff.

Randy Boyd, representative for the petitioner. He did the surveying and prepared the plat. There will probably be two (2) or three (3) more lots and they will be large lots also.

Chairman Oliver asked if anyone in the audience wished to speak, there were none.

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September 7, 2023
PC Meeting

John Kruzan made a motion to approve the Minor Final Plat for The William Mercer Massengale Disclaimer By-Pass Trust. Danny England seconded the motion. The motion passed 4-0.

7A. Discussion of the 2024 Schedule.

Debbie Bell stated we just wanted to take a quick look at the 2024 Schedule. There were individual discussions that only the first monthly meeting would be published. If a special called meeting was needed for the second meeting of the month, that could be done. Also, the first Thursday in July was the 4th of July. Staff recommends only one (1) regular meeting in July and to set that meeting for July 18th. If the proposals are agreeable, staff will prepare the calendar and formally present it at the next monthly meeting for approval.

Chairman Oliver stated he looked good to him.

John Culbreth stated he liked how to track the Planning Commission, Board of Commissioners, Zoning Board of Appeals, and the Planning Commission application process. This is very good.

Debbie Bell stated this is our draft on keeping track of the meetings ,when advertisements were due, and the submittal deadlines. Staff will write this up in a little bit more coherent fashion. This is our cheat sheet.

Danny England stated the first week in July is kind of always a bust. Always have multiple people out.

Debbie Bell stated staff will prepare the official calendar for approval at the next meeting.

PUBLIC HEARING

- 8.** Consideration of Petition No. 1331-23, Therol R. Brown and Judy R. Brown, Owner, request to rezone 5.42 acres from R-40 to A-R. This property is located in Land Lot 60 of the 7th District, and fronts on Ebenezer Road.

Debbie Bell stated as this is low-density residential as defined in the Comprehensive Plan and the request for A-R zoning is appropriate. Staff recommends approval of the request. This was previously rezoned to R-40 from A-R and the owner desires to rezone it back to A-R. It is on the east side of Ebenezer Rd. Most of the surrounding property is still zoned A-R. Staff has reviewed the proposal and there are no recommended conditions.

Therol Brown and Judy Brown, owners. They also have adjoining land already zoned A-R. Mr. Brown was in the planning process of building a shop/storage building when a discrepancy was discovered in the deeds and the boundaries. He had it resurveyed and A-R is the proper zoning and complies with the Land Use Plan.

Chairman Oliver asked if anyone in the audience wished to speak, there were none.

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September 7, 2023
PC Meeting

Chairman Oliver asked if the Board had any questions, there were none.

John Culbreth made a motion to recommend approval of petition 1331-23 to rezone 5.2 acres from R-40 to A-R. Danny England seconded the motion. The motion passed 4-0.

9. Consideration of Petition No. 1332-23, Wright Chancey Ebenezer Bypass, LLC, Owner, and Taylor English Duma LLP (Steven L. Jones), Agent, request to rezone 84.746 acres from C-S to A-R. This property is located in Land Lots 36 and 36 of the 7th District, and fronts on Ebenezer Road, Ebenezer Bypass, and Ebenezer Church Road.

Debbie Bell stated this is designated as low density residential per the Comprehensive Plan, so A-R zoning is appropriate. However, there is an outstanding right-of-way dedication issue. Staff is recommending denial of the rezoning request until that issue is addressed.

On January 13, 2022, the Board of Commissioners approved petition 1314-21 to rezone the property from A-R to C-S for the purpose of developing a conservation subdivision. There are traffic and sight distance issues in this area. The county worked with the developer and the developer agreed to dedicate right-of-way. The county has constructed a new one (1) way paved road to remediate the traffic and sight distance issues on a construction easement in anticipation of right-of-way dedication. The right-of-way has not been dedicated and staff is recommending denial of the rezoning request until the right-of-way dedication is made.

Rod Wright, petitioner, is requesting approval for his rezoning application. The road just opened last month. There are still four (4) things that must be completed before the right-of-way may be donated.

1. Metes and bounds must be approved by staff.
2. The bank that loaned the funds to purchase the property must release. The bank is ready to sign the release.
3. Mr. Wright is happy to donate the land, but of course he would like the tax write-off. An appraiser has been engaged for the appraisal of the property.
4. The County must sign off on the appraisal for the IRS to approve the deduction.

Mr. Wright and Fayette County had a one (1) year agreement. Additional time was needed to complete road construction, so the agreement was extended six (6) months. Mr. Wright is agreeable to dedicate the property, but there are a few items that must be accomplished before that can happen. He would like to move forward with the rezoning and not be made to wait another thirty (30) or sixty (60) days for the right-of-way dedication. He hopes to have the right-of-way dedicated prior to the September 28th Board of Commissioners meeting.

Chairman Oliver explained the Planning Commission is only a recommending body, but if this petition is denied by the Board of Commissioners, Mr. Wright will have to wait six (6) months before applying to rezone the property.

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September 7, 2023
PC Meeting

Mr. Wright stated he understood. He doesn't want to be penalized more. He has been waiting eighteen (18) months and paying interest. He will dedicate the land as soon as it is ready to dedicate. He wants to proceed with the hearing.

Attorney Cox, stated it was her understanding the waiting period for dedication was to allow Mr. Wright to have the tax deduction, not Fayette County's request. In order to get the tax right-off, the land had to be held by Mr. Wright for a certain period of time. Instead of insisting on right-of-way dedication eighteen (18) months ago, the county chose to construct the road with a permanent easement. That was done for Mr. Wright's benefit, not for Fayette County.

Mr. Wright stated he was looking for the tax write-off for donating the land to the county.

Attorney Cox stated the waiting period was not at the county's request.

Mr. Wright stated he remembered that. He guesses he could have dedicated the land months ago.

Mrs. Cox stated there was no requirement for the road to be completed for the right-of-way dedication.

Chairman Oliver inquired as to whether the petition could be withdrawn prior to the Board of Commissioners hearing. The county attorney stated yes. If he chooses to withdraw prior to the calling of the item, then it would be withdrawn.

Mr. Wright stated he is not withdrawing the item. He is moving forward with the hearing and will donate the property. He doesn't want to keep paying interest and being held up.

John Culbreth asked staff to elaborate on the conditions if the request was approved.

Debbie Bell the recommendations were provided by Public Works and principally about right-of-way dedication. The six (6) recommended conditions are:

1. Fayette County requires the dedication of right-of-way for the realigned Ebenezer Church Road as depicted on the 7/4/23 Rezoning Plat and totaling 2.981 acres.
2. Fayette County requires the dedication of right-of-way, as needed, to provide 50 feet of right of way as measured from the existing centerline of Ebenezer Road. Per Fayette County's Thoroughfare Plan, Ebenezer Road is a minor arterial.
3. Any land dedicated to Fayette County shall be made free and clear of structures (e.g., signs, fences, etc.), debris, and vegetation (except for ground cover) prior to conveying to Fayette County unless approved otherwise, in writing, from the County Engineer.
4. Each lot associated with the A-R zoning shall be limited to two (2) driveways. (A-

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PC Meeting

R zoning does not restrict the number of agricultural driveways but staff believes it is appropriate to do so in this situation given the current C-S zoning prohibited driveways onto Ebenezer Church Road and Ebenezer Road.)

5. The remnant parcel on the southwest side of Ebenezer Bypass is a nonconforming parcel. It shall be labeled as “Not a Buildable Lot” on the final plat and designated as common area under the ownership of the subdivision’s Homeowners’ Association.
6. Prior to submission of a final plat(s) and irrespective of the number of lots in the plat(s), the developer shall be required to extend the water line between Ebenezer Road and Ebenezer Church Road to provide water service for the lots. The water line extension shall be constructed to the standards outlined in Sec. 12-90. - Mandatory connection to public water system, including the installation of fire hydrants.

Debbie Bell explained that fourth condition regarded traffic safety. A-R properties are not typically restricted on the number of driveways. In other zoning districts, they are only allowed two (2) driveways. Condition #4 has to do with traffic safety.

John Culbreth asked the petitioner about hardship. He understood there was a development loan.

Mr. Wright stated he obtained a loan when he purchased the property. The bank is ready to sign a release, but that document has to be given to them before they can sign.

Mr. Wright objects to condition #5. He plans on selling that portion of the property to an adjoining land owner to incorporate into an existing property. One day it will become part of the other lot which will be a buildable lot. In the future, it will probably tie into the other property.

John Culbreth stated he was unclear if Mr. Wright had a development loan on the property.

Mr. Wright stated he did not have an A & D Loan on the property. The loan is only on the land purchase.

Debbie Bell elaborated on Condition #5. There is a remnant parcel. As it currently sits, it is an unbuildable parcel because it doesn’t meet acreage, frontage, and width requirement. If approved, staff would like to remove the last part of the condition designating it as “common area”. It needs to be labeled as an unbuildable parcel as it sits. If it is added to some other existing residential lot, then the non-buildable designation would go away.

Danny England asked if that was something in the future.

Debbie Bell stated that would be done as a revision to a minor final plat process.

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Mr. Wright stated he was willing to complete the minor final plat process.

Danny England asked Attorney Allison Cox what was the benefit of denial versus approval with conditions.

Attorney Cox stated now was the best time to obtain right-of-way because we currently have leverage. The original conditions to rezone in 1314-21 have not yet been met.

Danny England understood that there were too many things going on at once.

Mr. Wright stated the county could come get it at that point. He did not want to be punished any more.

Chairman Oliver asked if anyone in the audience would like to speak on the petition. There were none.

Chairman Oliver stated the county has a problem and Mr. Wright has a problem too. He understood the original rezoning was technically incomplete because the right-of-way had not been dedicated. He was surprised it reached this point.

John Culbreth asked if this was because the county did not do its due diligence.

Attorney Cox stated this was at the request of the petitioner to retain the property to obtain the tax benefits. The county drafted a temporary construction easement to accommodate the request. It took eighteen (18) months to build the road, but it was done at the petitioner's request instead of insisting on the dedication a year ago.

Debbie Bell clarified, in the interim, construction drawings for development of the C-S subdivision had been submitted. Tonight's proposal was first submitted with the rezoning request only a couple of months ago. Prior reviews were as development of the C-S subdivision as depicted in Rezoning Petition 1314-21.

John Kruzan made a motion to recommend denial of Petition No. 1332-23 request to rezone 84.746 acres from C-S to A-R. Jim Oliver and Danny England seconded the motion. The motion carried 4-0.

ADJOURNMENT:

John Culbreth moved to adjourn the meeting. Danny England seconded. The motion passed 4-0.

The meeting adjourned at 7:34 p.m.

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PC Meeting

**PLANNING COMMISSION
OF
FAYETTE COUNTY**

JIM OLIVER, CHAIRMAN

ATTEST:

PC SECRETARY

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

PROPERTY INFORMATION:

Parcel No. 0715 029 Acreage: 86
Land Lot: 36 Land District: 7th
Address: 622 Ebenezer Road, Fayetteville, Georgia, 30215
Existing Zoning: C-5 Requested Zoning: A-R
Zoning of Surrounding Properties: A-R, R-40, R-72, R-70, PUD
Existing Use: Undeveloped Proposed Use: single family residential housing
Total Number of Acres Requested to be Rezoned: 86
Land Use Plan Designation: Rural Residential - 3 (1 Unit/3 Acres)
Name and Type of Access Road: Ebenzer Road, Ebenzer Bypass, Ebenezer Church Road
Location of Nearest Water Line: Ebenezer Road & Ebenezer Church Road

PROPERTY OWNDER INFORMATION

Name Wright Chancey Ebenezer Bypass, LLC
Email thesubdivider@gmail.com
Address P.O. Box 629, Fayetteville, Georgia 30214
Phone (770) 294-7990

AGENT/DEVELOPER INFORMATION

(If not owner)
Name RODWRIGHTCORP c/o Steven L. Jones,
Taylor English Duma LLP
Email sjones@taylorenghish.com
Address 1600 Parkwood Circle, STE 200, Atlanta GA 30339
Phone (404) 218-2756

(THIS AREA TO BE COMPLETED BY STAFF): PETITION NUMBER: 1332-23

[] Application Insufficient due to lack of: _____

by Staff: _____ Date: _____

[✓] Application and all required supporting documentation is Sufficient and Complete

by Staff: Debra M. Sims Date: 7/10/2023

DATE OF PLANNING COMMISSION HEARING: September 7, 2023

DATE OF COUNTY COMMISSIONERS HEARING: September 28, 2023

Received from Rodwright Corp. a check in the amount of \$ 450 ~~650.00~~ for application filing fee, and \$ 100.00 for deposit on frame for public hearing sign(s).

Date Paid: 7/10/23 Receipt Number: 018544

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:

Wright Chancey Ebenezer Bypass, LLC

Please Print Names

Property Tax Identification Number(s) of Subject Property: 0715 029

(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) 36 of the 7th District, and (if applicable to more than one land district) Land Lot(s) _____ of the _____ District, and said property consists of a total of 86 acres (legal description corresponding to most recent recorded plat for the subject property is attached herewith).

(I) (We) hereby delegate authority to RODWRIGHTCORP c/o Steven L. Jones, Taylor English Duma LLP 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.

Rod Wright, president, RODWRIGHTCORP
MANAGER, Wright Chancey Ebenezer Bypass Deborah M Sims
Signature of Property Owner 1 Signature of Notary Public

P.O. Box 629, Fayetteville
Address 30214

7/10/23
Date

Signature of Property Owner 2

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

Address

Date

Signature of Property Owner 3

Signature of Notary Public

Address

Date

Signature of Authorized Agent

Signature of Notary Public

Address

Date

OWNER'S AFFIDAVIT

NAME: Wright Chancey Ebenezer Bypass LLC PETITION NUMBER: _____

ADDRESS: 622 Ebenezer Road, Fayetteville, Georgia, 30215

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

The above-named owners of the property _____ affirms that he is the owner or the specifically authorized agent of the property described below. Said property is located in a(n) R-80 Zoning District. He/She respectfully petitions the County to rezone the property from its present classification and tenders herewith the sum of \$ 600 to cover all expenses of public hearing. He/She petitions the above named to change its classification to A-R.

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 7th day of September, 2023 at 7:00 P.M.

PUBLIC HEARING to be held by the Board of Commissioners of Fayette County on the 28th day of September, 2023 at 7:00 P.M.

SWORN TO AND SUBSCRIBED BEFORE ME THIS _____ DAY OF _____, 20____,

Rod Wright, president ROD WRIGHT CO LTD
MANAGER WRIGHT CHANCEY EBENEZER BYPASS

SIGNATURE OF PROPERTY OWNER

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, Wright Chancey Ebenezer Bypass LLC, said property owner(s) of subject property requested to be rezoned, hereby agree to dedicate, at no cost to Fayette County, 100, 80, and N/A feet of right-of-way along Ebenzer Road, Ebenezer Church Road, and Ebenzer Bypass, respectfully 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 July, 20 23.

*Rod Washt president, Rod Washt Corp
manager, Washt Chancey, Ebenezer Bypass.*

SIGNATURE OF PROPERTY OWNER

SIGNATURE OF PROPERTY OWNER

Deborah M Sims

NOTARY PUBLIC

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

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 10th day of July, 2023.

 Rod Wright, president, RODWRIGHTCOOP.
 APPLICANT'S SIGNATURE

Type: QCD
Recorded: 6/15/2021 11:23:00 AM
Fee Amt: \$25.00 Page 1 of 13
Transfer Tax: \$0.00
Fayette, Ga. Clerk Superior Court
Sheila Studdard Clerk of Court

Please return to:
Lawson, Beck & Sandlin, LLC
1125 Commerce Drive, Suite 300
Peachtree City, GA 30269
File # 21-LAW-1324

Participant ID: 1138094925

BK 5303 PG 706 - 718

STATE OF GEORGIA
COUNTY OF FAYETTE



QUIT CLAIM DEED

THIS INDENTURE made this 11th day of June, 2021 between

Thomas Jesse Busey, Jr and Joan Carlton Busey

as party or parties of the first part, hereinafter called Grantor, and

Wright Chancey Ebenezer Bypass, LLC

as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of TEN DOLLARS and other good and valuable consideration (\$10.00) in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee, the following described property:

All that tract or parcel of land lying and being in Land Lot No. 36 of the 7th Land District, Fayette County, Georgia, and being more particularly described as follows:

Beginning at an iron pin on the Northerly right-of-way line of an improved Public Road known as Willow Pond Road at its point of intersection with the East land lot line of said Land Lot No. 36, and from said point of beginning running thence Westerly along the Northerly right-of-way line of said Willow Pond Road a distance of 1,154 feet to the center of an unnamed and unimproved Public Road; running thence North 49 degrees 24 minutes West along the center of said road a distance of 1,115 feet; continuing thence North 37 degrees 24 minutes West along the center of said Public Road a distance of 200 feet to the Easterly right-of-way line of an improved Public Road known as Ebenezer Road; running thence Northerly along the Easterly right-of-way line of said Ebenezer Road a distance of 594 feet to an iron pin; running thence North 89 degrees 30 minutes East a distance of 609.5 feet to an iron pin; running thence North 40 degrees East a distance of 159 feet to a stream or branch; running thence in a Northeasterly and Easterly direction along the center of said stream or branch and following the meanderings thereof a distance of 1,820 feet, more or less, to its point of intersection with another stream or branch, which is the dividing line between the lands herein described and the Lands of L.V. Fincher; running thence Southeasterly along the center of said stream or branch and the line of said Fincher lands a distance of 233 feet, more or less, to the point of its intersection with the East land lot line of said Land Lot No. 36; running thence South 0 degrees 25 minutes East along said land lot line a distance of 2,524 feet to the point of beginning, and containing 86 acres of land, more or less, according to plat of survey by C.E. Lee, Surveyor, dated March 26, 1868.

Said lands bounded as follows: North by lands of Whitlock, by Davis Lands, and Lands of L.V. Fincher; East by Fincher Lands, Lands of Redwine, and Lands of H.H. Nelms; South by Willow Pont Road and other Lands of Floyd Landrum; West by other Lands of Floyd Landrum and Ebenezer Road.

Less and Except:

That certain tract or parcel of land conveyed from T. J. Busey to Fayette County by virtue of that certain Right-of-Way Deed recorded at Deed Book 103, Page 356, Fayette County, Georgia Records.

Subject to restrictive covenants and easements of record.

The purpose of this quitclaim deed is to release the above-described property from the Grantors Life Estate

TO HAVE AND TO HOLD the said described premises to grantee, so that neither grantor nor any person or persons claiming under grantor shall at any time, by any means or ways, have, claim or demand any right or title to said premises or appurtenances, or any rights thereof.

IN WITNESS WHEREOF, Grantor has signed and sealed this deed, the day and year first above written

Signed, Sealed and delivered in the presence of:

Unofficial Witness

Notary Public

Thomas Jesse Busey Jr. by
Thomas Jesse Busey, III as Attorney
Thomas Jesse Busey, Jr by Thomas Jesse Busey, III as *in Fact*
Attorney in Fact
Jean Carlton Busey by
Thomas Jesse Busey, III as Attorney
Joan Carlton Busey by Thomas Jesse Busey, III as Attorney *in Fact*
in Fact

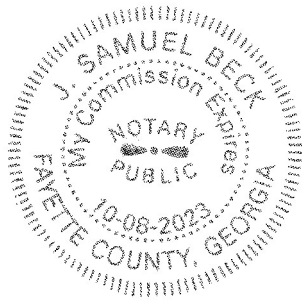


EXHIBIT "A"
LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lot No. 36 of the 7th Land District, Fayette County, Georgia, and being more particularly described as follows:

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Less and Except:

That certain tract or parcel of land conveyed from T. J. Busey to Fayette County by virtue of that certain Right-of-Way Deed recorded at Deed Book 103, Page 356, Fayette County, Georgia Records.

1 State of Georgia

2 County of Fayette

3 DURABLE POWER OF ATTORNEY

4 Know all men by these presents that I, Joan Carlton Busey, of Fayette County, Georgia, do
5 hereby name, constitute and appoint Thomas Jesse Busey, III as my true and lawful attorney-in-fact
6 (hereinafter referred to as my "Agent"), to act for me, and in my name, place and stead in any way
7 which I, myself, could act if I were personally present, to do any and all of the following acts or
8 things on my behalf, at any time, and from time to time so long as this power of attorney continues.

9 In the event that my said Agent shall be unable or fail to act or continue as my Agent, I hereby
10 constitute and appoint Ann Marie Busey to act for me, and in my name, place and stead in any way
11 which I, myself, could act if I were personally present, to do any and all of the following acts or
12 things on my behalf, at any time, and from time to time so long as this power of attorney continues.

13 In the event that Ann Marie Busey shall also be unable or fail to act or continue as my Agent, I
14 hereby constitute and appoint Michael Lee Thomas to act for me, and in my name, place and stead
15 in any way which I, myself, could act if I were personally present, to do any and all of the following
16 acts or things on my behalf, at any time, and from time to time so long as this power of attorney
17 continues.

18
19 **1. Bank and Credit Union Transactions:** To make, receive, sign, endorse, execute,
20 acknowledge, deliver, and possess checks, drafts, bills of exchange, letters of credit, notes, stock
21 certificates, withdrawal receipts and deposit instruments relating to accounts or deposits in, or
22 certificates of deposit of banks, savings and loans, credit unions, or other institutions or associations.

23
24 **2. Payment Transactions:** To pay all sums of money, at any time or times, that may
25 hereafter be owing by me upon any account, bill or exchange, check, draft, purchase, contract, note,
26 or trade acceptance made, executed, endorsed, accepted, and delivered by me or for me in my name,
27 by my Agent.

28
Initials: JCB TD & TR

1 **3. Real Property Transactions:** To lease, sell, gift, mortgage, purchase, exchange, and
 2 acquire, and to agree, bargain, and contract for the lease, sale, purchase, exchange, and acquisition
 3 of, and to accept, take, receive, and possess any interest in real property whatsoever, on such terms
 4 and conditions, and under such covenants, as my Agent shall deem proper; and to maintain, repair,
 5 tear down, alter, rebuild, improve, manage, insure, move, rent, lease, sell, convey, subject to liens,
 6 mortgages, and security deeds, and in any way or manner deal with all or any part of any interest in
 7 real property whatsoever, including specifically, but without limitation, real property lying and being
 8 situate in the State of Georgia, under such terms and conditions, and under such covenants, as my
 9 Agent shall deem proper and may for all deferred payments accept purchase money notes payable
 10 to me and secured by mortgages or deeds to secure debt, and may from time to time collect and
 11 cancel any of said notes, mortgages, security interests, or deeds to secure debt.

12
 13 **4. Personal Property Transactions:** To lease, sell, gift, mortgage, purchase, exchange, and
 14 acquire, and to agree, bargain, and contract for the lease, sale, purchase, exchange, and acquisition
 15 of, and to accept, take, receive, and possess any personal property whatsoever, tangible or intangible,
 16 or interest thereto, on such terms and conditions, and under such covenants, as my Agent shall deem
 17 proper; and to maintain, repair, improve, manage, insure, rent, lease, sell, convey, subject to liens
 18 or mortgages, or to take any other security interests in said property which are recognized under the
 19 Uniform Commercial Code as adopted at that time under the laws of Georgia or any applicable state,
 20 or otherwise hypothecate, and in any way or manner deal with all or any part of any real or personal
 21 property whatsoever, tangible or intangible, or any interest therein, that I own at the time of
 22 execution or may thereafter acquire, under such terms and conditions, and under such covenants, as
 23 my Agent shall deem proper.

24
 25 **5. Stock and Bond Transactions:** To purchase, sell, exchange, gift, surrender, assign,
 26 redeem, vote at any meeting, or otherwise transfer any and all shares of stock, bonds, or other
 27 securities in any business, association, corporation, partnership, or other legal entity, whether private
 28 or public, now or hereafter belonging to me.

Initials: JCB PD sk

1 **6. Safe Deposits:** To have free access at any time or times to any safe deposit box or vault
2 to which I might have access.

3
4 **7. Borrowing:** To borrow from time to time such sums of money as my Agent may deem
5 proper and execute promissory notes, security deeds or agreements, financing statements, or other
6 security instruments in such form as the lender may request and renew said notes and security
7 instruments from time to time in whole or in part.

8
9 **8. Business Operating Transactions:** To conduct, engage in, and otherwise transact the
10 affairs of any and all lawful business ventures of whatever nature or kind that I may now or hereafter
11 be involved in.

12
13 **9. Insurance Transactions:** To exercise or perform any act, power, duty, right, or obligation,
14 in regard to any contract of life, accident, health, disability, liability, or other type of insurance or any
15 combination of insurance; and to procure new or additional contracts of insurance for me and to
16 designate the beneficiary of same; provided, however, that my Agent cannot designate himself or
17 herself as beneficiary of any such insurance contracts.

18
19 **10. Disputes and Proceedings:** To commence, prosecute, discontinue, or defend all actions
20 or other legal proceedings touching my property, real or personal, or any part thereof, or touching
21 any matter in which I or my property, real or personal, may be in any way concerned. To defend,
22 settle, adjust, make allowances, compound, submit to arbitration, and compromise all accounts
23 reckonings, claims, and demands whatsoever that now are, or hereafter shall be, pending between
24 me and any person, firm, corporation, or other legal entity, in such manner and in all respects as my
25 Agent shall deem proper.

26
27 **11. Hiring Representatives:** To hire accountants, attorneys at law, consultants, clerks,
28 physicians, nurses; agents, servants, workmen, and others and to remove them, and to appoint others

Initials: J.C.B., BO J. AB

1 in their place, and to pay and allow the persons so employed such salaries, wages, or other
2 remunerations, as my Agent shall deem proper.

3
4 **12. Tax, Social Security, and Unemployment:** To prepare, to make elections, to execute
5 and to file all tax, social security, unemployment insurance, and informational returns required by
6 the laws of the United States, or of any state or subdivision thereof, or of any foreign government;
7 to prepare, to execute, and to file all other papers and instruments which the Agent shall think to be
8 desirable or necessary for safeguarding of me against excess or illegal taxation or against penalties
9 imposed for claimed violation of any law or other governmental regulation; and to pay, to
10 compromise, or to contest or to apply for refunds in connection with any taxes or assessments for
11 which I am or may be liable.

12
13 **13. Broad Powers:** Without, in any way, limiting the foregoing, generally to do, execute, and
14 perform any other act, deed, matter, or thing whatsoever, that should be done, executed, or
15 performed, including, but not limited to, powers conferred by Code Sections 53-12-261 and 53-12-
16 263 of the Official Code of Georgia Annotated, or that in the opinion of my Agent, should be done,
17 executed, or performed, for my benefit or the benefit of my property, real or personal, and in my
18 name of every nature and kind whatsoever, as fully and effectually as I could do if personally present.

19
20 **14. Effective Date:** This General Power of Attorney shall be effective immediately upon its
21 execution.

22
23 It is my desire and intention that this power of attorney shall not be nullified by my
24 subsequent disability, incapacity, or mental incompetence.

25
26 I may, at any time, revoke this power of attorney, but it shall be deemed to be in full force
27 and effect as to all persons, institutions, and organizations which shall act in reliance thereon prior
28

Initials: J. E. B. BO J- TSS

1 to the receipt of written revocation thereof signed by me and prior to receipt of actual notice of my
2 death.

3
4 I do hereby ratify and confirm all acts whatsoever which my Agent shall do, or cause to be
5 done, in or about the premises, by virtue of this power of attorney.

6
7 All parties dealing in good faith with my Agent may fully rely upon the power of and
8 authority of my Agent to act for me on my behalf and in my name, and may accept and rely on
9 agreements and other instruments entered into or executed by the agent pursuant to this power of
10 attorney. This instrument shall remain effective until revocation by me or my death, whichever
11 occurs first.

12
13 IN WITNESS WHEREOF, I have hereunto set my hand and seal on this 26th day of March, 2015.

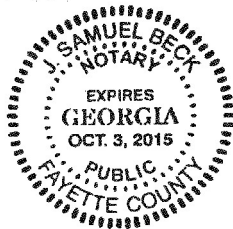
14
15 Joan Carlton Busey (SEAL)
Joan Carlton Busey

16 Signed, sealed and delivered
17 in the presence of:

18 Berardi Oase
Witness

19 Sherry Stull
Witness

20 [Signature]
21 Notary Public



1 State of Georgia
2 County of Fayette

3 **DURABLE POWER OF ATTORNEY**

4 Know all men by these presents that I, **Thomas Jesse Busey, Jr.**, of Fayette County, Georgia,
5 do hereby name, constitute and appoint **Thomas Jesse Busey, III** as my true and lawful attorney-in-
6 fact (hereinafter referred to as my "Agent"), to act for me, and in my name, place and stead in any
7 way which I, myself, could act if I were personally present, to do any and all of the following acts
8 or things on my behalf, at any time, and from time to time so long as this power of attorney
9 continues. In the event that my said Agent shall be unable or fail to act or continue as my Agent, I
10 hereby constitute and appoint **Ann Marie Busey** to act for me, and in my name, place and stead in
11 any way which I, myself, could act if I were personally present, to do any and all of the following
12 acts or things on my behalf, at any time, and from time to time so long as this power of attorney
13 continues. In the event that **Ann Marie Busey** shall also be unable or fail to act or continue as my
14 Agent, I hereby constitute and appoint **Michael Lee Thomas** to act for me, and in my name, place
15 and stead in any way which I, myself, could act if I were personally present, to do any and all of the
16 following acts or things on my behalf, at any time, and from time to time so long as this power of
17 attorney continues.

18
19 **1. Bank and Credit Union Transactions:** To make, receive, sign, endorse, execute,
20 acknowledge, deliver, and possess checks, drafts, bills of exchange, letters of credit, notes, stock
21 certificates, withdrawal receipts and deposit instruments relating to accounts or deposits in, or
22 certificates of deposit of banks, savings and loans, credit unions, or other institutions or associations.

23
24 **2. Payment Transactions:** To pay all sums of money, at any time or times, that may
25 hereafter be owing by me upon any account, bill or exchange, check, draft, purchase, contract, note,
26 or trade acceptance made, executed, endorsed, accepted, and delivered by me or for me in my name,
27 by my Agent.

28
Initials:  

1 **3. Real Property Transactions:** To lease, sell, gift, mortgage, purchase, exchange, and
 2 acquire, and to agree, bargain, and contract for the lease, sale, purchase, exchange, and acquisition
 3 of, and to accept, take, receive, and possess any interest in real property whatsoever, on such terms
 4 and conditions, and under such covenants, as my Agent shall deem proper; and to maintain, repair,
 5 tear down, alter, rebuild, improve, manage, insure, move, rent, lease, sell, convey, subject to liens,
 6 mortgages, and security deeds, and in any way or manner deal with all or any part of any interest in
 7 real property whatsoever, including specifically, but without limitation, real property lying and being
 8 situate in the State of Georgia, under such terms and conditions, and under such covenants, as my
 9 Agent shall deem proper and may for all deferred payments accept purchase money notes payable
 10 to me and secured by mortgages or deeds to secure debt, and may from time to time collect and
 11 cancel any of said notes, mortgages, security interests, or deeds to secure debt.

12
 13 **4. Personal Property Transactions:** To lease, sell, gift, mortgage, purchase, exchange, and
 14 acquire, and to agree, bargain, and contract for the lease, sale, purchase, exchange, and acquisition
 15 of, and to accept, take, receive, and possess any personal property whatsoever, tangible or intangible,
 16 or interest thereto, on such terms and conditions, and under such covenants, as my Agent shall deem
 17 proper; and to maintain, repair, improve, manage, insure, rent, lease, sell, convey, subject to liens
 18 or mortgages, or to take any other security interests in said property which are recognized under the
 19 Uniform Commercial Code as adopted at that time under the laws of Georgia or any applicable state,
 20 or otherwise hypothecate, and in any way or manner deal with all or any part of any real or personal
 21 property whatsoever, tangible or intangible, or any interest therein, that I own at the time of
 22 execution or may thereafter acquire, under such terms and conditions, and under such covenants, as
 23 my Agent shall deem proper.

24 **5. Stock and Bond Transactions:** To purchase, sell, exchange, gift, surrender, assign,
 25 redeem, vote at any meeting, or otherwise transfer any and all shares of stock, bonds, or other
 26 securities in any business, association, corporation, partnership, or other legal entity, whether private
 27 or public, now or hereafter belonging to me.

Initials:



Handwritten initials and signature, possibly 'JPB' followed by a date '8-20-74' and a flourish.

1 **6. Safe Deposits:** To have free access at any time or times to any safe deposit box or vault
2 to which I might have access.

3
4 **7. Borrowing:** To borrow from time to time such sums of money as my Agent may deem
5 proper and execute promissory notes, security deeds or agreements, financing statements, or other
6 security instruments in such form as the lender may request and renew said notes and security
7 instruments from time to time in whole or in part.

8
9 **8. Business Operating Transactions:** To conduct, engage in, and otherwise transact the
10 affairs of any and all lawful business ventures of whatever nature or kind that I may now or hereafter
11 be involved in.

12
13 **9. Insurance Transactions:** To exercise or perform any act, power, duty, right, or obligation,
14 in regard to any contract of life, accident, health, disability, liability, or other type of insurance or any
15 combination of insurance; and to procure new or additional contracts of insurance for me and to
16 designate the beneficiary of same; provided, however, that my Agent cannot designate himself or
17 herself as beneficiary of any such insurance contracts.

18
19 **10. Disputes and Proceedings:** To commence, prosecute, discontinue, or defend all actions
20 or other legal proceedings touching my property, real or personal, or any part thereof, or touching
21 any matter in which I or my property, real or personal, may be in any way concerned. To defend,
22 settle, adjust, make allowances, compound, submit to arbitration, and compromise all accounts
23 reckonings, claims, and demands whatsoever that now are, or hereafter shall be, pending between
24 me and any person, firm, corporation, or other legal entity, in such manner and in all respects as my
25 Agent shall deem proper.

26
27 **11. Hiring Representatives:** To hire accountants, attorneys at law, consultants, clerks,
28 physicians, nurses, agents, servants, workmen, and others and to remove them, and to appoint others

Initials:

1 in their place, and to pay and allow the persons so employed such salaries, wages, or other
2 remunerations, as my Agent shall deem proper.

3
4 **12. Tax, Social Security, and Unemployment:** To prepare, to make elections, to execute
5 and to file all tax, social security, unemployment insurance, and informational returns required by
6 the laws of the United States, or of any state or subdivision thereof, or of any foreign government;
7 to prepare, to execute, and to file all other papers and instruments which the Agent shall think to be
8 desirable or necessary for safeguarding of me against excess or illegal taxation or against penalties
9 imposed for claimed violation of any law or other governmental regulation; and to pay, to
10 compromise, or to contest or to apply for refunds in connection with any taxes or assessments for
11 which I am or may be liable.

12
13 **13. Broad Powers:** Without, in any way, limiting the foregoing, generally to do, execute, and
14 perform any other act, deed, matter, or thing whatsoever, that should be done, executed, or
15 performed, including, but not limited to, powers conferred by Code Sections 53-12-261 and 53-12-
16 263 of the Official Code of Georgia Annotated, or that in the opinion of my Agent, should be done,
17 executed, or performed, for my benefit or the benefit of my property, real or personal, and in my
18 name of every nature and kind whatsoever, as fully and effectually as I could do if personally present.

19
20 **14. Effective Date:** This General Power of Attorney shall be effective immediately upon its
21 execution.

22
23 It is my desire and intention that this power of attorney shall not be nullified by my
24 subsequent disability, incapacity, or mental incompetence.

25
26 I may, at any time, revoke this power of attorney, but it shall be deemed to be in full force
27 and effect as to all persons, institutions, and organizations which shall act in reliance thereon prior
28

Initials:  sh BO 

1 to the receipt of written revocation thereof signed by me and prior to receipt of actual notice of my
2 death.

4 I do hereby ratify and confirm all acts whatsoever which my Agent shall do, or cause to be
5 done, in or about the premises, by virtue of this power of attorney.

7 All parties dealing in good faith with my Agent may fully rely upon the power of and
8 authority of my Agent to act for me on my behalf and in my name, and may accept and rely on
9 agreements and other instruments entered into or executed by the agent pursuant to this power of
10 attorney. This instrument shall remain effective until revocation by me or my death, whichever
11 occurs first.

13 IN WITNESS WHEREOF, I have hereunto set my hand and seal on this 26th day of March, 2015.

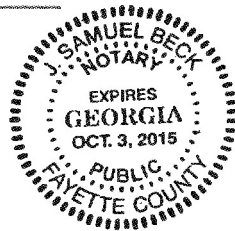
15 *Thomas J. Busey, Jr.* (SEAL)
Thomas Jesse Busey, Jr.

16 Signed, sealed and delivered
17 in the presence of:

17 *Sherry Houder*
18 Witness

19 *Brandi Osse*
20 Witness

20 *[Signature]*
21 Notary Public



PETITION FOR REZONING
CERTAIN PROPERTIES IN
UNINCORPORATED AREAS OF
FAYETTE COUNTY, GEORGIA
PUBLIC HEARING to be held be-
fore the Fayette County Planning
Commission on Thursday, Sep-
tember 7, 2023, at 7:00 P.M., and
before the Fayette County Board of
Commissioners on Thursday, Sep-
tember 28, 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.: 1332-23

Owner/Agent:

Owners: Wright Chancey

Ebenezer Bypass, LLC

Agent: Taylor English

Duma LLP -

RodWrightCorp

c/o Steven L. Jones

Existing Zoning District:

C-S

Proposed Zoning District:

A-R

Parcel Number: 0715 029

Area of Property: 84.746 acres

Proposed Use: A-R

Land Lot(s)/District: Land Lots 35

and 36 of the 7th District

Fronts on: Ebenezer Road,

Ebenezer Bypass and Ebenezer

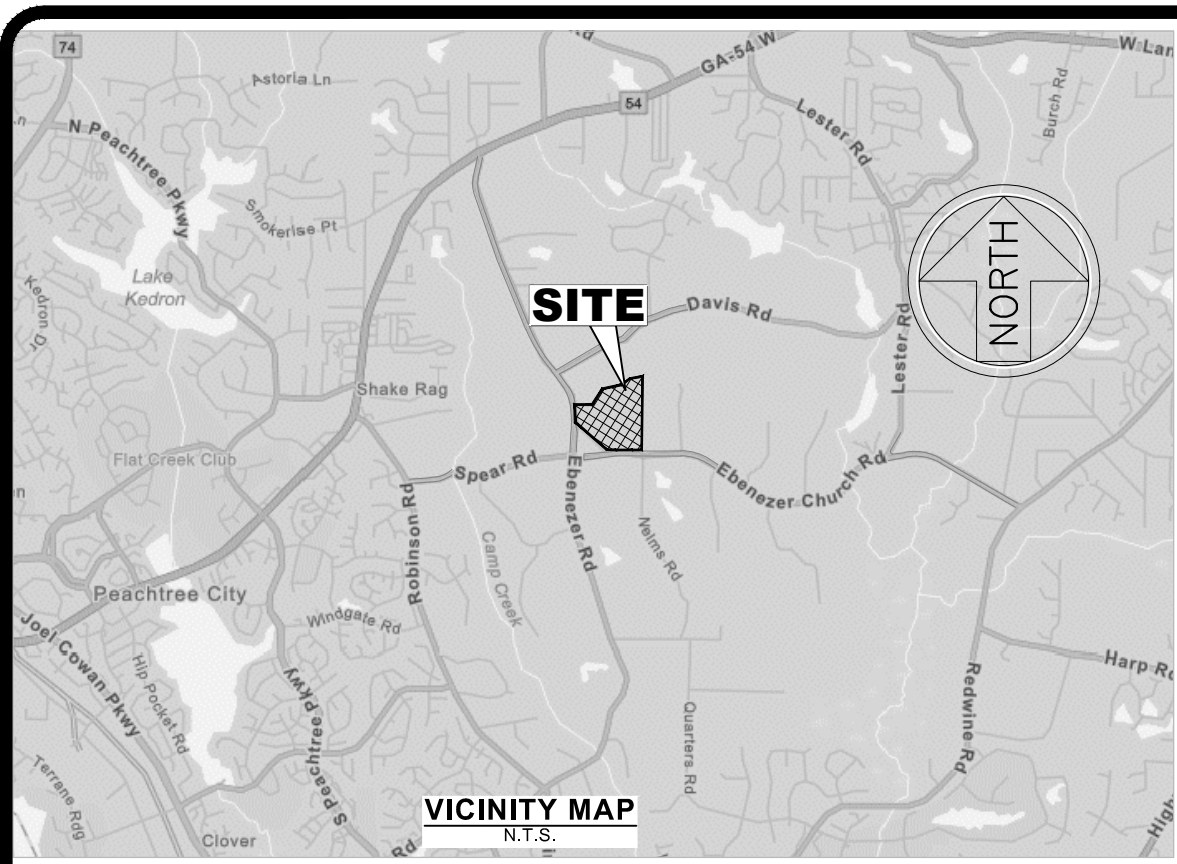
Church Road

Legal Description:

All that tract or parcel of land lying
and being in land lots 35, & 36 of
the 7th. District, Fayette County,
Georgia and being more particular-
ly described as follows:

Beginning at the intersection of the
Easterly right of way of Ebenezer
Rd. (80' R/W) and the centerline
of Ebenezer Bypass; Thence With
A Curve Turning To The Left along
the Easterly right of way, With
An Arc Length Of 138.28', With A
Radius Of 7524.72', With A Chord
Bearing Of N 04°11'56" E, With A
Chord Length Of 138.28', Thence
With A Compound Curve Turning
To The Left along said right of way,
With An Arc Length Of 457.96',
With A Radius Of 1979.85', With A
Chord Bearing Of N 04°29'30" W,
With A Chord Length Of 456.94',
Thence S 89°59'56" E leaving
said right of way A Distance Of
609.00', Thence N 41°17'04" E
A Distance Of 144.52', Thence N
40°09'14" E A Distance Of 11.79'
to a point in the center of a creek,
Thence along said creek center-
line A Distance Of +/- 2287.20',
Thence S 01°24'39" W leaving
said creek centerline A Distance
Of 993.04', Thence S 00°49'15" W
A Distance Of 1,122.94', Thence S
00°53'57" W A Distance Of 388.89'
to a point on the Northerly right
of way of Ebenezer Church Rd.
(100' R/W), Thence With A Curve
Turning To The Right along said
right of way, With An Arc Length
Of 263.53', With A Radius Of
3087.89', With A Chord Bearing
Of N 80°17'35" W, With A Chord
Length Of 263.45', Thence N
79°48'53" W along said right of
way A Distance Of 200.43', Thence
With A Curve Turning To The
Left along said right of way With
An Arc Length Of 498.37', With A
Radius Of 1585.37', With A Chord
Bearing Of N 88°28'27" W, With A
Chord Length Of 496.32', Thence S
81°22'29" W along said right of way
A Distance Of 203.77' to the cen-
terline of Ebenezer Bypass, Thence
With A Curve Turning To The Right
With An Arc Length Of 281.35',
With A Radius Of 7412.04', With A
Chord Bearing Of N 49°57'08" W,
With A Chord Length Of 281.33',
Thence N 48°55'49" W A Distance
Of 444.61', Thence With A Curve
Turning To The Right With An Arc
Length Of 300.68', With A Radius
Of 3984.60', With A Chord Bearing
Of N 47°06'34" W, With A Chord
Length Of 300.61', Thence With
A Compound Curve Turning To
The Right With An Arc Length Of
128.81', With A Radius Of 1343.53',
With A Chord Bearing Of N
41°45'01" W, With A Chord Length
Of 128.76', Thence With A Com-
pound Curve Turning To The Right
With An Arc Length Of 143.44',
With A Radius Of 10859.09', With
A Chord Bearing Of N 38°13'24" W,
With A Chord Length Of 143.44',
Which Is The Point Of Beginning,
having an area of 84.746 acres.

08/30



GENERAL NOTES =
 1. TOTAL SITE (TRACT) AREA = 84.976 ACRES
 2. SITE TAX PARCEL = 0715 029
 3. NUMBER OF LOTS = 10
 4. TOTAL AREA FOR 10 LOTS = 79,819 ACRES
 5. NET DENSITY = 6.604 UNITS/ACRE
 6. AREA FOR OPEN SPACE = 1,877 ACRES
 7. "EBENEZER BYPASS" AREA = 2,996 ACRES
 8. "EBENEZER BYPASS" (DEDICATED ROAD) = 1,491' (AT CENTER LINE)
 9. CURRENTLY ZONED = CS (CONSERVATION SUBDIVISION)
 10. PROPOSED ZONING = A-R (AGRICULTURAL RESIDENTIAL DISTRICT)
A-R MINIMUM DIMENSIONAL REQUIREMENTS:
 MINIMUM LOT AREA PER DWELLING UNIT = 217,800 SQ.F.T. (5 ACRES).
 MINIMUM LOT WIDTH = 250 FEET (AT FRONT SETBACK).
 FLOOR AREA = 1,200 SQ.F.T.
FRONT YARD SETBACK:
 a. MAJOR THOROUGHFARE:
 ARTERIAL = 100 FEET.
 COLLECTOR = 100 FEET.
 b. MINOR THOROUGHFARE = 75 FEET.
REAR YARD SETBACK = 75 FEET.
SIDE YARD SETBACK = 50 FEET.
 HEIGHT LIMIT = 35 FEET, (NOT FOR BARN, SILOS, OR OTHER NON-HUMAN OCCUPIED STRUCTURES EXCEPT WHEN OVER 35' HIGH, MIN DISTANCE FROM PROPERTY LINE SHALL BE INCREASED 1" FOR EVERY EXCEEDING 2" OF HEIGHT)
 11. PROPERTY IS LOCATED WITHIN GROUNDWATER RECHARGE AREA
 12. THERE ARE NO EXISTING STORM STRUCTURES ON THE PROPERTY
 13. THERE ARE NO EASEMENTS ASSOCIATED WITH THIS PROPERTY
 14. FLOOD INFORMATION:
 AS PER OFFICIAL FLOOD INSURANCE MAPS BY THE F.E.M.A., AND AS PER FAYETTE COUNTY GIS, CURRENT & FUTURE FLOOD MAPS, A PORTION OF THIS PROPERTY IS LOCATED WITHIN A DESIGNATED FLOOD HAZARD AREA COMMUNITY PANEL NO. 131130091E & 131130092E, DATED: 9/26/2008.
 15. LOTS TO BE SERVICED BY: PUBLIC WATER = FAYETTE COUNTY, SEWER = INDIVIDUAL SEPTIC SYSTEM
 16. UTILITIES SHOWN ARE LOCATION VISIBLE AT THE TIME OF SURVEY. ADDITIONAL UTILITIES MAY EXIST ABOVE OR BELOW GROUND. THE SURVEYOR ACCEPTS NO RESPONSIBILITY FOR THE COMPLETENESS OF THIS DATA.
 17. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 20,426 FEET AND AN ANGULAR ERROR OF 0.01" PER ANGLE POINT AND WAS ADJUSTED USING THE COMPASS RULE. THIS PLAT HAS BEEN FOUND TO BE ACCURATE WITHIN ONE FOOT IN 100,000 FEET. EQUIPMENT USED: TOPCON GTS-313
 18. WETLANDS SHOWN ON THIS PLAT ARE UNDER THE JURISDICTION OF THE U.S. ARMY CORP. OF ENGINEERS. LOT OWNERS MAY BE SUBJECT TO PENALTY OF LAW FOR DISTURBANCE TO THESE WETLANDS WITHOUT PROPER AUTHORIZATION.
 19. THERE IS A SINGLE DILAPIDATED BARN TO BE REMOVED AND NO OTHER EXISTING STRUCTURES OR DRIVEWAYS ON THIS PROPERTY.
 20. EXISTING DRIVEWAY CULVERTS ALONG BOTH EBENEZER ROAD AND EBENEZER CHURCH ROAD TO BE REMOVED PRIOR TO FINAL PLAT.
 21. NO CEMETERIES VISIBLE - THE SURVEYOR ACCEPTS NO RESPONSIBILITY FOR CEMETERIES, GRAVES, NOR ANY RELATED EVIDENCE THEREOF ABOVE OR BELOW GROUND.
 22. IF LOTS ARE TO BE SERVICED BY A FAYETTE COUNTY WATER SYSTEMS FROM AN EXISTING WATER MAIN, TAPS AND SERVICES SHALL BE PROVIDED AT THE DEVELOPERS/HOMEBUILDERS EXPENSE AND ALL APPLICABLE METER AND AVAILABILITY FEES SHALL ALSO BE APPLIED. WATER MAIN TAPS SHALL BE OBSERVED BY WATER SYSTEM PERSONNEL WITH A 48-HOUR LEAD TIME - 770-461-1146 (8PTONX).

OWNER / DEVELOPER:
RODRIGHT CORP
 P.O. BOX 625
 FAYETTEVILLE, GA 30214-0629
 PHONE = (770) 480-5606
 FAX = (404) 768-8576
24 HOUR CONTACT
ROD WRIGHT
 PHONE = (770) 294-7990
 thesubdivider@gmail.com

SURVEYOR:
SIBLEY-MILLER SURVEYING & PLANNING, INC.
 212 WEST CAMPGROUND ROAD
 McDONOUGH, GA 30253
CONTACT: TIM MILLER
 GA REGISTERED SURVEYOR # 3150
 PHONE = (770) 320-7555

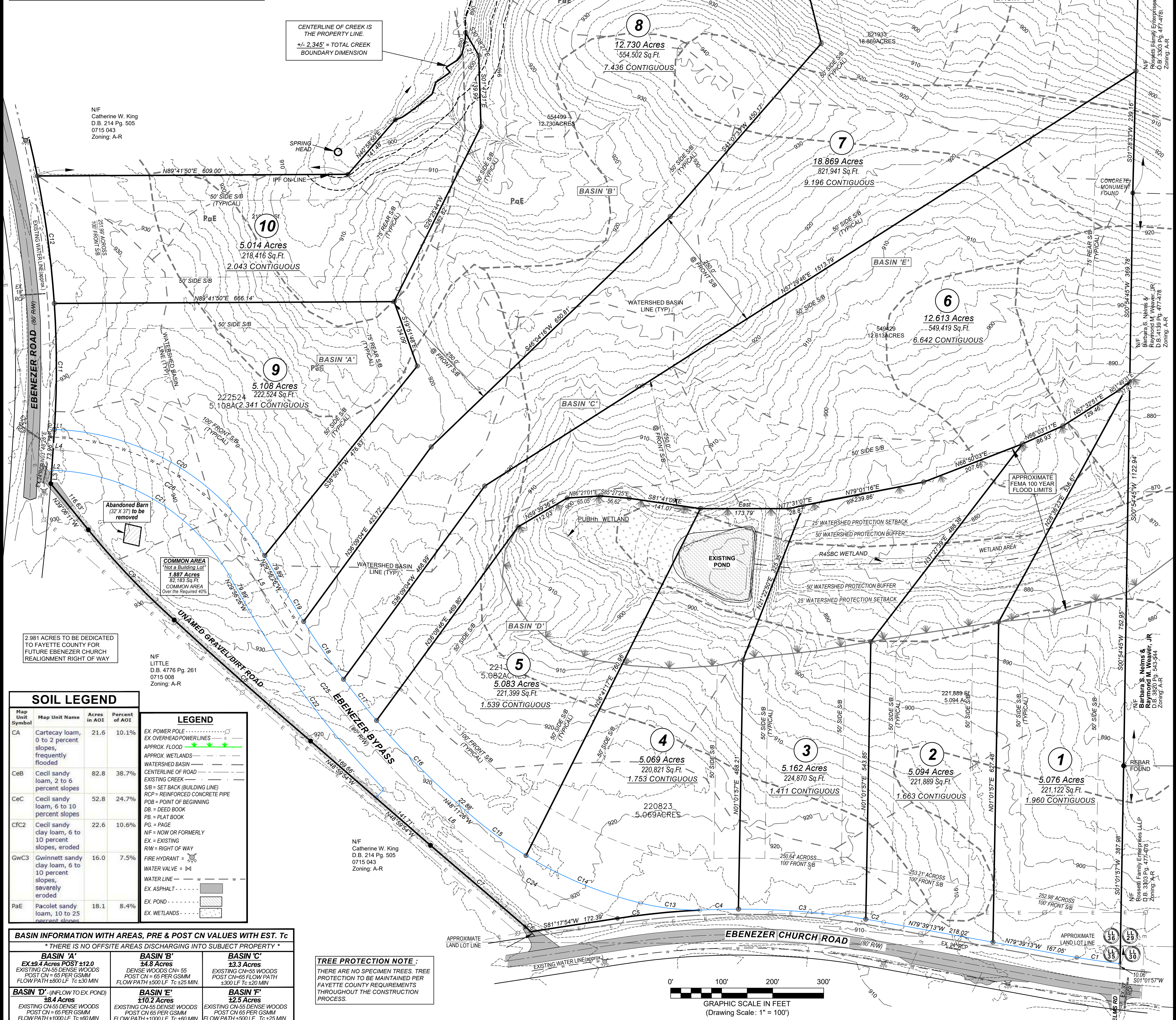
PROPERTY LINE CURVE DATA

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	2603.01'	85.82'	85.82'	N81°48'41"W
C2	1576.00'	35.26'	35.26'	N80°17'41"W
C3	1576.00'	250.72'	250.46'	N89°29'35"W
C4	1576.00'	75.75'	75.74'	S89°34'21"W
C5	1576.00'	162.21'	162.14'	S84°14'49"W
C6	218.98'	13.93'	13.92'	N46°48'14"W
C7	22344.66'	245.19'	245.19'	N46°21'56"W
C8	9714.15'	357.51'	357.49'	S48°24'26"E
C9	1512.03'	244.38'	244.11'	N43°35'15"W
C10	1909.19'	6.04'	6.04'	N03°42'59"E
C11	1909.19'	246.98'	246.81'	N00°04'48"W
C12	1909.19'	252.21'	252.02'	N07°34'14"W
C13	476.28'	117.61'	117.31'	N83°16'29"W
C14	796.66'	243.64'	242.69'	N67°26'22"W
C15	796.66'	145.82'	145.62'	N53°26'04"W
C16	1692.68'	227.61'	227.44'	N44°20'18"W
C17	1692.68'	103.60'	103.58'	N30°43'58"W
C18	1692.68'	137.69'	137.66'	N34°38'56"W
C19	1692.68'	70.25'	70.24'	N31°07'47"W
C20	493.26'	484.27'	465.06'	N58°04'00"W
C21	413.26'	405.73'	389.63'	S58°04'00"W
C22	1772.68'	438.19'	437.08'	S37°01'20"E
C23	218.98'	12.16'	12.16'	S43°23'27"E
C24	836.66'	373.70'	370.60'	N60°59'11"W
C25	1732.68'	551.89'	549.56'	N39°03'56"W
C26	453.26'	445.00'	427.34'	N58°04'00"W

PROPERTY LINE DATA

LINE	BEARING	DISTANCE
L1	N86°11'34"W	17.62'
L2	S86°11'34"E	17.61'
L3	N03°48'26"E	26.51'
L4	S86°11'34"E	17.61'
L5	S29°56'28"E	79.89'
L6	S48°11'26"E	22.88'

CONTIGUOUS AREAS (AR):
 EACH BUILDABLE LOT HAS A MINIMUM CONTIGUOUS AREA OF 0.6 ACRES THAT IS FREE AND CLEAR OF ZONING BUFFERS AND SETBACKS, WATERSHED PROTECTION BUFFERS AND SETBACKS, JURISDICTIONAL WETLANDS, AND EASEMENTS OF ANY KIND.



SOIL LEGEND

Map Unit Symbol	Map Unit Name	Acres	Percent of AOT
CA	Carteazy loam, 0 to 2 percent slopes, frequently flooded	21.6	10.1%
CeB	Cecil sandy loam, 2 to 5 percent slopes	82.8	38.7%
CeC	Cecil sandy loam, 6 to 10 percent slopes	52.8	24.7%
CfC2	Cecil sandy clay loam, 6 to 10 percent slopes, eroded	22.6	10.6%
GwC3	Gwinnett sandy clay loam, 6 to 10 percent slopes, severely eroded	16.0	7.5%
PaE	Pacolet sandy loam, 10 to 25 percent slopes	18.1	8.4%

LEGEND

- EX POWER POLE
- EX OVERHEAD POWER LINES
- APPROX. FLOOD
- APPROX. WETLANDS
- WATERSHED BASIN
- CENTRELINE OF ROAD
- EXISTING CREEK
- SB = SET BACK (BUILDING LINE)
- RCP = REINFORCED CONCRETE PIPE
- POB = POINT OF BEGINNING
- DB = DEED BOOK
- PB = PLAT BOOK
- PG = PAGE
- NF = NOW OR FORMERLY
- EX = EXISTING
- R/W = RIGHT OF WAY
- FIRE HYDRANT = W
- WATER VALVE = W
- WATER LINE
- EX ASPHALT
- EX POND
- EX WETLANDS

BASIN INFORMATION WITH AREAS, PRE & POST CN VALUES WITH EST. Tc
 * THERE IS NO OFFSITE AREAS DISCHARGING INTO SUBJECT PROPERTY *

BASIN	Area	Pre CN	Post CN	Flow Path	Tc
BASIN A	5.014 Acres	0.55	0.55	1000' LF	12:30 MIN
BASIN B	5.108 Acres	0.55	0.55	1000' LF	12:30 MIN
BASIN C	5.083 Acres	0.55	0.55	1000' LF	12:30 MIN
BASIN D	5.069 Acres	0.55	0.55	1000' LF	12:30 MIN
BASIN E	5.076 Acres	0.55	0.55	1000' LF	12:30 MIN
BASIN F	5.094 Acres	0.55	0.55	1000' LF	12:30 MIN

TREE PROTECTION NOTE:
 THERE ARE NO SPECIMEN TREES. TREE PROTECTION TO BE MAINTAINED PER FAYETTE COUNTY REQUIREMENTS THROUGHOUT THE CONSTRUCTION PROCESS.

SIBLEY-MILLER SURVEYING & PLANNING INC.
 PURSUANT TO THE AGREEMENT BETWEEN SMS&P AND THE PARTY FOR WHICH THESE DOCUMENTS HAVE BEEN PREPARED, THESE DOCUMENTS AND ALL DATA, PLANS, SPECIFICATIONS, AND OTHER INFORMATION CONTAINED HEREIN ARE THE SOLE AND EXCLUSIVE PROPERTY OF SMS&P, AND MAY BE USED ONLY IN CONNECTION WITH THE PROJECT FOR WHICH THESE DOCUMENTS HAVE BEEN PREPARED AND FOR NO OTHER PURPOSES. ANY UNAUTHORIZED USE OF THESE DOCUMENTS SHALL BE WITHOUT LIABILITY TO SMS&P AND SUBJECT TO REASONABLE COMPENSATION BY THE USER AS DETERMINED BY SMS&P. ALL RIGHTS OF THIS DESIGN ARE RESERVED.

SIBLEY-MILLER SURVEYING & PLANNING INC.
 212 WEST CAMPGROUND RD
 McDONOUGH, GA. 30253
 PHONE: (770) 320-7555
 FAX: (770) 320-7333
 www.sibleysurveying.com

REVISIONS

NO.	DATE	DESCRIPTION



REZONING PLAT - CS to AR
PROPOSED STERLING RIDGE S/D
 84.976 ACRES
 LAND LOTS 35 & 36 of the 7th. DISTRICT
 FAYETTE COUNTY, GEORGIA

PROJECT: B2021024
REZONING CS to AR & CONCEPT/PRELIMINARY PLAT 24" X 36"
 DRAWN BY: JWS
 SCALE: 1" = 100'
 PLAT DATE: 07/04/2023
 SHEET 1 OF 1

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Approval of staff's recommendation to adopt final supplemental budget adjustments for the fiscal year ended June 30, 2023, and authorization to adjust and close capital projects, moving remaining funds to project contingency.

Background/History/Details:

Georgia law requires a final balanced budget be adopted by county governments for its governmental funds. Staff is recommending budget adjustments for each fund and each department with an unfavorable variance between budget and actual expenditures. Staff is also recommending to close projects that have been completed and to move remaining funds to project contingency. These supplemental budget adjustments must be approved by the Board of Commissioners and posted to the ledger before the accounting records can be closed and the auditors can begin their fieldwork for the fiscal year audit.

What action are you seeking from the Board of Commissioners?

Approval of staff's recommendation to adopt final supplemental budget adjustments for the fiscal year ended June 30, 2023, and authorization to adjust and close capital projects, moving remaining funds to project contingency.

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:

FAYETTE COUNTY, GEORGIA
RECOMMENDED YEAR-END BUDGET ADJUSTMENTS TO THE REVISED FY 2023 BUDGET
FOR FISCAL YEAR ENDED JUNE 30, 2023

<u>ORG</u>	<u>OBJ</u>	<u>Proj</u>	<u>FUND/ DEPARTMENT/PROJECT</u>	<u>ACCOUNT DESCRIPTION</u>	<u>Expenditure Increase (Dec)</u>	<u>Revenue Increase (Dec)</u>	<u>Fund Balance Increase (Dec)</u>
I. The following requested year-end budget adjustments are for the Confiscated funds controlled by the Sheriff. The State Confiscated Property Fund, the US Customs Fund, and the Federal Confiscated Property Fund are not included in the original annual budget due to the unpredictability of annual activity. At year-end, budgets are established for these funds to fulfill the Georgia law requirement of balanced budgets for Governmental Funds.							
A. To establish FY 2023 operating budget for the State Confiscated Property Fund							
2100001	351360			SALE OF CONFISCATED PROPERTY		10.00	10.00
2103003	351370			STATE CONFISCATED FUNDS		3,498.00	3,498.00
2100001	361000			INTEREST INCOME		310.00	310.00
21030390	521217			PUBLIC RELATIONS SERVICES	1,200.00		(1,200.00)
21030390	521316			TECHNICAL SERVICES	525.00		(525.00)
21030390	523591			LODGING & MEALS	320.00		(320.00)
21030390	523593			MILEAGE & PARKING	5.00		(5.00)
21030390	542510			FIREARMS & PROTECTIVE DEVICES	859.00		(859.00)
21030390	542520			SAFETY EQUIPMENT	7,950.00		(7,950.00)
					10,859.00	3,818.00	(7,041.00)
B. To establish FY 2023 operating budget for the US Customs Fund							
21130003	351380			FEDERAL CONFISCATED FUNDS		52,065.00	52,065.00
21100001	361000			INTEREST INCOME		33.00	33.00
21100001	351360			SALE OF CONFISCATED PROPERTY		720.00	720.00
21130390	523591			LODGING & MEALS	11,147.00		(11,147.00)
21130390	523593			MILEAGE & PARKING	32.00		(32.00)
21130390	523600			SEMINARS & DUES	3,629.00		(3,629.00)
21130390	531270			GASOLINE VENDORS	374.00		(374.00)
21130390	54167			SURVEILLANCE EQUIPMENT	36,500.00		(36,500.00)
					51,682.00	52,818.00	1,136.00
C. To establish FY 2023 operating budget for the Federal Confiscated Property Fund							
21200001	344218			OTHER REVENUE		1.00	1.00
21200001	351360			SALE OF CONFISCATED PROPERTY		465.00	465.00
21230003	351380			FEDERAL CONFISCATED FUNDS		45,507.00	45,507.00
21200001	361000			INTEREST INCOME		825.00	825.00
21230390	521214			INVESTIGATIVE SERVICE	1,019.00		(1,019.00)
21230390	521316			TECHNICAL SERVICES	8.00		(8.00)
21230390	521318			OTHER FEES AND SERVICES	21.00		(21.00)
21230390	523201			COMMUNICATION SERVICES	23,243.00		(23,243.00)
21230390	523205			COMCAST	348.00		(348.00)
21230390	523591			LODGING & MEALS	34,042.00		(34,042.00)
21230390	523593			MILEAGE & PARKING	30.00		(30.00)

FAYETTE COUNTY, GEORGIA
RECOMMENDED YEAR-END BUDGET ADJUSTMENTS TO THE REVISED FY 2023 BUDGET
FOR FISCAL YEAR ENDED JUNE 30, 2023

<u>ORG</u>	<u>OBJ</u>	<u>Proj</u>	<u>FUND/ DEPARTMENT/PROJECT</u>	<u>ACCOUNT DESCRIPTION</u>	<u>Expenditure Increase (Dec)</u>	<u>Revenue Increase (Dec)</u>	<u>Fund Balance Increase (Dec)</u>
21230390	523600			SEMINARS & DUES	26,801.00		(26,801.00)
21230390	531106			COMMUNICATION SUPPLIES	1,300.00		(1,300.00)
21230390	531116			OTHER SUPPLIES	2,438.00		(2,438.00)
21230390	531117			SAFETY SUPPLIES	16,402.00		(16,402.00)
21230390	531270			GASOLINE VENDORS	5,790.00		(5,790.00)
21230390	531701			UNIFORMS & SUPPLIES	12,462.00		(12,462.00)
21230390	541320			BUILDINGS & STRUCTURES	6,560.00		(6,560.00)
21230390	542140			FIELD EQUIPMENT	28,000.00		(28,000.00)
21230390	542200			VEHICLES	10,664.00		(10,664.00)
21230390	542510			FIREARMS & PROTECTIVE DEVICES	5,278.00		(5,278.00)
					174,406.00	46,798.00	(127,608.00)

II. Vehicles and Equipment recommendations:

A. The FY 2023 Vehicle Replacement fund approved budget includes the purchase of Emergency Letterings & Lights for two (2) vehicles for \$6,500. The actual cost of the Emergency Letterings & Lights is \$7,368. This project will not be capitalized. Recommendation for the approved budget and all expenditures to be moved to Code Enforcement M&O.

61070483	542200	237AB	CODE ENFORCEMENT - VEHICLES	VEHICLES	(6,500.00)	-	6,500.00
10070483	521316		CODE ENFORCEMENT	TECHNICAL SERVICES	6,500.00	-	(6,500.00)
					-	-	-

B. The FY 2023 Vehicle Replacement fund approved budget includes the purchase of a Speed Detector Radar for \$12,300. The actual cost of the radar is \$13,681.82. Recommendation to increase the vehicle expenditure line-item by \$1,381.82 to cover the additional cost of the Speed Detector Radar - decrease to the Vehicle Replacement fund balance.

61030310	542200	233AR	SHERIFF ADMIN - VEHICLES	VEHICLES	1,381.82	-	(1,381.82)
					1,381.82	-	(1,381.82)

C. Project 223AM for a Cargo Van was approved in FY 2022 for a total of \$56,591.00. At the end of FY 2022, an additional \$3,000 was approved to cover the purchase of the van and other add-ons. The actual cost of the van at the end of FY 2023 is \$63,493.50. Recommendation to increase the vehicle expenditure line-item by \$3,902.50 to cover the additional cost of the van - decrease to the Vehicle Replacement fund balance.

61030310	542200	223AM	SHERIFF ADMIN - VEHICLES	VEHICLES	3,902.50	-	(3,902.50)
					3,902.50	-	(3,902.50)

**FAYETTE COUNTY, GEORGIA
RECOMMENDED YEAR-END BUDGET ADJUSTMENTS TO THE REVISED FY 2023 BUDGET
FOR FISCAL YEAR ENDED JUNE 30, 2023**

<u>ORG</u>	<u>OBJ</u>	<u>Proj</u>	<u>FUND/ DEPARTMENT/PROJECT</u>	<u>ACCOUNT DESCRIPTION</u>	<u>Expenditure Increase (Dec)</u>	<u>Revenue Increase (Dec)</u>	<u>Fund Balance Increase (Dec)</u>
III. Grants recommendations:							
A. The FY 2023 original budget included \$32,697 grant award from the Emergency Management Preparedness Grant (EMPG) program. Per letter received by the grantor, the actual award was reduced by 10%. Staff recommends to decrease grant revenue by \$3,269 to match the actual amount received of \$29,428. - decrease to General Fund balance.							
10010003	334211		GENERAL FUND	EMA REIMBURSEMENTS		(3,269.00)	(3,269.00)
					-	(3,269.00)	(3,269.00)
B. The BOC approved to pay Fayette County's portion of the upfront costs related to the Griffin Judicial Circuit ARPA grant. These ARPA related expenses are being incurred by the General Fund's State Court Solicitor and State Court Judge and were not included in the FY 2023 original budget. A budget adjustment was included at mid-year for the ARPA related expenses incurred during the 1st six months of the fiscal year. Recommending to include a year-end adjustment of \$82,007 for the additional ARPA related expenses incurred for the last six months of the fiscal year. Since this is a 100% reimbursable grant, a corresponding increase to the GF revenue budget is also recommended - zero net effect to GF balance.							
10020003	336049	GJC22	GENERAL FUND	CONTRIBUTION-GRIFFIN JUDICIAL		82,007.00	82,007.00
10020320	Various	GJC22	STATE COURT SOLICITOR	VARIOUS	37,917.00		(37,917.00)
10020330	521316	GJC22	STATE COURT JUDGE	TECHNICAL SERVICES	44,090.00		(44,090.00)
					82,007.00	82,007.00	-
IV. 2017 SPLOST Projects Recommendations:							
A. The following Stormwater projects have been completed. Recommending to close the projects, transfer funds from SPLOST Stormwater Contingency to cover any budget overage, and to transfer any remaining funds to SPLOST Stormwater Contingency.							
1. Project 17SAT 115 Brockton Ct - the project has been completed. Recommending to close the project and to transfer remaining funds to STORM Contingency.							
32240320	541210	17SAT	PUB WORKS SPLOST PROJECTS	OTHER IMPROVEMENTS	(18,957.92)		18,957.92
32240599	579000	STORM	PROJECTS CONTINGENCY	CONTINGENCY	18,957.92		(18,957.92)
					-	-	-
2. Project 20SAI 150 Seneca Place - the project has been completed. Recommending to close the project and to transfer remaining funds to STORM Contingency.							
32240320	541210	20SAI	PUB WORKS SPLOST PROJECTS	OTHER IMPROVEMENTS	(707.35)		707.35
32240599	579000	STORM	PROJECTS CONTINGENCY	CONTINGENCY	707.35		(707.35)
					-	-	-
B. The following projects have been completed with a budget overage. Recommending to close the projects and to transfer funds from Projects Contingency, or other specified completed project with excess funds, to cover the budget overage.							
1. Project 20SAG 100 Creekwood Ct - the project has been completed. Recommending to close the project and to transfer funds from STORM Contingency to cover the budget overage.							
32240599	579000		PROJECTS CONTINGENCY	CONTINGENCY	(2,449.21)		2,449.21
32240320	541210	20SAG	PUB WORKS SPLOST PROJECTS	OTHER IMPROVEMENTS	2,449.21		(2,449.21)
					-	-	-

**FAYETTE COUNTY, GEORGIA
RECOMMENDED YEAR-END BUDGET ADJUSTMENTS TO THE REVISED FY 2023 BUDGET
FOR FISCAL YEAR ENDED JUNE 30, 2023**

<u>ORG</u>	<u>OBJ</u>	<u>Proj</u>	<u>FUND/ DEPARTMENT/PROJECT</u>	<u>ACCOUNT DESCRIPTION</u>	<u>Expenditure Increase (Dec)</u>	<u>Revenue Increase (Dec)</u>	<u>Fund Balance Increase (Dec)</u>
2. Project 17SAI 120 Mercedes Trail - Recommending to close the project and to transfer funds from project 17SAS Stormwater Improvement Plan to cover the budget overage.							
32240320	541210	17SAS	PUB WORKS SPLOST PROJECTS	OTHER IMPROVEMENTS	(30,625.26)		30,625.26
32240320	541210	17SAI	PUB WORKS SPLOST PROJECTS	OTHER IMPROVEMENTS	30,625.26		(30,625.26)
					-	-	-
3. Project 17SAV 547 Kenwood Road - Recommending to close the project and to transfer funds from project 17SAS Stormwater Improvement Plan to cover the budget overage.							
32240320	541210	17SAS	PUB WORKS SPLOST PROJECTS	OTHER IMPROVEMENTS	(45,067.25)		45,067.25
32240320	541210	17SAV	PUB WORKS SPLOST PROJECTS	OTHER IMPROVEMENTS	45,067.25		(45,067.25)
					-	-	-
C. Project 19TAF Resurfacing Program FY2019 is a multi-jurisdictional project that was completed and approved to be closed by the BOC at FY 2022 year-end. An additional payment from GDOT of \$930.19 was received in FY 2023 for this project. Since the project is already closed, staff recommends to increase the 2017 SPLOST Transportation Contingency account by this amount.							
32240599	389002	TRANS	PROJECTS CONTINGENCY	MISCELLANEOUS INCOME		930.19	930.19
32240599	579000	TRANS	PROJECTS CONTINGENCY	CONTINGENCY	930.19	-	(930.19)
					930.19	930.19	-
V. Capital/CIP Projects Recommendations: projects completed to be closed, transfer of funds from projects to M&O, and funding transfers into/out of Project Contingency line-items.							
A. The following projects have been completed. Part or all of the expenditures will not be capitalized. Recommending to close the projects; move to M&O the expenditures that will not be capitalized; transfer any remaining funds in the projects to Projects Contingency; and for projects with a budget overage, transfer funds from Projects Contingency to cover the budget overage.							
1. Project 226AK McCurry Park South Soccer Walkway Repair - this project is for repairs and will not be capitalized. Recommending for all expenditures to be moved to the Recreation M&O and remaining funds to be transferred to PARKS Projects Contingency.							
37560110	541210	226AK	RECREATION PROJECTS	OTHER IMPROVEMENTS	(57,000.00)		57,000.00
37510599	579000	PARKS	PROJECTS CONTINGENCY	CONTINGENCY	10,656.40		(10,656.40)
10060110	541210		RECREATION	OTHER IMPROVEMENTS	46,343.60		(46,343.60)
					-	-	-
2. Project 216AC McCurry Softball Walkway Repair - this project is for repairs and will not be capitalized. Recommending for all expenditures to be moved to the Recreation M&O and remaining funds to be transferred to PARKS Projects Contingency.							
37560110	541210	216AC	RECREATION PROJECTS	OTHER IMPROVEMENTS	(45,893.00)		45,893.00
37510599	579000	PARKS	PROJECTS CONTINGENCY	CONTINGENCY	27,214.20		(27,214.20)
10060110	541210		RECREATION	OTHER IMPROVEMENTS	18,678.80		(18,678.80)
					-	-	-

FAYETTE COUNTY, GEORGIA
RECOMMENDED YEAR-END BUDGET ADJUSTMENTS TO THE REVISED FY 2023 BUDGET
FOR FISCAL YEAR ENDED JUNE 30, 2023

<u>ORG</u>	<u>OBJ</u>	<u>Proj</u>	<u>FUND/ DEPARTMENT/PROJECT</u>	<u>ACCOUNT DESCRIPTION</u>	<u>Expenditure Increase (Dec)</u>	<u>Revenue Increase (Dec)</u>	<u>Fund Balance Increase (Dec)</u>
3. Project 222AD Spacesaver System - this project is for repairs and will not be capitalized. Recommending for all expenditures to be moved to the Judicial Non-Departmental M&O and remaining funds to be transferred to General Fund Contingency.							
37220090	541210	222AD	JUDICIAL NON-DEPARTMENTAL	OTHER IMPROVEMENTS	(15,000.00)		15,000.00
37510599	579000		GENERAL FUND CONTINGENCY	CONTINGENCY	2,173.70		(2,173.70)
10020090	541210		JUDICIAL NON-DEPARTMENTAL	OTHER IMPROVEMENTS	12,826.30		(12,826.30)
					-	-	-
B. The following projects have been completed with no remaining funds. These projects are for repairs and will not be capitalized. Recommending to close the projects and move all expenditures to their respective M&O.							
1. Project 233AC Training Ctr Basement/Server Rm Repair has been completed with no remaining funds. This project is for repairs and will not be capitalized. Recommending to close the project and to move all expenditures to the Sheriff Support Services M&O.							
37230310	541210	233AC	SHERIFF SERVICES PROJECTS	OTHER IMPROVEMENTS	(43,400.00)		43,400.00
10030310	541210		SHERIFF SERVICES	OTHER IMPROVEMENTS	43,400.00		(43,400.00)
					-	-	-
2. Project 231AE Justice Center Emergency Generator (1) has been completed with no remaining funds. This project is for repairs and will not be capitalized. Recommending to close the project and to move all expenditures to the Building & Grounds M&O.							
37210565	541210	231AE	BUILDING & GROUNDS PROJECTS	OTHER IMPROVEMENTS	(156,262.00)		156,262.00
10010565	541210		BUILDING & GROUNDS	OTHER IMPROVEMENTS	156,262.00		(156,262.00)
					-	-	-
3. Project 214AA Exterior Paint Public Works Building has been completed with no remaining funds. This project is for repairs and will not be capitalized. Recommending to close the project and to move all expenditures to the Public Works M&O.							
37540100	541210	214AA	PUBLIC WORKS PROJECTS	OTHER IMPROVEMENTS	(14,401.00)		14,401.00
10040100	541210		PUBLIC WORKS	OTHER IMPROVEMENTS	14,401.00		(14,401.00)
					-	-	-
4. Project 234AA McDonough Rd Landscaping has been completed with no remaining funds. This project is for repairs and will not be capitalized. Recommending to close the project and to move all expenditures to the Public Works M&O.							
37540100	541210	234AA	PUBLIC WORKS PROJECTS	OTHER IMPROVEMENTS	(4,218.00)		4,218.00
10040100	541210		PUBLIC WORKS	OTHER IMPROVEMENTS	4,218.00		(4,218.00)
					-	-	-
5. Project 221AB Liebert System Repair IT Data Room - has been completed with no remaining funds. This project is for repairs and will not be capitalized. Recommending to close the project and to move all expenditures to the Building & Grounds M&O.							
37210565	541210	221AB	BUILDING & GROUNDS PROJECTS	OTHER IMPROVEMENTS	(22,778.00)		22,778.00
10010565	541210		BUILDING & GROUNDS	OTHER IMPROVEMENTS	22,778.00		(22,778.00)
					-	-	-

FAYETTE COUNTY, GEORGIA
RECOMMENDED YEAR-END BUDGET ADJUSTMENTS TO THE REVISED FY 2023 BUDGET
FOR FISCAL YEAR ENDED JUNE 30, 2023

<u>ORG</u>	<u>OBJ</u>	<u>Proj</u>	<u>FUND/ DEPARTMENT/PROJECT</u>	<u>ACCOUNT DESCRIPTION</u>	<u>Expenditure Increase (Dec)</u>	<u>Revenue Increase (Dec)</u>	<u>Fund Balance Increase (Dec)</u>
6. Project 233AF Fire Station Roof Repairs (8) has been completed with no remaining funds. This project is for repairs and will not be capitalized. Recommending to close the project and to move all expenditures to the Fire Services M&O.							
37230550	541210	233AF	FIRE SERVICES PROJECTS	OTHER IMPROVEMENTS	(20,500.00)		20,500.00
27030550	541210		FIRE SERVICES	OTHER IMPROVEMENTS	20,500.00		(20,500.00)
					-	-	-
7. Project 231AD Justice Center Emergency Generator - has been completed with no remaining funds. This project is for repairs and will not be capitalized. Recommending to close the project and to move all expenditures to the Building & Grounds M&O.							
37210565	541210	231AD	BUILDING & GROUNDS PROJECTS	OTHER IMPROVEMENTS	(23,869.00)		23,869.00
10010565	541210		BUILDING & GROUNDS	OTHER IMPROVEMENTS	23,869.00		(23,869.00)
					-	-	-
8. Project 221AI Stonewall Renovations has been completed with no remaining funds. This project is for repairs and will not be capitalized. Recommending to close the project and to move all expenditures to the Building & Grounds M&O.							
37210565	541210	221AI	BUILDING & GROUNDS PROJECTS	OTHER IMPROVEMENTS	(21,747.34)		21,747.34
10010565	541210		BUILDING & GROUNDS	OTHER IMPROVEMENTS	21,747.34		(21,747.34)
					-	-	-
C. The following current projects need additional funding. Recommending to transfer funding from the respective Projects Contingency accounts to provide the additional funding needed.							
1. Project 233AI Station 5 Parking Lot Resurface - additional funding transferred from FIRE Projects Contingency.							
37510599	579000	FIRE	PROJECTS CONTINGENCY	CONTINGENCY	(45,228.04)		45,228.04
37530550	541210	233AI	FIRE SERVICES PROJECTS	OTHER IMPROVEMENTS	45,228.04		(45,228.04)
					-	-	-
2. Project 233AJ Station 6 Parking Lot Resurface - additional funding transferred from FIRE Projects Contingency.							
37510599	579000	FIRE	PROJECTS CONTINGENCY	CONTINGENCY	(20,647.68)		20,647.68
37530550	541210	233AJ	FIRE SERVICES PROJECTS	OTHER IMPROVEMENTS	20,647.68		(20,647.68)
					-	-	-
3. Project 233AL Station 10 Parking Lot Resurface - additional funding transferred from FIRE Projects Contingency.							
37510599	579000	FIRE	PROJECTS CONTINGENCY	CONTINGENCY	(21,559.06)		21,559.06
37530550	541210	223AL	FIRE SERVICES PROJECTS	OTHER IMPROVEMENTS	21,559.06		(21,559.06)
					-	-	-

**FAYETTE COUNTY, GEORGIA
RECOMMENDED YEAR-END BUDGET ADJUSTMENTS TO THE REVISED FY 2023 BUDGET
FOR FISCAL YEAR ENDED JUNE 30, 2023**

<u>ORG</u>	<u>OBJ</u>	<u>Proj</u>	<u>FUND/ DEPARTMENT/PROJECT</u>	<u>ACCOUNT DESCRIPTION</u>	<u>Expenditure Increase (Dec)</u>	<u>Revenue Increase (Dec)</u>	<u>Fund Balance Increase (Dec)</u>
D. In April 2023, the Fayette County Animal Shelter received a donation of \$44,597.99. Recommending to transfer the amount of the donation from the General Fund to project 203AR New Animal Shelter as additional funding for the project.							
10090110	610375	203AR	GENERAL FUND	TRANSFER TO OTHER FUNDS	44,597.99		(44,597.99)
37530910	390100	203AR	ANIMAL CONTROL PROJECTS	TRANSFER FROM OTHER FUNDS		44,597.99	44,597.99
					44,597.99	44,597.99	-
E. Recommending the following new projects to be funded from GF Projects Contingency. Building and Grounds will manage the projects.							
1. Project 233AV - ADJACENT CORONER STORAGE							
37510599	579000		PROJECTS CONTINGENCY	CONTINGENCY	(25,000.00)		25,000.00
37210565	541210	233AV	B&G PROJECTS	OTHER IMPROVEMENTS	25,000.00		(25,000.00)
					25,000.00	25,000.00	-
2. Project 231AI - ROOF REPLACE- HIST. SOCIETY							
37510599	579000		PROJECTS CONTINGENCY	CONTINGENCY	(16,700.00)		16,700.00
37210565	541210	231AI	B&G PROJECTS	OTHER IMPROVEMENTS	16,700.00		(16,700.00)
					-	-	-
3. Project 231AJ - PUBLIC DEFENDER RENOVATION							
37510599	579000		PROJECTS CONTINGENCY	CONTINGENCY	(15,000.00)		15,000.00
37210565	541210	231AI	B&G PROJECTS	OTHER IMPROVEMENTS	15,000.00		(15,000.00)
					-	15,000.00	15,000.00
F. Funding available in the following projects was approved to be transferred to other projects that needed additional funding. These projects are either completed or are no longer needed. Recommend to close the projects.							
1. 234AC- Clearing of ROW on Padgett Rd - -original budget \$114,364							
2. 236AF-Kiwanis Restroom Refurbishment - original budget \$25,000							
3. 236AE-Kiwanis Center Floor Refurbishment- original budget \$70,000							
4. 237AA- Purchase of Tasers (2) - original budget \$7,325							
5. 233AE- Fire Hose Replacement of 4" to 5" - original budget \$10,000							
6. 233AN- Base Station Day/Night Mode - original budget \$12,000							
7. 233AO- Radio Head Set System - original budget \$21,800							
8. 236AA- Library Self Checkout Machines - original budget \$24,000							
9. 212AA- Computer Hardware Upgrade - original budget \$40,845							
10. 191AG- Data Center Fire Suppression (Jail & Stonewall Data Centers) - original budget \$57,000							
11. 226AC- Kenwood Playground Shade PH II - original budget \$70,000							
12. 236AH- Park Exercise Equipment Kenwood/Curry - original budget \$25,000							
13. 233AA- Anti Splash -Jail Feeding Ports - original budget \$27,400							
14. 233AQ-Cardiac Monitor/Defibrillator - original budget \$542,800							

FAYETTE COUNTY, GEORGIA
RECOMMENDED YEAR-END BUDGET ADJUSTMENTS TO THE REVISED FY 2023 BUDGET
FOR FISCAL YEAR ENDED JUNE 30, 2023

<u>ORG</u>	<u>OBJ</u>	<u>Proj</u>	<u>FUND/ DEPARTMENT/PROJECT</u>	<u>ACCOUNT DESCRIPTION</u>	<u>Expenditure Increase (Dec)</u>	<u>Revenue Increase (Dec)</u>	<u>Fund Balance Increase (Dec)</u>
VI. Solid Waste CIP Projects recommendations:							
A. The following project has been completed with no remaining funds. Recommending to close the project.							
			Project 234AG Transfer Station Camera Install	Original funding: \$28,066			
VII. M&O Budget Recommendations:							
A. In December 2022, pipes burst in the Tax Assessor and Tax Commissioner Offices. Emergency water mitigation repairs totaling \$54,187 were incurred. We received an insurance reimbursement that covered 100% of the expenses incurred. Staff recommends to increase both, the insurance reimbursements revenue and the repairs expense budgets by the same amount - zero net effect to General Fund balance.							
10000001	383000		GENERAL FUND	INSURANCE REIMBURSEMENTS		54,187.00	54,187.00
10010090	541210	22ICE	NON-DEPARTMENTAL GEN GOVT	OTHER IMPROVEMENTS	54,187.00		(54,187.00)
					54,187.00	54,187.00	-
B. Since FY 2016, the General Fund has transferred funds to the Jail Surcharge Fund to keep fund balance from going negative. The original budget included a transfer of \$225,000 from the General Fund. Again, the Jail Surcharge Fund is estimated to be over budget by approximately \$53k as of the end of FY 2023. Recommending an additional transfer of \$70,000 from the General Fund to avoid the Jail Surcharge fund balance from going negative - zero net effect across funds. The FY 2024 adopted budget includes a transfer from the General Fund of \$325,000.							
10090110	610216		GENERAL FUND	TRANSFERS TO OTHER FUNDS	70,000.00		(70,000.00)
21600001	390100		JAIL SURCHARGE FUND	TRANSFERS FROM OTHER FUNDS		70,000.00	70,000.00
					70,000.00	70,000.00	-
C. It is projected that as of the end of FY 2023, the Victims Assistance Fund will have a negative fund balance. Expenditures for FY 2023 will be higher than revenue by approximately \$27k, wiping out initial fund balance of \$19k. Recommending to transfer an additional \$30k from the General Fund to avoid a negative fund balance at the end-of-the fiscal year - zero net effect across funds. The FY 2024 adopted budget includes a transfer from the General Fund of \$30k.							
10090110	610218		GENERAL FUND	TRANSFERS TO OTHER FUNDS	30,000.00		(30,000.00)
21800001	390100		VICTIMS ASSISTANCE FUND	TRANSFERS FROM OTHER FUNDS		30,000.00	30,000.00
					30,000.00	30,000.00	-
D. Recommending year-end adjustments to Workers Compensation for departments/funds with budget deficits in FY 2023 - decrease to fund balance to Fire Services Fund, EMS Fund, and Water System Fund.							
27030550	512119		FIRE SERVICES	SELF INSURANCE WORKERS COMP	50,000.00		(50,000.00)
27230600	512119		EMS	SELF INSURANCE WORKERS COMP	100,000.00		(100,000.00)
50544020	512119		WATER SYSTEM	SELF INSURANCE WORKERS COMP	50,000.00		(50,000.00)
					200,000.00	-	(200,000.00)

FAYETTE COUNTY, GEORGIA
RECOMMENDED YEAR-END BUDGET ADJUSTMENTS TO THE REVISED FY 2023 BUDGET
FOR FISCAL YEAR ENDED JUNE 30, 2023

<u>ORG</u>	<u>OBJ</u>	<u>Proj</u>	<u>FUND/ DEPARTMENT/PROJECT</u>	<u>ACCOUNT DESCRIPTION</u>	<u>Expenditure Increase (Dec)</u>	<u>Revenue Increase (Dec)</u>	<u>Fund Balance Increase (Dec)</u>
E. The following General Fund departments have budget deficits as of the end of FY 2023. Recommending to cover these budget deficits with remaining budget amounts from other departments within the General Fund - zero net effect to General Fund balance.							
1. Commissioners - change in Medical election.							
10010110	512111		COMMISSIONERS	SELF INSURANCE MEDICAL	12,750		(12,750)
2. Elections - Salaries for Pollworkers/Part-time Election Clerks, Overtime, Car Rental, Printing/Binding & Office Supplies.							
10010400	511105	POLWK	ELECTIONS	REGULAR SALARY	40,000		(40,000)
10010400	511105	PTIME	ELECTIONS	REGULAR SALARY	118,000		(118,000)
10010400	511300		ELECTIONS	OVERTIME REGULAR	29,950		(29,950)
10010400	511300	PTIME	ELECTIONS	OVERTIME REGULAR	9,500		(9,500)
10010400	522320		ELECTIONS	CAR RENTAL	27,900		(27,900)
10010400	523400		ELECTIONS	PRINTING/BINDING SERVICES	26,000		(26,000)
10010400	531114		ELECTIONS	OFFICE SUPPLIES	21,600		(21,600)
3. Tax Commissioner - Printing/Binding (preservation of tax digest)							
10010517	523400		TAX COMMISSIONER	PRINTING/BINDING SERVICES	6,300		(6,300)
4. Sheriff's Office - Building Maintenance Services and Overtime.							
10030310	522235		SHERIFF'S OFFICE	BUILDING MAINTENANCE SERVICES	22,000		(22,000)
10030326	511300		SHERIFF'S OFFICE	OVERTIME REGULAR	115,000		(115,000)
5. County Coroner - Salaries.							
10030700	511105		COUNTY CORONER	REGULAR SALARY	5,600		(5,600)
6. Public Health - Vehicle Repair Services.							
10050110	522233		PUBLIC HEALTH	VEHICLE REPAIR SERVICES	540		(540)
7. Fayette Community Options - Mental Health Services.							
10050514	572014		FAYETTE COMMUNITY OPTIONS	MENTAL HEALTH SERVICES	1		(1)
8. Senior Citizens Center - Natural Gas Service.							
10050520	531220		SENIOR CITIZENS CENTER	NATURAL GAS SERVICE	232		(232)
				TOTAL DEFICITS	435,373	-	(435,373)
9. Department budget deficits to be covered with remaining budget from the Road Department:							
10040220	511105		ROAD DEPARTMENT	REGULAR SALARY	(250,000)		250,000
10040220	521316		ROAD DEPARTMENT	TECHNICAL SERVICES	(65,000)		65,000
10040220	522111		ROAD DEPARTMENT	HAULING SERVICES	(90,000)		90,000
10040220	531171		ROAD DEPARTMENT	ASPHALT & TACK	(30,373)		30,373
					(435,373)	-	435,373

FAYETTE COUNTY, GEORGIA
RECOMMENDED YEAR-END BUDGET ADJUSTMENTS TO THE REVISED FY 2023 BUDGET
FOR FISCAL YEAR ENDED JUNE 30, 2023

ORG	OBJ	Proj	FUND/ DEPARTMENT/PROJECT	ACCOUNT DESCRIPTION	Expenditure Increase (Dec)	Revenue Increase (Dec)	Fund Balance Increase (Dec)
F. At the end of FY 2023, the Accountability State Court (fund 214) is over budget by \$86,750. The Technical Services line-items associated to the DUI and VTC grants are over budget by \$113,362. Any expenditures in excess of the proceeds from the grant, are covered by Participant Fees and the 50% Added DUI Surcharge Fees. The fund still has a \$151k fund balance. Recommending to increase the expenditures budget by the amount of the shortfall - decrease to the Accountability State Court fund balance.							
21420330	521316	DUI	ACCOUNTABILITY STATE COURT	TECHNICAL SERVICES	66,862.00		(66,862.00)
21420330	521316	VTC	ACCOUNTABILITY STATE COURT	TECHNICAL SERVICES	19,890.00		(19,890.00)
					86,752.00	-	(86,752.00)
G. At the end of FY 2023, the Drug Abuse & Treatment Fund (fund 219) is over budget by \$48,350. The Technical Services line-item associated to the grant is over budget by \$50,600. Any expenditures in excess of the proceeds from the grant, are covered by Participant Fees and the 50% Added DATE Surcharge Fees. The fund still has a \$523k fund balance. Recommending to increase the expenditures budget by the amount of the shortfall - decrease to the Drug Abuse & Treatment fund balance.							
21920160	521316	DRUG	DRUG ABUSE & TREATMENT	TECHNICAL SERVICES	48,350.00		(48,350.00)
					48,350.00	-	(48,350.00)
H. At the end of FY 2023, the Fire Services Fund (fund 270) is over budget by \$148k. The Overtime Regular line-item is over budget by \$267k. The fund has a healthy fund balance to cover the budget overage. Recommending to increase the expenditures budget by the amount of the shortfall - decrease to the Fire Services fund balance.							
27030550	511300		FIRE SERVICES	OVERTIME REGULAR	148,000.00		(148,000.00)
					148,000.00	-	(148,000.00)
I. At the end of FY 2023, the Street Lights Fund (fund 271) is over budget by \$6,450. The Coweta Fayette Power line-item is over budget by \$9,965. The fund has a fund balance of \$136k. Recommending to increase the expenditures budget by the amount of the shortfall - decrease to the Street Lights Fund balance.							
27140260	531230		STREET LIGHTS	COWETA FAYETTE POWER	6,450.00		(6,450.00)
					6,450.00	-	(6,450.00)
VIII. American Rescue Plan Act of 2021 (ARPA) recommendations:							
A. The ARPA funding allocation for project 205AA Public Health Building was setup in fund 230 ARPA, as directed by the Department of Community Affairs and the State Auditor. Fund 230 ARPA is an annual fund and any available budget amounts at the end of the year will lapse and go back to fund balance. No actual expenditures incurred as of the end of FY 2023. Recommending to move available budget amounts from FY 2023 to FY 2024 - year-to-year zero net effect to the ARPA Fund balance.							
Project 205AA Public Health Building, \$7,052,220 available							
1. Budget Adjustment in FY 2023							
23050110	541320	205AA	PUBLIC HEALTH BUILDING	BUILDINGS/STRUCTURES	(7,052,220.00)		7,052,220.00
2. Budget Adjustment in FY 2024							
23050110	541320	205AA	PUBLIC HEALTH BUILDING	BUILDINGS/STRUCTURES	7,052,220.00		(7,052,220.00)
					-	-	-

FAYETTE COUNTY, GEORGIA
RECOMMENDED YEAR-END BUDGET ADJUSTMENTS TO THE REVISED FY 2023 BUDGET
FOR FISCAL YEAR ENDED JUNE 30, 2023

ORG	OBJ	Proj	FUND/ DEPARTMENT/PROJECT	ACCOUNT DESCRIPTION	Expenditure Increase (Dec)	Revenue Increase (Dec)	Fund Balance Increase (Dec)
IX. Additional Year-End Budget Adjustments:							
A. At the end of FY 2022, a one-time contribution of \$1.59M to the DB Plan was approved to fund the plan actuarial shortfall. The entire \$1.59M was paid by the General Fund. Recommending year-end budget adjustments for transfers from the other funds (911 Communications, Fire Services, EMS, Water System, and Solid Waste) to repay the General Fund the \$607,223 that should have been allocated/paid by these funds - zero net effect across funds.							
21590110	610100		911 COMMUNICATIONS	TRANSFERS TO OTHER FUNDS	42,155.00		(42,155.00)
27090110	610100		FIRE SERVICES	TRANSFERS TO OTHER FUNDS	320,487.00		(320,487.00)
27290110	610100		EMS	TRANSFERS TO OTHER FUNDS	91,838.00		(91,838.00)
50541010	610100		WATER SYSTEM	TRANSFERS TO OTHER FUNDS	150,008.00		(150,008.00)
54090110	610100		SOLID WASTE	TRANSFERS TO OTHER FUNDS	2,735.00		(2,735.00)
10000001	390215		GENERAL FUND	TRANSFERS FROM OTHER FUNDS		42,155.00	42,155.00
10000001	390270		GENERAL FUND	TRANSFERS FROM OTHER FUNDS		320,487.00	320,487.00
10000001	390272		GENERAL FUND	TRANSFERS FROM OTHER FUNDS		91,838.00	91,838.00
10000001	390505		GENERAL FUND	TRANSFERS FROM OTHER FUNDS		150,008.00	150,008.00
10000001	390540		GENERAL FUND	TRANSFERS FROM OTHER FUNDS		2,735.00	2,735.00
					607,223.00	607,223.00	-
B. On 3/9/23 the BOC approved to award Contract #2000-P; Advanced Metering Infrastructure (AMI) Solution to Badger Meter, Inc. Funding for this contract included a \$2,512,905 loan from the General Fund to the Water System CIP Fund. However, the Water System is able to fund this amount from the Renewal & Extension Reserves and there is no need for the loan from the General Fund. Recommending to reverse the original budget journal entries for the loan - zero net effect across funds.							
10090110	610507	214BA	GENERAL FUND	TRANSFERS TO OTHER FUNDS	(2,512,905.00)		2,512,905.00
50740400	390100	214BA	WATER SYSTEM CIP	TRANSFERS FROM OTHER FUNDS		(2,512,905.00)	(2,512,905.00)
					(2,512,905.00)	(2,512,905.00)	-
C. The Hotel/Motel Tax fund is not included in the original annual budget process due to the unpredictability of annual activity. In FY 2023, \$28,706.67 was collected in taxes. Recommending a year-end budget adjustment to the hotel/motel tax revenue line by the amount collected. Also, recommending to transfer the hotel/motel tax proceeds to the General Fund so these can be use for any legal purpose in the county (O.C.G.A. 48-13-51).							
27500001	314117		HOTE/MOTEL TAX FUND	HOTEL/MOTEL TAX		28,706.67	28,706.67
27590110	610100		HOTE/MOTEL TAX FUND	TRANSFERS TO OTHER FUNDS	28,706.67		(28,706.67)
10000001	390275		GENERAL FUND	TRANSFERS FROM OTHER FUNDS		28,706.67	28,706.67
					28,706.67	57,413.34	28,706.67

Consent #4

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

September 14, 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 September 14, 2023 Board of Commissioners meeting to order at 5:02 p.m. A quorum of the Board was present.

Invocation and Pledge of Allegiance by Commissioner Charles Rousseau

Commissioner Charles Rousseau offered the invocation and led the audience in the Pledge of Allegiance.

Acceptance of Agenda

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

PROCLAMATION/RECOGNITION:

1. Recognition of Leah Williamson, citizen volunteer, for her leadership, organization, and participation in the Water Guardians program.

Water System Engineering Technician Lindsey Choisnet, recognized, on behalf of the Board, Leah Williamson, citizen volunteer, for her leadership, organization, and participation in the Water Guardians program. Ms. Choisnet stated that Fayette County lakes are at the headwaters of the Flint River Basin. Volunteer efforts aid the water utilities and Georgians living downstream from Fayette County. Water Guardians volunteers are part of a regional effort to keep the drinking water clean and safe for the entire Flint River Basin. The Water Guardians is a volunteer program where local citizens use their kayaks and canoes to remove trash from the local water reservoirs that supply drinking water and walkers clean up the parking lots, stream banks and asphalt paths at the lakes.

Ms. Williamson thanked the Board for the recognition and acknowledged that this was a team effort and a number of volunteers helped make this program a success.

2. Proclamation in recognition of National Recovery Month.

Chairman Hearn, on behalf of the Board, recognized September 2023 as National Recovery Month. He read the National Recovery Month proclamation which acknowledged that this was a time to support and celebrate friends, family, and loved ones in recovery. Citizens are encouraged to support a friend or loved one who may be experiencing addiction.

PUBLIC HEARING:

3. Final Public Hearing for consideration of Resolution 2023-06 adopting the 2023 Property Tax Millage Rate.

Chief Finance Officer Sheryl Weinmann stated that this was the third and final millage rate public hearing and proposed adoption of the 2023 Property Tax Millage Rate. She noted that the first two Property Tax Millage Rate public hearings were held on September 7, at 10:00 a.m. and at 6:00 p.m. She stated that the hearings had been advertised on Wednesday, August 30 and Wednesday, September 6, per state requirement. She continued with an overview presentation to the Board.

Ms. Weinmann stated that the 2022 Digest was \$8.367 billion, the Growth real property increased by \$226 million, personal property had the highest percentage increase at 14.64% for \$85,956,841. The motor vehicle had an increase for the first time at 0.12% due to the increase of the price of vehicles. There was also an increase in the "other" category. The total Growth increase was \$313,539,324.

Exemptions also increased and are reflected as negative because they reduced the digest. Ms. Weinmann stated that Reassessments of real property were increased by \$794,247,449, which showed a positive change in the digest of \$1.027 billion or 12.28%. The 2023 Digest totaled \$9,394,779,107. She continued the presentation showing the change in taxable digest. She stated that it had increased from \$4.3 billion to \$9.3 billion since 2014. This was an increase of approximately 114%.

The proposed 2023 millage rate was 4.034, which was the same from 2022. Fire Services (3.070), Emergency Medical Services (0.500), and 911 Services (0.210) also remained the same. The taxable value was \$175,000, the millage rate remained the same at 4.034, which was an increase in the tax bill of approximately \$60/year or \$5/month. Although, the County had to advertise this as a tax increase, the millage rate remained the same. The digest increased over a billion dollars, so that was the reason for the increase in the tax bill. In the example given, if the home was valued at less than \$450,000, then the tax bill would be less than \$60/year.

Ms. Weinmann stated that Fayette County remained one of the lowest counties for millage rates. Ms. Weinmann offered examples of a residential tax bill for a \$450,000 home value for unincorporated Fayette County, Town of Brooks, Peachtree City, City of Fayetteville and Town of Tyrone showing the distribution of each to Board of Education, County M&O, Fire District, EMS District and 911 District appropriately.

The millage rate in 2014 was 5.714. If the rate had remained the same, the county would have collected another \$81.5 million at this point. Ms. Weinmann stated that this could be looked at as \$81.5 million that would have been used on projects or a \$81.5 million savings to the citizens.

Ms. Weinmann requested that the Board approve the adoption of Resolution 2023-06 to levy the County property tax.

Jessica Wayland stated that she was in opposition of the proposed millage rate. She encouraged the Board to do a rollback, if not a partial rollback. Due to the state of the economy considering high gas prices and mortgage interest rates a rollback would be a sign of understanding and grace to the citizens of Fayette County.

Kathy Vaught expressed her opposition to the proposed millage rate and requested that it be rolled back, in light of inflation. She also issued a special thank you to County Administrator Steve Rapson, on behalf of the Fayette Women's Club, for allowing the Wreaths Across America Mobile Exhibit to be stationed at the Administration Complex in November.

Vice Chairman Gibbons moved to approve Resolution 2023-06 adopting the 2023 Property Tax Millage Rate. Commissioner Oddo seconded.

Commissioner Maxwell thanked the citizens for their comments regarding the millage rate and noted that the comments had not fallen on deaf ears. He briefly explained what the rate increase meant, who the funds supported and how it would affect the residents.

Vice Chairman Gibbons moved to approve Resolution 2023-06 adopting the 2023 Property Tax Millage Rate. Commissioner Oddo seconded. The motion passed 5-0

PUBLIC COMMENT:

Randy Ogino expressed his concern regarding agenda item #10 the Longview Dam project and the purchase of the Phillips Lake Property.

Mr. Rapson stated that item #10 was being acquired to support reconstruction of two county dams. He stated that the Board had initially approved purchase of the Phillips Lake property for about \$1.3M a few years ago, noting that this had been an on-going project for several years. He acknowledged that not including the vicinity map and property map in the agenda backup was an oversight. Mr. Rapson stated that purchasing the property provided the county the flexibility to do whatever they needed with the property to bring the two dams into compliance and sustainably saving the County money. He noted that the house on the property had burned down which contributed to the decrease in the purchase price.

Hank Arnold thanked the Board for their observation of National Recovery Month, which was especially near and dear to him as a person in long-term recovery for the last 13-years. Mr. Arnold relayed the benefits of recovery and the privilege of accessibility to local recovery services and support. He expressed his appreciation to other service providers and allies such as Fayette Factor, Drug Free Fayette, advocate Adam Cane, Talbot Recovery Campus, and In Ryan's Name.

Lee Anne Williams expressed her appreciation to the Board for their awareness, community engagement, and support as it related to addiction, treatment, and recovery in Fayette County.

CONSENT AGENDA:

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

4. **Approval of a General Release from the Village Park Homeowners Association ("HOA") in the amount of \$69,726.90; prompted by damage to the HOA-owned pavement within this private subdivision, subsequent to the rupturing of water mains that occurred within the subdivision.**
5. **Approval to award Bid #2283-B: 2017 SPLOST; Stormwater Category II, Tier II; 21SAK Heritage Way Culvert Replacement to the lowest responsive, responsible bidder, Blount Construction Company Inc., in the amount of \$178,557.22 and to transfer \$39,000 from 19SBO - Davis Road.**
6. **Acknowledgment of the addition of three new Ford Explorers for School Resource Officers to the county's fleet of vehicles, and to accept the donation of \$174,384.60 from the Fayette County Board of Education to fund the purchase.**
7. **Approval of the August 24, 2023 Board of Commissioners Meeting Minutes.**
8. **Approval of the September 7, 2023 First Public Hearing Millage Rate Minutes.**
9. **Approval of the September 7, 2023 Second Public Hearing Millage Rate Minutes.**

OLD BUSINESS:

NEW BUSINESS:

10. **Request to approve Resolution 2023-08 to acquire 292 Longview Road, Fayetteville, Georgia 30215 a.k.a. "The Phillips Lake Property" (Parcel 0544 101 and 0544 008A); located on Land Lot 219 of the 5th District for \$690,000, and to reallocate \$690,000 from 2017 SPLOST project 17SAS to 5509F.**

Comments regarding this agenda item were discussed as part of a response to public comments.

Commissioner Oddo moved to approve Resolution 2023-08 to acquire 292 Longview Road, Fayetteville, Georgia 30215 a.k.a. "The Phillips Lake Property" (Parcel 0544 101 and 0544 008A); located on Land Lot 219 of the 5th District for \$690,000, and to reallocate \$690,000 from 2017 SPLOST project 17SAS to 5509F. Vice Chairman Gibbons seconded. The motion passed 5-0.

11. Request to approve Ordinance 2023-09, to amend Chapter 16 - Offenses and Miscellaneous Provisions; Article II. -Noise Control; Section 16-39.- Specific public disturbance noise prohibitions and Section 16-42.- Enforcement and appeals and to repeal Section 16-41.- Disturbance permits.

County Attorney Dennis Davenport stated that outlined in the County Code of Ordinances was a process that allowed an individual to apply for a permit to violate the noise ordinance. Before the Board was a revision to the County Code to remove that process.

Vice Chairman Gibbons moved to approve Ordinance 2023-09, to amend Chapter 16 - Offenses and Miscellaneous Provisions; Article II. -Noise Control; Section 16-39.- Specific public disturbance noise prohibitions and Section 16-42.- Enforcement and appeals and to repeal Section 16-41.- Disturbance permits. Commissioner Oddo seconded. The motion passed 5-0.

ADMINISTRATOR'S REPORTS:

Region 6 Mental Health Board

Mr. Rapson advised that they need a selection committee for the Region 6 Mental Health Board.

Commissioner Oddo moved to nominate Vice Chairman Gibbons and Commissioner Rousseau to serve on the Regions 6 Mental Health Board Selection Committee. Chairman Hearn seconded. The motion passed 5-0.

Hot Projects

Mr. Rapson stated that the Hot Projects report was forwarded to the Board and included updates on the Redwine Road multi-use path, Inman Road culvert replacement, Lakeview culvert replacement, Redwine Road/Bernhard Road/Peachtree Parkway roundabout, Parks and Recreation multi-use facility, and the Elections building renovation.

ATTORNEY'S REPORTS:

Notice of Executive Session: County Attorney Dennis Davenport stated that there were two items for Executive Session. One item involving threatened litigation and the review of the August 24, 2023 Executive Session Minutes.

COMMISSIONERS' REPORTS:

Commissioner Oddo

Commissioner Oddo wished his brother a Happy Birthday.

Vice Chairman Gibbons

Vice Chairman Gibbons urged all in attendance to remember and keep the families of those who lost their lives on September 11th in their thoughts and prayer.

Commissioner Rousseau

Commissioner Rousseau thanked the citizens who came out in recognition of National Recovery Month and extended a congratulation to those who have been successful in recovery; and encouraged others on the cusp of making that change, to be courageous and seek help.

EXECUTIVE SESSION:

One item involving threatened litigation and the review of the August 24, 2023 Executive Session Minutes. Vice Chairman Gibbons moved to go into Executive Session. Commissioner Oddo seconded. The motion passed 5-0.

The Board recessed into Executive Session at 5:41 p.m. and returned to Official Session at 6:12 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 August 24, 2023 Executive Session Minutes: Commissioner Oddo moved to approve August 24, 2023 Executive Session Minutes. Vice Chairman Gibbons seconded the motion. The motion passed 5-0.

ADJOURNMENT:

Commissioner Oddo moved to adjourn the September 14, 2023 Board of Commissioners meeting. Vice Chairman Gibbons seconded. The motion passed 5-0.

The September 14, 2023 Board of Commissioners meeting adjourned at 6:12 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 28th day of September 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:

Request to accept the right-of-way dedication from Wright Chancy Ebenezer Bypass, LLC.

Background/History/Details:

The project was rezoned from A-R to C-S on January 13, 2022, with two (2) conditions: (1.) Restricting driveway access. (2.) Right of way dedication required for improvements to Ebenezer Bypass.

The developer agreed to dedicate right-of-way for the County to improve Ebenezer Bypass. These changes improve intersection safety by increasing sight distances & providing one-way traffic at intersection of Ebenezer Rd. and Ebenezer Church Rd. Improvements could not be made at the original intersection of Ebenezer & Ebenezer Church Roads due to proximity of an historic cemetery. Developer proceeded with construction plans but did not obtain a Land Disturbance Permit. Fayette County Public Works proceeded to construct the improved roadway on a permanent construction easement. The developer had access to his property throughout the process so he could begin construction whenever he obtained the appropriate permits. In July 2023, he applied to rezone back to A-R but the ROW has not been dedicated.

This request is to accept the right-of-way dedication.

What action are you seeking from the Board of Commissioners?

Approval to accept the right-of-way dedication from Wright Chancy Ebenezer Bypass, LLC.

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:

Wording for the Agenda:

Discussion of proposed amendments to the Fayette County Zoning Ordinance, Chapter 110 - Zoning; Article V.-Conditional Uses, Nonconformances, and Transportation Corridor Overlay Zone; Sec. 110-169.-Conditional use approval, regarding conditional uses.

Background/History/Details:

As a result of discussions over the past few months, the Board of Commissioners instructed staff to develop a revised ordinance addressing special events. On July 6, 2023, and August 3, 2023, the Planning Commission held workshops to discuss a special events ordinance outline. Several citizens came to speak about the proposed ordinance. Some felt it needed to be more strict and some were concerned that it would place an undue burden on long-time events in the county that have a history of being well-run. The Planning Commission recommended that staff develop an ordinance that addresses events on a size-based tier system. However, staff has some concerns that this type of ordinance would be compromised by erroneous attendance projections, and that an ordinance allowing staff the ability to determine needs on a case-by-case basis will function better. Staff is requesting direction from the Board of Commissioners before proceeding to develop the ordinance.

What action are you seeking from the Board of Commissioners?

Staff needs direction on how to proceed, including specific direction on whether to develop a tiered system or a staff-determined system addressing event requirements on a case-by-case basis.

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 – REVISED

Staff Recommendations

This ordinance shall replace:

Conditional Use 110-169.bb. Horse show, rodeo, carnival, and/or community fair.

Staff Notes:

- When someone wishes to obtain a Conditional Use Permit, they must meet all the requirements of that use, but the use does not require a public hearing or special approval by the Board of Commissioners. This is the standard for all Conditional Use Permits in Fayette County.
- All fees charged for applications & permits are listed in the adopted fee schedule, which may be amended from time to time.
- Alcohol permits are not issued by the Planning & Zoning Department. That is a separate application process that is handled by the Marshal's Office.
- Violations are addressed by Law Enforcement (Sheriff's Office or Marshal's Office).
- Penalties are not assessed by the Planning & Zoning Department; they are provided within the County's Ordinance and assessed at the discretion of the presiding judge should a citation be issued.

Definition:

- *Special Event* means, any activity that occurs on public or private property that affects the ordinary use of parks, public streets, right of ways or sidewalks, and that is not already a permitted use in the zoning district where it is held or is outside the normal range of programs and activities of the sponsoring organization, or any event that charges admission fees or sells tickets. Special events may include, but are not limited to, festivals, fairs, tours, concerts, rodeos, horse shows, filming, grand openings, foot and bicycle races, parades, car shows, block parties, or motorcades.

Applicability & Location:

- Special Events are allowed in the A-R and C-H zoning districts, and for existing facilities and institutions already permitted in other zoning districts.

- In the A-R district, a parcel(s) where the event is held must have a minimum combined total of 25 acres, with an exception for facilities and institutions that are already approved for events or gatherings (see below).
- Facilities and institutions that are already approved for events shall not require an additional permit for events that do not exceed the permitted occupancy load for the principal structure.
- Events that charge admission fees or sell tickets shall be considered a commercial business activity and shall obtain an appropriate Occupational Tax Certificate with the County.
- Private social gatherings that do not charge admission or advertise the event, such as birthday parties, graduation parties or wedding receptions, are not considered Special Events.
- Garage sales/yard sales or other similar casual sales of tangible property are not considered Special Events.
- Home occupation businesses do not qualify a property for a Special Event.

Duration:

- Any single event may not exceed three (3) consecutive days in duration.
- Up to three (3) events per year may be held at a specific location or property.
 - Option: Up to two (2) events per year may be held at a specific location or property.
- Setup for events is permitted to begin up to 7 days prior to an event.
- Breakdown and cleanup, including right-of-way cleanup, shall be completed within 3 days after the end of the event.

Application and Fees:

- An application for an event shall be submitted at least 90 days, but not more than 6 months, prior to the event.
- Application & permit fees shall be determined by the Board of Commissioners and shall be added to the adopted Fee Schedule.
 - Recommended application fee is \$30.00 (this is current application fee for a Conditional Use permit).
 - Recommending permit fee of \$1.00 per ticket sale if it is a paid event.
- An Occupational Tax Certificate is required for Commercial Events.

- Large events may require off-duty law enforcement officers and other emergency responders such as EMTs; this need shall be determined by staff.
- It shall be the responsibility of the event host to pay for off-duty law enforcement and emergency responders.
- A cash bond shall be required for any event with a planned attendance of 5000 or more to ensure adequate emergency and law enforcement personnel are on site if the organizer/host fails to provide these services. Bond amount(s) to be determined.

General Requirements: Some or all the following items shall be required, as determined by staff.

Site plans may be schematic in nature unless some unique condition requires specific detail.

- Schedule
 - Setup/staging
 - Event activities
 - Breakdown
- Site plan
 - Event layout – include all activity areas, structures, etc.
 - Traffic plan
 - Utilities plan
 - Lighting plan
 - Noise abatement plan
 - Event facilities and programming shall be located and oriented to reduce noise impacts on neighbors. This includes items like stages, specific activity areas and any sound systems/speaker locations.
- Communications plan
 - Law enforcement
 - Provide a public announcement with date(s) and time(s) of event. This shall be advertised in the local newspaper (not in the classified section) and with signs posted at the public right of way of the event location.
- Safety plan -- the host/organizer is responsible for providing for traffic control and security, and for providing certified medical personnel and emergency services for the duration of the event.
 - Security plan

- Emergency access plan
- Evacuation/Crowd safety plan
- Fire safety plan – access, fire extinguishers, etc.
- First aid station(s)
- Water stations
- Signage
- Sanitation plan
 - Port-o-lets
 - Trash & recycling containers
 - Post-event cleanup, including adjacent rights of way
- Food services plan
 - Locations
 - Utilities & generators
 - Permitting & oversight
 - Sanitation
 - Water
- Transportation plan
 - Accommodations for existing traffic patterns & resident access
 - Placement of temporary signage
 - Reduce or eliminate pedestrian traffic
 - Parking – location(s) – on site or off-site
 - Shuttle services
 - Driveways
 - Certification that driveways are properly accessible by emergency services equipment
 - Ingress & egress points
 - GDOT approval, if required
- Electrical plan, including generators (see permitting)
- Water plan – is water provided for food vendors?
- Permits – These are examples of typical permits– some may not apply to a specific event and other types of permits may be needed. This is determined on a case-by-case basis.
 - Building permits for structures

- Stages
- Bleachers
- Portable buildings
- Electrical permits
 - Generators
 - Charging stations
 - Speakers
 - Lighting
- Tent permits
- Food vendor permits (Environmental Health Dept.)
- Sanitation facility permit (Environmental Health Dept.)

Meeting Minutes 7/6/23

THE FAYETTE COUNTY PLANNING COMMISSION met on July 6th, 2023 at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia.

MEMBERS PRESENT: Jim Oliver, Chairman
John H. Culbreth Sr., Vice Chairman
John Kruzan
Arnold Martin
Danny England

STAFF PRESENT: Debbie Bell, Planning and Zoning Director
Deborah Sims, Zoning Administrator
Chelsie Boynton, Planning and Zoning Coordinator
E. Allison Ivey Cox, County Attorney

NEW BUSINESS

1. Call to Order.
2. Pledge of Allegiance.
3. Approval of Agenda.

Debbie Bell requested changes for the agenda. She requested Item 8 Consideration of a Minor Subdivision Plat of Madison Monroe Acres be removed and replaced with the Consideration of Preliminary Plat of The Manor at Stonecrest Preserve. She also requested to amend Item 10 to the Consideration of the Minor Final Plat of The Alvarez Estate. She requested Item 11 be added and amended to the Work Session.

John Culbreth made a motion to approve the agenda with amendments: Item 8 amended to Consideration of Preliminary Plat of The Manor at Stonecrest Preserve. This property will consist of 52 lots, zoned R-50, is located in Land Lot 104 of the 7th district. Item 10 amended to Consideration of Minor Final Plat of The Alvarez Estate. This property will consist of 5 lots, zoned A-R, is located in Land Lot 33 & 64 of the 5th District. Item 11 will be added to the agenda as the Work session of amending Sec.110-169. Conditional use approval (Special Events). Danny England seconded the motion. The motion carried 5-0.

4. Consideration of the Minutes of the meeting held on June 1, 2023.

Arnold Martin made a motion to approve the minutes of the meeting held on June 1, 2023. John Kruzan seconded the motion. The motion passed 3-0-1. John Culbreth Sr. and Danny England abstained.

5. Consideration of a Minor Final Plat for Smith Dairy Estates. The property will consist of three (3) lots, zoned A-R, is located in Land Lot 158 of the 4th District and fronts on Rising Star Road and Massengale Road.

Debbie Bell stated the plat has been reviewed and approved by staff.

Mark McCullough stated a personal residence is being built on the property and they plan to sell the seven acre tract.

Chairman Oliver asked if anyone in the audience had any questions. There were none. He then brought the discussion back to the Board. There were no comments.

Arnold Martin made a motion to approve the Minor Final Plat for Smith Dairy Estates. John Culbreth Sr. seconded the motion. The motion passed 5-0.

6. **Consideration of a Minor Final Plat of Phillips & Suren Property. The property will consist of three (3) lots, zoned R-20 and A-R, is located in Land Lot 219 of the 5th District and fronts on Longview Road.**

Arnold Martin asked if there were any changes to the driveways?

Debbie Bell stated no. She stated she thinks there was a point of sale by deed but a proper plat had not been recorded and this is correcting that deficiency in preparation for the sale of the land.

Chairman Oliver asked if there was a motion?

John Kruzan made a motion to approve the Minor Final Plat of Phillips & Suren Property. John Culbreth Sr. seconded the motion. The motion carried 5-0.

7. **Consideration of a Minor Subdivision Plat for Towson Village Shiloh. The property will consist of two (2) lots, zoned M-H-P, is located in Land Lot 69 of the 7th District and fronts on Broken Bow Drive and Deanwood Terrace (Towson Village Shiloh – Peachtree City).**

Debbie Bell stated the property is being split along the centerline of the creek and the 11 acre parcel is being separated with the intent to make it part of the Towson Village Development which is in Peachtree City. She stated the plans have been reviewed and approved by staff.

Daniel Fields stated he was there on behalf of the applicant. He confirmed the intent to bring the parcel into the development.

Chairman Oliver asked if there were any questions. There were none.

Danny England made a motion to approve the Minor Subdivision Plat for Towson Village Shiloh. John Kruzan seconded the motion. The motion carried 5-0.

8. **REVISED: Consideration of a Preliminary Plat of The Manor at Stonecrest Preserve. The property will consist of 52 lots, zoned R-50, is located in Land Lot 104 of the 7th District and fronts on Dogwood Trail.**

Debbie Bell stated the Preliminary Plat was reviewed and approved by staff in 2021. She stated Deborah Sims, Zoning Administrator, discovered this while doing some research and found that it was never brought before the Planning Commission. She stated in order to correct the error they are presenting the plan tonight.

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Deborah Sims stated they need make sure the Preliminary Plat gets approved before construction.

Arnold Martin asked about how this came to surface?

Deborah Sims stated preliminary plats are good for two years and during conversations of other projects this one came up. She stated construction plans had been approved and when she searched through the minutes the plat had not been approved. She stated she did not know why but they are doing the housekeeping to get it approved. She stated ordinances have not changed since it was done in 2021 and they are close to breaking ground.

John Kruzan asked will they have two years after being approved tonight?

Deborah Sims stated yes. They will have two years to have 50% of the streets in and paving done. She stated they can phase it if they want to. She stated they have approved drawings and have had a preconstruction meeting. She stated she believes this was just an oversight.

Danny England stated it looked familiar.

Deborah Sims stated staff could not find anything in the minutes to show approval from the Planning Commission. She stated they do have the Enclave at Stonecrest Reserve which is also on Dogwood Trail.

Danny England stated he remembered having a conversation about connecting the two developments.

Arnold Martin agreed. He stated he remembered that conversation as well.

Chairman Oliver asked if there was a motion?

John Kruzan made a motion to approve the Preliminary Plat of The Manor at Stonecrest Preserve. Danny England seconded the motion. The motion carried 5-0.

- 9. Consideration of a Minor Final Plat of the John Sullivan Smith, Jr, Testamentary Trust. The property will consist of two (2) lots, zoned A-R, is located in Land Lot 5 of the 7th District and fronts on Davis Road.**

Randy Boyd stated they've surveyed and prepared a plat that was turned into the County. He stated it has been approved by the County.

Danny England made a motion approve the Minor Final Plat of the John Sullivan Smith. Testamentary Trust. Arnold Martin seconded the motion. The motion carried 5-0.

- 10. Consideration of a Minor Final Plat of The Alvarez Estate. This property will consists of five (5) lots, zoned A-R, is located in Land Lot 33 & 64 of the 5th District and fronts Ebenezer Church Road and Lester Road.**

Debbie Bell stated this is a subdivision estate property. She stated they did reconfigure some of the lots, there was a lot that didn't have any road frontage, so they corrected some things that were considered

problems in the process as well.

Randy Boyd stated he didn't know this would be on the agenda tonight, but he did work on this one as well and they've been working on it for three years. He stated they tried to just straighten some things out with driveways and property lines and just fix it.

Arnold Martin asked if any was in wetlands.

Randy Boyd stated he hasn't seen the plat lately but if there were wetlands they would be shown on the plat because staff from Environmental Management has been working with them. He stated there is a lot of topography changes there. He stated it goes up quick due to the lake.

Arnold Martin stated he did not see any wetlands on the plat.

Danny England made a motion to approve the Minor Final Plat of The Alvarez Estate. John Culbreth Sr. seconded the motion. The motion carried 5-0.

11. Work session of amending Sec.110-169. Conditional use approval (Special Events).

Debbie Bell stated that several people have expressed interest in the revising and recreating of a special events ordinance. She stated this is not a public hearing but just a discussion. She stated the Rick Ross event is a large event and that they have to have a way to address events of that scope. She stated at the same time, she is looking and working with residents and churches to make sure they are not having an adverse impact on events that have been going smoothly. She stated they want to make sure they are not affecting private parties. She stated the intent is not to affect graduation parties or weddings with 100-300 people but there need to have some parameters for events like the Rick Ross event where there is 8000 people on one site in one day. She stated she wanted to just have a discussion before putting in some kind of formal ordinance format and having a public hearing. Debbie also provided some discussion points as a place to start on what could be revised in the ordinance.

Arnold Martin asked about the difference between the discussion points provided and what was in place for the Rick Ross event?

Debbie Bell stated the only thing that really covered events is Section 110-169, Horseshow, Carnival, and/or Community Fair. She stated they would issue an occasional special event permit to somebody that wanted to have a barbecue fundraiser for their church or something like that. That is ultimately what the Rick Ross event was permitted under. They didn't have something that anticipated the scope of this event. She stated this year the event coordinator came and met with county staff, met with the sheriff's department, with the marshal's office, fire marshal, building official, planning and zoning, environmental health met with all of us and they told the event coordinator what was needed. She stated this long list is basically based on things that they asked for and they provided and she thinks that's the reason that it went much, much better this year. She stated there are some residents from North Bay here. And they may have some specific issues like traffic issues that she's not aware of specifically but it was better addressed than last year. She stated the list provided are things that the host should be doing when putting on an event of that scale.

Chairman Oliver asked if there was any comment from those in the audience?

Ray Minter spoke about Inman Farm Heritage Days. He mentioned how the event is three days long

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with free admission. He spoke about having certified traffic control and nurses on standby at the event and the Plan to get EMS down there if necessary. He stated he's not sure if he would fit into the special events category and feel they should be able to continue as is.

Chairman Oliver asked if it would be an undue burden meeting the requirements?

Mr. Minter stated yes. He spoke about how it is the mission of the organization to preserve and honor the history. He shared his concern about being treated as a special event when instead they should be treated as a church or a school.

Debbie Bell stated the list of requirements leaves staff latitude to determine what's needed for an event depending on the scale and scope of an event because not all events are going to need all of those things. Some events might just need a simple sketch that says here's where we're having it.

Chairman Oliver stated there is wording that stated all requirements must be met.

Debbie Bell stated they would have to tweak the wording.

Chairman Oliver asked about how the application fee would be determined?

Debbie Bell stated there is a posted fee schedule and if they add any fees for this it would be posted in that fee schedule as an amendment to the fee schedule.

Mr. Minter further spoke about his event. He stated he wouldn't have a problem getting the permit if they were doing something outside of their mission and stated bylaws.

Chairman Oliver stated because of the level of sophistication the bar has been raised and he may have to provide a plan of his event.

Mr. Minter stated he'd be glad to share the plan but he thinks that what he does is adequate for the public. He stated they don't use any County resources. He expressed one of his main concerns is having to pay some kind of EMT or POST certified officers to be there.

Chairman Oliver asked how many people come to the event?

Mr. Minter stated two or three thousand over the weekend. He shared how having over a few days helps spread out the traffic.

John Culbreth Sr. spoke about how events grow over time and they have look toward the future. He spoke about the Peachtree Road Race and how ordinances were created to regulate the event.

Mr. Minter stated that is one of the reasons they have two shows a year.

Arnold Martin asked about organizations where it is the mission of the LLC or the 501c3 to hold a two day event. He shared his concern about people using this tactic to get around the special event ordinance.

Debbie Bell stated they try to find a definition that will work but sometimes it doesn't work. She stated she started crafting an ordinance that was trying to base it on the event size but Mr. Rapson, County

Administrator, requested she leave those requirements in there for staff to determine as needed. She stated that would allow them to look at a certain event and say okay, these are the things that we feel like in our professional judgment would be needed for such and such an event.

Chairman Oliver asked if anyone else wished to speak?

Larry Younginer expressed his concern on the Rick Ross events. He shared how when Holyfield lived on the property, he had events that were enjoyable. He stated Holyfield lived at the house and Rick Ross doesn't live there and doesn't do anything that would qualify as A-R. He shared his concern about the property being a business site for him. He shared the experiences the residents of Northridge are having, including traffic and noise.

MiMi Phillips stated she lived in the Northridge subdivision as well. She shared her concern about the Rick Ross event and the rap concert. She shared that the residents of the subdivision are settled, quiet, and respect each other. She spoke about how the first event caused concern for the second one because of how many residents were stuck in their home.

Chairman Oliver asked if this year was better than last year?

Ms. Phillips stated it was better but they were still trapped in their homes. She shared that the complaint is not for him to not have the event but to instead have the event somewhere that can better accommodate the number of attendees. She expressed concern about not being able to get to her family if there were to be an emergency. She also shared how this event affects multiple businesses including a ballet studio near his home. She then shared about a tractor trailer that knocked out the power in their subdivision. The tractor trailer was setting up for the Rick Ross event.

Arnold Martin stated they have spoke with Fun Spot in the past about the noise with their fireworks to make sure there wasn't a negative effect. He stated in the same manner, if the parameters are such that in the end, whether it is Mr. Ross or anybody else and they can't meet those requirements, then they may be forced to have to choose another location. He then explained that there are for profit golf courses that are zoned A-R. He then explained the importance of the HOA calling the police when adverse activities are going on. He stated if the neighbors are complaining, after a while, they're going to find another place because it becomes too difficult.

John Culbreth Sr. asked what kind of permit did Rick Ross have?

Debbie Bell stated it was issued under Section 110-169 bb.) Horse Show, Carnival, Community Fair. She stated that's the only category that they have for special events other than an A-R conditional use permit for an AR wedding event facility which is different. She stated there are only four items under the category in terms of requirements and they are very basic. She stated it worked well for a long time.

John Culbreth Sr. stated that's a starting line. He stated they have hear the residents in terms of their concerns and their inconveniences that have been made and craft something as Mr. Martin indicated that will deter certain types of events. He stated having 6500 people in a neighborhood becomes a nuisance over time. He stated if they don't they will constantly be using resources of the county and local counties, South Fulton, Peachtree City, Fayette county offices, you're tying up that many resources for a one specialty event while there are other parts of the region that need police protection. He stated 1000 is a low number if 6500 has been disrupting a community for two years.

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Debbie Bell noted that in terms of the law enforcement, the different municipalities and law enforcement officers that were there all worked together under Chief Deputy Rhodes, and they were off duty and paid for by Mr. Ross. She stated last year it was a drain on law enforcement because they had to respond and try to deal with that the traffic issues and things going on, but this year, those were off duty from City of South Fulton and so forth.

Holly Longino expressed concern of when addressing the big events that they don't throw the baby out with bathwater. She stated she volunteers at the Iman Heritage Days and shared that it is an education event. She stated maybe there's some wording that can help these churches and events that don't really fall under some of the problems that other residents are having just to make sure that community and culture are protected. She stated it's a historic admin community and they enjoy education others on the history of farming and agriculture. She stated the possibility of financial burdens that could make it impossible and they want to speak up during these important decisions.

Arnold Martin asked if there is anything they would change or improve as their festival continues to grow?

Ms. Longino stated they've had years where they've held far more cars than they do today. She stated they've been able to open up extra space with the help of their community. She stated she doesn't feel growth is an extreme concern and being able to spread it out over the days and twice a year helps.

Mr. Minter stated they can probably handle twice as many people as they get now.

Danny England stated a boiler plate code isn't going to work. He stated Rick Ross gets 5000 people in one day and that's not a good solution. Mr. Minter gets 5000 over the weekend and they've never experienced a hassle getting in and out. He stated the location, the scale of the operation, the type of operation all makes a difference. He stated this is much more malleable and much more of a gray area in terms of the types of codes that we normally work with. But it is on a case by case basis. He stated they're trying to protect against this happening multiple locations across the county. He asked how many events in the county are the same scale as Rick Ross?

Debbie Bell stated that was the only one that she knew of.

Mr. Younginer stated one thing that separates them dramatically is the amount of noise. He spoke about the pool party Mr. Ross had and how it caused a disturbance starting in the morning. He asked that something be put in the ordinance to help with the noise.

Chairman Oliver asked if there were any further comments. There were none.

PUBLIC HEARING

No Public Hearings.



Arnold Martin made a motion to adjourn. Danny England seconded. The motion passed 5-0.

The meeting adjourned at 8:16pm.

PLANNING COMMISSION
OF
FAYETTE COUNTY


JIM OLIVER, CHAIRMAN

ATTEST:


CHELSIE BOYNTON
PC SECRETARY

Meeting Minutes 8/3/23

THE FAYETTE COUNTY PLANNING COMMISSION met on August 3rd, 2023 at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia.

MEMBERS PRESENT: Jim Oliver, Chairman
John H. Culbreth Sr., Vice Chairman
John Kruzan
Danny England
Arnold Martin

STAFF PRESENT: Debbie Bell, Planning and Zoning Director
Deborah Sims, Zoning Administrator
Chelsie Boynton, Planning and Zoning Coordinator
E. Allison Ivey Cox, County Attorney

NEW BUSINESS

1. Call to Order.
2. Pledge of Allegiance.
3. Approval of Agenda.

Danny England made a motion to approve the agenda. John Culbreth Sr. seconded the motion. The motion passed 5-0.

4. Consideration of the Minutes of the meeting held on July 20, 2023.

Arnold Martin made a motion to approve the Minutes of the meeting held on July 20, 2023. Danny England seconded the motion. The motion passed 5-0.

5. Consideration of a Minor Final Plat of Tract 3 Runaway Manor, consisting of two (2) lots, zoned A-R, is located in Land Lot 223 of the 4th District and fronts on Bernhard Road.

Debbie Bell stated this plat was reviewed and approved by staff.

Chairman Oliver asked if the Board had any questions or comments, there were none. The petitioner was not present.

Danny England made a motion to approve the Minor Final Plat of Tract 3 Runaway Manor. John Kruzan seconded the motion. The motion passed 5-0.

6. Consideration of a Minor Subdivision Plat of Madison Monroe Acres. The property will consist of two (2) lots, zoned A-R, is located in Land Lot 250 of the 5th District and fronts on fronts on GA Highway 279 and Morning Road.

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Debbie Bell stated this plat has been approved by staff and Georgia Department of Transportation.

The petitioner was not present. There were no comments from the Board.

Danny England made a motion to approve the Minor Subdivision Plat of Madison Monroe Acres. John Culbreth Sr. seconded the motion. The motion passed 5-0.

7. Consideration of a Minor Division Plat for Steve Buice 117 Hickory Hill Road and 262 Mask Road, consisting of two (2) lots, zoned A-R, is located in Land Lot 6 of the 4th District and fronts on Hickory Hill Road and Mask Road.

The petitioner was not present. There were no comments from the Board.

Danny England made a motion to approve the Minor Division Plat for Steve Buice. John Culbreth Sr. seconded the motion. The motion passed 5-0.

PUBLIC HEARING

8. Consideration of Petition No. 1330-23, Joshua D. Brewer and Corrie E. Brewer, Owner, request to rezone 19.58 acres from P-U-D to A-R. This property is located in Land Lot 1 of the 7th District, and fronts on Green Meadow Lane.

Debbie Bell stated this lot was originally part of the Camp Southern Ground PUD. There were two residential lots that were part of the PUD. She stated in October 2016 Camp Southern Ground submitted a Revised Development Plan that removed the two tracts from the PUD. She stated the tracts kept the zoning but were removed from the Camp Southern Ground PUD. She stated the applicant is requesting to go back to the A-R zoning. She stated staff is recommending conditional approval with the following conditions:

1. The parcel shall retain the 75' perimeter buffers established by Rezoning Resolution No. 1222-11.
2. The parcel shall retain the 150' building setback from rights of way as established by Rezoning Resolution No. 1222-11.
3. 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.
4. 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.
5. 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.

Danny England asked if there was only one structure on the property?

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Debbie Bell stated yes and pointed out where it was located on the provided survey.

Joshua Brewer stated he did not know he was supposed to present anything.

Chairman Oliver asked him to explain what he's doing and how this came about? He asked Mr. Brewer why he wanted to rezone from PUD to A-R?

Mr. Brewer stated it was for a tax break.

Chairman Oliver asked him to speak about the barn that's been built? He stated they're trying to understand why Mr. Brewer didn't receive the appropriate building permits.

Mr. Brewer stated he misunderstood the requirements.

Chairman Oliver asked if he was trying to build two buildings under one permit?

Mr. Brewer stated no. The only permit he submitted was for the house. He stated it was rejected by the Environmental Health Department due to the septic field and he's been dealing with that for three months.

Chairman Oliver asked if he was in the development business?

Mr. Brewer stated he was in the construction business.

Chairman Oliver asked if he got any inspections?

Mr. Brewer stated no.

Chairman Oliver stated Mr. Brewer knows the process, he knows that inspections are required.

Mr. Brewer stated he did not know they were required for non-dwelling structures. He stated he's doing one in Henry County and they do not require permits for non-dwellings.

Chairman Oliver asked if he could comply with staff recommendations.

Mr. Brewer stated yes.

Chairman Oliver asked if the building will require a variance?

Mr. Brewer stated no. He's three feet from the 75-foot setback. He's 78 feet from the property line.

Arnold Martin asked about the process for getting a building a permit now that structure has already been built?

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Debbie Bell stated he will still apply and Building Safety may have some additional requirements for the engineered certification for the structure, for the slab, depth of slab, and the wings.

Chairman Oliver asked if anyone in the audience wanted to speak.

Joe Mendola stated he owns the lot that adjoins the property. He gave a summary of the history of the property. He spoke the subdivision convenance, the conservation easement, the establishment of Camp Southern Ground, and the setbacks of PUD. He spoke about his concerns of the wetlands, and if the rezoning would reduce the setback. He stated the structure is not 75 feet from his property, it's barely 50 feet from his property.

Chairman Oliver stated one of the conditions of approval is that the PUD buffer of 75 feet stays in place.

Mr. Mendola asked what happens if the barn is only 50 feet away from his property line?

Chairman Oliver stated Mr. Brewer would have to apply for a variance. He stated that the petitioner has agreed to stay in the PUD buffers. He stated they cannot address water drains or conservation easements.

Elias Makres stated he built the Mendola house and another home on Green Meadow. He stated over the last 35 years they've had people do what Mr. Brewer has done, build without following rules. He stated this has made the government more strict and require more from builders. He said as a contractor it, it troubles him when someone says they are a contractor and comes in and says they didn't know they were supposed to do this. He stated it wasn't just a building a placed without a permit, clearing was also done without a permit. He asked why would someone want to change the zoning but keep the setbacks? He stated he thinks if it's changed to A-R it's easier to get the variance. He stated the structure is not currently 75 feet from the property line.

Chairman Oliver asked if Mr. Brewer wanted to address anything that has been said.

Mr. Brewer stated no.

Danny England stated that the staff report says he could not build a barn before a house in PUD. He asked if the property is zoned to A-R, would the barn be okay since it was built before the house? He asked would he still be in violation of code?

Debbie Bell stated he would only be in violation of not having a permit and possibly the setback.

Danny England asked if rezoned to A-R, in a Zoning Board of Appeals (ZBA) case, would the possibility of him having to remove the structure be off the table?

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Debbie Bell stated if the 75 foot setback is maintained and it encroaches the buffer it would still need to be addressed and a variance would still need to be requested.

Chairman Oliver asked if the property would meet the criteria for a variance?

Debbie Bell stated no.

Danny England asked if the path, if denied for a rezoning, would be for Mr. Brewer to go to the ZBA to request a variance to keep the barn since it was built before the house?

Debbie Bell stated yes.

Chairman Oliver stated he was confused about the petitioner's explanation to rezone the property to A-R. He stated it seemed like it was a suggestion by staff after Mr. Brewer received a stop work order.

Deborah Sims stated Mr. Brewer submitted a permit application for the barn and she explained that since it was zoned PUD, they could not approve it. She stated if it was rezoned to A-R, they could approve the barn permit.

Chairman Oliver asked if there were any more questions or comments. There were none. He asked for a motion.

John Krusan made a motion to recommend denial of Petition No. 1330-23 request to rezone 19.58 acres from P-U-D to A-R. John Culbreth Sr. seconded the motion. The motion carried 5-0.

OLD BUSINESS

9. Work session to discuss Chapter 110. Zoning Ordinance, regarding Sec. 110-169. Conditional use approval.

Debbie Bell stated they would be revisiting discussion points for special events. She stated she emailed a letter and recommendations from Bobby Ferrell, recommendations from Ms. Burton-Hughes, and an email from Holly Longino.

Bobby Ferrell stated that North Fayette has had concerns about a large scale event that has been allowed to take place for two years. He stated one of the major problems is the noise, He noted the draft ordinance doesn't go into depth about stage locations. He stated he's speaking in terms of the Rick Ross Car and Bike Show. She stated the stage was erected at the front of the property. His suggestion was that stages of that size and magnitude should not be less than a quarter of a mile from homes where people live. He stated the corner is zoned A-R but everywhere else is zoned residential. He stated the Marshal denied the noise or nuisance permit. He realized the noise would be too allowed but the event still

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went forward. He stated an event of that size and that magnitude are out of sorts for the community but he understands that there are ordinances that allow certain things to go on. He stated he also had a problem with attendees in the draft ordinance. He stated this should be capped. He stated it mentions an event going over 5,000 attendees, there would be additional requirements. He stated he is a former Fire Captain and he's worked a lot of major events throughout the city of Atlanta. He stated an event of this size raised traffic concerns. Roads have to be shut down, and they were escorting busses. He stated officers were paid to go above the law. His second concern was that this property only has one means of egress. He stated that should be reconsidered according to the number of patrons.

Chairman Oliver asked what he thought the number should be?

Mr. Ferrell said he couldn't say and he would leave it to the Marshal. He said at least 1,000.

Chairman Oliver stated the problem is they are trying to write a County wide ordinance. He stated he understood about the Rick Ross event but if you try to tailor this specifically aimed at that venue, a judge would throw the whole ordinance out because it was targeted. He stated there are only a few places in the County that could meet a requirement of being a quarter of a mile from residential zoning. They're trying to create an ordinance that would fit the County best. He stated the ideas are good but they can't tailor it toward this one venue. He stated perhaps it needs to be tailored more towards the time frame. He understood the neighbors were upset about the pre party or pool party that happened the night before. He agreed that 5,000 attendees may be too much and could be lowered some.

Bobby Ferrell agreed with the Chairman on needing a County wide ordinance. He stated even if the event took place on the south side of the County, it would still be a nuisance. He stated the Marshal said no so where do they stop it? He stated he's sure that other events or fairs in the County do have more than one means of egress for something of that size. He stated if the event goes over 5,000, the draft ordinance didn't mention anything about egress or any type of emergency plan. He stated that may something the Fire Marshal would address. He stated these were his main two concerns; the relation between egress and patron capacity and noise nuisance or a site plan for a location of stages. He asked who's monitoring the sanctions of the violations?

Arnold Martin stated Chastain Park has large events but still has ordinances. He stated music must stop immediately. He stated some of those regulations may be something we can address and adopt in the County. He stated conversations like this will take the ordinance to the next level so that next year more is being done to make sure rules are being followed. He mentioned having a point of contact prior to the event and during the event. He stated the location of the stage wouldn't matter because of the size speakers. He stated they've have had other entities come in and speak about their events. He stated the County is growing.

Danny England stated one of the discussions at the last meeting was being able to quantify whether something was wrong or not. He stated if you don't like the type of music, you

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may consider it too loud but if you do like it it's not too loud. He stated it can be subjective and they have to try to make objective rules. He stated that music going on at a certain time of day is obvious, they can all agree it's 11:01pm. But the volume of music that they need to be able to accurately measure. He stated Chastain Park has been there a long time, so residents know what they're getting into. He stated you guys are suffering from Chastain Park being across the street and you didn't sign up for that. It makes it hard to deal with this thing that is suddenly happening to you once a year. He stated it could start to happen more often. He stated this event is the top one percent event size that the County has right now. Every other event is much smaller so they can't overly protect because of this one event that is the largest the event. He said it could hurt the people with smaller events so they have to balance that.

John Culbreth Sr. stated Mr. Ferrell's comments were very good and they would address them. He stated they cannot create that will just address one area. He agreed it would be thrown out of court. He stated he was in the park system with the City of Atlanta when Chastain was in it's Hay Day of complaints. He stated it wasn't always an amphitheater, it was once a place where they held high school graduations. Over the years, the concert began and the City came up with a decibel meter for the sound and they locked down the time if the sound went above a decibel meter. They had staff out there monitoring the sound. He stated they are looking at all the components on how to put together a County wide ordinance. He agreed with the egress concern. He stated they are going to do something but it may not be able to fix everything in the community.

John Kruzan asked staff if the petitioners gave any insight on how large the event would be when applying for a permit?

Debbie Bell stated yes. They anticipated selling approximately 6,000 tickets.

John Kruzan asked if they hit that?

Debbie Bell stated yes. They did a presell and had to show a pre-purchased ticket at the gate. She stated that was also part of their transportation plan, to have people select their parking area so they would have a count for their shuttles. The shuttle system was to eliminate the gridlock that was encountered on Highway 279 last year. She stated they did a follow up meeting after the event and she recommended was that they look at acquiring an access point on Highway 138 so they could construct an additional commercial driveway to have an additional ingress egress point. She stated that the Fire Department reported that they had no problems getting ambulances in for any problems that they had to address. There were a few minor medical emergencies, She stated working with the planner resolved the safety concerns. She stated Mr. Ross' event paid for all of the off duty law enforcement staff from Fayette County, City of South Fulton, and City of Atlanta. Those agencies coordinated with Fayette County Sheriff's Office as the primary point of contact. The Sheriff's Office reported that that also worked well.

Mr. Ferrell stated the residents couldn't go anywhere and needed the subdivision pass to

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get to their homes. He stated stage location should be top in the work sessions followed by traffic concerns. He stated a two lane state highway can't handle 7,000 people. He said they took cars out of the scenario but there were still 7,000 patrons and police officers blocking certain points to make sure the busses got in. He stated the event should also have proper means of egress.

Arnold Martin asked if he had any guidelines they could refer to in terms of egress?

Mr. Ferrell stated City of Atlanta adopted a national Fire Code. He could not recall the name of it. He asked if there would be another work session.

Debbie Bell stated she doesn't have one scheduled yet.

Larry Younger stated he lived in the North Ridge Subdivision. He commented on the proposed regulation of two events per year. He stated Mr. Ross had the car show in June and the pool party in July. He asked if those would be considered his two events for the year?

Debbie Bell stated that in draft ordinance she suggested that events that are expected to host more than 5000 attendees in a single day, or have exceeded this threshold in the past may be operated for one calendar day, per year. So it would limit an event of that magnitude to one day, per year.

Mr. Younger asked if it's based on the number of people that show up, not how many events he has?

Debbie Bell stated she doesn't know the details of the pool party.

Mr. Younger stated Mr. Ross is selling tickets to it.

Debbie Bell stated Code Enforcement would have to speak that and she believes they're aware of it. She stated they working to create parameters and definitions so an event of that magnitude won't take place every month.

Mr. Younger stated there won't be 5,000 people at the pool party but he was hoping they would be told no due to already having previous events.

Debbie Bell stated she'd look into it. There may be a better way to word it that might be more effective.

Velma [last name inaudible] stated she lived in Dix-Lee-On. She stated the car show was an unpleasant experience. She stated it took her half an hour to get to Highway 138. She stated this type of event would not be allowed in Peachtree City or any of the South Fayette County communities. She stated they received passes for their cars. She stated she's lived there 26 years and never had to have permission to drive in her subdivision. She asked that

PUBLIC COMMENT FORM

Planning & Zoning welcomes your comments and concerns related to the Rick Ross event. We will review them and share a summary with the event coordinator and the Board of Commissioners. You may share your contact information if you wish, but that is optional. Your comments will be included in the summary even if they are anonymous.

Thank you,

Debbie Bell, Director of Planning & Zoning

* Residents from the 5 affected subdivisions (North Fayette) should have been included in the planning process of large events.

Events of a certain number of participants should be at a specific venue equipped to handle a crowd of that size, 6,200 or above.

Q. Is a hearing required before a conditional use permit is awarded.

Contact Information (Optional):

Name: Mimi C. Phillips

Address: 295 North Drive

Phone: 770-460-9482 Email: [REDACTED]

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the Board seriously consider the citizens. She stated they have been there longer and will still be there when he leaves. She stated she's retired and she'd like to remain there but she doesn't want that type of neighborhood.

Chairman Oliver asked if the community has reached out to Mr. Ross or his team and told him they'd like to meet and talk?

Ms. Velma stated she doesn't think he would want to meet.

Chairman Oliver stated the Planning Commission and staff are working hard but there are private parties. He stated the neighbors do have a right to find enjoyment and entertainment and that Mr. Ross needs to do some bridge building for this particular event. He suggested that Ms. Velma lead the efforts to reach out to his team.

Ms. Velma asked what type of permit was granted?

Chairman Oliver stated of all the events, this one is probably the most scrutinized. He stated that this year's event seemed to be better than last year. He stated that the neighbors should really try to reach out to him and share their concerns.

Mr. Younger stated Rick Ross was asked to meet with the people in the neighborhood and said no.

Rick Minter stated Debbie Bell and staff has been very helpful. He stated that this is moving really fast and it affects their livelihood. He states the draft ordinance doesn't seem friendly to farms and it doesn't address agritourism. He stated people like green space and agritourism allows for green space. He stated he doesn't want to pick up his operation and go somewhere. He stated the mission is to promote the farm history and heritage of Inman and South Fayette County. He stated they've looked at the Museum of Appalachia in Tennessee and they want to become a year around place that promotes the history of the County. Not just one or two events. He asked that the Board take time to make their decision.

Danny England stated there is no vote or decision being made tonight.

Mr. Minter stated they are looking into rezoning for PUD but would hope he doesn't have to make that decision soon. He asked how would a pumpkin patch and a corn maze be addressed?

Debbie Bell stated it would fall under seasonal sales.

Mr. Minter stated Harp has a pumpkin patch every year with thousands of people showing up. He stated they need time to think things through and figure out something that works for everybody.

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Arnold Martin asked if there are things Mr. Minter has heard this evening that would have an impact on his event?

Mr. Minter stated the decibel levels. He stated a lawn mower is about 100 decibels, and they have tractors at his event. He stated they have to consider where they are and what's being used there. He stated for the hours, they shut down at dark on Friday and Saturday and shut down at 4 o'clock on Sunday.

Arnold Martin asked if being capped at four or five thousand people a day would affect his event?

Mr. Minter stated they've never done an official count but there are a few thousand that come through in a day. He stated they have the parking for it. They have 50 acres, they use about 15 of it. He stated if people are coming to your event and they have to sit in traffic, they'll leave. They work to get people in and out as smoothly as they can. He stated the better show you put on, the longer people will stay which keeps from having a lot of churn. He stated they use law enforcement to help direct the traffic the first year but found it easier when they just used volunteers. He stated they work hard to not have any complaints about traffic.

Attorney Cox asked if there was anything from the Board that Debbie can take back and work on?

Danny England stated he thinks what we've heard is two or three main problems traffic, which is which is linked to the number of attendees. He suggested she create some tiers so that a 5000 plus person event is looked at much more seriously 100 person event Saturday. He added limiting the to it to a certain number of minutes per year. If you're below a certain threshold maybe that drops off. If you're putting on a mega event we can only absorb that kind of impacts, limited number of times. if you're doing something that falls within a certain range or below a certain occupancy or it's spread out over multiple days, maybe it's no harm no foul. If you can throw an event, and nobody knows what's happening, so it's people are there, you could do it more than twice or four times. If it has it has music, maybe we look at it a little differently, because that's going to factor directly into noise.

Attorney Cox asked the Board to look at the definition she's written. it looks like the way that first part reads it in order to even qualify for need for a special use event permit it's going to have to be disrupted to regular parks, public streets, right of way or sidewalks.

Danny England stated there's a lot interpretative subjective gray area. What's disruptive to one may not be disruptive to another. He stated he thinks they should stick with the number of people, how loud is it, how long does it go on, etc.

John Culbreth Sr. stated they need to define what is loud and the impact of sound. He also mentioned including traffic plans, site plans, violations, how violations will be addressed, access points, crowd sizes, timeframes. He stated they've address the sizes and timeframes

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but it has to be strong enough to stand up in court.

Arnold Martin mentioned accountability. He spoke about defining the person in the County that is responsible and the residents can go to as a point person. He stated there should be somebody within in the County that is accountable.

John Kruzan spoke about the County growing and how events will continue to grow. He stated his concern is at what point in time is the tipping point that we say, if you have an event that's going to have X number of people, where does that tip over from being in a residential community to actually being held at a commercial site.

Danny England stated the County has several event centers but he's not sure how many of them have the capacity for 5,000 people. He stated this is a case where this event alone would not work at most professionally licensed, constructed, and permitted event centers in the County.

Arnold Martin stated they've adjusted going back to some of our guidelines and ordinances we created as related to zoning, we have tiered those we've said well, if you have up to two acres, this is going to be the requirements and you have the five acres etc, we worked our way into that mean, we can again approach that in the same manner as already been suggested.

Debbie Bell stated she would take all feedback and bring something back in September.

Ms. Velma asked if the Board is taking into consideration that this is a revenue generating event that he's having?

Danny England stated yes.

No action was taken on this item.

ADJOURNMENT:

John Culbreth moved to adjourn the meeting. Danny England seconded. The motion passed 5-0.

The meeting adjourned at 8:47 p.m.

**PLANNING COMMISSION
OF
FAYETTE COUNTY**

JIM OLIVER, CHAIRMAN

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ATTEST:

CHELSIE BOYNTON
PC SECRETARY

RESIDENT COMMENTS

PUBLIC COMMENT FORM

Planning & Zoning welcomes your comments and concerns related to the Rick Ross event. We will review them and share a summary with the event coordinator and the Board of Commissioners. You may share your contact information if you wish, but that is optional. Your comments will be included in the summary even if they are anonymous.

Thank you,

Debbie Bell, Director of Planning & Zoning

* Residents from the 5 affected subdivisions (North Fayette) should have been included in the planning process of large events.

Events of a certain number of participants should be at a specific venue equipped to handle a crowd of that size, 6,200 or above.

Q. Is a hearing required before a conditional use permit is awarded.

Contact Information (Optional):

Name: Mimi C. Phillips

Address: 295 North Drive

Phone: 770-460-9482 Email: 



Deborah L. Bell, RLA
Director, Planning & Zoning
140 Stonewall Avenue West, STE 202
Fayetteville, Georgia 30214
July 22,2023

Dear Mrs. Bell,

I am Bobby Ferrell, president of the North Fayette Community Association. I am writing this letter to you in response to the Special Events Discussion Points from your work session on July 6, 2023. Unfortunately, I was not able to attend that work session, but was able to obtain the discussion points from that work session. After reviewing and discussing it with other community leaders, I drafted a discussion/correction letter for your review that only addressed items of concern. Other points were not of concern and not addressed. Hopefully, you are planning another work session that entails community input now that we have information on the direction your office is going towards. Please see the attached 3-page Discussion Point community input correspondence accompanying this cover letter.

As always, I am available to you by phone, in person or email. I also look forward to your next visit to our quarterly North Fayette Community Association meeting on either August 19th or November 18th. Members enjoyed your last visit and learned a great deal of information about your office and information on “less known” ordinances.

Respectfully submitted,

Bobby B. Ferrell, President
North Fayette Community Association

SPECIAL EVENTS

Discussion Points (Community Review)

The verbiage of Horse show, rodeo, carnival and/or community fair should be completely removed from the ordinance because of its antiquated connotations and the many activities that can be held under each event or simply not allowed in A-R zones. Commercial events for profit should be held only in other appropriate commercial zones.

NOTE: Are you saying that there will be no “Public Hearings” or Board of Commissioner vote for approval for Conditional Use permits? If so, this cannot happen. Public Hearings or BOC votes must never be negated when it comes to impacting the public/community. These decisions should never be left solely up to the employees of the county.

Definition, Applicability & Location:

- Special Event meaning is too broad. This is saying Fayette County is OPEN to any major event anywhere in the county to include densely populated residential neighborhoods and A-R zones. Should be narrowed down to levels of patronage size, zoning area, type of event, time of day, public safety approval, noise nuisance, etc.
- Large Events (according to patronage size) that charge should be held in Commercial zones since you want to designate these events as commercial
- Events of fewer than 500 people (non-paying) could be allowed in A-R zones for existing permitted facilities and institutions. Events larger than 500 people (paying or not) shall be held in other appropriate commercial zone areas. These permitted areas shall follow the guidelines of their issued permit to include local and state ordinances.

Duration: OK

Application and Fees:

- **Side Note:** You want the Board of Commissioners to determine application fees, but not their approval of “Conditional Use” permits through Public Hearings? Please explain.
- An application fee schedule should be created according to size (number of expected patrons), hours of operation, type of event (non-profit or for profit). Alcohol or non-alcoholic beverages served.
- “Cash Bond?” Please explain? Is this for “IF” an event does not follow approval guidelines (permit)? So, if the promoter/organizer/host falls short of their requirements, do you mean that the “County” would step-in with workforce and equipment during the event and fulfill the balance of the requirements using the “Cash Bond” monies submitted upfront? An event that does not follow the guidelines of the permit should not receive final approval on final inspections. In addition, it should be shut down during the event and/or sanctioned for code and ordinance violations.

- **ADDITION:** An Event Monitor should be in place/on duty with access granted to ALL areas of the event. This monitor should have ABSOLUTE authority to request adherence to the permit or shut down event for public safety or noncompliance.

Requirement for all events:

- **Addition:** All of the following items shall be required, as determined by staff, **County Marshal, County Sheriff and Public Works.**
- **Noise abatement plan:** Stages erected requiring permits and electrical permits shall not be erected in densely populated residential communities (homes within .25 miles of stage) to include homes zoned A-R. Permitted event facilities zoned commercial shall operate according to issued permit and local ordinances to include state laws.
- **Communication plan:** Law Enforcement?? What role should Fayette County public safety officials play in this communication plan to the affected neighborhoods outside of public safety and enforcing laws?? I asked these questions because they are not detailed in your discussion points.
- Why should neighbors and adjacent businesses be notified if the event is held properly and officially within an area zoned commercial? “Proper” meaning an event held in a commercial area with roadways large enough to handle increased traffic and located as such to not create a nuisance. “Official” meaning they were approved via Public Hearings, Board of Commissioners, Public Safety Officials and staff.

Safety Plan: Why is this entire section more PROFOUNDLY defined and organized better than the previous sections of your Special Event Discussion Points? This section describes how the next “Rick Ross Car and Bike Show” in 2024 will take place. What is missing is the area where an event of this magnitude should take place. Nor anywhere in your discussion points did you talk about how to regulate an event hosting up to 7000 paying patrons. An event of this magnitude should not be approved in an A-R zoned area for the corrections I stated previously.

SANCTIONS: This is missing from your Discussion Points

- **Penalties:** Any violations that occur should have sanctions. A schedule of fines and/or imprisonment should be a part of the event application.

I am formally asking for and to be included in another work session concerning the replacement of Conditional Use 110-169bb Horse Show, rodeo, carnival and/or community fair. Please provide me with a date and time. On May 17, 2023, your office and County Commissioners received a very scathing letter from the lead attorney representing William Leonard Roberts II aka “Rick Ross” Leron E. Rogers, detailing why his client should move forward with the event according to Fayette County ordinances. He also informed officials that regardless of the official denial decision dated May 16, 2023 of the 2023 Rick Ross Car and Bike show, his client would still move forward with impunity with this event. After reading his complete breakdown of the Conditional Use ordinance, your office understood why he should move forward just like I did. Although local law enforcement and EMS reported no significant issues, the community was held hostage and disregarded yet another year. This year’s event encumbered two counties, paid

law enforcement officers to operate above the law (escorted event busses down reversible lanes that you nor I cannot travel in other than making turns), shut down state highways (small section of SR279 in front of Northridge Subdivision where residents were not allowed to turn left out of their subdivision) and delayed mass transit (MARTA). All these encumbrances happened because of the antiquated Conditional Use ordinance of Fayette County. I highly and respectfully expect a complete overhaul of this ordinance for the betterment of the community and to protect the county from future litigation.

Here are some background insights on me. I have worked the last 27 plus years in Public Safety. I was employed as a Deputy Sheriff for Fulton County for 7 seven years. I retired from the Atlanta Fire Rescue Department as a Fire Captain after 20 honorable years of service. While at the fire department, I served many roles from firefighter to Station Captain. My most notable assignment was working in the Fire Marshal office as a Lieutenant Fire Inspector for over two years and as a part time Fire Marshal at the Georgia World Congress center where I monitored events from concerts, major public city venues to major sporting events. Currently, I am a state certified Fire Inspector I and hold state certification for Life Safety Code. I also served on the City of Atlanta Special Events committee where we reviewed event organizers' applications for approval or denial. I have worked countless special events within the City of Atlanta that required fire code enforcement from private parties to major league games. I have also written many citations that resulted in court room testimony, fines, probation and/or fire code sanctions. Currently, I serve as a part time Deputy Sheriff at a neighboring county assigned to court services. Being a public servant has been my passion for almost 3 decades.

Burton-Hughes
La Fayette Estates

Ms. Deborah Bell
Director, Planning and Zoning

My personal observations plus, also observations of others

Please be mindful of the citizenry as you prepare
for the upcoming planning session.
Thx.

OUR NEIGHBORHOOD ON OLD NAT'L - 279

This re-written version of the Conditional Use 110-169 bb seems to be written to accommodate the "newest" property holder at Evander Holyfield Hwy. AND NOT for residents of the greater north Fayette Co. who have resided here for

some 30-40 yrs. or more... the Holyf. property was ^{originally} constructed to be a residence. However, the current resident as of 2022, is using it not as a residence, but as a commercial venture.

Neighbors have been told that the owner does not actually live ^{but} there, uses the property for fund-raising purposes. The ^{initial} event held in Aug., 2022 caused total gridlock for a full ^{days} but, was said to yield profit "in the millions" for the property owner with callous attitude



Y199686

2.

and total disrespect for the surrounding community and with recklessness and nonchalance. Neighbors describe the activity and behavior as ^{an} example of extreme greed in place of any attempt to bring good will and positivity/respect to the neighborhood.

There would probably not be an event held in a private residence in the north Fayette area to which 1000 or more persons would be invited.

The verbage ~~deroted~~ to accommodating the new neighbor at Evander Holyfield property is disappointing in that legacy residents cannot recall ^{any of} this degree of attraction afforded ~~their~~ requests. Neighbors expect more of county staff and particularly since a large tax ~~it~~ is exacted from north Fayette county.



Y199686

From: [Holly Longino](#)
To: [Deborah L Bell](#)
Cc: mintersfarm@aol.com; stephanie@mintersfarm.com
Subject: Working Session 8/3 - Special Events
Date: Wednesday, August 2, 2023 1:04:57 PM

***External Email* Be cautious of sender, content, and links**

Deborah,

Jeff and I would like to address some concerns during the work session tomorrow, but we are on vacation and unable to attend. I'm sending these in hopes that they can be used to address some specific concerns with the discussion points. Thank you for allowing us to give our input!

It's obvious that this ordinance is geared towards very large-scale events, and in several places it is clearly trying to exclude smaller types of events. I appreciate the specific mention of family reunions, parties, etc on A/R that do not advertise or charge admission. However, as a small business owner, I am concerned that, as it is currently worded in the discussion points, it may include events that it doesn't intend to include and negatively impact certain small businesses.

I run a small, working farm that strongly depends on an agritourism/agrieducation business model. In our modern times, it is very difficult for small farms to exist without engaging with the community with on-farm events that charge admission. For example, my farm offers educational tours and field trips for private and public schools, special needs groups, senior centers, etc. We also teach classes, host agri-education themed birthday parties, etc. Farms like mine pay insurance specifically for these types of agritourism events and have built infrastructure to accomodate such group events. Because of this, I am able to run a successful farm on only 10 acres.

Although I can see where wording attempts to exclude events within the "normal range of programs and activities of the sponsoring organization", I would like to make sure that such wording is careful in nature not to cause a problem with farms such as mine in our county.

Here are some potential changes that we believe may help address our concerns:

- Specifically exclude events of a certain size or less in A/R (For example: Events in A/R of 250 or less attendees are not covered by this ordinance)
- Specifically exclude small family farms that meet the USDA's definition (based on GCFI - Gross Cash Farm Income)
- Although this doesn't apply to me personally, it may be useful to include wording that caps the fees for non-profits so that they are able to comply and continue to host special events.

Thank you so much for your time,
Holly Longino
freebirdfarm.com

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Presentation by Ross & Associates & Hatley Plans, LLC - Impact Fee Methodology Report.

Background/History/Details:

This presentation is part of the Impact Fee Update Contract with Ross & Associates/Hatley Plans to provide an updated Methodology Report. The report focuses on the public facilities that will be needed to meet the demands of future growth and development while maintaining the current level of service enjoyed by residents and businesses in the county today. The key is that each capital improvement, whether it's land, buildings or long-lived vehicles, must create new capacity within the system to keep pace with the number of future residents and businesses as the county grows. The Methodology Report includes updated forecasts of population, housing units and employment for the county; capital improvement projects to serve new growth, based on appropriate Level of Service (LOS) standards for each public facility category; the impact cost of new growth and development.

This is an opportunity for the Board to review and ask questions about the Impact Fee Methodology Report, which is the cornerstone of developing the updated Capital Improvement Element (CIE), a component of the Comprehensive Plan. In a month or so, we will submit the Draft CIE to the Board for a Resolution to Transmit the draft to Atlanta Regional Commission (ARC) for review.

What action are you seeking from the Board of Commissioners?

No action is needed at this time. This is an opportunity for the Board to review and ask questions about the Impact Fee Methodology Report, which is the cornerstone of developing the updated Capital Improvement Element (CIE), which is a component of the Comprehensive Plan.

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:

Impact Fee Program *Methodology Report*



Including the following public facility categories:

Parks and Recreation

Fire Protection

Emergency Medical Services

9.20.23 DRAFT

ROSS+associates
urban planning & plan implementation

in association with
Hatley Plans LLC

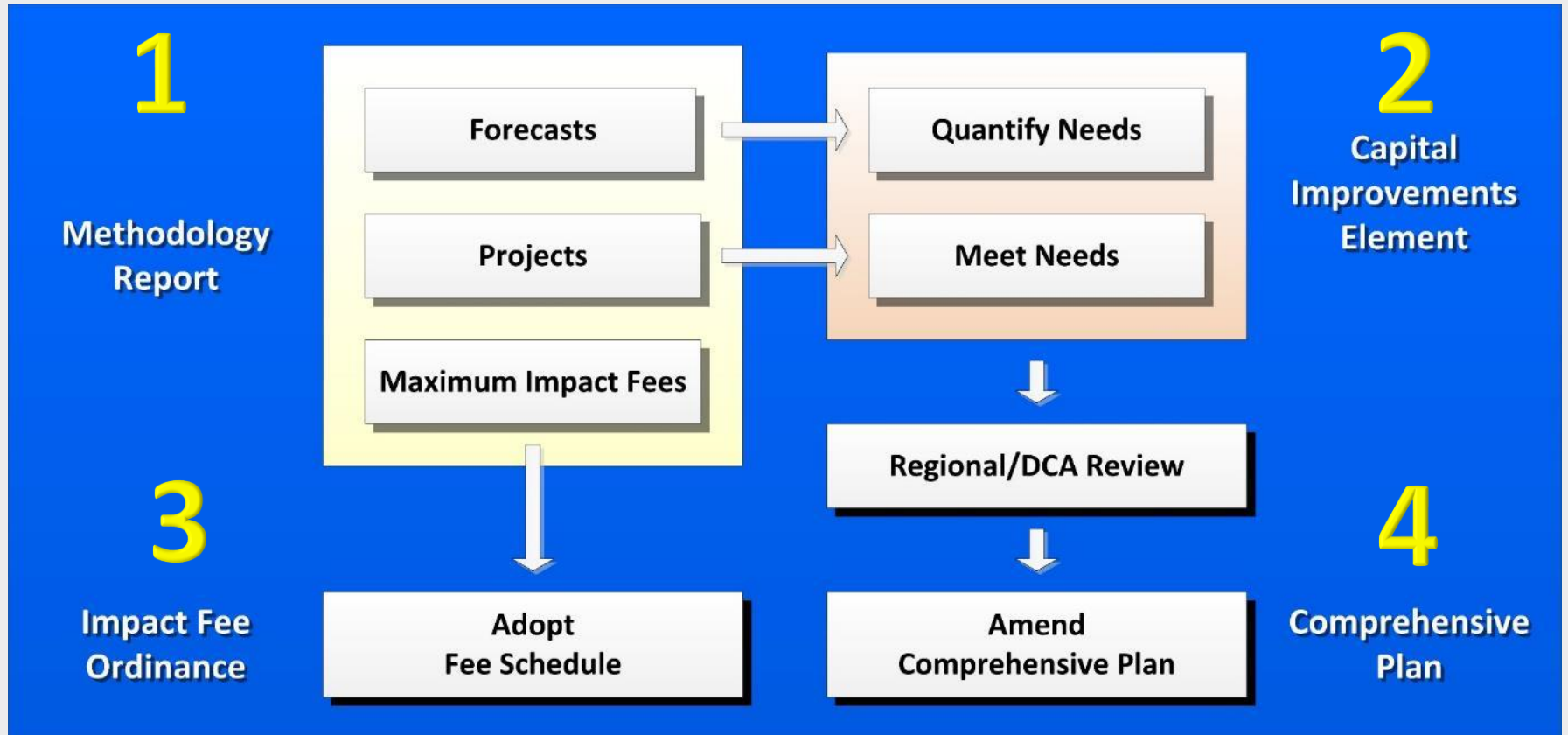
Impact Fee Program Update

Draft Methodology Report Briefing

Fayette County Board of Commissioners

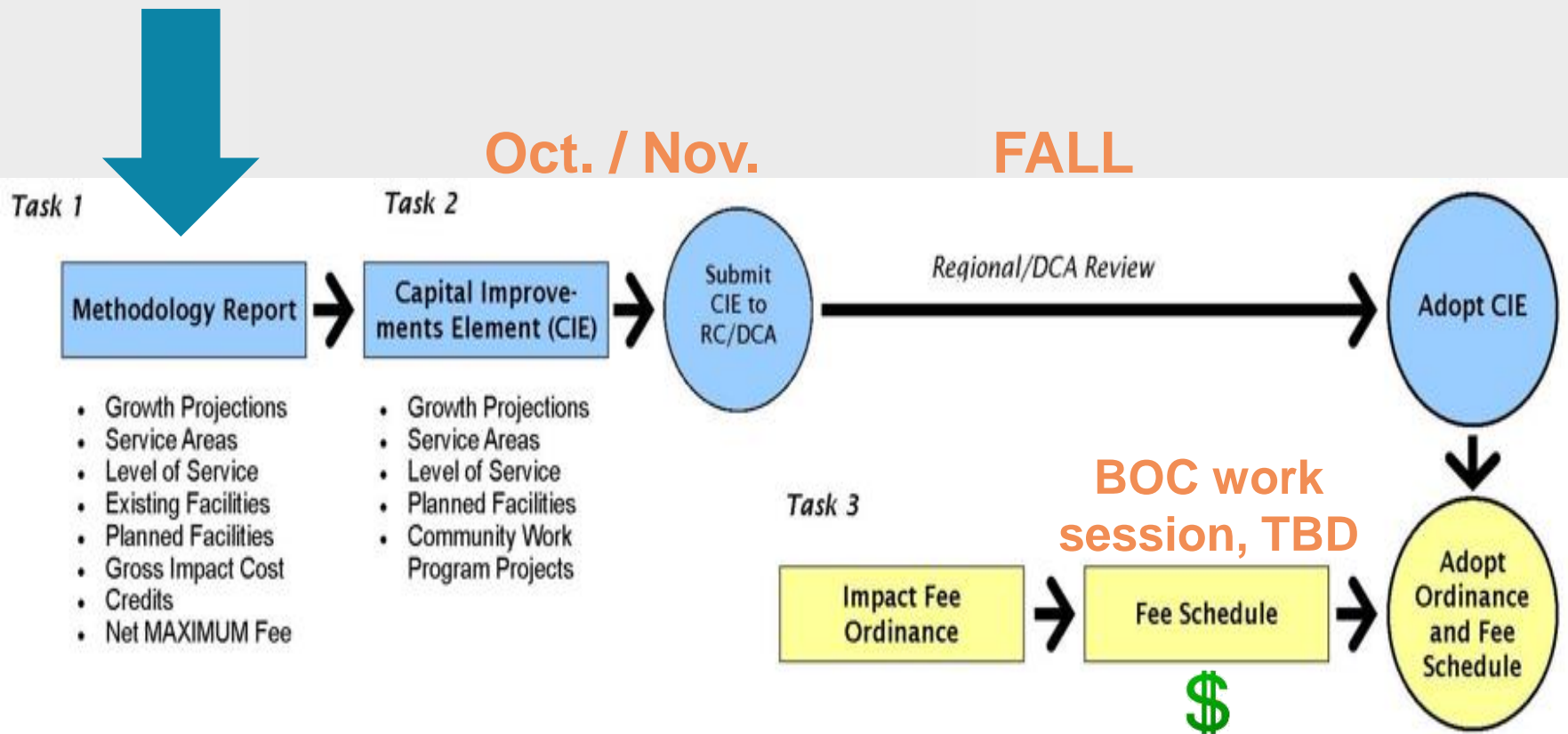
9.28.23

Where are we? *Project Workflow*



Where are we? *Project Workflow*

Impact Fee Program Update:



First, the Methodology Report

The **Methodology Report** sets out ...

... **forecasts to 2045** to calculate the demand for future services,

... **projected needs** for system improvements during the 20+ year planning horizon,

... **capital improvements** that will meet the anticipated need for system improvements, and

... the **maximum impact fee that could be charged** to help pay for the system improvements.

Then, the Capital Improvements Element

The **CIE** sets out ...

... **forecasts to 2045** to calculate the demand for future services,

... **projected needs** for system improvements during the 20+ year planning horizon,

... **capital improvements** that will meet the anticipated need for system improvements, and

... the maximum impact fee that could be charged to help pay for the system improvements.

...and 5-Year Community Work Program

Then, the
Capital
Improvements
Element

- Buildings
- Heavy vehicles
- Acreage
- Recreation components



***Meanwhile...
(while CIE is
under DCA
review)***

We need to discuss...

...**impact fee schedule** for adoption

- *maximum fees vs. current fees*
- *fees in other communities*
- *fee scenarios – interactive exercise*

...**ways to reduce** impact fees

- *adoption of reduced fee schedule*
- *individual fee assessment*
- *individual appeals*
- *developer agreement (credits)*
- *exemptions*

*Coming
Up...*

- ✓ **Methodology Report** (*finalize*)
- **CIE Transmittal** Public Hearing
- **BOC work session** to discuss **fees** & impact fee ordinance
- Impact Fee **Ordinance** – **2** public **hearings**
- **Adoption** of CIE & Ordinance (*CIE first or both at same meeting*)

Impact Fee Program

Methodology Report



Including the following public facility categories:



Parks and Recreation

Fire Protection

*Emergency
Medical Services*



9.22.23 DRAFT



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urban planning & plan implementation

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Hatley Plans LLC

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Introduction

Impact fees present a potential revenue source for public facilities funding. This Methodology Report focuses on public facilities that are needed to meet the demands of future growth and development while maintaining the current level of service enjoyed by residents and businesses in the county today. Based on that analysis, calculations have been carried out in order to identify what portion of future facilities could be funded through impact fee collections as well as the maximum allowable impact fee for each public facility category.

This report is part of an update to the County's impact fee program, which was first adopted in 1999. The public facility category that was included in the initial impact fee program—Fire Protection—is included and updated in this Methodology Report. In addition, two new public facility categories are added: Parks and Recreation, and Emergency Medical Services (EMS).

■ Impact Fees Authorized

Impact Fees Authorized by the State

Impact fees are a form of revenue authorized and regulated in Georgia pursuant to O.C.G.A. §36-71-1 et seq., the *Georgia Development Impact Fee Act (DIFA)*, and are administered by the Georgia Department of Community Affairs under Chapter 110-12-2, *Development Impact Fee Compliance Requirements*, of the Georgia Administrative Code.

Under DIFA, a city or county can collect money from new development based on—and that does not exceed—that development's proportionate share of the cost to fund future public facilities that will be needed. Impact fees cannot be used to solve existing service deficiencies and must be spent only on public facilities that create new capacity to keep pace with the number of future residents and businesses as the county grows.

The key is that each capital improvement, whether it's land, buildings or long-lived vehicles, must create new capacity within the system to keep pace with the number of future residents and businesses as the county grows. Maintenance and personnel are not eligible for impact fee funding, nor would replacement of deteriorated floor space or a run-down vehicle because, although the replacement is maintaining the level of service, no new capacity is created to serve the needs of new growth.

Ultimately, and importantly, the services provided in the public facility categories for which impact fees are being charged must be the same for both the existing community and future growth.

Categories for Assessment of Impact Fees

The chart on the following page shows the public facility categories and specific facility types that are eligible for impact fee funding under Georgia law and that are currently included in the County's impact fee program and thus addressed in this report.

The service area for each public facility category—that is, the geographical area served by the facility category—is also given, along with the basis for the standard adopted as the level of service to be delivered for each facility category.

Table 1: Overview of Impact Fee Program - Public Facilities

Public Facility Categories	Eligible Facilities	Service Area	Level of Service Standard Based on ...
Parks and Recreation	Park land and recreation components	Brooks & Unincorporated Area	Acreage and number of recreation components per dwelling unit
Fire Protection	Fire stations, fire trucks & auxiliary vehicles	Brooks, Woolsey, Tyrone & Unincorporated Area	Square footage of facilities and number of vehicles per day-night population
Emergency Medical Services	Ambulances, EMS building space	Brooks, Woolsey, Tyrone, Fayetteville & Unincorporated Area	Square footage of facilities and number of vehicles per day-night population

Eligible Facilities¹ under the Georgia Development Impact Fee Act (DIFA) are limited to capital items having a life expectancy of at least 10 years, such as land, buildings and certain vehicles. Impact fees cannot be used for the maintenance, supplies, personnel salaries, or other operational costs, or for short-term capital items such as computers, furniture or most automobiles. None of these costs are included in the impact fee program.

Service Areas are the geographic areas that the facilities serve, and the areas within which the impact fee can be collected. Monies collected in a service area for a particular category may only be spent for that purpose, and only for projects that serve that service area.

Level of Service Standards are critical to determining new development's fair share of the costs. The same standards must be applied to existing development as well as new to assure that each is paying only for the facilities that serve it. New development cannot be required to pay for facilities at a higher standard than that available to existing residents and businesses, nor to subsidize existing facility deficiencies.

■ Editorial Conventions

This report observes the following conventions:

- The capitalized word 'County' applies to the government of Fayette County, the Board of Commissioners or any of its departments or officials, as appropriate to the context.
- The lower case word 'county' refers to the geographical area of Fayette County, as in "the population of the county has grown".
- Single quote marks (' and ') are used to highlight a word or phrase that has a particular meaning or refers to a heading in a table.
- Double quote marks (" and ") are used to set off a word or phrase that is a direct quote taken from another source, such as a passage or requirement copied directly from a law or report.
- Importantly... Numbers shown on tables in this report are often rounded from the actual calculation of the figures for clarity, but the actual calculated number of decimal points is retained within the table for accuracy and further calculations.

¹ For a complete list of 'eligible facilities' allowed under DIFA, see 'public facilities' in the Glossary in this report. Fayette County's impact fee program, however, comprises only those listed above.

Updating the Impact Fee Program

Fayette County adopted its impact fee program in 1999. Since then, the County has been collecting impact fees to help pay for the capital costs of fire protection services. This Methodology Report is part of a comprehensive update to the impact fee program, which is being expanded to also address EMS and parks and recreation services.

This report updates the County's documentation, including the recognition of current prices and costs for needed capital equipment and facilities, and extends the horizon of the program to 2045. Subsequent adoption of a new CIE (also called a 'CIE Amendment') and fee schedule (via amendment to the current Development Impact Fee Ordinance) by the Board of Commissioners would fully update the County's program.

■ Impact Fee Program Documentation

The Fayette County Impact Fee Program consists of four components:

- A **Methodology Report**, which includes methodologies used to determine new development's fair share of the County's investment in its parks, fire protection, and EMS facilities.
- A **Capital Improvements Element (CIE)** to implement the County's proposed list of future project improvements, including a 5-Year Community Work Program.
- A **Development Impact Fee Ordinance**, including an impact fee schedule by land use category.
- The County's **Comprehensive Plan**, of which the CIE is a component.



This **Methodology Report** identifies the need for new public facilities and includes a compilation of the capital facilities on which impact fee revenue can be spent. The calculations and information contained in this report—repeated (as applicable) for each category of public facility for which an impact fee will be charged—are:

- a *projection of needs* to 2045;
- the designation of geographic *service areas*—where a defined set of public facilities provide service to development;
- the designation of *levels of service (LOS)*—the service level that is being and will be provided;
- a *list of impact fee eligible capital improvement projects* to serve new growth, based on appropriate LOS standards, through 2045;
- the calculation of the cost impact of new growth and development (and thus the *maximum impact fees* that could be adopted, by land use category).

Information from this report will be used to craft an amended **Capital Improvements Element (CIE)**. The CIE will include growth forecasts and identified capital improvement projects and costs from this report, along with an excerpted list of projects expected to be done in the next five years.

Upon adoption of the CIE Amendment, the County can spend impact fees on the projects identified therein. In order to update its current fee schedule, the County must amend its **Development Impact Fee Ordinance**. As stated above, this report will calculate the *maximum* impact fees that *could* be charged, with the final fee schedule to be determined by the Board of Commissioners and amended into the current Ordinance.

Upon adoption of the amended ordinance, in conjunction with the CIE described above, the County may begin collecting impact fees under its new fee schedule. The impact fees will be used to fund the projects listed in the amended CIE. The CIE's adoption will also automatically amend the **Comprehensive Plan**, since the CIE is a required element of that plan for communities that collect impact fees.

■ Maximum Impact Fee Schedule

As previously noted, an amended Capital Improvements Element (based on information in this Methodology Report) will result in an updated list of impact fee eligible projects. In updating the fee schedule to address the new public facility categories (parks and EMS) and potentially change the fees that are currently assess for fire protection services, it is important to know the **maximum impact fee that *could* be charged** for the applicable public facility categories, based on the calculations carried out in the following chapters.

Because the state law provides that new growth and development cannot be charged more than their fair proportionate share of the costs of the capital improvements needed to serve them, this Methodology Report calculates the maximum that could be charged as an impact fee in order to establish the 'ceiling' above which the County cannot go. Lower fees, however, are fully within the purview of the Board, although the 'shortfall' in funding would have to be made up from revenue other than impact fees.

The summary fee schedule presented on the following pages shows the total maximum impact fee that could be charged for each of the land use categories shown, drawn from each of the public facility chapters in this report. The total maximums reflect reductions for any credit based upon anticipated tax contributions from new development, when applicable, as well as a 3% fee for administration of the Impact Fee Program and a charge for recoupment of the cost to prepare the CIE, as allowed under State law.

The 'Total Maximum Fee' shown in the last column is the total maximum fee—per unit of measure—that is allowed in each public facility category, by land use category.² These maximums are presented to generate discussion and determination by the Board of Commissioners as to the appropriate fees to be charged. As discussed below, **the County cannot charge more than the maximum in any given public facility category, only less.**

² The land uses are the most common as identified in the Trip Generation Manual, 11th Edition, Institute of Transportation Engineers. (Data from the Trip Generation Manual is used to calculate the average number of employees per unit of measure for non-residential uses.) Definitions for each land use in the fee schedule will be included in the Final Methodology Report document.

Methodology Report | Updating the Impact Fee Program

Table 2: Summary Maximum Impact Fee Schedule

ITE Code	Land Use	Parks & Recreation	Fire Protection	EMS	Net Fee Per Unit	Admin.	CIE Prep	Total Fee per Unit	Unit of Measure
<i>Residential (200-299)</i>									
210	Single-Family Detached Housing	\$ 4,604.4966	\$ 1,566.2440	\$ 209.3803	\$ 6,380.1209	\$ 191.4036	\$ 95.7018	\$ 6,667.2263	per dwelling
215	Duplex or Townhouse 1-3 stories	\$ 4,604.4966	\$ 1,566.2440	\$ 209.3803	\$ 6,380.1209	\$ 191.4036	\$ 95.7018	\$ 6,667.2263	per dwelling
220	Multi-Family Low Rise 2-3 stories	\$ 4,604.4966	\$ 1,566.2440	\$ 209.3803	\$ 6,380.1209	\$ 191.4036	\$ 95.7018	\$ 6,667.2263	per dwelling
221	Mid-Rise Multi-Family 4-10 stories	\$ 4,604.4966	\$ 1,566.2440	\$ 209.3803	\$ 6,380.1209	\$ 191.4036	\$ 95.7018	\$ 6,667.2263	per dwelling
<i>Industrial (100-199)</i>									
110	General Light Industrial	\$ -	\$ 0.8770	\$ 0.1135	\$ 0.9905	\$ 0.0297	\$ 0.0149	\$ 1.0351	per square foot
140	Manufacturing	\$ -	\$ 1.0764	\$ 0.1392	\$ 1.2156	\$ 0.0365	\$ 0.0182	\$ 1.2703	per square foot
150	Warehousing	\$ -	\$ 0.1926	\$ 0.0249	\$ 0.2175	\$ 0.0065	\$ 0.0033	\$ 0.2273	per square foot
154	High-Cube Warehouse, short term	\$ -	\$ 0.3716	\$ 0.0480	\$ 0.4196	\$ 0.0126	\$ 0.0063	\$ 0.4385	per square foot
155	High-Cube Warehouse, fulfillment center	\$ -	\$ 0.3716	\$ 0.0480	\$ 0.4196	\$ 0.0126	\$ 0.0063	\$ 0.4385	per square foot
156	High-Cube Hub Warehouse	\$ -	\$ 0.3890	\$ 0.0503	\$ 0.4393	\$ 0.0132	\$ 0.0066	\$ 0.4591	per square foot
180	Specialty Trade Contractor	\$ -	\$ 1.5387	\$ 0.1991	\$ 1.7378	\$ 0.0521	\$ 0.0261	\$ 1.8160	per square foot
<i>Lodging (300-399)</i>									
310	Hotel or Conference Hotel	\$ -	\$ 316.9275	\$ 41.0123	\$ 357.9398	\$ 10.7381	\$ 5.3691	\$ 374.0470	per room
311	All Suites Hotel	\$ -	\$ 525.7848	\$ 68.0398	\$ 593.8246	\$ 17.8146	\$ 8.9073	\$ 620.5465	per room
320	Motel	\$ -	\$ 75.7048	\$ 9.7966	\$ 85.5014	\$ 2.5649	\$ 1.2825	\$ 89.3489	per room
<i>Recreational (400-499)</i>									
445	Movie Theater	\$ -	\$ 0.8058	\$ 0.1042	\$ 0.9100	\$ 0.0273	\$ 0.0137	\$ 0.9510	per square foot
480	Amusement Park	\$ -	\$ 1.2648	\$ 0.1636	\$ 1.4284	\$ 0.0429	\$ 0.0214	\$ 1.4926	per acre
491	Racquet/Tennis Club	\$ -	\$ 0.2701	\$ 0.0349	\$ 0.3050	\$ 0.0091	\$ 0.0046	\$ 0.3187	per square foot
495	Recreational Community Center	\$ -	\$ 0.6016	\$ 0.0778	\$ 0.6794	\$ 0.0204	\$ 0.0102	\$ 0.7100	per square foot
<i>Institutional (500-599)</i>									
520	Private Elementary School	\$ -	\$ 12.7981	\$ 1.6561	\$ 14.4542	\$ 0.4336	\$ 0.2168	\$ 15.1046	per employee
522	Private Middle School (Junior High)	\$ -	\$ 14.3054	\$ 1.8512	\$ 16.1566	\$ 0.4847	\$ 0.2423	\$ 16.8837	per employee
530	Private High School	\$ -	\$ 8.6003	\$ 1.1129	\$ 9.7132	\$ 0.2914	\$ 0.1457	\$ 10.1503	per employee
560	Church/Place of Worship	\$ -	\$ 0.2159	\$ 0.0279	\$ 0.2439	\$ 0.0073	\$ 0.0037	\$ 0.2549	per square foot
565	Day Care Center	\$ -	\$ 1.2669	\$ 0.1639	\$ 1.4309	\$ 0.0429	\$ 0.0215	\$ 1.4952	per square foot
566	Cemetery	\$ -	\$ 59.2935	\$ 7.6729	\$ 66.9664	\$ 2.0090	\$ 1.0045	\$ 69.9799	per acre
<i>Medical (600-699)</i>									
610	Hospital	\$ -	\$ 1.6249	\$ 0.2102	\$ 1.8351	\$ 0.0551	\$ 0.0275	\$ 1.9177	per square foot
620	Nursing Home	\$ -	\$ 1.1599	\$ 0.1501	\$ 1.3100	\$ 0.0393	\$ 0.0197	\$ 1.3690	per square foot
630	Clinic	\$ -	\$ 1.5386	\$ 0.1991	\$ 1.7377	\$ 0.0521	\$ 0.0261	\$ 1.8159	per square foot
640	Veterinary Clinic	\$ -	\$ 0.9636	\$ 0.1247	\$ 1.0883	\$ 0.0326	\$ 0.0163	\$ 1.1373	per square foot

Methodology Report | Updating the Impact Fee Program

Table 2: Summary Maximum Impact Fee Schedule

ITE Code	Land Use	Parks & Recreation	Fire Protection	EMS	Net Fee Per Unit	Admin.	CIE Prep	Total Fee per Unit	Unit of Measure
<i>Office (700-799)</i>									
710	General Office Building	\$ -	\$ 1.8516	\$ 0.2396	\$ 2.0912	\$ 0.0627	\$ 0.0314	\$ 2.1853	per square foot
712	Small Office Building	\$ -	\$ 1.0413	\$ 0.1347	\$ 1.1760	\$ 0.0353	\$ 0.0176	\$ 1.2289	per square foot
714	Corporate Headquarters Building	\$ -	\$ 1.9575	\$ 0.2533	\$ 2.2108	\$ 0.0663	\$ 0.0332	\$ 2.3103	per square foot
715	Single-Tenant Office Building	\$ -	\$ 1.9309	\$ 0.2498	\$ 2.1807	\$ 0.0654	\$ 0.0327	\$ 2.2788	per square foot
720	Medical-Dental Office Building	\$ -	\$ 2.3509	\$ 0.3042	\$ 2.6551	\$ 0.0797	\$ 0.0398	\$ 2.7746	per square foot
750	Office Park	\$ -	\$ 1.7787	\$ 0.2301	\$ 2.0088	\$ 0.0603	\$ 0.0301	\$ 2.0992	per square foot
760	Research and Development Center	\$ -	\$ 1.8701	\$ 0.2420	\$ 2.1121	\$ 0.0634	\$ 0.0317	\$ 2.2071	per square foot
770	Business Park	\$ -	\$ 1.7514	\$ 0.2266	\$ 1.9780	\$ 0.0593	\$ 0.0297	\$ 2.0670	per square foot
<i>Retail (800-899)</i>									
812	Building Materials and Lumber Store	\$ -	\$ 0.3915	\$ 0.0506	\$ 0.4421	\$ 0.0133	\$ 0.0066	\$ 0.4620	per square foot
814	Variety Store	\$ -	\$ 0.3788	\$ 0.0490	\$ 0.4278	\$ 0.0128	\$ 0.0064	\$ 0.4471	per square foot
815	Free-Standing Discount Store	\$ -	\$ 1.2440	\$ 0.1609	\$ 1.4049	\$ 0.0421	\$ 0.0211	\$ 1.4681	per square foot
816	Hardware/Paint Store	\$ -	\$ 0.1657	\$ 0.0214	\$ 0.1871	\$ 0.0056	\$ 0.0028	\$ 0.1955	per square foot
817	Nursery (Garden Center)	\$ -	\$ 1.7744	\$ 0.2296	\$ 2.0040	\$ 0.0601	\$ 0.0301	\$ 2.0942	per square foot
818	Nursery (Wholesale)	\$ -	\$ 0.9480	\$ 0.1226	\$ 1.0706	\$ 0.0321	\$ 0.0161	\$ 1.1188	per square foot
820	Shopping Center	\$ -	\$ 1.2084	\$ 0.1563	\$ 1.3647	\$ 0.0409	\$ 0.0204	\$ 1.4260	per square foot
822	Strip Retail Plaza	\$ -	\$ 1.2084	\$ 0.1563	\$ 1.3647	\$ 0.0409	\$ 0.0204	\$ 1.4261	per square foot
840	Automobile Sales (New)	\$ -	\$ 1.4138	\$ 0.1829	\$ 1.5967	\$ 0.0479	\$ 0.0240	\$ 1.6686	per square foot
841	Automobile Sales Used	\$ -	\$ 1.2333	\$ 0.1595	\$ 1.3928	\$ 0.0417	\$ 0.0209	\$ 1.4554	per square foot
842	Recreation Vehicle Sales	\$ -	\$ 0.3609	\$ 0.0467	\$ 0.4076	\$ 0.0122	\$ 0.0061	\$ 0.4259	per square foot
843	Auto Parts Store	\$ -	\$ 0.5460	\$ 0.0706	\$ 0.6166	\$ 0.0185	\$ 0.0092	\$ 0.6443	per square foot
848	Tire Store	\$ -	\$ 0.7280	\$ 0.0942	\$ 0.8222	\$ 0.0247	\$ 0.0123	\$ 0.8592	per square foot
850	Supermarket	\$ -	\$ 1.2169	\$ 0.1574	\$ 1.3743	\$ 0.0412	\$ 0.0206	\$ 1.4361	per square foot
857	Discount Club	\$ -	\$ 0.7498	\$ 0.0970	\$ 0.8468	\$ 0.0254	\$ 0.0127	\$ 0.8849	per square foot
861	Sporting Goods Superstore	\$ -	\$ 3.0464	\$ 0.3942	\$ 3.4406	\$ 0.1032	\$ 0.0516	\$ 3.5954	per square foot
880	Pharmacy/Drugstore - no drive-through	\$ -	\$ 0.8914	\$ 0.1154	\$ 1.0068	\$ 0.0302	\$ 0.0151	\$ 1.0521	per square foot
881	Pharmacy/Drugstore w/drive-through	\$ -	\$ 0.9499	\$ 0.1229	\$ 1.0728	\$ 0.0322	\$ 0.0161	\$ 1.1211	per square foot
890	Furniture Store	\$ -	\$ 0.3278	\$ 0.0424	\$ 0.3702	\$ 0.0111	\$ 0.0056	\$ 0.3869	per square foot
<i>Services (900-999)</i>									
912	Drive-in Bank	\$ -	\$ 1.7439	\$ 0.2256	\$ 1.9695	\$ 0.0591	\$ 0.0295	\$ 2.0581	per square foot
930	Fast Casual Restaurant	\$ -	\$ 2.8680	\$ 0.3711	\$ 3.2391	\$ 0.0971	\$ 0.0485	\$ 3.3848	per square foot
931	Fine Dining Restaurant	\$ -	\$ 2.8680	\$ 0.3711	\$ 3.2391	\$ 0.0971	\$ 0.0485	\$ 3.3848	per square foot
932	High-Turnover (Sit-Down) Restaurant	\$ -	\$ 2.8680	\$ 0.3711	\$ 3.2391	\$ 0.0971	\$ 0.0485	\$ 3.3848	per square foot
934	Fast-Food Restaurant	\$ -	\$ 5.9726	\$ 0.7729	\$ 6.7455	\$ 0.2024	\$ 0.1012	\$ 7.0490	per square foot
941	Quick Lubrication Vehicle Shop	\$ -	\$ 2.4732	\$ 0.3200	\$ 2.7932	\$ 0.0838	\$ 0.0419	\$ 2.9189	per square foot
943	Automobile Parts & Service	\$ -	\$ 0.8253	\$ 0.1068	\$ 0.9321	\$ 0.0280	\$ 0.0140	\$ 0.9740	per square foot
944	Gasoline/Service Station	\$ -	\$ 152.3013	\$ 19.7087	\$ 172.0100	\$ 5.1603	\$ 2.5802	\$ 179.7505	per pump
945	Convenience Store w/gas (< 5501 sf)	\$ -	\$ 227.6683	\$ 29.4617	\$ 257.1300	\$ 7.7138	\$ 3.8570	\$ 268.7008	per pump
945	Convenience Store w/gas (> 5500 sf)	\$ -	\$ 306.1343	\$ 39.6157	\$ 345.7500	\$ 10.3725	\$ 5.1863	\$ 361.3088	per pump
947	Self-Service Car Wash	\$ -	\$ 95.6255	\$ 12.3745	\$ 108.0000	\$ 3.2400	\$ 1.6200	\$ 112.8600	per stall
949	Car Wash & Detail Center	\$ -	\$ 138.3028	\$ 17.8972	\$ 156.2000	\$ 4.6860	\$ 2.3430	\$ 163.2290	per stall
950	Truck Stop	\$ -	\$ 198.3343	\$ 25.6657	\$ 224.0000	\$ 6.7199	\$ 3.3599	\$ 234.0798	per pump

■ Reductions in Impact Fee Assessments

As noted, the fee schedule on the previous pages shows the maximum impact fee that *could* be adopted. There are, however, several ways that a lower impact fee could be charged, either for a specific project, across the board for all projects, or for a group of specific land use categories that are of special benefit to the County. These are discussed below.

Adoption of Reduced Impact Fees

The County may adopt the maximum fee for any given public facility category, or could adopt a lower fee, as part of the Impact Fee Ordinance. In order to fulfill DIFA's requirement that new growth pay its fair, proportionate share, all fees in a particular public facility category could be reduced proportionally (that is, by the same percentage), but individual land use categories within the particular public facility category cannot be individually reduced or deleted.

It must be remembered that any across-the-board reduction in the maximum allowable impact fee must be funded ultimately with other revenue—General Fund or SPLOST, for instance—to make up the shortfall in collections. An alternate approach is to determine that individual projects that are eligible to be funded with impact fees will, instead, be funded through other revenue sources (such as SPLOST, bonds, General Fund taxes, or other income sources).

Individual Fee Assessment

A landowner or developer may request an 'individual assessment' when the average figures used in this Methodology Report do not apply to the specific project being proposed. This individual assessment determination will be made preferentially on alternate data available regarding the number of housing units or employment characteristics of the specific project, as applicable. Under the appeal procedures of the Development Impact Fee Ordinance, special circumstances can be considered and approved in modifying the fee for a particular project demonstrably differing from the average values used in this methodology.

Individual Appeals

The Impact Fee Ordinance provides for the appeal by anyone assessed an impact fee, first to the Impact Fee Administrator and then, if not resolved, to the Board of Commissioners.

Exemptions

Exemptions from the established impact fee amounts on the adopted Impact Fee Schedule can be adopted by the Board of Commissioners for development that represents 'extraordinary economic or employment growth' or for 'affordable housing', as defined by the Board. The exemptions must be enabled as part of the Impact Fee Ordinance and can be applied by the Board in whole or in part to specified uses based on standards spelled out in separately adopted Resolutions.

It is important to note that any exemptions granted must be made up in the applicable impact fee fund(s) from County revenue other than impact fees.

■ Period Review Recommended

A number of the factors that form the baseline assumptions in this report's impact cost calculations may change over time. The impact fee methodologies for the public facilities categories should be reviewed from time to time and should reflect changes in the growth and development of the county. Also, the fiscal elements of the impact fee system should be brought up to 'current' dollars to account for inflation.

- Like the County's Comprehensive Plan, the 'planning horizon' of this report is long-range. When that plan is next updated, this report and its methodologies should be reviewed and updated as

needed to meet any new 'planning horizon'. Any updates would also carry over into the CIE and, potentially, the Impact Fee Ordinance as described in the previous section.

- Population and employment projections should be reviewed periodically against other data, such as building permits and utility hook-ups, to confirm continuing validity or to make modifications.
- Costs should be maintained in present value terms. Land costs and various facility construction costs should be reviewed periodically. The cost of library collection materials, recreation components (such as playground equipment and pavilions) and heavy vehicles also should be updated to then-current dollars.
- Data that is used to calculate credits in impact fee calculations to avoid 'double taxation' should be updated to reflect actual growth. This includes projections in tax base growth, average new house values and assessed value per employee.
- Any changes in funding strategy for the facilities included in the impact fee program should be reflected in the impact fee calculation.

Changes in the pace of development will affect the timing of service delivery but not, *per se*, the methodology used to calculate the impact costs. If more residential and business development is built than was projected, facilities will be needed sooner to meet the level of service standard. Tax revenues will increase faster than projected as growth accelerates and more impact fees will be collected. In this way, more funds are produced to provide the facilities and services demanded. If growth slows, the opposite occurs: reduced revenue and lowered demand for services.

Summary Forecasts

In order to accurately calculate the demand for future services in Fayette County, new growth and development must be quantified in future projections. These projections include forecasts for population, housing, and employment to the year 2045, which provide the baseline conditions from which the 2023 Level of Service calculations are produced. The projections used for each public facility category are specified in each public facility chapter.

This chapter presents a summary of the forecasts that have been identified as the most likely for Fayette County's three service areas based on an analysis of past trends. For a more detailed description of the methodologies used in preparing the forecasts, see Appendix A included in this report.

■ Service Area Forecasts

Table 3 shows the projections used in calculating the maximum impact fees for county facilities in each of the three service areas. The population figures represent a projection forward of past annual population figures (i.e., the past growth rate) reported by the Census Bureau through 2022. To calculate the number of housing units anticipated in the future, the number of households (which equates to the number of occupied housing units) is calculated by dividing the most recently reported average household size in the county into the population forecasts, and then that is expanded to the total number of housing units by adding in vacant units. Employment forecasts are based on Woods & Poole Economics, Inc.³ data, as further described in the Appendix.

The number of housing units is used in calculating appropriate maximum impact fees for residential uses. The 'day-night' population (described on the next page) is used to calculate the maximum fee for all non-residential uses (which do not apply to the parks & recreation category). Accordingly, these figures are highlighted in the table.

Table 3: Future Growth Projections by Service Area

Year	Parks & Recreation				Fire Protection				Emergency Medical Services			
	Population	Housing Units	Employees	Day-Night Population	Population	Housing Units	Employees	Day-Night Population	Population	Housing Units	Employees	Day-Night Population
2023	55,150	20,089	14,421	69,571	63,460	23,264	18,545	82,005	83,594	29,610	36,864	120,458
2024	55,636	20,224	14,650	70,286	64,146	23,467	18,839	82,985	84,734	29,952	37,448	122,182
2025	56,127	20,436	15,107	71,234	64,840	23,760	19,426	84,266	85,891	30,411	38,615	124,506
2026	56,623	20,644	15,472	72,095	65,541	24,048	19,896	85,437	87,063	30,866	39,550	126,613
2027	57,123	20,760	15,837	72,960	66,249	24,230	20,366	86,615	88,251	31,187	40,484	128,735
2028	57,627	20,959	16,203	73,830	66,966	24,511	20,836	87,802	89,456	31,637	41,417	130,873
2029	58,136	21,152	16,568	74,704	67,690	24,786	21,306	88,996	90,677	32,082	42,352	133,029
2030	58,649	21,341	16,934	75,583	68,422	25,056	21,777	90,199	91,914	32,522	43,287	135,201
2031	59,167	21,526	17,335	76,502	69,162	25,323	22,292	91,454	93,169	32,962	44,312	137,481
2032	59,689	21,708	17,735	77,424	69,909	25,587	22,807	92,716	94,441	33,399	45,336	139,777
2033	60,216	21,887	18,137	78,353	70,665	25,849	23,323	93,988	95,729	33,836	46,361	142,090
2034	60,747	22,065	18,537	79,284	71,429	26,110	23,838	95,267	97,036	34,274	47,385	144,421
2035	61,283	22,336	18,938	80,221	72,202	26,484	24,354	96,556	98,360	34,661	48,411	146,771
2036	61,824	22,515	19,381	81,205	72,982	26,748	24,923	97,905	99,703	35,308	49,541	149,244
2037	62,370	22,695	19,823	82,193	73,772	27,015	25,492	99,264	101,064	35,760	50,671	151,735
2038	62,921	22,875	20,265	83,186	74,569	27,282	26,060	100,629	102,443	36,215	51,802	154,245
2039	63,476	23,054	20,707	84,183	75,376	27,550	26,629	102,005	103,841	36,673	52,932	156,773
2040	64,036	23,332	21,149	85,185	76,191	27,939	27,198	103,389	105,258	37,294	54,062	159,320
2041	64,602	23,520	21,630	86,232	77,014	28,218	27,817	104,831	106,695	37,773	55,293	161,988
2042	65,172	23,714	22,112	87,284	77,847	28,507	28,435	106,282	108,151	38,266	56,523	164,674
2043	65,747	23,914	22,593	88,340	78,689	28,804	29,055	107,744	109,627	38,774	57,753	167,380
2044	66,328	24,120	23,074	89,402	79,540	29,109	29,673	109,213	111,124	39,295	58,983	170,107
2045	66,913	24,326	23,555	90,468	80,400	29,416	30,292	110,692	112,640	39,821	60,214	172,854
2023-2045 Increase	11,763	4,237	9,134	20,897	16,940	6,152	11,747	28,687	29,046	10,211	23,350	52,396

³ Woods & Poole is a nationally recognized independent firm that specializes in long-term county economic data and demographic data projections. Their employment data include both full-time and part-time jobs by place of work.

Since **parks and recreation facilities** predominantly serve residents, impact fees for these facilities are based solely on housing units, as highlighted on Table 3. The projected increase in housing units over the next 20+ years in this service area (Town of Brooks and the unincorporated area of the county) quantifies demand for future parks and recreation facilities.

Housing units are also used to calculate impact fees for residential uses in the **fire protection and EMS** public facility categories; however, fire protection and EMS services are provided to non-residential uses as well. As such, impact fees for these services are also based on the projected day-night population, which combines the area's number of residents ('population') and businesses ('value-added' jobs⁴), because the services are available on a 24-hour basis. The use of the day-night population in impact fee calculations is based upon the clear rational nexus between persons and services demanded on a 24-hour basis.

The Fire & Emergency Services Department, for instance, protects one's house from fire whether or not the residents are at home, and protects stores and offices whether or not they are open for business. Thus, this 'day-night' population is a measure of the total services demanded of a 24-hour service provider facility and a fair way to allocate the costs of such a facility among all of the beneficiaries.

Service area forecasts for the Fire Protection and EMS public facility categories are also shown on Table 3. Fire protection services are provided to the Towns of Brooks, Tyrone and Woolsey, as well as the unincorporated area. The service area for EMS includes these same jurisdictions in addition to the City of Fayetteville.

⁴ 'Value-added' jobs are jobs in employment categories that create new or expanded places of business and are subject to building permits and thus impact fee assessments. They exclude governmental jobs which are exempt from impact fee assessments, as well as construction and agricultural jobs since they are transitory or non-site specific in nature and don't require building permits; as such, they are not assessed impact fees.

Parks and Recreation

■ Introduction

Public recreational opportunities are available through a number of parks facilities operated by the Fayette County Parks and Recreation Services Department. Demand for recreational facilities is almost exclusively related to the county's resident population. Businesses make some incidental use of public parks for office events, company softball leagues, etc., but the use is minimal compared to that of the families and individuals who live in the county. Thus, the Parks and Recreation impact fee is focused on future residential growth.

■ Service Area

Parks and recreation facilities are operated with a focus on their specific service area, which is comprised of the unincorporated area of the county and the Town of Brooks. The other municipalities have their own established parks and recreation systems that are utilized predominantly by those residents.

■ Level of Service and Forecasted Demand

'Level of Service' (LOS) is the relationship between service capacity and service demand for public facilities. The County has determined that existing amenities provided would also be appropriate to serve the future service area population – this is the adopted LOS, which is calculated by dividing the current inventory of each component by the current number of housing units in the county.

The LOS standard for all recreation components are then multiplied by the increase in housing units (through 2045) to produce the future demand for recreation amenities created by future growth, as shown under 'Future Demand' on Table 5 on the next page.

The existing inventory of parks and recreation components is shown on Table 4.

Table 4: Current Inventory of Park and Recreation Components

Park	Acres	Baseball Field	Basketball Court	Concessions Bldg	Concession/ RR Bldg	Disc Golf Course	Football Field	Multi-use Field	Parking Space	Picnic Pavilion	Play-ground	Restroom Bldg	Soccer Field	Softball Field	Tennis Court	Trail (miles)
Brooks Park	17.0	3			2				140	1	1			2		
McDonough Road Park*	59.4															
Kenwood Park	226.0		4					1	174	4	2	3			4	1
Kiwanis Park	40.0	11	1	2					650	3	1	2			4	
McCurry Park	130.0			2	1	1	3	2	933	10	4	4	12	7		3
Total	472.4	14	5	4	3	1	3	3	1,897	18	8	9	12	9	8	4

* Recent acquisition; final name TBD

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Table 5: Level of Service and New Growth Demand

Recreation Component Type	Current Inventory	Level of Service (LOS)*	Future Demand**	Total Needed (Rounded)***	% Impact Fee Eligible
Baseball Fields	14	0.000696899	2.95	3	98.33%
Basketball Courts (outdoor)	5	0.000248892	1.05	1	100.00%
Concessions Buildings	4	0.000199114	0.84	1	84.00%
Concessions/Restroom Buildings	3	0.000149335	0.63	1	63.00%
Disc Golf Courses	1	0.000049778	0.21	1	21.00%
Dog Parks	0	0.000164433	0.69	1	69.00%
Fishing Dock	0	0.000041108	0.17	1	17.00%
Football Fields	3	0.000149335	0.63	1	63.00%
Multi-purpose Fields	3	0.000149335	0.63	1	63.00%
Outdoor Fitness Park	0	0.000205541	0.87	1	87.00%
Park Land	472.4 acres	0.023515357	99.63	99	100.00%
Parking	1,897 spaces	0.094429787	400.09	400	100.00%
Pickleball Courts (outdoor)	0	0.000657732	2.78	3	92.67%
Picnic Pavilions	18	0.000896013	3.79	4	94.75%
Playgrounds	8	0.000398228	1.68	2	84.00%
Recreation Building Space	23,983 ¹ sq.ft.	1.193837423	5,058.28	5,058	100.00%
Restroom Buildings	9	0.000448006	1.89	2	94.50%
Soccer Fields	12	0.000597342	2.53	3	84.33%
Softball Fields	9	0.000448006	1.89	1	100.00%
Splashpads	0	0.000164433	0.69	1	69.00%
Tennis Courts	8	0.000398228	1.68	2	84.00%
Trails, Park	4 miles	0.000287758	1.21	1.21	100.00%

¹ Includes building area for active recreation activities, administrative/meeting space, and maintenance/storage space.

* LOS per housing unit, based on the current inventory divided by the current number of housing units (20,089), with the exception of the LOS for dog parks, fishing docks, outdoor fitness parks, pickleball courts, and splashpads, which is based on future improvements needed to serve the number of housing units in 2045 (24,326).

** Future Demand calculated by multiplying the LOS by the increase in housing units (4,237) through 2045.

*** Rounded for all components except for trails.

For all components above except park trails the future demand is rounded to whole numbers in the 'Total Needed' column. This is because the County cannot build a portion of a facility; it must build entire facilities. As a result, the '% Impact Fee Eligible' column may reflect a percentage less than 100%.

A component's impact fee eligibility ('% Impact Fee Eligible') is based on the extent to which future improvements are needed to specifically serve new growth and development, and only at the LOS applicable countywide.

For example, the adopted level of service indicates that only a portion of one additional dog park (.69) is needed to serve the future population. Since a fraction of a dog park cannot be built for it to fully serve its intended purpose, this number is rounded up to a single dog park, of which 69% is the amount that new growth mathematically demands. This is therefore the percentage of the facility that is impact fee eligible, meaning no more than 69% of an additional dog park can be funded with impact fees. The remaining 31% must come from another funding source.

It should be noted that future 'recreation building space' (5,058 square feet) may be assigned to one or more multiple projects, as needed. For example, a portion may be used to expand an existing storage building, with the balance of the eligible square footage needed in the form of a small community center. Regardless of future building configurations, the additional building area is fully impact fee eligible as long as the total does not exceed 5,058 square feet.

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■ Projects to Meet Future Demand

Costs and Schedule for Implementation

The following table lists project costs and timeframes for providing future recreation components needed to attain the applicable Level of Service standards. Projects are classified into two timeframes for implementation: 'short-term', with 2025 as the average year for completion for the purpose of calculating cost figures and, 'long-term', with 2035 as the average year for certain improvements that cannot be scheduled on an annual basis over the coming 20 years with any certainty – some improvements will occur earlier for less money, and some later at greater cost. All will average out. Specific timing of improvements will be addressed during the County's annual budgeting process and can be reflected in the Annual CIE Update report provided to the Georgia Department of Community Affairs each year.

Estimated current cost figures, with the exception of land acquisition, are increased to the gross cost by 22% to account for architectural and engineering services as well as contingencies. These 'Total Cost (current dollars)' figures in the table are converted to 'New Growth Share' dollars based on the percentage that each improvement is impact fee eligible (from Table 5).

The Net Present Value of new growth's share of the cost for each component is calculated as follows:

To calculate the Net Present Value (NPV) of the impact fee eligible cost estimate for the construction of the recreation components, the current estimated costs are increased to the target years shown on Table 6 using Engineering News Record's (ENR) 10-year average building cost inflation (BCI) rate for 'recreation building space' (such as a gymnasium or community center) and the 10-year average construction cost inflation (CCI) for all other projects. All project costs are then reduced to current NPV dollars using the Net Discount Rate.

Table 6: Future Costs to Meet Future Demand for Parks and Recreation

Year	Component Type	Total Needed	Estimated Cost Per Unit*	Gross Cost Per Unit**	Total Cost (current dollars)	% Impact Fee Eligible	New Growth Share	Net Present Value***
Short-Term (2025 is average year)	Fishing Dock	1	\$30,000.00	\$36,600.00	\$36,600.00	17.00%	\$ 6,222.00	\$6,273.00
	Outdoor Fitness Park	1	\$35,000.00	\$42,700.00	\$42,700.00	87.00%	\$ 37,149.00	\$37,453.50
	Parking	200	\$1,200.00	\$1,464.00	\$292,800.00	100.00%	\$ 292,800.00	\$295,200.02
	Pickleball Court (outdoor)	3	\$125,000.00	\$152,500.00	\$457,500.00	92.67%	\$ 423,950.00	\$427,425.03
	Picnic Pavilion	4	\$200,000.00	\$244,000.00	\$976,000.00	94.75%	\$ 924,760.00	\$932,340.06
	Playground	2	\$300,000.00	\$366,000.00	\$732,000.00	84.00%	\$ 614,880.00	\$619,920.04
	Restroom Buildings	2	\$200,000.00	\$244,000.00	\$488,000.00	94.50%	\$ 461,160.00	\$464,940.03
	Splashpad	1	\$500,000.00	\$610,000.00	\$610,000.00	69.00%	\$ 420,900.00	\$424,350.03
	Trails, Park	1.21	\$250,000.00	\$305,000.00	\$369,050.00	100.00%	\$ 369,050.00	\$372,075.03
Long-Term (2035 is average year)	Baseball Field	3	\$600,000.00	\$732,000.00	\$2,196,000.00	98.33%	\$ 2,159,400.00	\$2,267,801.09
	Basketball Court (outdoor)	1	\$100,000.00	\$122,000.00	\$122,000.00	100.00%	\$ 122,000.00	\$128,124.36
	Concessions Building	1	\$200,000.00	\$244,000.00	\$244,000.00	84.00%	\$ 204,960.00	\$215,248.92
	Concessions/Restroom Building	1	\$500,000.00	\$610,000.00	\$610,000.00	63.00%	\$ 384,300.00	\$403,591.72
	Disc Golf Course	1	\$150,000.00	\$183,000.00	\$183,000.00	21.00%	\$ 38,430.00	\$40,359.17
	Dog Park	1	\$400,000.00	\$488,000.00	\$488,000.00	69.00%	\$ 336,720.00	\$353,623.22
	Football Field	1	\$600,000.00	\$732,000.00	\$732,000.00	63.00%	\$ 461,160.00	\$484,310.06
	Multi-purpose Field	1	\$600,000.00	\$732,000.00	\$732,000.00	63.00%	\$ 461,160.00	\$484,310.06
	Park Land	99	\$10,000.00	\$10,000.00	\$990,000.00	100.00%	\$ 990,000.00	\$1,075,456.47
	Parking	200	\$1,200.00	\$1,464.00	\$292,800.00	100.00%	\$ 292,800.00	\$307,498.45
	Recreation Building Space	5,058	\$300.00	\$366.00	\$1,851,228.00	100.00%	\$ 1,851,228.00	\$2,011,549.23
	Soccer Field	3	\$600,000.00	\$732,000.00	\$2,196,000.00	84.33%	\$ 1,851,960.00	\$1,944,927.71
	Softball Field	1	\$600,000.00	\$732,000.00	\$732,000.00	100.00%	\$ 732,000.00	\$768,746.13
	Tennis Court	2	\$150,000.00	\$183,000.00	\$366,000.00	84.00%	\$ 307,440.00	\$322,873.38
						\$11,735,028.00		\$18,746,826.00

* Sources: Fayette County Parks & Recreation Department and comparable facilities in GA communities.

** Includes 22% for A/E services and contingency, with the exception of park acres.

*** NPV based on CPI for land, BCI for 'recreation building space' and CCI for all other recreation components, in an average implementation year shown above.

■ Maximum Impact Fee Cost Calculation

Table 7 summarizes the costs to provide the park and recreation improvements proposed to serve future residential growth and development. The total net present value of the impact fee project costs is brought forward from Table 6 and is then reduced by a 'Property Tax Credit' (see below).

The aforementioned credit calculation is carried out for this public facility category due to some parks projects only being partially impact fee eligible. For this calculation, it is assumed that the County will meet its financial obligations towards the non-eligible project costs through general fund expenditures. For this reason, the credit calculated here is based on future property tax contributions into the general fund that will be generated by new growth and development to pay for the non-eligible costs (See also the Appendices for additional information on the credit calculation).

Year	Ineligible Funding Required (NPV)*	Property Tax Credit	Contribution from New Growth
2025	\$457,498.53	3.59%	\$16,415.89
2035	\$1,618,851.23	19.52%	\$315,989.97
			\$332,405.86

* Net Present Value of amount to be paid from taxes to cover costs not eligible for impact fee funding.

To the extent that new growth will be contributing taxes for non-eligible portions of impact fee projects (for which they are not financially responsible), this credit must be applied reflecting the allocation of those tax collections in order to avoid new growth paying more than their 'fair share' of total costs; failure to do so would be a form of double taxation.

The 'net fee per housing fee' is the **maximum** impact fee that could be charged for parks and recreation improvements, based on the calculations in this chapter. These impact fees are collected from residential development based on dwelling units.

Table 7: Net Cost to Serve New Growth

Factor	Total
Eligible Cost of Park & Rec Projects	\$ 19,841,657.82
minus Property Tax Credit	\$ (332,405.86)
= Net Eligible Parks Project Costs	\$ 19,509,251.96
÷ Housing Unit Increase (2023-2050)	4,237
= Net Impact Cost per Housing Unit	\$ 4,604.50

Total does not include additional 'Administrative' and 'CIE Prep' fees allowed under state law. See Summary Maximum Fee Schedule in the Introduction chapter of this report.

Fire Protection

■ Introduction

Fire protection is provided by the County through its Fire and Emergency Services Department. The department is a combination fire suppression and emergency medical response department. Due to the Fire District and Emergency Medical Services (EMS) service area covering different geographical areas, EMS is addressed as a separate public facility category in this report and appears in the next chapter.

The following table shows the existing buildings and vehicles that are utilized in providing fire protection services. Because several of the buildings combine both fire and EMS functions, the square footage shown below is isolated to the building area used for fire protection services. For the Headquarters, no acreage is shown, as the building area is just a portion of the larger County Annex building. And for the Training Facility, no square footage is shown, because building construction is in the preliminary stage.

Table 8: Existing Inventory of Fire Protection Facilities

Description	Square Feet*	Acres	Fire Apparatus**						Support Vehicles***	
			Engine	Quint	Tanker	Brush	Rescue	Squad		Battalia
<i>Building Area</i>										
Headquarters	4,105									
Station 1	4,275	0.85	2							
Station 2	6,102	1.40		1	1			1		
Station 3	7,125	6.60	2					1	2	
Station 4	7,667	5.00	1					1		
Station 5	4,275	3.80	1		1					
Station 6	5,600	2.50	2		1					
Station 7	5,700	3.85	1			1			4	
Station 10	4,275	4.70		1				1		
Station 11	4,500	3.80	1							
Supply Depot	6,120	2.50							2	
Training Facility		9.50								
<i>Total Square Feet</i>	59,744	44.50								
<i>Total Vehicles</i>			10	2	3	1	1	3	1	8

* Portion of Fire/EMS stations dedicated to fire protection services.

** Heavy vehicles expected to be kept for 10 years or more in service. Includes frontline and reserve vehicles.

*** Other vehicles expected to be kept for 10 years or more in service. Includes specialized trailers, ATVs, UTVs, golf carts and boats.

■ Service Area

The service area includes the cities of Brooks, Tyrone and Woolsey, and the unincorporated area of the county. The Cities of Fayetteville and Peachtree City have their own fire departments and operate independently from the County system.

■ Level of Service and Forecasted Demand

'Level of Service' (LOS) is the relationship between service capacity and service demand for public facilities. The LOS calculations are the basis for determining the facilities needed to serve new growth so that the adopted LOS is maintained for both existing and future development. The LOS for fire protection services in Fayette County is determined two ways:

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1) By compiling an inventory of square footage (fire stations) and fire apparatus (heavy vehicles) currently used by the Fire and Emergency Services Department, combined with future system improvements planned to serve the Fire District. These future improvements include the construction of five additional fire stations totaling approximately 35,546 square feet (this figure excludes space for EMS functions; see next chapter), the construction of a 9,500 square foot classroom building on the fire training facility site, as well as seven additional fire apparatus. Together, the existing and planned facilities will meet the needs of the county in 2045; and

2) By showing the inventory of acreage occupied by Fire and Emergency Services buildings and supporting vehicles that currently serve residents and businesses in the Fire District. There are no specific future plans for land acquisition and purchase of supporting vehicles, and thus the LOS is based on the current facilities serving today's population.

The adopted LOS for all facility types is then calculated by dividing the inventories of each facility type shown on Table 8 below by the applicable day-night population: 2045 day-night population for the existing and planned building area and fire apparatus, and 2023 for existing acreage and supporting vehicles. Day-night population is used as a measure in that fire protection is a 24-hour service provided continuously to both residences and businesses in the service area.

The LOS standard is then multiplied by the increase in day-night population to 2045 to produce the future demand for fire protection facilities created by future growth, as shown under 'New Growth Demand'.

Table 8: Level of Service and New Growth Demand

Facility	Current Service Population	Level of Service	Service Area Growth	New Growth Demand*
Existing & Planned Building Area (square feet)	2045 Day-Night Population	Square Feet per Day-Night Population	Day-Night Population Increase to 2045	Square Feet of Additional Floor Area Needed
104,790	110,692	0.9467	28,687	27,157
Existing & Planned Fire Apparatus	2045 Day-Night Population	Fire Apparatus per Day-Night Population	Day-Night Population Increase to 2045	Additional Fire Apparatus Needed
28	110,692	0.000253	28,687	7.26
Existing Support Vehicles	2023 Day-Night Population	Vehicles per Day-Night Population	Day-Night Population Increase to 2045	Additional Support Vehicles Needed
8	82,005	0.000098	28,687	2.80
Existing Acreage	2023 Day-Night Population	Square Feet per Day-Night Population	Day-Night Population Increase to 2045	Additional Acreage Needed
44.50	82,005	0.0005	28,687	15.57

* Seven fire apparatus and two support vehicles will be added to the fleet at 100% impact fee eligibility.

Table 8 also shows the fire protection facilities that are needed to serve new growth in 2045. These 'New Growth Demand' figures show the actual number of the various facility types that are 'demanded' by new growth. New growth is defined and quantified as the increase in population from 2023 to 2045, which is also known as the 'Service Area Growth' above.

Using a future-system approach to determine new growth demand for building area, only 27,157 square feet in additional building area is technically needed to serve future growth and is therefore impact fee eligible. This reveals a shortfall of 17,899 in planned square footage (based on subtracting 27,157 from the 45,056 total square feet planned for five future stations and the classroom training building) that must be funded from sources other than impact fees.

For vehicles, new growth only requires 7.26 fire apparatus and 2.8 support vehicles. But since a portion of a vehicle cannot be acquired, the numbers are rounded to whole vehicles. As noted in the table, seven new fire apparatus and two support vehicles will be acquired. These numbers are slightly less than what is technically required to meet the demand for the future system and therefore allow the proposed vehicles to be 100% impact fee eligible. In addition, 15.57 additional acres can be purchased that are fully impact fee eligible.

■ Projects to Meet Future Demand

Costs and Schedule for Implementation

Table 9 on the following page lists the capital project costs and schedule to provide the fire protection system improvements needed to attain the applicable Level of Service standards.

It is important to note that the 22,157 square feet required to meet the demands of new growth may be allocated across multiple projects as determined by the County. As noted, there is approximately 45,056 square feet in future planned building area, as follows:

<u>Future Building</u>	<u>Square Footage *</u>
FS12/EMS & HQ (Center Dr.)	10,046
FS13/EMS (Ebenezer Church Rd.)	6,375
FS 14/EMS (Sandy Creek Rd.)	6,375
FS 15/EMS (Gingercake/Graves)	6,375
FS16/EMS (Rising Star Rd.)	6,375
Fire Training Center – Classroom building	9,500

**Excludes EMS areas*

However, only 22,157 square feet total is 100% impact fee eligible. As such, not every building need can be funded with impact fees.

In addition, any future building *replacement* projects are impact fee eligible to the extent that the new building adds square footage to the existing building footprint. Building replacement projects that result in the same or smaller building size are not impact fee eligible. This is important to note with FS12, which is proposed to house the Headquarters that is currently located in the County Annex. As such, the existing HQ square footage has been deducted from the total new FS12 space above, as it is "replacement" space. This results in a smaller building area for FS12 that is actually impact fee eligible.

As shown on Table 9, 'Total Cost (2023\$)' figures are converted to 'New Growth Share' dollars based on the percentage that each improvement is impact fee eligible. The Net Present Value (NPV) of the impact fee eligible cost estimates are calculated by increasing the current estimated costs to the target years on the table using Engineering News Record's (ENR) 10-year average building cost inflation (BCI) rate for future building area and the 10-year average CPI rate for the vehicles. All project costs are then reduced to the current year using the Net Discount Rate.

A 2030 target year is used for Net Present Value calculation, since future improvements cannot be programmed with certainty at this time. The actual pace and timing proposed to meet future demand generated by population and business growth may occur sooner (or later), and the Annual CIE Update report can be updated to reflect these changes based on decisions made during the annual budgeting process.

Table 9: Costs to Meet Future Demand for Fire Protection Facilities

Description	Total Needed	Estimated Unit Cost*	Total Cost (2023 \$)	% Impact Fee Eligible	New Growth Share	Net Present Value**
Future Building Area (sq.ft.)	27,157	\$ 332.00	\$ 9,016,246.71	100.00%	\$ 9,016,246.71	\$ 9,463,832.85
Fire Apparatus	7	\$ 860,000.00	\$ 6,020,000.00	100.00%	\$ 6,020,000.00	\$ 6,317,885.95
Support Vehicles	2	\$ 21,600.00	\$ 43,200.00	100.00%	\$ 43,200.00	\$ 45,337.65
Acreage	15.57	\$ 30,000.00	\$ 467,100.00	100.00%	\$ 467,100.00	\$ 490,213.38
			\$ 15,546,546.71		\$ 15,546,546.71	\$ 16,317,269.84

*Source: Fayette County Fire and Emergency Services Department (including cost information for the previous construction of Stations 2 and 4 and current prevailing rates for various vehicle types).

Price Index (CPI). All calculations use an 'average' implementation year of 2030 since future project needs cannot be programmed with certainty; some projects will occur before 2030 at lower costs, some after that year at a higher cost.

■ Maximum Impact Fee Cost Calculation

Table 10 summarizes the costs to provide the fire protection system improvements proposed to serve future growth and development. The total net present value of the impact fee project costs is brought forward from Table 9 and divided by the day-night population increase to 2045 to generate a 'net cost per person' – this will be used to calculate impact fees for all nonresidential land uses.

A final calculation, shown on Table 11, is necessary in order to fairly distribute the portion of project costs that are attributable to residential growth, because they are assessed impact fees per housing unit rather than on a person by person basis.

The total costs shown do not include 'Administrative' and 'CIE Prep' fees allowed under State law; see the Summary Maximum Fee Schedule in the Introduction of this report.

Methodology Report	Fire Protection
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Table 1: Net Cost to Serve New Growth – Per Person

Factor	Total
Eligible Cost of Fire Protection Projects	\$ 16,317,269.84
minus Balance in Fire Impact Fee Fund	\$ -
= Total Net Eligible Costs	\$ 16,317,269.84
÷ Day-Night Pop Increase to 2045	28,687
= Net Cost per Person	\$ 568.80

Table 2: Net Cost to Serve New Growth – Per Housing Unit

Factor	Total
Residential Population Increase to 2045	16,940
÷ Day-Night Population Increase to 2045	28,687
= Residential Increase as % of Total Increase	59.05%
Total Net Project Costs	\$ 16,317,269.84
× Residential % of Total Day-Night Increase =	\$ 9,635,533.55
÷ New Housing Units (2023-2045)	6,152
= Net Impact Fee per Housing Unit	1,566.24

Emergency Medical Services

■ Introduction

Emergency medical services are also provided by the County through its Fire & Emergency Services Department. The following table shows the existing buildings and vehicles that are utilized in providing fire protection services. Because several of the buildings combine both fire and EMS functions, the square footage shown below is isolated to the building area used for EMS services.

Table 12: Existing Inventory of EMS Facilities

Description	Square Feet*	Ambulances
Station 1	1,425	1
Station 2	2,034	1
Station 3	2,375	1
Station 4	2,556	2
Station 5	1,425	1
Station 10	1,425	1
Station 11	1,500	2
Totals	12,740	9

* Portion of Fire/EMS stations dedicated to emergency medical services.

■ Service Area

EMS services encompass the Fire Protection service area (the cities of Brooks, Tyrone and Woolsey, and the unincorporated area of the county) as well as the City of Fayetteville.

■ Level of Service and Forecasted Demand

'Level of Service' (LOS) is the relationship between service capacity and service demand for public facilities. The LOS calculations are the basis for determining the facilities needed to serve new growth so that the adopted LOS is maintained for both existing and future development. The LOS for EMS in Fayette County is determined by an inventory of current building square footage and ambulances, combined with future system improvements planned to serve the EMS service area.

These future improvements include incorporating approximately 11,848 square feet of EMS-related space in five new Fire/EMS stations, as first described in the previous chapter, as well as the purchase of three additional ambulances. Together, the existing and planned facilities will meet the needs of the county in 2045.

The adopted LOS for all facility types is then calculated by dividing the inventories of each facility type shown on Table 13 by the 2045 day-night population. Day-night population is used as a measure in that fire protection is a 24-hour service provided continuously to both residences and businesses in the service area.

The LOS standard is then multiplied by the increase in day-night population to 2045 to produce the future demand for fire protection facilities created by future growth, as shown under 'New Growth Demand'.

Table 13: Level of Service and New Growth Demand

Facility	Current Service Population	Level of Service	Service Area Growth	New Growth Demand*
Existing & Planned Building Area (square feet)	2045 Day-Night Population	Square Feet per Day-Night Population	Day-Night Population Increase to 2045	Square Feet of Additional Floor Area Needed
24,588	172,854	0.142249	52,396	7,453
Existing & Planned Ambulances	2045 Day-Night Population	Square Feet per Day-Night Population	Day-Night Population Increase to 2045	Additional Ambulances Needed
12	172,854	0.000069	52,396	3.64

* Three additional ambulances will be added to the fleet at 100% impact fee eligibility.

Table 13 also shows also shows the EMS facilities that are needed to serve new growth in 2045. These 'New Growth Demand' figures show the actual number of the various facility types that are 'demanded' by new growth based on the adopted Level of Service. New growth is defined and quantified as the increase in population from 2023 to 2045, which is also known as the 'Service Area Growth' above.

Using a future-system approach to determine new growth demand for building area and ambulances, only 7,453 square feet in additional building area is technically needed to serve future growth and is therefore impact fee eligible. This reveals a shortfall of 4,395 in planned square footage (based on subtracting 7,453 from the 11,848 total square feet planned for the future) that must be funded from sources other than impact fees.

For ambulances, new growth "demands" 3.64, but since a portion of a vehicle cannot be acquired, the numbers are rounded. As noted in the table, three new ambulances will be acquired. This number is slightly less than what is technically required to meet the demand for the future system and therefore allow the proposed ambulances to be 100% impact fee eligible.

■ Projects to Meet Future Demand

Costs and Schedule for Implementation

Table 14 lists the capital project costs and schedule to provide the EMS system improvements needed to attain the applicable Level of Service standards. It is important to note that the 7,453 square feet required to meet the demands of new growth may be allocated across multiple projects as determined by the County. But only 7,453 square feet total is 100% impact fee eligible. Any additional building area needs must utilize other funding sources.

As shown on Table 14, 'Total Cost (2023\$)' figures are converted to 'New Growth Share' dollars based on the percentage that each improvement is impact fee eligible. The Net Present Value (NPV) of the impact fee eligible cost estimates are calculated by increasing the current estimated costs to the target years on the table using Engineering News Record's (ENR) 10-year average building cost inflation (BCI) rate for future building area and the 10-year average CPI rate for the vehicles. All project costs are then reduced to the current year using the Net Discount Rate.

A 2030 target year is used for Net Present Value calculation, since future improvements cannot be programmed with certainty at this time. The actual pace and timing proposed to meet future demand generated by population and business growth may occur sooner (or later), and the Annual CIE Update report can be updated to reflect these changes based on decisions made during the annual budgeting process.

Table 14: Costs to Meet Future Demand for EMS Facilities

Description	Total Needed	Estimated Unit Cost*	Total Cost (2023 \$)	% Impact Fee Eligible	New Growth Share	Net Present Value**
Future Building Area (sq.ft.)	7,453	\$ 332.00	\$ 2,474,482.59	100.00%	\$ 2,474,482.59	\$ 2,597,321.30
Ambulances	3	\$ 400,000.00	\$ 1,200,000.00	100.00%	\$ 1,200,000.00	\$ 1,259,379.26
			\$ 3,674,482.59		\$ 3,674,482.59	\$ 3,856,700.56

*Source: Fayette County Fire and Emergency Services Department (including cost information for the previous construction of Stations 2 and 4 and current prevailing rate for a new ambulance).

** NPV for building area based on 10-year average annual Building Cost Index (BCI). NPV for vehicles and land are based on the 10-year average annual Consumer Price Index (CPI). All calculations use an 'average' implementation year of 2030 since future project needs cannot be programmed with certainty; some projects will occur before 2030 at lower costs, some after that year at a higher cost.

■ Maximum Impact Fee Cost Calculation

Table 15 summarizes the costs to provide the EMS system improvements proposed to serve future growth and development. The total net present value of the impact fee project costs is brought forward from Table 14 and divided by the 'day-night population increase to 2045' to generate a 'net cost per person' – this will be used to calculate impact fees for all nonresidential land uses. A final calculation, shown on Table 16, is necessary in order to fairly distribute the portion of project costs that are attributable to residential growth, because they are assessed impact fees per housing unit rather than on a person by person basis. The total costs shown do not include 'Administrative' and 'CIE Prep' fees allowed under State law; see the Summary Maximum Fee Schedule in the Introduction of this report.

Table 3: Net Cost to Serve New Growth – Per Person

Factor	Total
Eligible Cost of EMS Projects	\$ 3,856,700.56
÷ Day-Night Pop Increase to 2045	52,396
= Net Cost per Person	\$ 73.61

Table 4: Net Cost to Serve New Growth – Per Housing Unit

Factor	Total
Residential Population Increase to 2045	29,046
÷ Day-Night Population Increase to 2045	52,396
= Residential Increase as % of Total Increase	55.44%
Total Project Costs	\$ 3,856,700.56
× Residential % of Total Day-Night Increase =	\$ 2,137,982.38
÷ New Housing Units (2023-2045)	10,211
= Net Impact Fee per Housing Unit	\$ 209.38

Glossary

The following terms are used in this Report. Where possible, the definitions are taken directly from the Georgia Development Impact Fee Act.

Capital improvement: an improvement with a useful life of ten years or more, by new construction or other action, which increases the service capacity of a public facility.

Capital improvements element: a component of a comprehensive plan adopted pursuant to Chapter 70 of the Development Impact Fee Act which sets out projected needs for system improvements during a planning horizon established in the comprehensive plan, a schedule of capital improvements that will meet the anticipated need for system improvements, and a description of anticipated funding sources for each required improvement.

Development: any construction or expansion of a building, structure, or use, any change in use of a building or structure, or any change in the use of land, any of which creates additional demand and need for public facilities.

Development impact fee: a payment of money imposed upon development as a condition of development approval to pay for a proportionate share of the cost of system improvements needed to serve new growth and development.

Eligible facilities⁵: capital improvements in one of the following categories:

- (A) Water supply production, treatment, and distribution facilities;
- (B) Waste-water collection, treatment, and disposal facilities;
- (C) Roads, streets, and bridges, including rights of way, traffic signals, landscaping, and any local components of state or federal highways;
- (D) Storm-water collection, retention, detention, treatment, and disposal facilities, flood control facilities, and bank and shore protection and enhancement improvements;
- (E) Parks, open space, and recreation areas and related facilities;
- (F) Public safety facilities, including police, fire, emergency medical, and rescue facilities; and
- (G) Libraries and related facilities.

Impact Cost: the proportionate share of capital improvements costs to provide service to new growth, less any applicable credits.

Impact Fee: the impact cost plus surcharges for program administration and recoupment of the cost to prepare the Capital Improvements Element.

Level of service: a measure of the relationship between service capacity and service demand for public facilities in terms of demand to capacity ratios or the comfort and convenience of use or service of public facilities or both.

Project improvements: site improvements and facilities that are planned and designed to provide service for a particular development project and that are necessary for the use and convenience of the occupants or users of the project and are not system improvements. The character of the improvement shall control a determination of whether an improvement is a project improvement or

⁵ Eligible facilities addressed in this report fall under categories (E) and (F); public safety facilities are isolated to fire and emergency medical services.

system improvement and the physical location of the improvement on site or off site shall not be considered determinative of whether an improvement is a project improvement or a system improvement. If an improvement or facility provides or will provide more than incidental service or facilities capacity to persons other than users or occupants of a particular project, the improvement or facility is a system improvement and shall not be considered a project improvement. No improvement or facility included in a plan for public facilities approved by the governing body of the municipality or city shall be considered a project improvement.

Proportionate share: means that portion of the cost of system improvements which is reasonably related to the service demands and needs of the project.

Rational Nexus: the clear and fair relationship between fees charged and services provided.

Service area: a geographic area defined by a municipality, city, or intergovernmental agreement in which a defined set of public facilities provide service to development within the area. Service areas shall be designated on the basis of sound planning or engineering principles or both.

System improvement costs: costs incurred to provide additional public facilities capacity needed to serve new growth and development for planning, design and engineering related thereto, including the cost of constructing or reconstructing system improvements or facility expansions, including but not limited to the construction contract price, surveying and engineering fees, related land acquisition costs (including land purchases, court awards and costs, attorneys' fees, and expert witness fees), and expenses incurred for qualified staff or any qualified engineer, planner, architect, landscape architect, or financial consultant for preparing or updating the capital improvement element, and administrative costs, provided that such administrative costs shall not exceed 3 percent of the total amount of the costs. Projected interest charges and other finance costs may be included if the impact fees are to be used for the payment of principal and interest on bonds, notes, or other financial obligations issued by or on behalf of the municipality or city to finance the capital improvements element but such costs do not include routine and periodic maintenance expenditures, personnel training, and other operating costs.

System improvements: capital improvements that are public facilities and are designed to provide service to the community at large, in contrast to 'project improvements.'

Appendix A – Future Growth Forecasts

In order to accurately calculate the demand for future services in Fayette County, new growth and development must be quantified in future projections. These projections include forecasts for population, housing, and employment to the year 2045 and provide the base-line conditions from which the 2023 Level of Service calculations are produced.

Accurate projections of population, households, housing units, and employment are important in that:

- Population data and forecasts are used to establish current and future demand for services where the Level of Service (LOS) standards are per capita based.
- Household data and forecasts are used to forecast future growth in the number of housing units.
- Housing unit data and forecasts relate to certain service demands that are household based, such as parks, and are used to calculate impact costs when the cost is assessed when a building permit is issued. The number of households—defined as *occupied* housing units—is always smaller than the total supply of available housing units, which include vacant units. Over time, however, each housing unit is expected to become occupied by a household, even though the unit may become vacant during future re-sales or turnovers.
- Employment forecasts are refined to reflect 'value-added' employment figures. This reflects an exclusion of jobs considered to be transitory or non-site specific in nature, and thus not requiring building permits to operate (i.e., are not assessed impact fees), as well as governmental uses that are not subject to impact fees.

'Value-added' employment data is combined with population data to produce what is known as the 'day-night population.' These figures represent the total number of persons receiving services, both in their homes and in their businesses, to produce an accurate picture of the total number of persons that rely on certain 24-hour services, such as fire protection.

■ Historic Population Growth

Every year, the US Census Bureau estimates the population in Fayette County and its cities between decennial censuses (e.g., 2000 and 2010). Unlike the decennial censuses, which are 'as of' April 1, the annual estimates are 'as of' July 1 of each year. Subsequently, in 2023 the Census Bureau provided annual estimates that revised the previously published estimates for 2020 and 2021 and added an estimate for 2022. All of the annual estimates beginning in 2000 are shown in Table A-1.

Methodology Report Future Growth Forecasts

Table A-1: Annual Census Estimated Population by Jurisdiction

Geography	Population Estimate (as of July 1)										
	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010**
Unincorporated Area	44,364	45,063	45,563	46,218	46,802	47,735	48,486	48,647	48,504	48,404	48,581
Brooks	490	496	501	506	511	520	527	527	524	522	526
Tyrone	3,982	4,304	4,609	4,931	5,247	5,605	5,946	6,214	6,439	6,663	6,917
Woolsey	156	157	157	158	159	161	162	161	159	158	158
Subtotal -- Fire District	48,992	50,020	50,830	51,813	52,719	54,021	55,121	55,549	55,626	55,747	56,182
Fayetteville	11,317	11,855	12,358	12,887	13,421	14,027	14,587	14,985	15,265	15,563	16,218
Subtotal -- EMS District	60,309	61,875	63,188	64,700	66,140	68,048	69,708	70,534	70,891	71,310	72,400
Subtotal -- Parks & Rec*	44,854	45,559	46,064	46,724	47,313	48,255	49,013	49,174	49,028	48,926	49,107
Peachtree City	31,764	32,211	32,519	32,934	33,303	33,913	34,391	34,455	34,301	34,183	34,538
Fayette County Total	92,073	94,086	95,707	97,634	99,443	101,961	104,099	104,989	105,192	105,493	106,938

Geography	Population Estimate (as of July 1)											
	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Unincorporated Area	49,928	50,037	50,458	51,086	51,625	52,162	52,759	52,944	53,339	53,606	53,866	54,098
Brooks	531	532	536	543	546	554	558	560	562	565	567	569
Tyrone	6,959	6,988	7,040	7,099	7,155	7,191	7,296	7,392	7,539	7,724	7,829	7,907
Woolsey	196	196	196	197	201	200	204	206	206	206	206	207
Subtotal -- Fire District	57,614	57,753	58,230	58,925	59,527	60,107	60,817	61,102	61,646	62,101	62,468	62,781
Fayetteville	16,858	16,852	16,980	17,337	17,581	18,120	18,487	18,478	18,715	19,015	19,342	19,687
Subtotal -- EMS District	74,472	74,605	75,210	76,262	77,108	78,227	79,304	79,580	80,361	81,116	81,810	82,468
Subtotal -- Parks & Rec*	50,459	50,569	50,994	51,629	52,171	52,716	53,317	53,504	53,901	54,171	54,433	54,667
Peachtree City	36,094	36,138	36,314	36,454	36,593	36,586	36,882	37,337	37,909	38,367	38,871	39,562
Fayette County Total	110,560	110,737	111,521	112,714	113,700	114,813	116,187	116,916	118,270	119,483	120,681	122,030

* The Parks & Recreation Service Area is comprised of the unincorporated area and the town of Brooks.

** 2010 estimate revised by Census Bureau in 2020.

Note: All data as of July 1 of each year. 2000, 2010 and 2020 estimates differ from Decennial Census counts, which were as of April 1.

Sources: For 2000 to 2010: Intercensal Estimates, US Bureau of the Census: Annual Estimates Program. For 2011-2019 intercensal estimates adjusted to revised 2020 population estimates published by Census Bureau in 2022, along with new estimates for 2021 and 2022.

Table A-2 summarizes the population growth figures from Table A-1 by decade, which are summarized for each of the three service areas.

Table A-2: Comparison of Population Growth Rates - 2000-2022

Service Area	2000-2010 Increase	Percent	2010-2022 Increase	Percent	2000-2022 Increase	Percent
Unincorporated Area	4,217	8.68%	5,517	10.24%	9,734	18.07%
Brooks	36	6.84%	43	7.58%	79	13.93%
Tyrone	2,935	42.43%	990	12.65%	3,925	50.13%
Woolsey	2	1.27%	49	23.79%	51	24.76%
Fire Protection	7,190	12.80%	6,599	10.56%	13,789	22.07%
Fayetteville	4,901	30.22%	3,469	17.94%	8,370	43.27%
EMS	12,091	16.70%	10,068	12.31%	22,159	27.09%
Parks & Recreation*	4,253	8.66%	5,560	10.21%	9,813	18.03%

*The Parks & Recreation Service Area is comprised of the unincorporated area and the Town of Brooks.

As shown on the table, the service area for Fire Protection experienced a population increase of almost 13% between 2000 and 2010. This dropped slightly in the subsequent decade, resulting in an overall increase of 22%% for the 21-year period. The EMS service area experienced similar changes in population growth rates, with a higher increase in the 2000-2010 period than the 2010-2021 period.⁶ The Parks & Recreation service area broke this trend, seeing a greater increase in the second decade than the first. Overall, however, the Parks & Recreation service area saw an overall rate of growth compared to the other two.

The City of Fayetteville is the key factor in the population growth figures. Including Fayetteville in the EMS service area increases the 2000-2021 growth by almost 8,000 people.

■ Population Forecasts

The first population projections presented on Table A-3 on the next page are for the entire county. Although the county as a whole is not one of the three service areas, it sets the stage for understanding the subsequent service area projections.

Two forecast methods are used to project the county's past population growth forward to 2045, one using a 'linear trend' (straight line) and the other a 'growth trend' (curved line) forecast algorithm. The 'raw' results of the two projection methods are shown on Table A-3 in a grey font. (2022 is underlined on the table as the last year Census estimates were available.) In the last two columns, the actual annual Census population figures are shown to 2022. These remind the reader that the projection methodologies change the actual Census estimates (on which the projections are based) in order to produce 'smooth' lines reflecting the projections.

Correlating with the Census

As noted, the algorithms used to prepare the projections shown on Table A-3 present a 'smooth' straight or curved line from the 'start' date of 2022, which also changes the population figures for each year from 2000 to 2022 on the tables from the actual Census numbers. Because of this, the projected future population estimates must be rectified so that the Census 2022 population figure is the 'start' population for each forecast.

The rectifications to the actual Census figures are accomplished by first determining the extent to which the raw results from each projection method diverges from the actual 2022 Census population. These variances are shown at the bottom of Table A-3 as the 'adjustments' needed to bring the forecast numbers in line with the Census. These percentages are then applied to every subsequent 'projected' population each year to correlate the data to the same line function that the 'raw' projections followed.

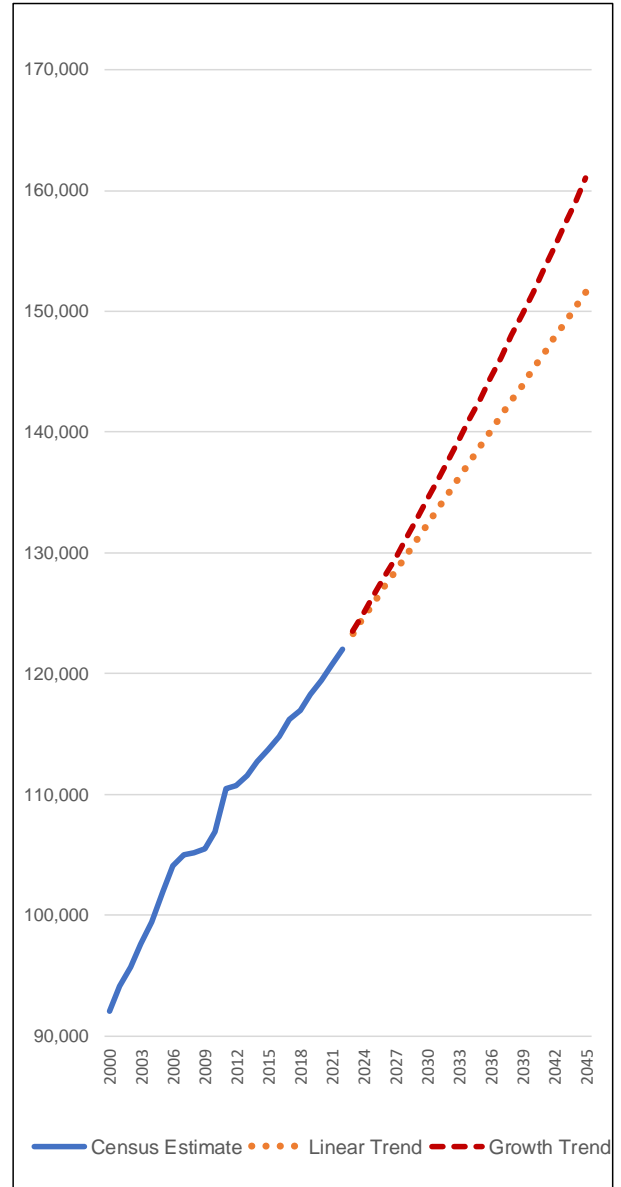
An examination of the line describing the 2000-2021 Census figures suggests that the county's population proceeded at a hearty rate up to the collapse in the national housing market during the Great Recession, recovering in the early 2020s with a steady stream of population growth and a slight up-tick in the most recent years. Reflecting this slight up-tick and the County's historical growth, aided by increasing growth opportunities in the county, the **'growth trend' projection** is considered to be the most realistic projection out to 2045.

⁶ The effects of the Great Recession of 2008-09 carrying over into the subsequent decade cannot be dismissed, as it affected the entire country and, to some extent, Fayette County also (but apparently less than in many other areas).

Methodology Report | **Future Growth Forecasts**

Table A-3: Population Forecast - Total County

	Census Estimate	Linear Trend Raw	Growth Trend Raw	Linear Trend Adjusted	Growth Trend Adjusted
2000	92,073	94257.6196	94708.5741	92,073	92,073
2001	94,086	95551.1482	95856.9907	94,086	94,086
2002	95,707	96844.6769	97019.3327	95,707	95,707
2003	97,634	98138.2055	98195.7691	97,634	97,634
2004	99,443	99431.7342	99386.4706	99,443	99,443
2005	101,961	100725.263	100591.61	101,961	101,961
2006	104,099	102018.792	101811.363	104,099	104,099
2007	104,989	103312.32	103045.907	104,989	104,989
2008	105,192	104605.849	104295.42	105,192	105,192
2009	105,493	105899.377	105560.085	105,493	105,493
2010	106,938	107192.906	106840.085	106,938	106,938
2011	110,521	108486.435	108135.606	110,521	110,521
2012	110,737	109779.963	109446.835	110,737	110,737
2013	111,521	111073.492	110773.965	111,521	111,521
2014	112,714	112367.021	112117.187	112,714	112,714
2015	113,700	113660.549	113476.697	113,700	113,700
2016	114,813	114954.078	114852.692	114,813	114,813
2017	116,187	116247.607	116245.372	116,187	116,187
2018	116,916	117541.135	117654.939	116,916	116,916
2019	118,270	118834.664	119081.599	118,270	118,270
2020	119,483	120128.193	120525.558	119,483	119,483
2021	120,681	121421.721	121987.026	120,681	120,681
2022	122,030	122715.25	123466.215	122,030	122,030
2023		124008.779	124963.341	123,316	123,510
2024		125302.307	126478.62	124,603	125,007
2025		126595.836	128012.274	125,889	126,523
2026		127889.365	129564.524	127,175	128,057
2027		129182.893	131135.597	128,462	129,610
2028		130476.422	132725.72	129,748	131,182
2029		131769.951	134335.125	131,034	132,772
2030		133063.479	135964.045	132,320	134,382
2031		134357.008	137612.717	133,607	136,012
2032		135650.537	139281.38	134,893	137,661
2033		136944.065	140970.277	136,179	139,330
2034		138237.594	142679.653	137,466	141,020
2035		139531.123	144409.757	138,752	142,730
2036		140824.651	146160.84	140,038	144,461
2037		142118.18	147933.156	141,325	146,212
2038		143411.708	149726.963	142,611	147,985
2039		144705.237	151542.521	143,897	149,780
2040		145998.766	153380.095	145,183	151,596
2041		147292.294	155239.95	146,470	153,434
2042		148585.823	157122.357	147,756	155,295
2043		149879.352	159027.591	149,042	157,178
2044		151172.88	160955.926	150,329	159,084
2045		152466.409	162907.644	151,615	161,013



Adjustment to 2022 Census: 99.44159% 98.83675%

Service Area Population Projections

With the 'overview' of countywide population growth, population projections for each of the three service areas have been prepared. The same approach used for the countywide projections is used in the population projections for each service area by applying the linear and growth trend algorithms to the 2000-2022 Census estimates, and then rectifying each projection to the actual 2022 Census figure. This resulted in the two projections carrying forward to 2045 for each service area.

Considering the results, the same rationale used in assessing the countywide forecasts appears to hold true for each of the service areas—that the 'growth' algorithm best reflects the potential for future population growth in each.

Tables A-4, A-5 and A-6 show the results of the population projections in each of the three service areas. Note that the graph accompanying each table has the same 'scale', running from 45,000 to 115,000 people. This allows direct visual comparisons among the three service areas as to past and future population growth.

The towns of Brooks, Tyrone and Woolsey, as well as the unincorporated area, comprise the primary **service area for fire protection services**. Intergovernmental agreements provide for backup by the Fire & Emergency Services Department to other areas in the county, and the same mutual aid agreements provide for backup from the Fayetteville Fire Department on an 'as called' basis.

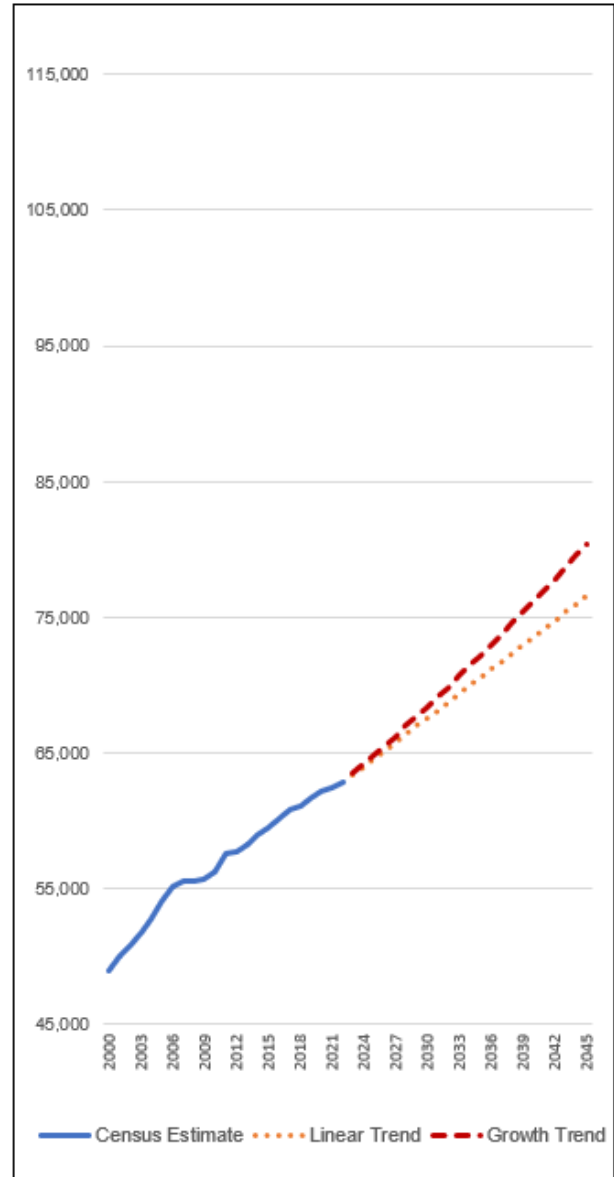
The largest service area is the **EMS area**, which includes the county's Fire Protection service area described above as well as the City of Fayetteville.

As noted previously, the County's **parks and recreation facilities** serve the unincorporated area as well as the Town of Brooks.

Methodology Report | **Future Growth Forecasts**

Table A-4: Population Forecast - Fire Protection Area

	Census Estimate	Linear Trend Raw	Growth Trend Raw	Linear Trend Adjusted	Growth Trend Adjusted
2000	48,992	50,278	50,456	48,992	48,992
2001	50,020	50,884	51,002	50,020	50,020
2002	50,830	51,489	51,554	50,830	50,830
2003	51,813	52,095	52,111	51,813	51,813
2004	52,719	52,701	52,674	52,719	52,719
2005	54,021	53,306	53,244	54,021	54,021
2006	55,121	53,912	53,820	55,121	55,121
2007	55,549	54,518	54,402	55,549	55,549
2008	55,626	55,123	54,990	55,626	55,626
2009	55,747	55,729	55,584	55,747	55,747
2010	56,182	56,335	56,185	56,182	56,182
2011	57,569	56,941	56,793	57,569	57,569
2012	57,748	57,546	57,407	57,748	57,748
2013	58,225	58,152	58,028	58,225	58,225
2014	58,922	58,758	58,655	58,922	58,922
2015	59,526	59,363	59,289	59,526	59,526
2016	60,108	59,969	59,931	60,108	60,108
2017	60,818	60,575	60,579	60,818	60,818
2018	61,102	61,181	61,234	61,102	61,102
2019	61,646	61,786	61,896	61,646	61,646
2020	62,101	62,392	62,565	62,101	62,101
2021	62,468	62,998	63,241	62,468	62,468
2022	62,781	63,603	63,925	62,781	62,781
2023		64,209	64,616	63,379	63,460
2024		64,815	65,315	63,977	64,146
2025		65,421	66,021	64,575	64,840
2026		66,026	66,735	65,173	65,541
2027		66,632	67,457	65,770	66,249
2028		67,238	68,186	66,368	66,966
2029		67,843	68,924	66,966	67,690
2030		68,449	69,669	67,564	68,422
2031		69,055	70,422	68,162	69,162
2032		69,661	71,184	68,760	69,909
2033		70,266	71,953	69,358	70,665
2034		70,872	72,731	69,956	71,429
2035		71,478	73,518	70,553	72,202
2036		72,083	74,313	71,151	72,982
2037		72,689	75,116	71,749	73,772
2038		73,295	75,928	72,347	74,569
2039		73,900	76,749	72,945	75,376
2040		74,506	77,579	73,543	76,191
2041		75,112	78,418	74,141	77,014
2042		75,718	79,266	74,739	77,847
2043		76,323	80,123	75,336	78,689
2044		76,929	80,989	75,934	79,540
2045		77,535	81,865	76,532	80,400



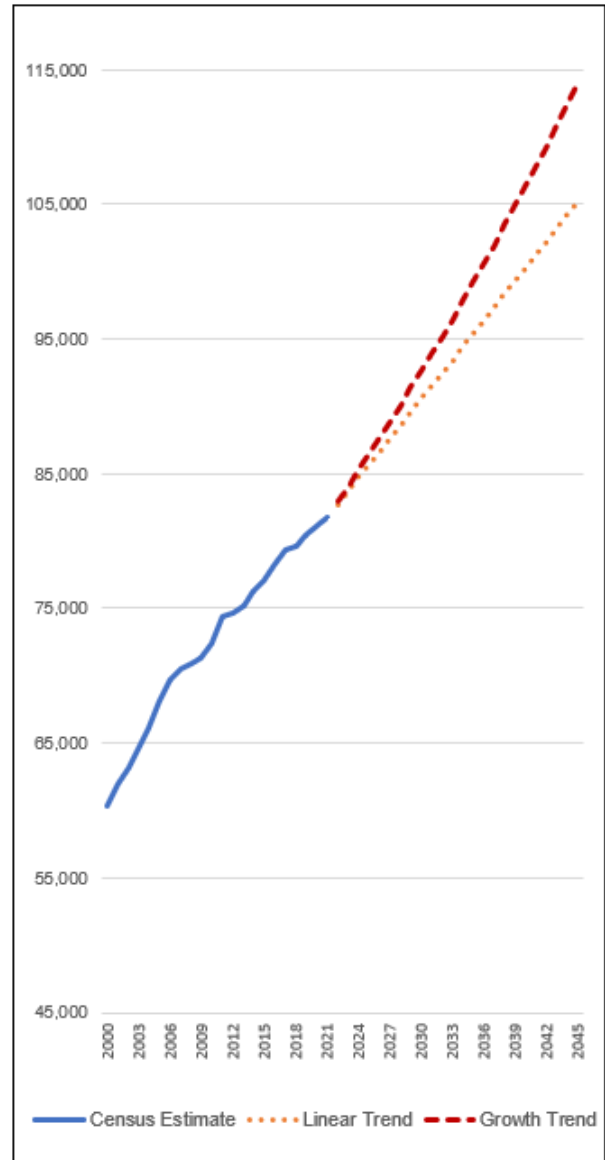
Adjustment to 2022 Census: 98.70697% 98.21003%

Service Area: Brooks, Tyrone, Woosey and the Unincorporated Area.

Methodology Report | **Future Growth Forecasts**

Table A-5: Population Forecast - Emergency Medical Services Area

	Census Estimate	Linear Trend Raw	Growth Trend Raw	Linear Trend Adjusted	Growth Trend Adjusted
2000	60,309	62,304	62,650	60,309	60,309
2001	61,875	63,278	63,505	61,875	61,875
2002	63,188	64,253	64,372	63,188	63,188
2003	64,700	65,228	65,250	64,700	64,700
2004	66,140	66,202	66,141	66,140	66,140
2005	68,048	67,177	67,044	68,048	68,048
2006	69,708	68,152	67,959	69,708	69,708
2007	70,534	69,126	68,886	70,534	70,534
2008	70,891	70,101	69,826	70,891	70,891
2009	71,310	71,075	70,780	71,310	71,310
2010	72,400	72,050	71,746	72,400	72,400
2011	74,427	73,025	72,725	74,427	74,427
2012	74,600	73,999	73,717	74,600	74,600
2013	75,206	74,974	74,723	75,206	75,206
2014	76,260	75,949	75,743	76,260	76,260
2015	77,107	76,923	76,777	77,107	77,107
2016	78,227	77,898	77,825	78,227	78,227
2017	79,305	78,873	78,887	79,305	79,305
2018	79,579	79,847	79,964	79,579	79,579
2019	80,361	80,822	81,055	80,361	80,361
2020	81,116	81,797	82,161	81,116	81,116
2021	81,810	82,771	83,283	81,810	81,810
2022	82,468	83,746	84,419	82,468	82,468
2023		84,720	85,572	83,428	83,594
2024		85,695	86,740	84,388	84,734
2025		86,670	87,923	85,347	85,891
2026		87,644	89,123	86,307	87,063
2027		88,619	90,340	87,267	88,251
2028		89,594	91,573	88,227	89,456
2029		90,568	92,823	89,186	90,677
2030		91,543	94,089	90,146	91,914
2031		92,518	95,374	91,106	93,169
2032		93,492	96,675	92,066	94,441
2033		94,467	97,995	93,026	95,729
2034		95,442	99,332	93,985	97,036
2035		96,416	100,688	94,945	98,360
2036		97,391	102,062	95,905	99,703
2037		98,365	103,455	96,865	101,064
2038		99,340	104,867	97,824	102,443
2039		100,315	106,298	98,784	103,841
2040		101,289	107,749	99,744	105,258
2041		102,264	109,220	100,704	106,695
2042		103,239	110,710	101,663	108,151
2043		104,213	112,221	102,623	109,627
2044		105,188	113,753	103,583	111,124
2045		106,163	115,306	104,543	112,640



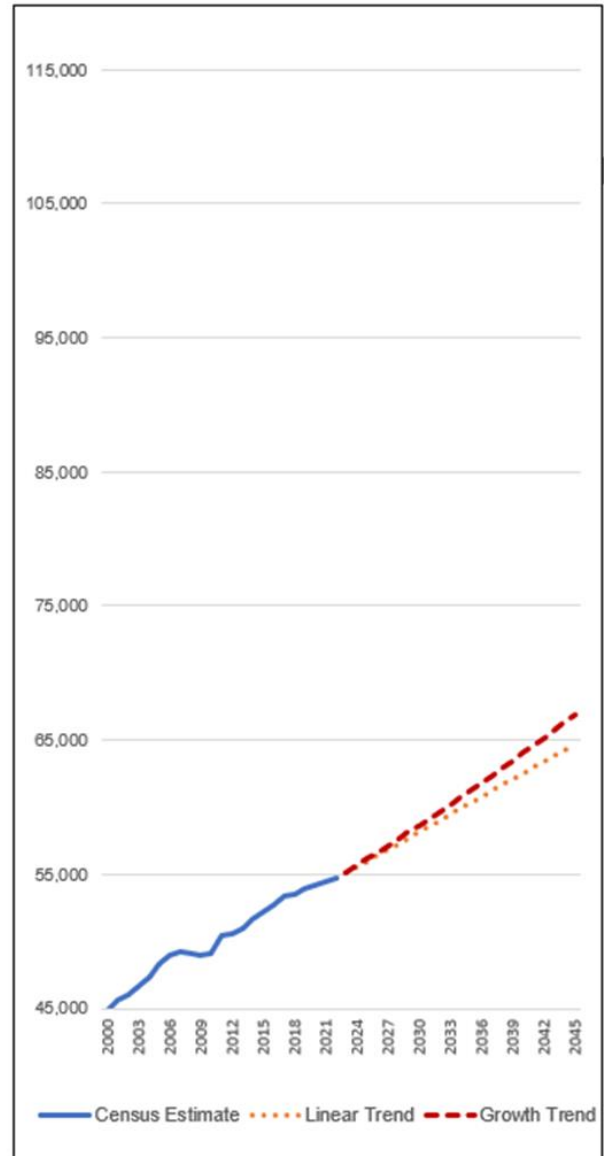
Adjustment to 2022 Census: 98.47416% 97.68841%

Service Area: Brooks, Tyrone, Woolsey, Fayetteville, and the Unincorporated Area.

Methodology Report **Future Growth Forecasts**

Table A-6: Population Forecast - Parks & Recreation Services Area

	Census Estimate	Linear Trend Raw	Growth Trend Raw	Linear Trend Adjusted	Growth Trend Adjusted
2000	44,854	45,451	45,576	44,854	44,854
2001	45,559	45,891	45,979	45,559	45,559
2002	46,064	46,331	46,385	46,064	46,064
2003	46,724	46,771	46,794	46,724	46,724
2004	47,313	47,210	47,207	47,313	47,313
2005	48,255	47,650	47,624	48,255	48,255
2006	49,013	48,090	48,044	49,013	49,013
2007	49,174	48,530	48,468	49,174	49,174
2008	49,028	48,970	48,896	49,028	49,028
2009	48,926	49,410	49,328	48,926	48,926
2010	49,107	49,850	49,763	49,107	49,107
2011	50,447	50,289	50,202	50,447	50,447
2012	50,592	50,729	50,646	50,592	50,592
2013	51,013	51,169	51,093	51,013	51,013
2014	51,646	51,609	51,544	51,646	51,646
2015	52,189	52,049	51,999	52,189	52,189
2016	52,730	52,489	52,458	52,730	52,730
2017	53,330	52,928	52,921	53,330	53,330
2018	53,514	53,368	53,388	53,514	53,514
2019	53,906	53,808	53,859	53,906	53,906
2020	54,171	54,248	54,335	54,171	54,171
2021	54,433	54,688	54,814	54,433	54,433
2022	54,667	55,128	55,298	54,667	54,667
2023		55,567	55,786	55,103	55,150
2024		56,007	56,279	55,539	55,636
2025		56,447	56,775	55,975	56,127
2026		56,887	57,276	56,412	56,623
2027		57,327	57,782	56,848	57,123
2028		57,767	58,292	57,284	57,627
2029		58,206	58,807	57,720	58,136
2030		58,646	59,326	58,156	58,649
2031		59,086	59,849	58,592	59,167
2032		59,526	60,378	59,029	59,689
2033		59,966	60,911	59,465	60,216
2034		60,406	61,448	59,901	60,747
2035		60,845	61,991	60,337	61,283
2036		61,285	62,538	60,773	61,824
2037		61,725	63,090	61,209	62,370
2038		62,165	63,647	61,646	62,921
2039		62,605	64,209	62,082	63,476
2040		63,045	64,776	62,518	64,036
2041		63,485	65,347	62,954	64,602
2042		63,924	65,924	63,390	65,172
2043		64,364	66,506	63,826	65,747
2044		64,804	67,093	64,263	66,328
2045		65,244	67,685	64,699	66,913



Adjustment to 2022 Census: 99.16453% 98.85892% Service Area: Brooks and the Unincorporated Area.

■ Housing Unit Forecasts

Projecting new growth and development in terms of housing units is important because residential impact fees are assessed when building permits are issued for new units. Thus, the housing unit is used as the basis for assessing impact fees rather than the number of residents that may occupy the housing unit.

The following table shows the number of housing units anticipated in the future by service area, which is based on the number of households (i.e., the number of occupied housing units) that in turn was converted from population projections by multiplying population figures by average household size data taken from the 2020 Census.

Households are then “expanded” to the total number of housing units below by adding in vacant units, based on the vacancy rates reported in the 2020 Census.

Table A-7: Number of Housing Units by Service Area

Year	Fire Protection		EMS		Parks & Recreation	
	Households	Housing Units	Households	Housing Units	Households	Housing Units
2023	19,556	23,264	25,761	29,610	16,713	20,089
2024	19,727	23,467	26,058	29,952	16,825	20,224
2025	19,973	23,760	26,457	30,411	17,001	20,436
2026	20,216	24,048	26,854	30,866	17,174	20,644
2027	20,369	24,230	27,133	31,187	17,270	20,760
2028	20,605	24,511	27,525	31,637	17,436	20,959
2029	20,836	24,786	27,911	32,082	17,597	21,152
2030	21,063	25,056	28,295	32,522	17,754	21,341
2031	21,287	25,323	28,677	32,962	17,908	21,526
2032	21,509	25,587	29,057	33,399	18,060	21,708
2033	21,730	25,849	29,437	33,836	18,208	21,887
2034	21,949	26,110	29,818	34,274	18,356	22,065
2035	22,263	26,484	30,329	34,861	18,582	22,336
2036	22,485	26,748	30,718	35,308	18,731	22,515
2037	22,710	27,015	31,111	35,760	18,881	22,695
2038	22,934	27,282	31,507	36,215	19,030	22,875
2039	23,160	27,550	31,906	36,673	19,179	23,054
2040	23,486	27,939	32,446	37,294	19,411	23,332
2041	23,721	28,218	32,862	37,773	19,567	23,520
2042	23,964	28,507	33,292	38,266	19,728	23,714
2043	24,214	28,804	33,734	38,774	19,895	23,914
2044	24,470	29,109	34,186	39,295	20,066	24,120
2045	24,728	29,416	34,644	39,821	20,238	24,326
Increase 2023-45	5,172	6,152	8,883	10,211	3,525	4,237

It is important to note that impact fees are not based on the number of people residing in a housing unit (even the average number). Since the number of people residing in a particular housing unit will most likely vary in the years ahead as lifestyles change, families grow, children grow up, occupants age, or the unit becomes occupied by a different household as the previous occupants move out, using population as the basis will vary widely as the years go by. This would result in a constant reassessment of the impact fees that are due because the demand for services would vary as the number of residents in the unit varies. Instead, using an average fee per housing unit based on average household sizes results in ‘averaging’ the demand for services which would otherwise vary as the population in the unit changes over the coming years ahead.

■ Employment Forecasts

The following Table A-8 on the next page shows the forecasts for employment growth countywide in Fayette County, from 2023 to 2045. The employment figures are based on forecasts published by Woods & Poole Economics in their latest (2022) *Georgia State Profile*, which includes a data book for every county in the state.

In contrast to the Census Bureau, Woods & Poole counts jobs, not just employed people, which captures people holding two or more jobs, self-employed sole proprietors, part-time workers, and vacant but available positions. This gives a more complete picture than other forecasts based on the Census data, which counts only the number of **people** that are employed, not the total number of **jobs** available.

On the table, the Woods & Poole forecasts for the 'types of employment' are shown in three groups. The 'non-building' types of jobs are those that primarily occur out-of-doors. Such jobs include any employment that is considered to be locationally transitory in nature, such as those working on construction sites, or are strictly land-based such as farming and other agricultural workers. Since impact fees are based on building permits, these types of employment generally do not involve occupancy of primary buildings for the workers themselves and thus place little more than minor demands for public services.

The second category—government—sets those city, county, state, and federal jobs apart since impact fees are not charged for such buildings that are actually owned by those governments, which are otherwise exempt from local taxation. This category includes public (but not private) schools.

The last category—'value-added' employment—is comprised of those types of jobs that represent growth in businesses and other nonresidential uses (such as nonprofits and institutions) that would increase demand for County services and would therefore be subject to impact fees. Even though some of the types of uses may occupy buildings that are exempt from property taxes (such as churches and other places of religious worship), they are not exempt from governmental fees (such as water and sewer service and/or building permit fees).

Table A-8: County-wide Employment Forecast (Jobs)

	2023	2025	2030	2035	2040	2045	2023-2045 Change	
							Number	Percent
Total Employment	77,782	81,128	90,058	99,850	110,662	122,425	44,643	36.5%
Farm Employment	157	155	151	148	145	144	-13	-9.0%
Forestry, Fishing	258	255	246	238	230	221	-37	-16.7%
Mining	92	89	82	75	69	63	-29	-46.0%
Construction	5,072	5,177	5,457	5,761	6,098	6,462	1,390	21.5%
Total Not Building Related	5,579	5,676	5,936	6,222	6,542	6,890	1,311	19.0%
Federal Civilian	596	616	671	736	811	897	301	33.6%
Federal Military	363	364	366	371	376	383	20	5.2%
State & Local Government	5,039	5,123	5,344	5,580	5,840	6,116	1,077	17.6%
Total Government	5,998	6,103	6,381	6,687	7,027	7,396	1,398	18.9%
Utilities	62	62	62	64	65	66	4	6.1%
Manufacturing	5,275	5,341	5,500	5,680	5,883	6,099	824	13.5%
Wholesale Trade	2,940	2,982	3,092	3,196	3,290	3,369	429	12.7%
Retail Trade	9,291	9,529	10,162	10,831	11,532	12,246	2,955	24.1%
Transportation & Warehousing	2,364	2,445	2,653	2,868	3,094	3,331	967	29.0%
Information	992	1,036	1,159	1,299	1,462	1,647	655	39.8%
Finance & Insurance	3,356	3,548	4,007	4,441	4,858	5,267	1,911	36.3%
Real Estate	4,966	5,206	5,842	6,490	7,160	7,840	2,874	36.7%
Professional & Technical Services	5,923	6,232	7,026	7,863	8,763	9,728	3,805	39.1%
Management of Companies	258	264	280	296	313	329	71	21.6%
Administrative & Waste Services	3,555	3,666	3,949	4,246	4,564	4,902	1,347	27.5%
Educational Services	1,424	1,509	1,730	1,965	2,222	2,503	1,079	43.1%
Health Care & Social Assistance	9,993	10,774	12,994	15,596	18,611	22,020	12,027	54.6%
Arts, Entertainment & Recreation	2,495	2,642	3,029	3,454	3,925	4,441	1,946	43.8%
Accommodation & Food Services	8,014	8,581	10,129	11,885	13,895	16,170	8,156	50.4%
Other Private Services	5,300	5,530	6,128	6,766	7,453	8,179	2,879	35.2%
Total Value-Added	66,208	69,347	77,742	86,940	97,090	108,137	41,929	38.8%

Source: Woods & Poole Economics, Inc., 2022 Georgia Data Book, Fayette County, as adjusted.

The next table shows the total employment figures for the county as a whole, and the total number of employed persons working in each of the incorporated jurisdictions and the unincorporated area, as reported in the 2010 Census commuting data.⁷ Even though these figures show employed persons and not total jobs, and presumably include people working in some buildings that are not subject to impact fees, they are used in forecasting employment in each of the service areas as the best data available.

⁷ Similar commuting data has not been published for the 2020 census. It is therefore assumed that the commuting patterns from 2010 have continued at the same proportions as before.

Methodology Report Future Growth Forecasts

Table A-9: Employment by Place of Work

Jurisdiction	Total Workers	Percent of County
County Total	44,031	100%
Brooks	171	0.3884%
Fayetteville	12,183	27.6691%
Peachtree City	19,514	44.3188%
Tyrone	2,713	6.1616%
Woolsey	30	0.0681%
Unincorporated	9,420	21.3940%

Current employment is therefore derived by multiplying the 2010 percentages for each service area times the number of county-wide jobs.

Source: Commuting Patterns, Bureau of the Census, 2010.

BY SERVICE AREA		
Unincorporated Area	9,420	
Brooks	171	
Tyrone	2,713	
Woolsey	30	
Fire District	12,334	28.0121%
Fayetteville	12,183	
EMS District	24,517	55.6812%
Parks & Recreation*	9,591	21.7824%

*The Parks & Recreation Service Area is comprised of Brooks and the unincorporated area.

Service Area Employment Forecasts

Employment forecasts are presented for each of the county's service areas, with the exception of parks and recreation since these facilities apply to only residential uses where housing units are used in fee calculations (as opposed to 'day-night' population, which combines residential population and employment figures). As noted previously, only the 'value-added jobs' would be located in buildings that would be subject to impact fee assessments.

Table A-10: Future Job Growth - Fire Protection & EMS Service Areas

Year	Total Jobs	Non-Building Related	Government	Value-Added Jobs	Year	Total Jobs	Non-Building Related	Government	Value-Added Jobs
2023	21,788	1,563	1,680	18,545	2023	43,310	3,106	3,340	36,864
2024	22,101	1,572	1,690	18,839	2024	43,931	3,124	3,359	37,448
2025	22,726	1,590	1,710	19,426	2025	45,173	3,160	3,398	38,615
2026	23,226	1,605	1,725	19,896	2026	46,168	3,189	3,429	39,550
2027	23,726	1,619	1,741	20,366	2027	47,162	3,218	3,460	40,484
2028	24,227	1,634	1,757	20,836	2028	48,156	3,247	3,492	41,417
2029	24,727	1,648	1,773	21,306	2029	49,151	3,276	3,523	42,352
2030	25,227	1,663	1,787	21,777	2030	50,145	3,305	3,553	43,287
2031	25,776	1,679	1,805	22,292	2031	51,236	3,337	3,587	44,312
2032	26,324	1,695	1,822	22,807	2032	52,326	3,369	3,621	45,336
2033	26,873	1,711	1,839	23,323	2033	53,417	3,401	3,655	46,361
2034	27,421	1,727	1,856	23,838	2034	54,507	3,433	3,689	47,385
2035	27,970	1,743	1,873	24,354	2035	55,598	3,464	3,723	48,411
2036	28,576	1,761	1,892	24,923	2036	56,802	3,500	3,761	49,541
2037	29,182	1,779	1,911	25,492	2037	58,006	3,536	3,799	50,671
2038	29,787	1,797	1,930	26,060	2038	59,210	3,571	3,837	51,802
2039	30,393	1,815	1,949	26,629	2039	60,414	3,607	3,875	52,932
2040	30,999	1,833	1,968	27,198	2040	61,618	3,643	3,913	54,062
2041	31,658	1,852	1,989	27,817	2041	62,928	3,681	3,954	55,293
2042	32,317	1,872	2,010	28,435	2042	64,238	3,720	3,995	56,523
2043	32,976	1,891	2,030	29,055	2043	65,548	3,759	4,036	57,753
2044	33,635	1,911	2,051	29,673	2044	66,858	3,798	4,077	58,983
2045	34,294	1,930	2,072	30,292	2045	68,168	3,836	4,118	60,214
Increase 2023-45	12,506	367	392	11,747	Increase 2022-45	24,858	730	778	23,350

Percent 28.0121% Brooks, Tyrone, Woolsey and Unincorporated Area.
(Fire Protection service area)

Percent 55.6812% Brooks, Tyrone, Woolsey, Fayetteville, Unincorporated.
(EMS service area)

Appendix B – Cost Adjustments and Credits

■ Cost Adjustments

Calculations related to impact fees are made in terms of the ‘present value’ of past and future amounts of money, including project cost expenditures and future revenue credits.

The Georgia Development Impact Fee Act defines ‘present value’ as “the current value of past, present, or future payments, contributions or dedications of goods, services, materials, construction, or money.” This Appendix describes the methodologies used to make appropriate adjustments to project cost figures, both past and future, to convert these costs into current dollars when such an adjustment is appropriate.

Calculations for present value (PV) differ when considering past expenditures versus future costs. In both cases, however, the concept is the same—the ‘actual’ expenditure made or to be made is adjusted to the current year (2023) using an inflation rate to bring past expenditures up and to increase current cost estimates into future expenditures expected in a particular year, and a deflator for future costs representing interest that would be added to funds being saved up until the expenditure is to be made. In essence, the present value is considered in light of the value of money as it changes over time.

Past Expenditures

Past expenditures are considered in impact fee calculations only for previous expenditures for projects that created capacity for new development and are being recouped. An expenditure that was made in the past is converted to PV using the inflation rate of money—in this case the Consumer Price Index (CPI). Although this approach ignores the value of technological innovation (i.e., better computers are available today for the same or lower historic prices) and evolving land prices (often accelerated beyond inflation by market pressures), the approach best captures the value of the money actually spent. For instance, it is not important that you can buy a better computer today for the same price that was paid five years ago; what is important is the money was spent five years ago and what that money would be worth today had it been saved instead of spent.

Future Project Costs

In order to determine the present value of a project expenditure that will be made in the future, the Net Present Value (NPV) of the expenditure is determined. To calculate the NPV of any project cost, two figures are needed—the future cost of the project anticipated in the year the expenditure will be made, and the Net Discount Rate. Given the current cost of a project, that cost is first inflated into the future to the target expenditure year to establish the estimated future cost. The future cost is then deflated to the present using the Net Discount Rate, which establishes the NPV for the project in current dollars. These two formulas are:

$$\text{Future Cost} = \text{Current Cost} \times (1 + \text{Inflation Rate})^{\text{Year of Expenditure} - \text{Current Year}}$$

$$\text{Net Present Value} = \text{Future Cost} \times (1 + \text{Net Discount Rate})^{\text{Current Year} - \text{Year of Expenditure}}$$

In this Appendix, two important adjustments are discussed that are required to convert current cost estimates into future cost figures, and then back into current dollars. First, an appropriate cost inflator is identified. This adjustment factor is important in determining the future cost of a project, based on current cost estimates. The cost inflator may be based on anticipated inflation in construction or building costs, or on anticipated inflation in the value of money (for capital projects that do not include a construction component). In essence, costs increase over time. By identifying the appropriate inflation rate that is related to the type of project (building construction, project construction, or non-construction), current 2023 estimates can be used to predict future costs in the year they are expected to occur.

The second cost adjustment is a deflator—the Net Discount Rate. In essence, the Net Discount Rate is the interest rate that accrues to monies being held in escrow. That is, as impact fees are collected and ‘saved up’ over the years for the future expenditure, they increase at the rate that the account is accruing interest. Having determined the inflated cost of a project at some future date, the cost in today’s dollars can be reduced to the extent that interest will increase the funds on hand. In essence, the calculation determines how much money needs to be added to the account so that, with interest, it will grow to the amount needed for that future expenditure at that time. This is the Net Present Value of that future expenditure.

■ Cost Inflatoms

Three different cost inflators are used in the impact fee calculations, based on the type of project being considered.

For projects that require construction of a structure (such as a fire station), a ‘building cost inflator’ is used as the appropriate inflation rate.

For infrastructure projects, such as roads or ball fields, a ‘construction cost inflator’ is used.

For all non-construction types of projects (such as a fire truck or park land), an inflation rate is used that is based on the Consumer Price Index. These different types of inflators are discussed below.

Engineering News-Record’s Cost Indexes

The Engineering News-Record (ENR)⁸ publishes both a Building Cost Index (BCI) and a Construction Cost Index (CCI), both of which are widely used in the construction industry. The indexes are based on monthly and annual cost increases of various construction materials and applicable labor rates, and are calibrated regionally.

⁸ Engineering News-Record is a magazine devoted to providing those in the construction business with up-to-date information concerning innovations and policy changes related to their field of work. This includes tracking monthly increases in the relative costs of construction and building projects, as well as features on the business and management aspects of construction.

Methodology Report Cost Adjustments and Credits

Building Cost Inflator

Table B-1 presents a calculation of the annual average rate of increase reflected in the construction costs of a building. For this analysis, the 2012-2022 ten-year period is used as a base time period for an estimate of average future construction cost increases due to inflation in labor and materials costs.

Table B-1: Building Cost Inflator - BCI

Year	Amount	BCI*		Effect of Inflation	
		1913=100	2012=1.0	BCI	Avg. Rate =
					2.5825565%
2012	\$ 100,000.00	3,970.93	1.000000	\$ 100,000.00	\$ 100,000.00
2013		4,022.11	1.012888	\$ 101,288.76	\$ 102,582.56
2014		4,076.81	1.026663	\$ 102,666.31	\$ 105,231.81
2015		4,108.05	1.034529	\$ 103,452.93	\$ 107,949.48
2016		4,126.72	1.039232	\$ 103,923.20	\$ 110,737.34
2017		4,278.39	1.077428	\$ 107,742.79	\$ 113,597.19
2018		4,408.94	1.110303	\$ 111,030.32	\$ 116,530.90
2019		4,523.59	1.139176	\$ 113,917.60	\$ 119,540.38
2020		4,615.43	1.162304	\$ 116,230.36	\$ 122,627.58
2021		5,335.09	1.343535	\$ 134,353.48	\$ 125,794.50
2022		6,314.94	1.590292	\$ 159,029.21	\$ 129,043.22
				\$ 1,253,634.96	\$ 1,253,634.96

* Building Cost Index, Atlanta Region.

Source: *Engineering News Record*, Annual Average Indices.

Table B-1 assumes a building construction project that cost \$100,000 in 2012, and how much the same project would cost in each subsequent year due to inflation using the Building Cost Index published by ENR for the Atlanta region.

Setting the 2012 Building Cost Index (BCI) at '1.0,' the increase in the BCI as a multiple of 2012 is also shown on the table. The equivalent cost of the same project in each subsequent year is calculated by multiplying the BCI multiplier times \$100,000. In 2022, for instance, the same building project would cost about \$141,900 due to inflation in construction materials and personnel costs.

When the total for all such projects is summed for the 2012-2022 period (\$1,235,117.56), the equivalent average annual rate of increase is calculated as the percentage that would produce the same total. This percentage is used in the text of this report as the applicable inflator for building construction projects that will begin in future years.

Construction Cost Inflator

The inflator for future construction costs for other types of projects is based on ENR's Construction Cost Index.

Table B-2 presents a calculation of the annual average rate of increase reflected in the cost of construction of a capital project other than a building. (These would include such projects as road improvements, trails, baseball fields and other projects that do not involve buildings.) For this analysis, the 2012-2022 ten-year period is also used as a base time period for an estimate of average future construction cost increases due to inflation in labor and materials costs. The Construction Cost 10-year average inflation rate is calculated in the same manner as described above for the Building Cost Inflator.

Table B-2: Construction Cost Inflator - CCI

Year	Amount	CCI*		Effect of Inflation	
		1913=100	2012=1.0	CCI	Avg. Rate =
				2.2916719%	
2012	\$100,000.00	5,892.64	1.000000	\$ 100,000.00	\$ 100,000.00
2013		5,983.23	1.015374	\$ 101,537.38	\$ 102,291.67
2014		6,147.52	1.043254	\$ 104,325.44	\$ 104,635.86
2015		6,245.74	1.059922	\$ 105,992.22	\$ 107,033.77
2016		6,277.14	1.065250	\$ 106,525.03	\$ 109,486.63
2017		6,433.18	1.091732	\$ 109,173.24	\$ 111,995.71
2018		6,592.98	1.118850	\$ 111,885.00	\$ 114,562.28
2019		6,681.50	1.133872	\$ 113,387.16	\$ 117,187.68
20		6,750.41	1.145567	\$ 114,556.65	\$ 119,873.23
21		7,414.97	1.258344	\$ 125,834.41	\$ 122,620.33
22		8,361.71	1.419010	\$ 141,901.02	\$ 125,430.39
				\$1,235,117.55	\$1,235,117.55

* Construction Cost Index, Atlanta Region.

Source: *Engineering News Record*, Annual Average Indices.

CPI Inflator

For projects that do not involve construction, only the future value of money needs to be considered (without regard to inflation in labor or materials costs). For this calculation, the Consumer Price Index (CPI) is used, assuming past experience will continue into the foreseeable future.

Table B-3 shows the CPI figures for every year since 1982, when the current CPI was first calibrated.

By 2021 the CPI had risen considerably over the 1982 CPI. The first column under the 'CPI' heading on Table B-3 shows the average annual CPI figures. Using 2021 as the base (2021=1.0), the second column under 'CPI' on the table shows the multipliers that would convert an amount of money spent in each year into current present value dollars.

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Table B-3: Non-Construction Cost Inflator - CPI

Year	Amount	CPI*		Present Value: CPI	Long Term Inflator =	10-Year Inflator =
		1982-84=100	2020=1.0			
					2.49984150%	
1982	\$ 10,000.00	96.50	2.88029	\$ 28,802.90	\$ 26,194.17	
1983	\$ 10,000.00	99.60	2.79064	\$ 27,906.43	\$ 25,555.32	
1984	\$ 10,000.00	103.90	2.67515	\$ 26,751.49	\$ 24,932.06	
1985	\$ 10,000.00	107.60	2.58316	\$ 25,831.60	\$ 24,324.00	
1986	\$ 10,000.00	109.60	2.53602	\$ 25,360.22	\$ 23,730.77	
1987	\$ 10,000.00	113.60	2.44673	\$ 24,467.25	\$ 23,152.00	
1988	\$ 10,000.00	118.30	2.34952	\$ 23,495.18	\$ 22,587.36	
1989	\$ 10,000.00	124.00	2.24152	\$ 22,415.16	\$ 22,036.48	
1990	\$ 10,000.00	130.70	2.12661	\$ 21,266.11	\$ 21,499.04	
1991	\$ 10,000.00	136.20	2.04073	\$ 20,407.34	\$ 20,974.70	
1992	\$ 10,000.00	140.30	1.98110	\$ 19,810.98	\$ 20,463.16	
1993	\$ 10,000.00	144.50	1.92352	\$ 19,235.16	\$ 19,964.09	
1994	\$ 10,000.00	148.20	1.87549	\$ 18,754.93	\$ 19,477.19	
1995	\$ 10,000.00	152.40	1.82381	\$ 18,238.06	\$ 19,002.16	
1996	\$ 10,000.00	156.90	1.77150	\$ 17,714.98	\$ 18,538.72	
1997	\$ 10,000.00	160.50	1.73176	\$ 17,317.63	\$ 18,086.59	
1998	\$ 10,000.00	163.00	1.70520	\$ 17,052.02	\$ 17,645.48	
1999	\$ 10,000.00	166.60	1.66836	\$ 16,683.55	\$ 17,215.13	
2000	\$ 10,000.00	172.20	1.61410	\$ 16,141.00	\$ 16,795.27	
2001	\$ 10,000.00	177.10	1.56944	\$ 15,694.41	\$ 16,385.66	
2002	\$ 10,000.00	179.90	1.54501	\$ 15,450.14	\$ 15,986.03	
2003	\$ 10,000.00	184.00	1.51059	\$ 15,105.87	\$ 15,596.15	
2004	\$ 10,000.00	188.90	1.47140	\$ 14,714.03	\$ 15,215.78	
2005	\$ 10,000.00	195.30	1.42318	\$ 14,231.85	\$ 14,844.69	
2006	\$ 10,000.00	201.60	1.37871	\$ 13,787.10	\$ 14,482.65	
2007	\$ 10,000.00	207.34	1.34053	\$ 13,405.29	\$ 14,129.43	
2008	\$ 10,000.00	215.30	1.29096	\$ 12,909.62	\$ 13,784.83	
2009	\$ 10,000.00	214.54	1.29557	\$ 12,955.71	\$ 13,448.64	2.580330%
2010	\$ 10,000.00	218.06	1.27466	\$ 12,746.63	\$ 13,120.64	
2011	\$ 10,000.00	224.94	1.23566	\$ 12,356.59	\$ 12,800.65	\$ 12,901.52
2012	\$ 10,000.00	229.59	1.21061	\$ 12,106.07	\$ 12,488.46	\$ 12,576.99
2013	\$ 10,000.00	232.96	1.19313	\$ 11,931.30	\$ 12,183.88	\$ 12,260.63
2014	\$ 10,000.00	236.74	1.17408	\$ 11,740.84	\$ 11,886.73	\$ 11,952.22
2015	\$ 10,000.00	237.02	1.17269	\$ 11,726.92	\$ 11,596.83	\$ 11,651.57
2016	\$ 10,000.00	240.01	1.15808	\$ 11,580.82	\$ 11,313.99	\$ 11,358.49
2017	\$ 10,000.00	245.12	1.13393	\$ 11,339.26	\$ 11,038.06	\$ 11,072.77
2018	\$ 10,000.00	251.11	1.10689	\$ 11,068.91	\$ 10,768.86	\$ 10,794.25
2019	\$ 10,000.00	255.66	1.08719	\$ 10,871.93	\$ 10,506.22	\$ 10,522.72
2020	\$ 10,000.00	261.56	1.06265	\$ 10,626.55	\$ 10,249.98	\$ 10,258.03
2021	\$ 10,000.00	277.95	1.00000	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00



1982-21 \$ 400,000.00
 2011-21 \$ 110,000.00

\$ 674,001.84 \$ 674,001.84
\$ 125,349.20 ← → **\$ 125,349.20**

*Consumer Price Index data is from the U. S. Department of Labor, Bureau of Labor Statistics.

Using an annual expenditure of \$10,000 as an example, the multipliers on Table B-3 yield the figures shown for the CPI on the table under the 'present value' heading. Cumulatively, the \$400,000 spent over the 1982-2021 period would have a total present value of \$674,001.84 in today's dollars. Considering the present value figures for the \$10,000 annual expenditures, an average annual inflation rate of almost 2.5% yields the same total amount over the 1982-2021 period.

The 39-year average of annual CPI change (the period of 1982-2021) shown on Table B-3 would be useful in estimating the present value (PV) of past expenditures, but would not be the best indicator of future change because of the long time-frame covered. Looking only at the change in CPI for the 10 years from 2011 to 2021, an average annual inflation rate of almost 2.6% (2.58033%) best captures the change over that period. Even though this 10-year rate is somewhat skewed by the 2021 one-year rate influenced by the pandemic, this rate (compared to the 1982-2021 period) is assumed to be experienced 'on average' in future years, and is used for inflator calculations for future non-construction expenditures where the value of money is the issue.

Calculating Net Present Value

Determining the NPV of future project expenditures depends on the type of 'project' being funded, as discussed above. Specifically ...

- For a building construction project (such as a fire station), the current cost estimate for the project is inflated into the future using the average Building Cost Inflator (from Table B-1) applied to the number of years until the year planned for its construction. This future cost is then deflated back to the present using the Net Discount Rate (currently 1.875%⁹) since this reflects the present value of a future amount of money.
- For other construction projects (such as recreation facilities), the current cost estimate for the project is inflated into the future using the average Construction Cost Inflator (from Table B-2) applied to the number of years until the year planned for its construction. Like building construction projects, this future cost is then deflated back to the present using the Net Discount Rate.
- For non-construction capital projects (such as ambulance purchases or land acquisition), the 10-year average CPI inflator is used to estimate the project expenditure in future dollars while, again, the Net Discount Rate is applied to deflate that future cost to present value.

■ Property Tax Credits

The Georgia Development Impact Fee Act is very clear that new growth and development cannot be charged more in impact fees than their 'fair share' of the cost of providing public facilities needed to serve that new growth. The calculation of that 'fair share' is intrinsic to the impact fee calculations carried out in the chapters addressing each public facility category.

Some capital projects in the impact fee program have portions that are not impact fee eligible. These are situations in which only a portion of an impact fee eligible item, such as a portion of a playground, is only partially impact fee eligible. Funding for these non-eligible portions are the responsibility of today's current residents, not new growth. For this report, it is assumed that the portion to be assessed for the ineligible portion will come from the General Fund (i.e, property taxes).

Since both existing and future residents and businesses will be paying the taxes, the situation that new growth would be paying both impact fees to cover its fair share of the costs while also generating property taxes that can be used to cover the (ineligible) portion of the cost (for which new growth is

⁹ The discount rate is based on the average interest paid to local governments by the state's Georgia 1 Fund. From June '22 through May'23, the monthly rate varied, with the average being 3.75%. Because monthly deposits to the Fund would grow slowly, the effective rate of return used is half of the average – or 1.875% – which is the effective 'discount rate'.

Methodology Report	Cost Adjustments and Credits
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not responsible); this results in a form of 'double taxation'. Thus, a credit must be calculated that reduces the impact fee portion due from new growth to account for the tax contribution for the ineligible portion of same projects that new growth will generate.

To the extent that credits are due, they are subtracted from the impact fee project costs as part of the calculation of maximum impact fees allowed within each of the public facility chapters to which they apply.

Property Tax Bases

Table B-4 shows the latest tax base figures for each of the County's three service areas, as reported by the State Department of Revenue. The amounts shown are the 'assessed' values, which are 40% of the 'actual' values for properties in each tax category.

Table B-4: Property Tax Bases - 2022

	Service Area		
	Parks & Recreation	Fire Protection	EMS
Residential	\$ 2,530,568,355	\$ 2,922,346,153	\$ 3,581,152,187
Agricultural	\$ 128,046,893	\$ 131,878,109	\$ 137,200,645
Conservation Use	\$ 63,849,604	\$ 64,713,488	\$ 65,341,332
Commercial	\$ 109,669,471	\$ 174,035,373	\$ 580,979,620
Industrial	\$ 29,692,942	\$ 83,739,503	\$ 122,263,553
Utility	\$ 41,986,032	\$ 48,230,047	\$ 61,240,723
Motor Vehicle	\$ 27,285,540	\$ 31,488,300	\$ 37,993,980
Mobile Home	\$ 4,210,975	\$ 4,259,768	\$ 4,259,768
Timber 100%	\$ 74,979	\$ 74,979	\$ 74,979
Heavy Equipment	\$ 65,095	\$ 90,260	\$ 608,896
Gross Tax Base	\$ 2,935,449,886	\$ 3,460,855,980	\$ 4,591,115,683
Exempt	\$ 160,942,833	\$ 187,061,965	\$ 221,697,242
Total Tax Base--M&O	\$ 2,774,507,053	\$ 3,273,794,015	\$ 4,369,418,441

While the table shows a gross tax base value for all property in each of the service areas, there are various exemptions that apply to certain properties, including residential properties (such as the 'homestead' exemption), which are referred to collectively as the M&O (maintenance and operations) exemptions. These exemptions reduce the tax burdens on such properties. At the bottom of the table the M&O exemptions are subtracted from the gross tax base assessed value, resulting in a net taxable value for each service area.

Parks and Recreation Property Tax Credit

Tax base projections have been prepared for the Parks and Recreation service area, since there is the need to apply a property tax credit for some projects (see also Parks and Recreation chapter). In the following table, the net value added to the tax base by new growth and development in the Parks and Recreation service area in the coming years is calculated. New residences recently sold in the service area garnered an overall median sales price of \$679,776, which would be a gross tax

Methodology Report Cost Adjustments and Credits

assessment value of \$271,910 at 40% of the actual sales price.¹⁰ Accounting for exemptions, this results in an average net new house assessment of \$254,617, which is applied to new growth (new housing units) to calculate the total increases each year in taxable value generated by new growth that would be subject to impact fees.

Also shown is the cumulative increase in the 'M&O Residential Tax Base' each year generated by the annual 'contribution' from new residential growth. By dividing the total tax bases each year by these cumulative new growth amounts, the percentage of the total tax base amounts generated by new growth and development is calculated. These 'percent new growth' figures are used to determine the extent to which the ineligible portion of an impact fee project paid from the General Fund would represent a contribution from new growth for which it is not responsible (having covered its funding responsibility through the impact fees that it generated).

Table B-5: Tax Base Increases from New Growth - Parks & Recreation

Year	Residential			Fees based on Housing Units			
	Total Housing Units	New Housing Units	Added Assessed Value*	M&O Residential Tax Base**	Net New Tax Base from Residential	Total New Tax Base from Residential	% New Growth
2022	19,860			\$ 2,369,625,522			
2023	20,089	229	\$ 58,307,293	\$ 2,427,932,815			
2024	20,224	135	\$ 34,373,295	\$ 2,462,306,110	\$ 34,373,295	\$ 34,373,295	1.42%
2025	20,436	212	\$ 53,978,804	\$ 2,516,284,914	\$ 53,978,804	\$ 88,352,099	3.59%
2026	20,644	208	\$ 52,960,336	\$ 2,569,245,250	\$ 52,960,336	\$ 141,312,435	5.62%
2027	20,760	116	\$ 29,535,572	\$ 2,598,780,822	\$ 29,535,572	\$ 170,848,007	6.65%
2028	20,959	199	\$ 50,668,783	\$ 2,649,449,605	\$ 50,668,783	\$ 221,516,790	8.52%
2029	21,152	193	\$ 49,141,081	\$ 2,698,590,686	\$ 49,141,081	\$ 270,657,871	10.22%
2030	21,341	189	\$ 48,122,613	\$ 2,746,713,299	\$ 48,122,613	\$ 318,780,484	11.81%
2031	21,526	185	\$ 47,104,145	\$ 2,793,817,444	\$ 47,104,145	\$ 365,884,629	13.32%
2032	21,708	182	\$ 46,340,294	\$ 2,840,157,738	\$ 46,340,294	\$ 412,224,923	14.75%
2033	21,887	179	\$ 45,576,443	\$ 2,885,734,181	\$ 45,576,443	\$ 457,801,366	16.12%
2034	22,065	178	\$ 45,321,826	\$ 2,931,056,007	\$ 45,321,826	\$ 503,123,192	17.43%
2035	22,336	271	\$ 69,001,207	\$ 3,000,057,214	\$ 69,001,207	\$ 572,124,399	19.52%
2036	22,515	179	\$ 45,576,443	\$ 3,045,633,657	\$ 45,576,443	\$ 617,700,842	20.59%
2037	22,695	180	\$ 45,831,060	\$ 3,091,464,717	\$ 45,831,060	\$ 663,531,902	21.79%
2038	22,875	180	\$ 45,831,060	\$ 3,137,295,777	\$ 45,831,060	\$ 709,362,962	22.95%
2039	23,054	179	\$ 45,576,443	\$ 3,182,872,220	\$ 45,576,443	\$ 754,939,405	24.06%
2040	23,332	278	\$ 70,783,526	\$ 3,253,655,746	\$ 70,783,526	\$ 825,722,931	25.94%
2041	23,520	188	\$ 47,867,996	\$ 3,301,523,742	\$ 47,867,996	\$ 873,590,927	26.85%
2042	23,714	194	\$ 49,395,698	\$ 3,350,919,440	\$ 49,395,698	\$ 922,986,625	27.96%
2043	23,914	200	\$ 50,923,400	\$ 3,401,842,840	\$ 50,923,400	\$ 973,910,025	29.06%
2044	24,120	206	\$ 52,451,102	\$ 3,454,293,942	\$ 52,451,102	\$ 1,026,361,127	30.17%
2045	24,326	206	\$ 52,451,102	\$ 3,506,745,044	\$ 52,451,102	\$ 1,078,812,229	31.23%

* New housing unit value is estimated at an average median assessed value per housing unit of: \$ 254,617

** Total Non-exempt Residential tax base in Parks & Recreation Service Area.

NOTE: Housing unit value shown is net of average tax exemption.

¹⁰ Zillow reported a total of 18 houses built in the service area in 2022 (the unincorporated area plus Brooks) and actually sold. Sales prices ranged from a low of \$139,000 to a high of \$970,900, with the average being \$271,910. At 40% assessed value, the average comes to \$254,617.

Applying the Tax Credit

By way of example, if a particular project were only 80% impact fee eligible, then the other 20% would be expected to be generated from non-new growth sources since the 'ineligible' portion would be the responsibility of the current residents and businesses in the service area. Assuming property taxes are the funding source for the non-eligible portion, it must be recognized that some of that 20% would, in fact, be generated by new growth in the years ahead. The solution is to find the percentage of new growth participation in property taxes for the particular year of expenditure (a parks & recreation project in 2030, for instance, would garner 13.32% in property tax revenue from new residential growth) and reduce the impact fee share of the project by that percentage (the ineligible 20% of the total times 13.32%).

The object, in the long run, is to assure that new growth pays no more than its 'fair share' of the cost of facilities that are needed to specifically serve it through this combination of impact fees paid and property tax generated, while the existing residents and businesses pay their fair share of the cost that specifically serves only them.

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Request to approve the Parks and Recreation Selection Committee's recommendation to re-appoint Charles McCollum to the Recreation Commission for a term beginning September 1, 2023 and expiring August 31, 2027.

Background/History/Details:

The Fayette County Recreation Commission is a citizen committee comprised of five volunteers who are appointed by the Fayette County Board of Commissioners to four-year terms. The Recreation Commission reviews and evaluates programs, facilities, policies, and other matters and makes recommendations to the Recreation Department, the County Administrator, and the Board of Commissioners concerning capital and operational needs. As an advisory board, the Recreation Commission has no decision-making authority over how county resources are spent or managed.

The Selection Committee consisted of Nick Kilburg, Vice-Chair of the Recreation Commission, Bradley Klinger, Assistant Director Fayette County Road Department, and Anita Godbee, Director of Parks and Recreation.

After going through the interview process, the Selection Committee recommends the re-appointment of Charles McCollum to the Recreation Commission.

The seat was previously held by Charles McCollum.

What action are you seeking from the Board of Commissioners?

Approval to re-appoint Charles McCollum to the Recreation Commission for a term beginning September 1, 2023 and expiring August 31, 2027.

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:



APPLICATION FOR APPOINTMENT
Fayette County Recreation Commission

The Fayette County Recreation Commission is a citizen committee, comprised of five volunteers who are appointed by the Fayette County Board of Commissioners for four-year terms, which reviews and evaluates programs, facilities, policies, and other matters and makes recommendations to the Recreation Department, the County Administrator, and the Board of Commissioners concerning capital and operational needs. As an advisory board, the Recreation Commission has no decision-making authority over how county resources are spent or managed.

The Recreation Commission typically meets the second Tuesday of each month at the Parks and Recreation Activities Building that is located at 980 Redwine Road, Fayetteville, Georgia beginning at 7:00 p.m.

Please take a few minutes to complete the form and answer the questions below and return with a resume, if available, to Tameca Smith, County Clerk, via email at tsmith@fayettecountyga.gov or 140 Stonewall Avenue, West, Suite 100, Fayetteville, GA 30214 **no later than 5:00 p.m. on Friday, August 18, 2023.**

If you have any questions, please call (770) 305-5103.

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

NAME Charles McCollum

ADDRESS 210 Jordan Place

Fayetteville GA, 30215

TELEPHONE (cell) [REDACTED] (home) ATA

EMAIL ADDRESS cmccollum@aquadesignsystems.com

[Signature]
Signature

062923
Date



APPLICATION FOR APPOINTMENT
Fayette County Recreation Commission

1. How long have you been a resident of Fayette County? 59 YEARS
2. Why are you interested in serving on the Fayette County Recreation Commission? TO CONTINUE THE WORK THAT I HAVE INVESTED IN OVER THE PAST 16 YEARS
3. What qualifications and experience do you possess for appointment to the Recreation Commissions? I SERVED AS PRESIDENT FOR THE FAYETTE COUNTY BASEBALL ASSOCIATION FOR 11 YEARS AND HAVE BEEN ON THE RECREATION COMMISSION FOR 16 YEARS
4. List your recent employment experiences to include name of company and position. AQUA DESIGN SYSTEMS – SENIOR ESTIMATOR
5. Do you have any past experience relating to the Recreation Commission? If so, please describe. I AM CURRENTLY THE CHAIRMAN ON THE RECREATION COMMISSION
6. Are you currently serving on a commission/board/authority or in an elected capacity with any government? FAYETTE COUNTY PARKS AND RECREATION COMMISSION
7. Have you attended any Recreation Commission meetings in the past two years and, if so, how many? 20 to 24
8. Are you willing to attend seminars or continuing education classes at county expense? YES
9. What is your vision of the county's future related to the duties of the Recreation Commission? CONTINUE TO SUPPORT HEALTH AND WELLNESS IN THE COUNTY, SUPPORT OUR YOUTH AND ADULTS THAT PARTICIPATE IN THE PROGRAMS AND MOST OF ALL SUPPORT THE PARKS AND RECREATION DEPARTMENT.
10. Would there be any possible conflict of interest between your employment or your family and you serving on the Recreation Commission? NO CONFLICTS AT ALL.
11. Are you in any way related to a County Elected Official or County employee? If so, please describe. MY WIFE WORKS FOR THE SHERIFF'S OFFICE
12. Describe your current community involvement. I AM ACTIVE WITH LOCAL MISSION WORK WITH MY CHURCH AND THE REC COMMISSION
13. Have you been provided a copy of the county's Ethics Ordinance? YES
14. Is there any reason you would not be able to comply with the Ethics Ordinance? NO

OTHER APPLICANT

FAYETTE *Press Release*

BOARD OF COMMISSIONERS

**ONE OPEN POSITION ON THE FAYETTE COUNTY
RECREATION COMMISSION**

The **Fayette County Recreation Commission** is a citizen committee, comprised of five volunteers who are appointed by the Fayette County Board of Commissioners to four-year terms, which reviews and evaluates programs, facilities, policies, and other matters and makes recommendations to the Recreation Department, the County Administrator, and the Board of Commissioners concerning capital and operational needs. As an advisory board, the Recreation Commission has no decision-making authority over how county resources are spent or managed.

The Recreation Commission typically meets the second Tuesday of each month at the Parks and Recreation Activities Building that is located at 980 Redwine Road, Fayetteville, Georgia beginning at 7:00 p.m.

The Fayette County Board of Commissioners would like to notify all interested Fayette County citizens that two positions to the Recreation Commission is available to be filled.

One term to begin September 1, 2023 and will expire August 31, 2027.

Applications can be obtained by visiting www.fayettecountyga.gov; Public Notices. All applications must be returned to Tameca Smith, County Clerk at tsmith@fayettecountyga.gov or at 140 Stonewall Avenue West, Suite 100, Fayetteville, Georgia **no later than 5:00 p.m. on Friday, August 18, 2023.**

Contact: Tameca P. Smith, County Clerk
Office: (770) 305-5103





APPLICATION FOR APPOINTMENT
Fayette County Recreation Commission

The Fayette County Recreation Commission is a citizen committee, comprised of five volunteers who are appointed by the Fayette County Board of Commissioners for four-year terms, which reviews and evaluates programs, facilities, policies, and other matters and makes recommendations to the Recreation Department, the County Administrator, and the Board of Commissioners concerning capital and operational needs. As an advisory board, the Recreation Commission has no decision-making authority over how county resources are spent or managed.

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Please take a few minutes to complete the form and answer the questions below and return with a resume, if available, to Tameca Smith, County Clerk, via email at tsmith@fayettecountyga.gov or 140 Stonewall Avenue, West, Suite 100, Fayetteville, GA 30214 **no later than 5:00 p.m. on Friday, August 18, 2023.**

If you have any questions, please call (770) 305-5103.

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

NAME Quentin Pullen,

ADDRESS 1837 Hwy 92 North Fayetteville, GA 30214

TELEPHONE (cell) [REDACTED] (home) _____

EMAIL ADDRESS [REDACTED]


Signature

8/14/23
Date



APPLICATION FOR APPOINTMENT Fayette County Recreation Commission

1. How long have you been a resident of Fayette County? 2 years
2. Why are you interested in serving on the Fayette County Recreation Commission?
I served as a Recreation Commissioner in California before moving home to Georgia in 2021. I have spent the last 30 years in the health a wellness industry and feel my expertise will aid Fayette County.
3. What qualifications and experience do you possess for appointment to the Recreation Commission? I have owned and operate a health and wellness business for nearly 30 years, and have sat on Recreation boards
4. List your recent employment experiences to include name of company and position.
27 years Body by Q Fitness, LLC, USMC Fitness Coordinator, US Navy Fitness Coordinator
5. Do you have any past experience relating to the Recreation Commission? If so, please describe.
Parks, Recreation, Arts, and Community service Commissioner Costa Mesa, CA 2020
6. Are you currently serving on a commission/board/authority or in and elected capacity with any government? none
7. Have you attended any Recreation Commission meetings in the past two years and, if so, how many? Events but no meeting in person.
8. Are you willing to attend seminars or continuing education classes at county expense? Yes
9. What is your vision of the county's future related to the duties of the Recreation Commission?
A personal mission for my community is to help build a healthier community. I believe an appointment to this commission can help with this mission.
10. Would there be any possible conflict of interest between your employment or your family and you serving on the Recreation Commission? None
11. Are you in any way related to a County Elected Official or County employee? If so, please describe.
No
12. Describe your current community involvement.
Our nonprofit The Fitness Ranch Inc offers summer camps and wellness seminars for community groups
13. Have you been provided a copy of the county's Ethics Ordinance? Yes
14. Is there any reason you would not be able to comply with the Ethics Ordinance? No

**FAYETTE COUNTY PARKS AND RECREATION COMMISSION
CODE OF ETHICS**

As a Park and Recreation Commissioner, representing all residents of Fayette County, I recognize that:

I have been entrusted to recommend park, recreation, and leisure services to all residents of Fayette County. These services are available to everyone regardless of age, sex, race, religion, or national origin, including people with disabilities.

I will respect ideas and opinions expressed by fellow board members, professional staff, and citizens to ensure the best interest of the community.

I will respect, and support decisions made by the Parks and Recreation Commission.

I pledge to devote the time and effort necessary to ensure thoughtful and informed decisions by the Parks and Recreation Commission.

I will adhere to the highest standards of integrity and honesty in all my endeavors to safeguard the public trust.

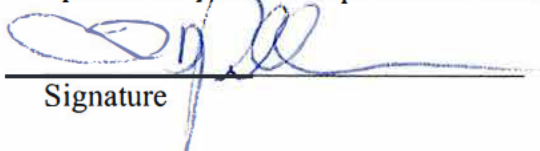
I will work to accomplish the mission of the organization and strive to maintain the trust of those who appointed me and those whom the organization serves.

I will serve the interest of all people, avoid acts of favoritism toward special interest and avoid use of the Parks and Recreation Commission for personal advantage.

I understand that my authority is restricted to official meetings and authorized actions of the Parks and Recreation Commission.

I acknowledge that the Parks and Recreation Commissioners recommend policy while administrators and staff carry out approved policy.

I will support policy that ensures that all Parks and Recreation Commission meetings are open to the public except in cases where closed meetings are explicitly authorized.


Signature

8/14/23
Date

QUENTIN "Q" PULLEN

1837 Hwy 92 North Fayetteville, GA 30214 · [REDACTED]
CoachQ@QtheCoach.com · LinkedIn Profile ·

To: Fayette County Board of Commissioners

My name is Quentin Pullen, aka "Coach Q". I was excited to see your listing for *Fayette County Recreation Commission* volunteers. I recently relocated home to Georgia after living out west for 30 years and, I have to say, I love my new city of Fayetteville! I am a veteran of the United States Marine Corps and the US Navy, where I coordinated health and wellness programs along with my other duties. I have been involved with the community in various ways and have been a participant of the services that our Recreation Department has to offer. I serve with many veterans' organizations helping to coordinate programs and activities for our veteran community, as well as being the founder a nonprofit called The Fitness Ranch, Inc. that focuses on building a stronger, healthier community.

I have over 27 years of experience as Owner/Operator of my own Health and Fitness business. I also teach and mentor others in the Health and Wellness industry. I've spent the last seven years of my career consulting with corporations to build and implement Health and Wellness programs. I believe my years of experience will be of benefit to the Fayette County Recreation Commission and that I can help positively impact our community. I have attached a copy of my resume for your viewing. I thank you for your consideration and look forward to speaking with you in person.

Sincerely,

A handwritten signature in blue ink, appearing to read "Q Pullen", with a long horizontal flourish extending to the right.

Quentin Pullen

QUENTIN “Q” PULLEN

CoachQ@QtheCoach.com · LinkedIn Profile ·

With over 25 years of experience in the health and fitness industry I am more motivated than ever to help individuals find an optimum state of health. Fitness to me is mental, physical, and spiritual balance.

EXPERIENCE

2020 Candidate for Mayor of Costa Mesa, CA

- *QthePeople.com*
- *Commissioner, Parks, Arts, & Community Service*

2021 The Fitness Ranch, Inc (nonprofit) owner

- Created to help facilitate community health and wellness through education and mentoring.

1999– present Body by Q Fitness, Ilc (owner) Fayetteville, GA

Fitness Coach/Therapist/President

- Assessment Analysis of human movement, lifestyle, wellness
- Exercise prescriptions, including cardiovascular, strength, movement, and foundational programs
- Massage/movement therapist
- Course Instructor, Peer mentoring
- Corporate Wellness Coach
- Preparing athletes for specific sports including football, basketball, baseball, endurance sports, body building and overall fitness

2012- 2016 Newport/Mesa YMCA

Wellness Coach/Founder of The Playpen MSOC

- Fitness program analysis
- Defining personal fitness goals, employee supervision
- Program creation and/or instruction
- Project manager
- Obstacle Course Coach
- Volunteer Service

1996– 1998 24 Hr. Fitness Inc. Irvine, CA

Fitness Trainer

- Customer service

- Defining personal health goals
- Creating exercise programs, nutritional guidance
- Maintaining fitness measurables to track progress
- Marketing /Sales of training programs
- Management of fitness programs

1988– 1993 United States Marine Corps USA, 1998-2001 USNR, Long Beach, CA

Sergeant, Electronics Technician

- Duties set forth by USMC and USNR
- Marine Corps Physical fitness program coordinator
- Maintained perfect physical fitness test score throughout enlistment
- Top secret clearance

EDUCATION

1998 2002 DeVry University Long Beach, CA

B.S., Business Management concentration in Information Technology

Graduated Manga Cum Laude

CERTIFICATIONS

- **Certified Functional Strength Coach L2**
- **Adaptive Athlete Coach**
- **Crossfit L1**
- **Functional Movement Screen L2**
- **Mobility WOD L2**
- **Art of Breath Coach**
- **Spartan SGX L2**
- **NESTA Fitness Trainer**
- **American College for Sports Medicine Fitness Trainer**
- **Frequency Specific Microcurrent Therapist(advanced)**
- **Amino Neuro Frequency L4 Therapist**
- **Sports Freq L2 Therapist, Course Instructor**
- **RockTape L2**
- **Institute of Therapeutic Studies LMT**

ACTIVITIES

Commissioner Costa Mesa Parks, Arts, & Community service Committee, Volunteer with Team RWB a Military Veterans Organization, Community Police volunteer/organizer, Community outreach volunteer, Business mentor, Volunteer Big Brother & Big Sister's of Orange County

OATH OR AFFIRMATION OF ALLEGIANCE FOR PUBLIC OFFICERS AND EMPLOYEES

State of California,
County of Orange
City of Costa Mesa

SS.

The Execution of this Oath is Required by Article XX, Section 3, of the Constitution of the State of California.

I, *Quentin Pullen, Parks, Arts, and Community Services Commissioner of the City of Costa Mesa*, do solemnly affirm that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

Subscribed and sworn to before me this
25th day of February 2021



Brenda Green

Signature of Officer Administering Oath

City Clerk

Title of Officer Administering Oath

[Signature]

Signature of Person Taking Oath

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Request to award Contract #2321-S, USGS Water Flow & Stream Monitoring - FY 2024, to the U.S. Department of the Interior for surface water monitoring in the amount of \$247,900.00.

Background/History/Details:

Special condition requirements in each of the Water System's Surface Water Withdrawal Permits is to monitor reservoir elevations, stream flow and discharge, and water quality indicators on a daily and monthly basis. This data must be reported to Georgia Environmental Protection Division annually to demonstrate compliance.

The USGS provides and maintains 11 stream gages that provide real-time data. These gages are located on Line Creek, Shoal Creek, Flat Creek, Flint River and each of Fayette County's water-supply reservoirs.

The FY2024 contract includes added water quality indicators on the Lake Peachtree station to improve real-time monitoring capabilities.

What action are you seeking from the Board of Commissioners?

Approval of Contract #2321-S, USGS Water Flow & Stream Monitoring - FY 2024, to the U.S. Department of the Interior, in the amount of \$247,900.00.

If this item requires funding, please describe:

Funding is available in FY2024 50543061 521212.

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:



Purchasing Department
 140 Stonewall Avenue West, Ste 204
 Fayetteville, GA 30214
 Phone: 770-305-5420
 www.fayettecountyga.gov

To: Steve Rapson
 Through: Ted Burgess 
 From: Natasha Duggan 
 Date: September 28, 2023

Subject: Contract #2321-S: USGS Water Flow & Stream Monitoring – FY 2024

Dissolved oxygen in the water of the county's lakes, rivers, creeks, and streams is important to the quality of the water. One can expect the amount of dissolved oxygen in the water to be lowest during times of low flow in the waterways. A common measure of low flow is called "7Q10" which is the lowest stream flow over a seven-day period that can be expected every ten years.

Each year, the U.S. Department of the Interior, U.S. Geological Survey (USGS) and the County enter into an agreement whereby the USGS maintains real-time stream gauges that are placed in various locations throughout the county, which facilitate the 7Q10 calculation.

The locations of the stream gauges, and the price to maintain each, are as follows:

Stream Gauge Locations	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024
Flint River at Woolsey Road	14,000	14,250	14,600	15,100	15,100	15,100	15,400	15,800	16,400
Line Creek downstream of GA 54	14,000	14,250	19,900	15,100	15,100	15,100	15,400	15,800	16,400
Shoal Creek at GA 54	14,000	14,250	14,600	15,100	15,100	15,100	15,400	15,800	16,400
Lake McIntosh, near Peachtree City, GA	NA	NA	NA	NA	7,000	7,000	7,150	7,150	7,400
Line Creek below Lake McIntosh	49,800	51,000	48,000	53,800	48,500	48,500	49,900	52,500	53,800
Morning Creek at Westbridge Road	19,000	19,400	19,900	20,400	NA	NA	NA	NA	NA
Whitewater Creek at Eastin Road	14,000	14,250	14,600	15,100	NA	NA	NA	NA	NA
Whitewater Creek at Sherwood Road	14,000	14,250	14,600	15,100	NA	NA	NA	NA	NA
Whitewater Creek below Starrs Mill Dam	19,000	19,400	19,900	20,400	NA	NA	NA	NA	NA
Lake Kedron near Peachtree City	6,600	6,800	7,000	7,000	7,000	7,000	7,150	7,150	7,400
Flat Creek downstream of Lake Kedron	41,700	43,800	35,100	40,200	15,100	15,100	15,400	15,800	16,400
Lake Peachtree at Peachtree City	6,600	6,800	7,000	7,000	7,000	7,000	7,150	7,150	36,100
Flat Creek below Lake Peachtree	49,800	51,000	53,300	53,800	48,500	48,500	49,900	52,500	53,800
Lake Horton (Tailrace) near Fayetteville	6,600	6,800	7,000	7,000	7,000	7,000	7,150	15,800	16,400
Lake Horton (Headwater) near Fayetteville	NA	NA	7,000	7,000	7,000	7,000	7,150	7,150	7,400
Camp Creek at Helmer Road	14,000	14,250	14,600	15,100	NA	NA	NA	NA	NA
Nash Creek (bacteria only)	5,000	5,150	5,300	5,300	NA	NA	NA	NA	NA
	288,100	295,650	302,400	312,500	192,400	192,400	197,150	212,600	247,900
	288,100	295,650	302,400	312,500	192,400	192,400	197,150	212,600	247,900
Change From Previous Year		2.6%	2.3%	3.3%	-38.4%	0.0%	2.5%	7.8%	16.6%

The Lake Peachtree station has a price increase because the Water System is adding more water quality capabilities for stage, temperature, dissolved oxygen, and turbidity to that station to improve monitoring.

The Water System states that the USGS has the only accepted method for reporting and compliance monitoring of open-channel streams. For this reason, they recommend contracting with USGS each year for the service. They report that they are satisfied with the services provided by the USGS, as seen in the attached Contractor Performance Evaluation (Attachment 1).

For budget and expense purposes, it should be noted that the contract follows the Federal fiscal year, which begins on October 1 and ends on September 30 each year.

Specifics of the proposed contract are as follows:

Contract Name	2321-S: USGS Water Flow & Stream Monitoring – FY 2024	
Vendor	U.S. Department of the Interior	
Contract Term	10/1/2023 to 9/30/2024 Corresponding with Fed Fiscal Year	
Firm Fixed Price	\$247,900.00 for the Federal FY (10/1/2023-9/30/2024)	

Budget:

Fund	505	Water System
Org.	50543061	Water Laboratory
Object	521212	Licenses & Professional Fees
Available Budget	\$262,611.00	To pay County FY 2024 invoices

First quarterly payment, at previous contract rate*	\$53,150.00
Second quarterly payment, at new contract rate	61,975.00
Third quarterly payment, at new contract rate	61,975.00
Fourth quarterly payment, at new contract rate	61,975.00
Total for County Fiscal Year 2024	<u>\$239,075.00</u>

*Previous contract #2208-S rate was approved by the BOC on January 26, 2023.

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: US Geological Survey	Contract Number: 2208-S
Mailing Address: 1770 Corporate Drive, Suite 500	Contract Description or Title: USGS Water Flow & Stream Monitoring FY2023
City, St, Zip Code: Norcross, GA 30093	Contract Term (Dates) From: 10/1/2022-9/30/2023
Phone Number: 678-924-6700	Task Order Number: N/A
Cell Number: N/A	Other Reference: for award of contract 2321-S FY2024
E-Mail Address: N/A	

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):					X
11. Overall evaluation of contractor performance		X			

EVALUATED BY

Signature: 	Date of Evaluation: 9/13/23
Print Name: Emily Larrimore	Department/Division: Water System
Title: Lab & Compliance Specialist	Telephone No: 770-320-6084



United States Department of the Interior

U.S. GEOLOGICAL SURVEY
 South Atlantic Water Science Center
 1770 Corporate Drive, Suite 500
 Norcross, Georgia 30093
 Phone: (678) 924-6700 Fax: (678) 924-6710
<http://www.usgs.gov/centers/sa-water>

Customer Number: 6000001126
 Agreement Number:
 24MPJFAG0000001
 TIN: 586000826
 Fixed Cost Agreement: YES

August 24, 2023

Ms. Vanessa Tigert, Director
 Fayette County Water System
 245 McDonough Road
 Fayetteville, Georgia 30214

Dear Ms. Tigert:

Please find attached the Joint Funding Agreement (JFA) for the maintenance of the following real-time streamgages:

STATION NUMBER	STATION NAME	Parameters	ANNUAL O&M	
			FY2024	REMARKS
02344396	FLINT RIVER AT WOOLSEY ROAD, NEAR WOOLSEY, GA	DISCHARGE	\$16,400	
02344424	LAKE HORTON (TAILRACE) NEAR FAYETTEVILLE, GA	DISCHARGE	\$16,400	
02344605	LINE CREEK BLW GA 54, NEAR PEACHTREE CITY, GA	DISCHARGE	\$16,400	
02344620	SHOAL CREEK AT GA 54, NEAR SHARPSBURG, GA	DISCHARGE	\$16,400	
02344655	FLAT CREEK DS OF LAKE KENDRON, GA	DISCHARGE	\$16,400	
02344630	LINE CREEK BLW LAKE MCINTOSH, NR PEACHTREE CITY, GA.	DISCHARGE, TEMPERATURE, DISSOLVED OXYGEN, PH, TURBIDITY, SPECIFIC CONDUCTIVITY	\$53,800	
02344673	FLAT CREEK (DS OF LAKE) AT PEACHTREE CITY, GA	DISCHARGE, TEMPERATURE, DISSOLVED OXYGEN, PH, TURBIDITY, SPECIFIC CONDUCTIVITY	\$53,800	
02344628	LAKE MCINTOSH, NEAR PEACHTREE CITY, GA	STAGE	\$7,400	
02344423	LAKE HONON (HEADWATER) NEAR PEACHTREE CITY, GA	STAGE	\$7,400	
02344650	LAKE KEDRON NEAR PEACHTREE CITY, GA	STAGE	\$7,400	
02344671	LAKE PEACHTREE (HEADWATER) AT PEACHTREE CITY, GA	STAGE, TEMPERATURE, DISSOLVED OXYGEN, TURBIDITY	\$36,100	NEW PARAMETERS ADDED (T and Turbidity)
Totals	11 Stations		\$247,900	

This agreement is entered into by the USGS under authority of 43 USC 36C; 43 USC 50; and 43 USC 50b.
 This JFA covers the period beginning on October 1, 2023, and ending on September 30, 2024, at a total cost of \$247,900.
 provided by Fayette County Water System, Fayette County, Georgia.

Please have the agreement by an authorized official(s), and email the signed agreement to Crystal Stallworth @
 castallw@usgs.gov. Work cannot be started or continued until we receive the signed agreement. All work performed with funds

from this agreement will be conducted on a fixed-price basis. Billing for this JFA will be rendered quarterly. Please do not send a check at this time as you will be billed at a later date which will include payment instructions with the address for mailing your check. The results of all work under this agreement will be available for publication by the U.S. Geological Survey. Any party may terminate this agreement by providing 60 day's written notice to the other party.

If you have any questions or require additional information please contact Robert V Sobczak, Assistant Director of Data for Georgia, at 470-734-1524 or via email at rsobczak@usgs.gov.

Sincerely,

A handwritten signature in cursive script that reads "Victor Engel".

Victor Engel, Director
USGS South Atlantic Water Science Center

**Form 9-1366
(May 2018)**

**U.S. Department of the Interior
U.S. Geological Survey
Joint Funding Agreement
FOR
Water Resource Investigations**

**Customer #: 6000001126
Agreement #: 24MPJFAG0000001
Project #: MP00
TIN #: 58-6000826**

Fixed Cost Agreement YES[X] NO[]

THIS AGREEMENT is entered into as of the October 1, 2023, by the U.S. GEOLOGICAL SURVEY, South Atlantic Water Science Center, UNITED STATES DEPARTMENT OF THE INTERIOR, party of the first part, and the Fayette County Water System party of the second part.

1. The parties hereto agree that subject to the availability of appropriations and in accordance with their respective authorities there shall be maintained in cooperation Water Resource Investigations (per attachment), herein called the program. The USGS legal authority is 43 USC 36C; 43 USC 50, and 43 USC 50b.

2. The following amounts shall be contributed to cover all of the cost of the necessary field and analytical work directly related to this program. 2(b) include In-Kind-Services in the amount of \$0.00

- (a) \$0 by the party of the first part during the period October 1, 2023 to September 30, 2024
- (b) \$247,900 by the party of the second part during the period October 1, 2023 to September 30, 2024
- (c) Contributions are provided by the party of the first part through other USGS regional or national programs, in the amount of: \$0

Description of the USGS regional/national program:

- (d) Additional or reduced amounts by each party during the above period or succeeding periods as may be determined by mutual agreement and set forth in an exchange of letters between the parties.
- (e) The performance period may be changed by mutual agreement and set forth in an exchange of letters between the parties.

3. The costs of this program may be paid by either party in conformity with the laws and regulations respectively governing each party.

4. The field and analytical work pertaining to this program shall be under the direction of or subject to periodic review by an authorized representative of the party of the first part.

5. The areas to be included in the program shall be determined by mutual agreement between the parties hereto or their authorized representatives. The methods employed in the field and office shall be those adopted by the party of the first part to insure the required standards of accuracy subject to modification by mutual agreement.

6. During the course of this program, all field and analytical work of either party pertaining to this program shall be open to the inspection of the other party, and if the work is not being carried on in a mutually satisfactory manner, either party may terminate this agreement upon 60 days written notice to the other party.

7. The original records resulting from this program will be deposited in the office of origin of those records. Upon request, copies of the original records will be provided to the office of the other party.

8. The maps, records or reports resulting from this program shall be made available to the public as promptly as possible. The maps, records or reports normally will be published by the party of the first part. However, the party of the second part reserves the right to publish the results of this program, and if already published by the party of the first part shall, upon request, be furnished by the party of the first part, at cost, impressions suitable for purposes of reproduction similar to that for which the original copy was prepared. The maps, records or reports published by either party shall contain a statement of the cooperative relations between the parties. The Parties acknowledge that scientific information and data developed as a result of the Scope of Work (SOW) are subject to applicable USGS review, approval, and release requirements, which are available on the USGS Fundamental Science Practices website (<https://www2.usgs.gov/fsp/>).

Water Resource Investigations

9. Billing for this agreement will be rendered quarterly. Invoices not paid within 60 days from the billing date will bear Interest, Penalties, and Administrative cost at the annual rate pursuant the Debt Collection Act of 1982, (codified at 31 U.S.C. § 3717) established by the U.S. Treasury.

USGS Technical Point of Contact

Name: Robert V Sobczak
Asst Director of Data - GA
Address: 1770 Corporate Drive Suite 500
Norcross, GA 30093
Telephone: (470) 734-1524
Fax: (470) 734-1524
Email: rsobczak@usgs.gov

Customer Technical Point of Contact

Name: Vanessa Tigert
Water System Director
Address: 245 McDonough Road
Fayetteville, GA 30214
Telephone: (770) 320-6016
Fax:
Email: vtigert@fayettecountyga.gov

USGS Billing Point of Contact

Name: Crystal Stallworth
Budget Analyst
Address: 1770 Corporate Drive Suite 500
Norcross, GA 30093
Telephone: (678) 924-6691
Fax: (678) 924-6710
Email: castallw@usgs.gov

Customer Billing Point of Contact

Name: Vanessa Tigert
Water System Director
Address: 245 McDonough Road
Fayetteville, GA 30214
Telephone: (770) 320-6016
Fax:
Email: vtigert@fayettecountyga.gov

U.S. Geological Survey
United States
Department of Interior

Fayette County Water System

Signature

Signatures

By _____ Date: _____
Name: Victor Engel
Title: Director

By _____ Date: _____
Name:
Title:

By _____ Date: _____
Name:
Title:

By _____ Date: _____
Name:
Title:

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Request to adopt Ordinance 2023-10 to amend Code of Ordinance; Chapter 102-Building and Building Regulations; Article VI.-Procedures for the Administration of the Plumbing Code; Division 1.-Generally; Sec. 102-917.-Additions, alterations or repairs, to remain in compliance with DCA and meet the Metro Water District - Water Supply Conservation-8 Efficiency Code Requirements.

Background/History/Details:

This is a housekeeping item for Building Safety to remain compliant, as the Department of Community Affairs (DCA) will be requiring the changes to be adopted and enforced effective January 1, 2024.

This amendment covers gallons per minute changes of fixtures, irrigation changes (Fayette County Building Safety does not permit Residential Irrigation only Commercial).

The contractors will answer and confirm they understand these requirements on all permitting application where they are required to meet the Metro Water District Efficiency code requirements, which will be available on the Building Safety website for review.

What action are you seeking from the Board of Commissioners?

Approve of Ordinance 2023-10 to amend Code of Ordinance; Chapter 102-Building and Building Regulations; Article VI.-Procedures for the Administration of the Plumbing Code; Division 1.-Generally; Sec. 102-917.-Additions, alterations or repairs, to remain in compliance with Department of Community Affairs and meet the Metro Water District - Water Supply Conservation-8 Efficiency Code Requirements.

If this item requires funding, please describe:

No funding required.

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 OF FAYETTE

STATE OF GEORGIA

RESOLUTION

NO. 2023-__

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF FAYETTE COUNTY, GEORGIA; TO PROVIDE FINDINGS ON A PROPOSED LOCAL AMENDMENT TO PLUMBING CODE FOR WATER EFFICIENCY; TO PROVIDE FOR SUBMISSION OF THE PROPOSED AMENDMENT TO THE DEPARTMENT OF COMMUNITY AFFAIRS; TO PROMOTE THE PUBLIC HEALTH, SAFETY AND WELFARE; AND FOR OTHER PURPOSES.

WHEREAS, the current minimum water efficiency requirements for buildings in Fayette County’s jurisdiction is the Georgia State Minimum Standard Plumbing Code (“Georgia Plumbing Code”) as approved and adopted by the Georgia Department of Community Affairs (“DCA”) from time to time; and

WHEREAS, the Fayette County, Georgia, like all local governments in the State of Georgia, is authorized under O.C.G.A. § 8-2-25(c) to adopt local requirements when needed that are more stringent than the Georgia Plumbing Code based on local climatic, geologic, topographic, or public safety factors; and

WHEREAS, the long-term availability, reliability, and resiliency of water supplies is a critical need of the Fayette County, Georgia and water efficiency is essential to meeting this need; and

WHEREAS, the “Local Amendments to Plumbing Code” shown in the redline in Attachment A are more stringent than the Georgia Plumbing Code on water efficacy because the

amendments require even more efficient uses of water and provide clarifications on existing allowable practices; and

WHEREAS, based on its local climatic, geologic, topographic factors included in the regional water resources plan prepared by the Metropolitan North Georgia Water Planning District (“Metro Water District”), of which Fayette County, Georgia is a part, water conservation is especially important to Fayette County, Georgia and the Metro Water District; and

WHEREAS, the Fayette County, Georgia has become aware that more water efficient technologies have become widely available at comparable prices and performance to the water efficient technologies currently required as the minimum in the Georgia Plumbing Code;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The governing body of the Fayette County, Georgia finds that, based on local climatic, geographic, topographic, and public safety factors included in the Metro Water District’s plans, it is justified in adopting local water efficiency requirements more stringent than the Georgia Plumbing Code;

2. Fayette County, Georgia is considering codifying these water efficiency requirements in local code as an amendment to Georgia Plumbing Code in the form of the Local Amendments to Plumbing Code shown in the redline in Attachment A; and

3. Fayette County, Georgia is directing its staff to submit this resolution and the Local Amendments to Plumbing Code to DCA for review and comment within 60 days as required by O.C.G.A. § 8-2-25(c)(1).

THIS ___ DAY OF SEPTEMBER, 2023.

**BOARD OF COMMISSIONERS OF
FAYETTE COUNTY, GEORGIA**

(SEAL)

By: _____
LEE HEARN, Chairman

ATTEST:

Tameca P. Smith, County Clerk

Approved as to form:

County Attorney

Attachment A

LOCAL AMENDMENT TO PLUMBING CODE FOR WATER EFFICIENCY

Metro Water District – Water Efficiency Code Requirements Local Amendment to Plumbing Code

Amendment to local code of ordinances. Effective January 1, 2024, the Georgia State Minimum Standard Plumbing Code has been amended by Fayette County, Georgia as follows:

Chapter 2, Section 202 General Definitions. Add in alphabetical order and revise, as applicable, the following definitions:

KITCHEN FAUCET OR KITCHEN FAUCET REPLACEMENT AERATOR. A kitchen faucet or kitchen faucet replacement aerator that allows a flow of no more than 1.82.0 gallons of water per minute at a pressure of 60 pounds per square inch and conforms to the applicable requirements in ASME A112.18.1/CSA B125.1.

LAVATORY FAUCET OR LAVATORY FAUCET REPLACEMENT AERATOR. A lavatory faucet or lavatory faucet replacement aerator that allows a flow of no more than 1.25 gallons per minute at a pressure of 60 pounds per square inch and is listed to the WaterSense High Efficiency Lavatory Faucet Specification.

LANDSCAPE IRRIGATION.

Flow sensor. An inline device in a landscape irrigation system that produces a repeatable signal proportional to flow rate.

Lawn or Landscape Irrigation system. An assembly of component parts that is permanently installed for the controlled distribution of water to irrigate landscapes such as ground cover, trees, shrubs, and other plants. Lawn and Landscape Irrigation System refer to the same system.

Master shut-off valve. An automatic valve such as a gate valve, ball valve, or butterfly valve) installed as part of the landscape irrigation system capable of being automatically closed by the WaterSense controller. When this valve is closed water will not be supplied to the landscape irrigation system.

Pressure regulating device. A device designed to maintain pressure within the landscape irrigation system at the manufacturer's recommended operating pressure and that protects against sudden spikes or drops from the water source.

Rain sensor shut-off. An electric device that detects and measures rainfall amounts and overrides the cycle of a landscape irrigation system so as to turn off such system when a predetermined amount of rain has fallen.

WaterSense irrigation controller. Is a weather-based or soil moisture-based irrigation controller labeled under the U.S. Environmental Protection Agency's WaterSense program, which includes standalone controllers, add-on devices, and plug-in devices that use current weather data as a basis for scheduling irrigation.

WaterSense spray sprinkler bodies. A sprinkler body with integral pressure regulation, generating optimal water spray and coverage labeled under the U.S. Environmental Protection Agency's WaterSense program.

SHOWER HEAD. A shower head that allows a flow of no more than the average of 2.05 gallons of water per minute at 860 pounds per square inch of pressure, and is listed in the WaterSense Specification for Showerheads, and meets the U.S. Department Definition of Energy definition of showerhead.

Chapter 6, Section 604.4 Maximum Flow and Water Consumption. Revise Section 604.4 to read as follows:

Consistent with the general approach taken in Georgia, these Maximum Flow and Water Consumption requirements and related definitions in Section 604.4 of the plumbing code shall apply to all plumbing systems, including those in one- and two-family dwellings. The maximum water consumption flow rates and quantities for all plumbing fixtures and fixture fittings shall be in accordance with Table 604.4.

Exceptions:

1. Blowout design water closets having a water consumption not greater than 3¹/₂ gallons (13 L) per flushing cycle.
2. Vegetable sprays.
3. Clinical sinks having a water consumption not greater than 4¹/₂ gallons (17 L) per flushing cycle.
4. Laundry tray sinks and, ~~S~~service sinks.
5. Emergency showers and eye wash stations.

TABLE 604.4
MAXIMUM FLOW RATES AND CONSUMPTION FOR
PLUMBING FIXTURES AND FIXTURE FITTINGS

PLUMBING FIXTURE OR FIXTURE FITTING	MAXIMUM FLOW RATE OR QUANTITY ^b
Lavatory <u>faucet and replacement aerators</u> , private	<u>WaterSense Labeled & 1.25</u> gpm at 60 psi ^f
Lavatory faucet, public (metering)	0.25 gallon per metering cycle

Lavatory, public (other than metering)	0.5 gpm at 60 psi
Showerhead ^a	<u>WaterSense Labeled & 2.52.0</u> gpm at <u>8060</u> psi ^f
<u>Kitchen Sink faucet and replacement aerators</u>	<u>2.01.8</u> gpm at 60 psi ^{f,g}
Urinal	0.5 gallon per flushing cycle ^f
Water closet	1.28 gallons per flushing cycle ^{c, d, e, f}

For SI: 1 gallon = 3.785 L, 1 gallon per minute = 3.785 L/m,
1 pound per square inch = 6.895 kPa.

a. A hand-held shower spray is a shower head. As point of clarification, multiple shower heads may be installed in a single shower enclosure so long as each shower head individually meets the maximum flow rate, the WaterSense requirements, and the U.S. Department of Energy definition of showerhead. However, multiple shower heads are not recommended for water efficiency purposes.

b. Consumption tolerances shall be determined from referenced standards.

c. For flushometer valves and flushometer tanks, the average flush volume shall not exceed 1.28 gallons.

d. For single flush water closets, including gravity, pressure assisted and electro-hydraulic tank types, the average flush volume shall not exceed 1.28 gallons.

e. For dual flush water closets, the average flush volume of two reduced flushes and one full flush shall not exceed 1.28 gallons.

f. See 2014 GA Amendment to Section 301.1.2 'Waiver from requirements of high efficiency plumbing fixtures'.

g. Kitchen faucets are permitted to temporarily increase the flow above the maximum rate, but not to exceed 2.2 gpm (8.3 L/m) at 60 psi (414 kPa) and must revert to a maximum flow rate of 1.8 gpm (6.8 L/m) at 60 psi (414 kPa) upon valve closure.

604.4.1 Clothes Washers. Residential clothes washers shall be in accordance with the Energy Star program requirements.

604.4.2 Cooling Tower Water Efficiency.

604.4.2.1 Once-Through Cooling. Once-through cooling using potable water is prohibited.

604.4.2.2 Cooling Towers and Evaporative Coolers. Cooling towers and evaporative coolers shall be equipped with makeup water and blow down meters, conductivity controllers and overflow alarms. Cooling towers shall be equipped with efficiency drift eliminators that achieve drift reduction to 0.002 percent of the circulated water volume for counterflow towers and 0.005 percent for crossflow towers.

604.4.2.3 Cooling Tower Makeup Water. Water used for air conditioning, cooling towers shall not be discharged where the hardness of the basin water is less than 1500 mg/L. **Exception:** Where any of the following conditions of the basin water are present: total suspended solids exceed 25 ppm, CaCO₃ exceeds 600 ppm, chlorides exceed 250 ppm, sulfates exceed 250 ppm, or silica exceeds 150 ppm.

604.4.3 Landscape Irrigation System Efficiency Requirements. The requirements in Section 604.4.3 apply to all new landscape irrigation systems connected to the public water system except those (a) used for agricultural operations as defined in the Official Code of Georgia Section 1-3-3, (b) used for golf courses, and (c) dependent upon a nonpublic water source. Nothing in this Code or this Section 604.4.3 is intended to require that landscape irrigation systems must be installed at all premises. The landscape irrigation efficiency requirements in this Section 604.4.3 apply only when someone voluntarily chooses, or is otherwise required by some requirement beyond this Code, to install a landscape irrigation system on premises.

604.4.3.1 Avoiding Water Waste Through Design. All new landscape irrigation systems shall adhere to the following design standards:

1. Pop-up type sprinkler heads shall pop-up to a height above vegetation level of not less than four (4) inches above the soil level when emitting water.
2. Pop-up spray heads or rotary sprinkler heads must direct flow away from any adjacent surfaces and must not be installed closer than four inches from impervious surfaces.
3. Areas less than ten (10) feet in width in any direction shall be irrigated with subsurface irrigation or by other means that produces no overspray or runoff.
4. Narrow or irregular shaped landscaped areas, less than four (4) feet in any direction across opposing boundaries shall not be irrigated by any irrigation emission device except sub-surface or low flow emitters with flow rates not to exceed 6.3 gallons per hour.

604.4.3.2 Landscape Irrigation System Required Components. All new landscape irrigation systems shall include the following components:

1. A rain sensor shut-off installed in an area that is unobstructed by trees, roof over hangs, or anything else that might block rain from triggering the rain sensor shut-off.

2. A master shut-off valve for each controller installed as close as possible to the point of connection of the water but downstream of the backflow prevention assembly.

3. Pressure-regulating devices such as valve pressure regulators, sprinkler head pressure regulators, inline pressure regulators, WaterSense spray sprinkler bodies, or other devices shall be installed as needed to achieve the manufacturer's recommended pressure range at the emission devices for optimal performance.

4. Except for landscape irrigation systems serving a single-family home, all other systems must also include:

(a) a WaterSense irrigation controller; and

(b) at least one flow sensor, which must be installed at or near the supply point of the landscape irrigation system and shall interface with the control system, that when connected to the WaterSense controller will detect and report high flow conditions to such controller and automatically shut master valves. The flow sensor serves to aid in detecting leaks or abnormal flow conditions by suspending irrigation. High flow conditions should be consistent with manufacturer's recommendations and specifications.

Chapter 13 NONPOTABLE WATER SYSTEMS, Section 1304 Reclaimed Water Systems.
Revise Section 1304.3.2 to read as follows:

1304.3.2 Connections to water supply. Reclaimed water provided from a reclaimed wastewater treatment ~~system~~facility permitted by the Environmental Protection Division may be used to supply water closets, urinals, trap primers for floor drains and floor sinks, water features and other uses approved by the Authority Having Jurisdiction, in motels, hotels, apartment and condominium buildings, and commercial, industrial, and institutional buildings, where the individual guest or occupant does not have access to plumbing. Also, other systems that may use a lesser quality of water than potable water such as water chillers, carwashes or an industrial process may be supplied with reclaimed water provided from a reclaimed wastewater treatment facility permitted by the Environmental Protection Division. The use of reclaimed water sourced from any new private reclaimed wastewater treatment system for outdoor irrigation shall be limited to golf courses and agriculture operations as defined in the Official Code of Georgia Section 1-3-3, and such reclaimed water shall not be approved for use for irrigating any other outdoor landscape such as ground cover, tree, shrubs, or other plants. These limitations do not apply to reclaimed water sourced from existing private reclaimed water systems or from existing or new, governmentally-owned reclaimed wastewater treatment systems.

Appendix E, Section E101.1.2. Revise Section E.101.1.2 to read as follows:

Because of the variable conditions encountered in hydraulic design, it is impractical to specify definite and detailed rules for sizing of the water piping system. Accordingly, other sizing or design methods conforming to good engineering practice standards are acceptable alternatives to those presented herein. Without limiting the foregoing, such acceptable design methods may include for multi-family buildings the Peak Water Demand Calculator from the IAPMO/ANSI 2020 Water Efficiency and Sanitation Standard for the Built Environment, which accounts for the demands of water-conserving plumbing fixtures, fixture fittings, and appliances. If future versions of the Peak Water Demand Calculator including other building types, such as commercial, such updated version shall be an acceptable design method.

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Request to execute the Georgia Power Encroachment Agreement for Easement on the Tactical Driving Course project for 100 feet of right-of-way extending in part through Land Lot 175 of the 5th District.

Background/History/Details:

The Tactical Driving Course Project is currently underway. AT the far south eastern end of the driving course a Georgia Power Transmission line runs close to the driving course. Part of the fill embankment for the track encroaches into the Georgia Power easement for the Transmission Lines. An application was made to Georgia power for permission to carrying out grading activity on the easement and construct an embankment/shoulder to the track on the easement.

The application has been approved by Georgia Power and a formal agreement needs to be executed.

What action are you seeking from the Board of Commissioners?

Approval to execute the Georgia Power Encroachment Agreement for Easement on the Tactical Driving Course project for 100 feet of right-of-way extending in part through Land Lot 175 of the 5th District.

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:

ENCROACHMENT AGREEMENT FOR EASEMENT

L. F. # _____
APPLICATION # 211015

SUBJECT: **OHARA – SOUTH COWETA 115 KV TRANSMISSION LINE RIGHT-OF-WAY**

The **GEORGIA POWER COMPANY**, hereinafter called the "Power Company," hereby consents for **FAYETTE COUNTY SHERIFF'S OFFICE**, hereinafter called the "Undersigned," to use an area within the Power Company's subject electric transmission line right(s)-of-way described as follows:

Said right(s)-of-way being **100 feet in width** and extending in part through Land Lot 172, 5th District, of **Fayette County, Georgia**, on which the Power Company has constructed and now maintains and operates said electric transmission lines by virtue of certain easements heretofore acquired by the Power Company. The said right(s)-of-way is shown on plat attached hereto and made a part hereof as Exhibit A.

The use of the area by the Undersigned within said right(s)-of-way, pursuant to this consent, shall be limited to the construction, operation and maintenance of **fill embankment for driving track (grading only)** at the location and to the extent as shown on said attached plat. It is specifically understood that no buildings or other obstructions of any type will be permitted within or on subject transmission line right(s)-of-way.

The plans and specifications as submitted by the Undersigned meet the Power Company's approval provided the Undersigned conforms to the following terms and conditions:

1. The Undersigned agrees to obtain all necessary rights from the owners of the lands crossed by the Power Company's right(s)-of-way.
2. The Undersigned agrees to use said area within the Power Company's right(s)-of-way in such a manner as will not interfere with the Power Company's activities and facilities as now, or hereafter, exist thereon (hereinafter Power Company's "activities" and "facilities").
3. The Undersigned agrees that the use of Power Company's right(s)-of-way as herein provided shall in no way affect the validity of the Power Company's easement(s) and shall in no way modify or restrict the use or rights of the Power Company, its successors or assigns, in and to the area to be used. The Undersigned acknowledges the Power Company's right and title to said easement(s) and the priority of the Power Company's right of use and hereby agrees not to resist or assail said priority.
4. The use of said area within said right(s)-of-way by the Undersigned shall be at the sole risk and expense of the Undersigned, and the Power Company is specifically relieved of any responsibility for damage to the facilities and property of the Undersigned resulting or occurring from the use of said right(s)-of-way by the Power Company as provided herein. The Undersigned covenants not to sue Power Company in that instance.
5. The Undersigned hereby agrees and covenants not to use and will prohibit agents, employees and contractors of Undersigned from using any tools, equipment or machinery within ten (10) feet of the Power Company's overhead conductors. The Undersigned agrees to comply with Official Code of Georgia, Section 46-3-30, et. seq. (HIGH-VOLTAGE SAFETY ACT), and any and all Rules and Regulations of the State of Georgia promulgated in connection therewith, all as now enacted or as hereinafter amended; and further agrees to notify any contractor(s) that may be employed by the Undersigned to perform any of the work referred to in this Agreement of the existence of said code sections and regulations by requiring said work to be performed in compliance with said code sections and regulations by including same as a requirement in its request for bids and including said requirements in any contract let as a result of said bid. The Undersigned further agrees and covenants to warn all persons whom the Undersigned knows or should reasonably anticipate for any reason may resort to the vicinity of such conductors of the fact that such conductors are (a) electrical conductors, (b) energized, (c) uninsulated and (d) dangerous.
6. Notwithstanding anything to the contrary contained herein, the Undersigned agrees to reimburse the Power Company for all cost and expense for any damage to the Power Company's facilities resulting from the use by the Undersigned of said area within said right(s)-of-way. Also, the Undersigned agrees that if in the opinion of the Power Company, it becomes necessary, as a result of the exercise of the permission herein granted, to relocate, rearrange, change or raise any of the Power Company's facilities, to promptly reimburse the Power Company for all cost and expense involved in such relocation, rearrangement or raising of said facilities.
7. The Undersigned agrees to notify or have the Undersigned's contractor notify the Power Company's Representative in **Marietta, Georgia**, Phone: 912-547-2635, at least three (3) business days prior to actual construction on the Power Company's right(s)-of-way.
8. The Undersigned agrees to indemnify and save harmless and defend the Power Company from the payment of any sum or sums of money to any persons whomsoever (including third persons, subcontractors, the Undersigned the Power Company and agents and employees of them) on account of claims or suits growing out of injuries to persons (including death) or damage to property (including property of the Power Company) in any way attributable to or arising out of the use of the right(s)-of-way, by the Undersigned as herein provided, including (but without limiting the generality of the foregoing) all liens, garnishments, attachments, claims, suits, judgments, costs, attorney's fees, cost of investigation and of defense, and excepting only those situations where the personal injury or property damage claimed have been caused by reason of the sole negligence on the part of the Power Company, its agents or employees.

9. The Undersigned hereby agrees to incorporate in any and all of its contracts and/or agreements, for any work or construction done on or to said described right(s)-of-way, with any and all third persons, contractors, or subcontractors, a provision requiring said third parties, contractors or subcontractors to indemnify and defend Power Company, its agents and employees as provided for above from payment of any sum or sums of money by reason of claims or suits resulting from injuries (including death) to any person or damage to any property which is in any manner attributable to or resulting from the construction, use or maintenance of the Undersigned's facilities, projects or programs conducted on Power Company's right(s)-of-way herein described, and excepting only those situations where the personal injury or property damage claimed have been caused by reason of the sole negligence on the part of the Power Company, its agents or employees.

10. The Power Company has the right to remove all trees and brush from the limits of the right(s)-of-way. However, Power Company will permit some planting of shrubbery and *low growing trees* provided these plants do not interfere with the access to and operation of Power Company's facilities and are planted at a distance greater than twenty-five (25) feet from any structure or attachment thereto. *A planted low growing tree* is defined as a tree which grows no more than 15 feet in height at maturity.

11. The Undersigned agrees that all construction activity shall be conducted at a distance greater than twenty-five (25) feet from any structure or attachment thereto.

12. This Agreement shall inure to the benefit of and be binding upon the parties, their heirs, successors and/or assigns.

The Undersigned hereby accepts the foregoing consent subject to the terms and conditions set forth above and in the event the Undersigned fails to perform as herein provided and shall not have executed and returned this Agreement on or before the **30 of September, 2023**, this Agreement shall become void and no use of the Power Company's right(s)-of-way as herein provided for shall be made.

IN WITNESS WHEREOF, this Agreement has been duly executed, this the ____ day of _____, 20____.

UNDERSIGNED

WITNESS: _____

BY: _____

NAME: _____

NOTARY PUBLIC: _____

TITLE: _____

The Power Company has by its duly authorized agent executed this Agreement, this the ____ day of _____, 20____.

GEORGIA POWER COMPANY

WITNESS: _____

BY: _____

NAME: Ana Rodriguez-Santiago

NOTARY PUBLIC: _____

TITLE: Area Transmission Maintenance Supervisor

EXHIBIT A
TO ENCROACHMENT AGREEMENT FOR EASEMENT

Power Company Initials: _____

Undersigned Initials: _____

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Request to approve Renewal #2 of Contract #2228-S between Fayette County and Judicial Correction Services (JCS), LLC for probation supervision and rehabilitation services beginning January 1, 2024 and terminating December 31, 2024.

Background/History/Details:

Judicial Correction Services (JCS), the probation company for State Court, provides probation supervision and rehabilitation services. The amendments to the contract shall serve as a renewal of one year beginning January 1, 2024 and terminating December 31, 2024, with options to renew for three (3) additional one-year terms, upon expiration of the calendar year 2024 term.

What action are you seeking from the Board of Commissioners?

Approval of Renewal #2 of Contract #2228-S between Fayette County and Judicial Correction Services (JCS), LLC for probation supervision and rehabilitation services beginning January 1, 2024 and terminating December 31, 2024.

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
County of Fayette**

**SECOND AMENDMENT TO THE AGREEMENT FOR PROBATION SERVICES
BY AND BETWEEN FAYETTE COUNTY, GEORGIA
AND JUDICIAL CORRECTION SERVICES, LLC. (JCS)**

WHEREAS, Fayette County and JCS have previously entered into an Agreement for Services pursuant to which the County has retained JCS to coordinate and provide certain probation services to the Fayette County State and Court; and

WHEREAS, Fayette County and JCS desire to amend the terms of said Agreement;

WHEREAS, the Agreement between Fayette County and JCS contemplate annual renewals as outlined below:

“The County shall have the option to renew the contract for five (5) additional one-year terms provided that the service is satisfactory, both parties are willing to renew, and the renewal is approved with the written consent of the County.”

NOW THEREFORE, in consideration of the promises and mutual covenants hereinafter set forth and other good and valuable consideration, the receipt and sufficiency of which are acknowledged, Fayette County and JCS do hereby enter into this Amendment of said Agreement and hereby incorporate this Amendment into said Agreement:

RENEWAL OF THE PERIOD OF SERVICE

This amendment shall serve as a renewal of the period of service contemplated by the original Agreement as follows:

The Agreement shall be renewed for a period of one year beginning January 1, 2024 and terminating December 31, 2024.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment this _____ day of _____, 2023.

**FAYETTE COUNTY BOARD OF
COMMISSIONERS**

**JUDICIAL CORRECTION
SERVICES, LLC.**

Lee Hearn, Commission Chairman

Thomas S. York, COO

APPROVED BY THE FAYETTE COUNTY STATE COURT

Jason B. Thompson, Judge

Judicial Correction Services, LLC
Probation Services Agreement

Fayette County, Georgia

This Agreement is made by and between Judicial Correction Services, LLC organized under the laws of the State of Georgia, with its principal business at 195 Bradford Square, Fayetteville, Georgia, 30215 hereinafter called "Contractor" and Fayette County, Georgia hereinafter called "County", upon the request and consent of the Chief Judge of State Court of Fayette County, Georgia herein after called "Court". This agreement is governed by Article 6 of Chapter 8 of Title 42 of the Official Code of Georgia, Annotated. The parties enter into the Agreement under the specific authority of O.C.G.A. § 42-8-101.

Witnesseth:

Whereas, the County has been duly authorized to establish service for a private probation system for the supervision of probationers as ordered by the Fayette County State Court, and to collect restitution, fines, and fees as ordered by the Chief Judge of Fayette County State Court, Jason B. Thompson; and

Whereas, the County wishes to enter into an agreement with the Contractor to provide probation services upon the terms and conditions set forth herein with approval from the Court.

Now therefore, and in consideration of the mutual covenants contained herein, and other good and valuable considerations, the receipt, adequacy, and sufficiency of which is acknowledged by the parties hereto, the County enters into the agreement with the Contractor to provide probation services for the jurisdiction of Fayette County upon the terms, covenants, and agreements as set forth herein.

Scope of Services and Responsibilities of Contractor

In consideration of the obligations of the County and the Court, Contractor shall provide the following services.

A. Responsibilities of Probation Services Contractor

- a. Compliance with Statutes and Rules. Contractor shall comply with Article 6 of Title 42 Chapter 8 of the Official Code of Georgia and all standards, rules, and regulations promulgated by the Department of Community Supervision and the Misdemeanor Oversight Unit.
- b. Records and Confidentiality. Contractor shall create and maintain individual files for each offender receiving services from Contractor in accordance with this Agreement. Contractor shall maintain the confidentiality of all files, records, and papers relative to supervision of probationers under this Agreement. These records, files, and papers shall be available only to the Judge of the Court handling the case, the Department of Audits and Accounts, the Department of

- Supervision and upon transfer of supervision to the State, to the Georgia Department of Corrections or the Department of Community Supervision.
- c. Financial Records. Contractor shall maintain financial records according to generally accepted accounting practices.
 - d. Officer Qualifications and Training. Contractor shall employ competent and able personnel to provide the services to be rendered hereunder and to appropriately administer the caseload of a probation officer. In accordance with O.C.G.A. 42-8-107, any such person shall be at least 21 years of age at the time of appointment to the position of private probation officer or probation officer and shall have completed a standard four-year college course or have four years of law enforcement experience; provided, however, that any person employed as a private probation officer as of July 1, 1996, and who had at least six months of experience as a private probation officer or any person employed as a probation officer by a county, municipality, or consolidated government as of March 1, 2006, shall be exempt from such college requirements. Every private probation officer shall receive an initial 40 hours of training and orientation upon employment and shall receive 20 hours of continuing education per annum as approved by the Department of Community Supervision Board of Directors, hereinafter referred as the Board, provided that the 40 hour initial orientation shall not be required of any person who has successfully completed a basic course of training for supervision of probationers or parolees certified by the Peace Officer Standards and Training Council or any private probation officer who has been employed by a private probation corporation, enterprise, or agency for at least six months as of July 1, 1996, or any person employed as a probation officer by a county, municipal, or consolidated government as of March 1, 2006. In no event shall any person convicted of a felony be employed as a probation officer or private probation officer.
 - e. Intake, Administrative, and Intern Qualifications and Training. Contractor shall employ competent and able personnel to provide the services to be rendered hereunder and to appropriately administer assistance to a private probation officer or the Contractor. Any such person shall be at least 18 years of age at the time of appointment to the position of intake officer, administrative staff, or intern and shall have completed a standard high school diploma or its equivalent.
 - f. Criminal History Check. Contractor shall have a criminal history records check made of all staff and give written consent to the Department of Community Supervision to conduct periodic criminal history checks.
 - g. Officer per Probationer Ratio and Standards of Supervision. Contractor shall manage caseload limits so as not to exceed 250 probationers per probation officer for basic supervision and 200 probationers per probation officer for intensive supervision. There are no caseload size limitations regarding pay-only cases. Probation Officers shall make a supervision assessment of each offender and determine the reporting schedule, type of contact(s), and frequency of contact(s) pursuant to the direction of the Court. There are no minimally required contacts for pay-only cases.
 - h. Location Place of Business. Contractor shall maintain an office in Fayette County, Georgia for meeting with and the provision of services to probationers.

- B. Reports. Contractor shall provide a quarterly report to the State Court Judge, the County, and the Board. This report shall contain the number of probationers under supervision; the amount of restitution, fines, and statutory surcharges collected; the amount and nature of all fees collected (including but not limited to fees collected for supervision, rehabilitation and program classes, electronic monitoring, drug or alcohol detection devices, and drug testing); the number of community service hours performed by probationers under supervision; a listing of all other services for which a probationer was required to pay to attend; the number of probationers for whom supervision or rehabilitation has been terminated; the reason for any termination of supervision or rehabilitation; and the number of warrants issued during the quarter, in such detail as requested.
- C. Tender of Collections. Contractor shall tender to the Clerk of the Court of Fayette County, Georgia, hereinafter referred as the Clerk, a report of collections and all fines, fees, and costs collected during the month from probationers by the 9th day of the following month. Restitution shall be paid to the victim by the 10th day of the month following collection, unless the Court orders payment to the Clerk, and then it shall be paid as such other collections are paid to the Clerk. In the event the Contractor cannot locate the victim, payment shall be made to the Clerk. Contractor shall credit payments of funds in the following order of priority: 1) restitution, 2) fines, 3) courts costs and statutory surcharges, 4) probation fees, class and rehabilitation fees, drug and alcohol testing fees, and all other probation services rendered to the probationer. Contractor shall not retain or profit from any restitution, fines, court costs, or statutory surcharges collected from probationers except the probation fees authorized by this Agreement as set forth in the Schedule of Fees attached hereto as "Exhibit A".
- D. Access to Contractor Records.
- a. All records shall be open to inspection upon the request of the County, Court, the Department of Audits and Accounts, an auditor appointed by the County Commission, the Department of Corrections, the Department of Community Supervision, the State Board of Pardons and Paroles, or the Board's Fiscal Auditor. Contractor may be requested by the County or the Court to audit its records and books pertaining to the services rendered to the Court. A written copy of this audit shall be provided to the Court and the County within 3 months of the close of the audit.
- E. Conflicts of Interest per O.C.G.A. 42-8-109
- a. No private corporation, private enterprise, or private agency contracting to provide probation services under the provisions of this article nor any employees of such entities shall engage in any other employment, business, or activity which interferes or conflicts with the duties and responsibilities under contracts authorized in this article.
 - b. No private corporation, private enterprise, or private agency contracting to provide probation services under the provisions of this article nor any employees of such entities shall own, operate, have any financial interest in, be an instructor at, or be employed by any private entity which provides drug or alcohol education services or offers a DUI Alcohol or Drug Use Risk Reduction Program certified by the Department of Driver Services.

- c. No private corporation, private enterprise, or private agency contracting to provide probation services under the provisions of this article nor any employees of such entities shall specify, directly or indirectly, a particular DUI Alcohol or Drug Use Risk Reduction Program which a probationer may or shall attend. This paragraph shall not prohibit furnishing any probationer, upon request, with the names of certified DUI Alcohol or Drug Use Risk Reduction Programs. Any person violating this paragraph shall be guilty of a misdemeanor.
- F. Scope of Services to Probationers by Contractor. Contractor shall provide the following services:
- a. Court Attendance and Probationer Case History. During all court sessions, Contractor shall make available an intake officer or probation officer to interview each probationer to complete a case and personal history and to provide orientation and instruction regarding compliance with the Court's ordered conditions of probation. At orientation, the intake or probation officer shall provide a list of all service fees to the probationer.
 - b. Supervision. Contractor shall monitor and supervise probationers to ensure compliance with the Court's order of probation. Contractor shall make a supervision assessment of the offender and determine the probationer's reporting schedule.
 - c. Restitution, Fine, Statutory Surcharges, and Fee Collection. Contractor shall collect restitution, fines, statutory surcharges, probation supervision fees, class and rehabilitation fees, drug and alcohol testing fees as ordered by the Court. Contractor shall provide an itemized bill for each of the above listed collections, prepared in accordance with accepted accounting practices, each month.
 - i. Indigent Probationers. Offenders determined by the Court to be indigent in accordance with O.C.G.A. § 42-8-102 shall be supervised at no cost to the probationer, the Court, or the County.
 - ii. Contractual Split of Payments. Each payment received from the probationer, if paid in accordance with the monthly schedule set forth by the probation officer on the initial first appointment, shall be applied according to the restitution, fines, statutory surcharges, court costs, class and rehabilitation fees, and drug and alcohol testing fees as ordered by the Court.
 - iii. Pay Only Probation. Offenders who are placed on probation sentences as outlined in O. C.G.A. 42-8-103 shall pay only three (3) months of probation fees regardless of the number of concurrent or consecutive cases. Fees and cases shall be terminated when paid in full unless the Court so modifies the sentence.
 - iv. Consecutive cases. Consecutive misdemeanor sentences shall be supervised in accordance with O.C.G.A. 42-8-103.1.
 1. In the event a probationer makes a payment that is less than the amount specified by the probation officer during the initial appointment with that probationer, the amount collected will be distributed proportionately between the Court and the Contractor. The Court will receive 70% of that collected fee for restitution, fines, statutory surcharges. The Contractor will receive 30% of

- that collected fee for probation supervision, class and rehabilitation fees, drug and alcohol screens. This split shall not apply to fees due for intensive drug and alcohol testing (described in subsection F(c)(iv)(2) hereof), pay-only cases (described in subsection F(c)(iii) hereof), and class and rehabilitation fees (described in subsection F(c)(iv)(3) hereof).
2. Payment for Intensive Drug and Alcohol Testing. If a probationer is ordered by the Court to undergo intensive drug and alcohol testing, the probationer will be required to pay for the drug and alcohol testing as set in the schedule of fees, attached hereto as Exhibit A, at the time the tests are rendered. This payment shall be a one payment not subject to the contractual split of payments set out in F(c)(iv)(1) above. The Contractor shall make every effort to keep the probationer in compliance with normal monthly payments towards restitution, fine, and statutory surcharges.
 3. Payment for Class and Rehabilitative Fees. If a probationer is ordered by the Court to attend class and rehabilitative courses he/she is required to pay for the cost of the courses, as set by the schedule of fees (Exhibit A attached hereto), at the time that he/she attends the course. This payment shall be a onetime payment not subject to the contractual split of payments set out in F(c)(iv)(1) above. The Contractor shall make every effort to keep the probationer in compliance with normal monthly payments towards restitution, fine, and statutory surcharges.
 4. In no instance or under any circumstances will any court monies be moved or transferred from the Court's account to supervision fees without express permission and a corresponding order from the Court.
 5. In no instance will any probation fees or drug and alcohol testing fees be collected by the Contractor performance of the of the supervision services or drug and alcohol testing.
- d. Community Service. Contractor shall coordinate, monitor, and ensure compliance with community service by each probationer as ordered by the Court. The court may convert fines, statutory surcharges, and probation supervision fees to community service on the same basis as it allows a defendant to pay a fine through community service as set forth in subsection (d) of O.C.G.A. 17-10-1. Contractor will maintain records of service participation.
- i. Rate of Conversion. The current rate of community service conversion for fines, statutory surcharges, and probation supervision fees is \$10.00 per hour. The Court may amend this provision with an order from the Court. The minimum rate shall be Federal minimum wage or \$10.00 per hour, whichever is higher after this Agreement is signed.
 - ii. Location of Community Service. For probationers assigned to community service for court ordered hours, for conversion of fines, for statutory surcharges, and/or supervision fees, the probation officer will instruct the probationer to complete said hours in Fayette County, Georgia. If a

probationer is unable to comply, then the probation officer will require twenty (20) hours of community service to be done in Fayette County, Georgia and then may transfer the remaining hours to a community service organization local to the probationer, if approved by the probation supervising officer. In the event a probationer cannot travel to Fayette County, Georgia for community service obligations, then the probation supervising officer may request the Court allow a full transfer of community service obligations. The Court, in its discretion, may assent or refuse such requests.

- e. Employment Assistance. Contractor shall prepare referrals and lend reasonable assistance to probationers to the extent ordered by the Court or to the extent available for probationers desiring employment assistance or counseling.
- f. Drug and Alcohol Testing. Contractor shall not use drug and alcohol screening devices. Contractor shall use drug and alcohol tests. Contractor shall conduct drug and alcohol testing as determined necessary by the Court. The probationer shall be responsible for the costs of all drug and alcohol testing.
 - i. Intensive Drug and Alcohol Testing. For intensive testing as set by the Court, the probationer shall pay for drug and alcohol testing weekly as set by the schedule of fees.
- g. Substance Abuse and Mental Health Evaluations and Rehabilitative Services. Contractor shall coordinate with local authorities and facilities for the evaluation and assessment of probationers for drug and alcohol rehabilitation services, mental health or psychological counseling, or educational programs mandated by the Court and shall require probationer's compliance.
- h. Electronic Monitoring. Contractor, when so ordered by the Court, shall provide to the probationer a list of third party electronic monitoring or house arrest providers for the monitoring of said probationers.
- i. Reports of Violations of Probation and Revocation Procedures. Contractor shall recommend revocation of probation whenever the probationers have failed substantially to comply with the terms and conditions of probation. The Court shall provide Contractor with direction of what constitutes a substantial failure to comply with probation terms and conditions. Contractor shall prepare probation violation warrants, orders, and revocation hearings for submission to the Court. Contractor shall have probation officers available to testify at probation revocation hearings, sentencing hearings, and other such hearings as deemed reasonable and necessary by the Court. Minor violations of probation, although not cause for revocation, shall be included in regular reports made to the Court if requested under this Agreement. The Court shall provide Contractor direction as to what curative measures should be taken in the case of minor violations.
 - i. The supervising probation officer will instruct the probationer how to comply with the Court's ruling in reference to sentencing or revocation of probation.
- j. Pre-sentence Investigations. When directed by the Court, Contractor shall conduct pre-sentence investigations for the Court as requested. A written report shall be prepared and delivered to the Court. A pre-sentence investigation shall include: 1) a report on the circumstances of the offense, 2) a social and family background

- examination, 3) a criminal history check through the Georgia Crime Information Center and the National Crime Information Center, and 4) a report of current circumstances and conditions of the defendant. The cost for pre-sentence investigations will be \$100 per report to be paid by the Court to the Contractor.
- k. The Contractor may recommend as set forth in O.C.G.A. 42-8-103.1. (a) & (b) to the Court early termination or non-reporting probation. A probationer will not be assessed probation supervision fees if such a request is granted by the Court.
 - l. The Contractor will set aside one dollar (\$1) per case per month supervised of its supervision fees into an Indigent Mental Health Fund. These set-aside funds may be used for indigent probationers requiring mental health and/or substance abuse evaluation and/or treatment as determined by the Court and through a provider agreed on by the Court and the Contractor. The set aside funds shall be capped at forty thousand dollars. Should the account fall below said cap the set aside shall commence until such cap is attained. Funds will accrue monthly and any unused funds in any given month will carry forward for the annual fiscal year.
 - i. The monies set aside from the fees collected from probationers will be deposited no later than the 9th day of every month. These fees shall be deposited into a separate bank account owned by the Contractor.
 - ii. At the Court's discretion, the Court will submit written check requests, in a format mutually acceptable to both parties and signed by the Court, to the Contractor for processing and payment. Both the Court and the Contractor agree that no verbal or unsigned written requests will be processed.
 - iii. The Contractor will reconcile the account and update the Court on the balance as necessary. The Contractor cannot withdraw any funds from this account other than those approved in writing by the Court. Bank fees assessed to the account, including check printing, will be borne by the fund.
 - m. When the Court sentences a probationer to the "Jail Tour" as a special condition of probation, the Contractor will collect a \$65 onetime fee from the probationer. This money will be a set-aside fund that the Contractor will manage. These set-aside funds may be only used for purchasing supplies, providing updates to the curriculum, and paying any Fayette County employee who supervises the class known as "Jail Tour" at a rate to be determined by the Fayette County Jail. Funds will accrue monthly and any unused funds in any given month will carry forward for the annual fiscal year.

The monies set aside from the fees collected from probationers will be deposited no later than the 9th day of every month. "Jail Tour" fees shall be deposited into a separate bank account owned by the Contractor.

At the Court's and/or Fayette County Jail's discretion, the Court or Fayette County Jail will submit written check requests, in a format mutually acceptable to both parties and signed by the Court or Jail to the Contractor for processing and payment. Both the Court and the Contractor agree that no verbal or unsigned written requests will be processed.

The Contractor will reconcile the account and update the Court on the balance as necessary. The Contractor cannot withdraw any funds from this account other than those approved in writing by the Court. Bank fees assessed to the account, including check printing, will be borne by the fund.

- G. In accordance with O.C.G.A. §15-18-80, the solicitor is authorized to create and administer a Pretrial Intervention and Diversion Program for offenses within the jurisdiction of the Court. The purpose of such program is to provide an alternative to prosecuting offenders in the criminal justice system. Upon the request of the office of the solicitor and with the advice and express written consent of the solicitor, which is now given, the County designates JCS as the sole private entity to be used for the purpose of monitoring program participants' compliance with a Pretrial Intervention and Diversion Program. Fees for monitoring services are payable not by the County, but by sentenced offenders. Entry into the Pretrial Intervention and Diversion Program shall be at the discretion of the solicitor.

Obligations of the Court or Governing Authority

In consideration for the services of Judicial Correction Services, the Contractor, the Fayette County State Court of Georgia, the Court, shall provide the following:

- H. For regular probation supervision according to the order of the Court, probationer shall pay a fee of \$35 per month.
- I. For intensive probation supervision according to the order of the Court, probationer shall pay a fee of \$50 per month.
- J. Contractor shall collect such probation fee for each month or portion of a month a probationer is under probation supervision. During the term of the Agreement and the Contractor's satisfactory performance, the Court shall refer all probationers to serve time on probation to the Contractor for purposes of probation supervision services.
- K. Probation Fee. The Court shall make payment of the probation fee as listed in this agreement a term and condition of the order of probation for each probationer assigned for supervision to Contractor unless the Court determines the probationer to be indigent. The Court shall not be liable for payment of any supervision fee or any program fee of a probationer.
- L. Pre-Sentencing Investigations. When ordered by the Court, Contractor shall provide a pre-sentence investigation report and Court shall pay to the Contractor \$100 for each report.
- M. Access to Criminal Histories. The Court shall assist the Contractor in obtaining access to criminal histories in the Georgia Crime Information Center and National Crime Information Center through local law enforcement in order for Contractor to conduct pre-sentence investigations as may be requested.
- N. Notice of Court Sessions. The Court shall provide the Contractor notice of the current yearly schedule of court sessions by December 21st of the previous year. The Court shall

provide the Contractor a general court calendar or notice of changes in the schedule of court sessions by 5 PM of the previous day.

- O. Court Facilities. The Court and the Clerk shall provide to the Contractor an area, as available, for the purpose of conducting initial interviews and orientation with the probationer on the day of sentencing.
- P. Period of Service. The services to be performed under this Contract shall commence on January 1, 2018. The initial term of this Contract shall be through December 31, 2018. This Contract shall terminate absolutely and without further obligation on the part of the County on December 31 of each succeeding and renewed year, as required by O.C.G.A. §36-60-13, as amended, unless terminated earlier in accordance with the termination provisions of this Contract. This Contract may be automatically renewed on an annual basis for four (4) additional twelve-month terms, for a total lifetime Contract term of five (5) years, upon the same terms and conditions as provided for in this Contract, unless previously terminated. This Contract will terminate on December 31, 2022. The County shall have the option to renew the contract for five (5) additional one-year intervals provided that the service is satisfactory, both parties are willing to renew, and the renewal is approved with the written consent of the County. Either party may terminate this Agreement upon thirty (30) days written notice. The Court or the County may terminate this Agreement immediately for cause, including without limitation material breach of this Agreement, insolvency of Contractor, filing of voluntary or involuntary case in bankruptcy. Within sixty (60) working days of termination, Contractor shall peacefully surrender to the Court all records and documents generated by the Contractor in connection with this Agreement and the services thereunder and any equipment or supplies assigned to the Contractor by the Court. Contractor shall turn over to the Clerk any monies collected or received, less supervision fees, validly incurred and duly owing to the Contractor through the termination date. Any restitution, fines, statutory surcharges, or court costs received by the Contractors from probationers of this Court after termination of this Agreement shall be forwarded to the Clerk, other than fees earned by the Contractor. The Court shall provide the Contractor receipt for all property surrendered under this provision.

Indemnity, Insurance, and Bonding Obligations of Contractor

- Q. Insurance and Bond. Upon registration application to operate a private probation entity, the Contractor must include written evidence of general liability insurance coverage of at least one million (\$1,000,000). This insurance must be maintained at all times while providing services.
- R. Bonding. The Contractor shall include written evidence of bonding coverage of at least twenty-five thousand (\$25,000).
- S. Indemnification. Neither the Court nor the County shall be liable to the Contractor nor to anyone who may claim a right resulting from any relationship with Contractor, for any acts of the Contractor, its employees, agents, or participants in the performance of services conducted on the property of the County. Contractor shall indemnify and hold harmless the Court and County from any claims, demands, actions, proceedings, expenses, damages, liabilities, or losses (including but not limited to attorney's fees and court costs) and any causes of action arising from any acts or omissions arising out of or

in connection with the services performed by the Contractor or its employees and agents under the terms of this Agreement.

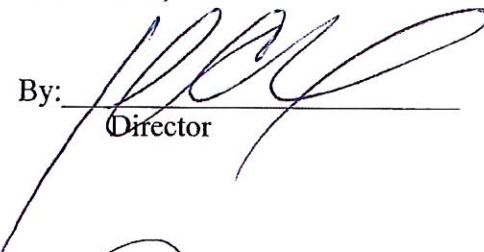
Representations and Warranties of Contractor

- T. **Deficiency in Service by Contractor.** In the event that the Court and County determine that there are deficiencies in the services provided by the Contractor hereunder, the Court and the County may terminate this Agreement in accordance with item P or notify the Contractor in writing as to the exact nature of such deficiency. Within sixty (60) days of receipt of such notice, the Contractor shall cure or take reasonable steps to cure the deficiencies. In the event the company fails to cure or take reasonable steps to cure the deficiencies to the Court and County satisfaction, then either may declare the Contractor in default and may terminate this Agreement.
- U. **Time is of the Essence of this Agreement.**
- V. **Compliance with the Law.** The Contractor shall comply with all federal, state, and local laws statutes, regulations, and ordinances arising out of or in connection with the performance of its services pursuant to this Agreement.
- W. **Independent Contractor.** Contractor is an independent contractor and is not an agent, joint venture, or other affiliate of the Court or County in any way. Contractor shall use its own employees and agents to perform this Agreement. It is agreed that the Contractor is solely responsible for all payment of federal, state, and local income taxes, self-employed Social Security taxes, and any other similar obligations arising from the performance of this Agreement or receipt of compensation thereof. The Contractor agrees to indemnify and hold harmless the Court and the County from and against any and all federal, state, or local tax liability or penalties that may arise from the payments made to the Contractor pursuant to this Agreement. The Contractor acknowledges that neither it nor its employees are eligible for any benefits provided by the Court or the County.
- X. **Entire Agreement.** This Agreement, including all exhibits attached hereto and incorporated herein by reference, constitutes the entire agreement between the parties hereto and supersedes any and all agreements, whether written or oral, that may exist between the parties regarding the same. No representations, inducements, promises, or agreements between the parties not embodied herein shall be of any force and effect. No amendment or modification to this Agreement or any waiver of any provision hereto shall be effective unless in writing and signed by all parties to include the Court, the County, and the Contractor.
- Y. **Binding Agreement.** This Contract shall be binding on any successor to the undersigned official of the County or Court. The provisions enumerated in this Contract shall be deemed valid insofar as they do not violate any City, State, or Federal laws. In the event any provision of this Contract should be declared invalid, the remainder of this Contract shall remain in full force and effect.
- Z. **Subcontractors.** Aside from the drug and alcohol testing and electronic monitoring mentioned above, the Contractor may not delegate, assign, or subcontract any obligation, of the Contractor's performance under the Agreement and may not assign any right under this Agreement without the Court's approval. The Court has discretion in this regard and this discretion shall be absolute. Any notices made in accordance with this Agreement


except as otherwise set out in item N, shall be in writing and shall be made in person, by registered mail, or certified mail, return receipt requested, to the Contractors.

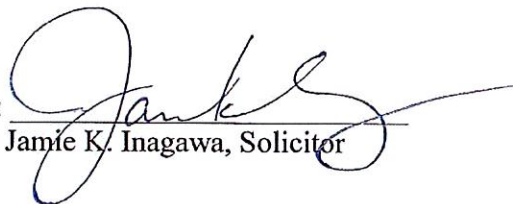
In witness whereof, the parties hereto have executed this agreement on the 13th day of December, 20 18.

JUDICIAL CORRECTION
SERVICES, LLC.

By: 
Director

STATE COURT
FAYETTE COUNTY, GEORGIA

By: 
Jason B. Thompson, Judge

By: 
Jamie K. Inagawa, Solicitor


BOARD OF COMMISSIONERS OF
FAYETTE COUNTY, GEORGIA

By: 
Eric K. Maxwell, Chairman

(SEAL)



ATTEST:


Tameca P. White, County Clerk

Approved as to form:

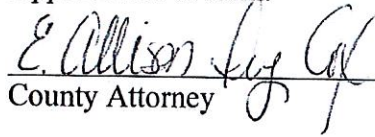

County Attorney

Exhibit A
Schedule of Fees

List of fees and the amount to be collected:

1. Probation Supervision Fee: \$35 per month
2. Intensive Probation Supervision Fee: \$50 per month
3. Start Up Fee: \$15 per case
4. Victim Impact Panel Class Fee: \$15
5. Me & My Driving Class: \$65
6. Restorative Justice: \$65
7. Anger Management: \$25 per book and \$200 total for the class
8. Moral Recognition Training: \$25 per book and \$200 total for the class
9. Family Violence Intervention Program: \$25 per book, \$25 per assessment, \$20 fee paid to Promise Place and \$20 fee paid to Georgia Commission on Family Violence, \$25 per class
10. 6 panel drug test: \$25 per test
11. ETG alcohol test: \$20 per test
12. Comprehensive test: \$75 per test
13. Test Retest: \$75 per retest
14. Confirmatory test by independent laboratory: \$40 per test
15. On Site Alcohol Test: \$10.00 per test
16. On Site Laboratory Test and Confirmation: \$50.00 per test
17. Pre-trial diversion supervision: \$45 per month
18. Jail Tour: \$65 per tour

**State of Georgia
County of Fayette**

**AMENDMENT TO THE CONTRACT FOR PROBATION
SUPERVISION AND REHABILITATION SERVICES
BY AND BETWEEN FAYETTE COUNTY, GEORGIA
AND JUDICIAL CORRECTION SERVICES, LLC. (JCS)**

WHEREAS, Fayette County and JCS have previously entered into a Contract for Probation Supervision and Rehabilitation Services pursuant to which the County has retained JCS to coordinate and provide certain probation services to the Fayette County State and Court; and

WHEREAS, Fayette County and JCS desire to amend the terms of said Contract;

WHEREAS, the contract between Fayette County and JCS contemplate annual renewals as outlined below:

“The County shall have the option to renew the contract for five (5) additional one-year terms provided that the service is satisfactory, both parties are willing to renew, and the renewal is approved with the written consent of the County.”

NOW THEREFORE, in consideration of the promises and mutual covenants hereinafter set forth and other good and valuable consideration, the receipt and sufficiency of which are acknowledged, Fayette County and JCS do hereby enter into this Amendment of said Contract and hereby incorporate this Amendment into said Contract:

RENEWAL OF THE PERIOD OF SERVICE

This amendment shall serve as a renewal of the period of service contemplated by the original Contract as follows:

The contract shall be renewed for a period of one year beginning January 1, 2023 and terminating December 31, 2023.

MODIFICATION OF THE INDIGENT MENTAL HEALTH FUND

This amendment shall serve as a modification of the Indigent Mental Health Fund contractual provision:

Contractor shall set aside (\$1.25) per case per month of its supervision fees into an Indigent Mental Health Fund.

The set aside funds shall be capped at fifty thousand dollars.

MODIFICATION OF SCHEDULE OF FEES


This amendment shall serve as a modification of Schedule of Fees contemplated by the original contract as follows:

-Probation Supervision Fee: \$40.00 per month

-ETG Alcohol Test: \$35.00 per test


IN WITNESS WHEREOF, the parties hereto have executed this Amendment this
17th day of February, 2023.

**FAYETTE COUNTY BOARD OF
COMMISSIONERS**



Lee Hearn, Commission Chairman

**JUDICIAL CORRECTION
SERVICES, LLC.**



Thomas S. York, COO

APPROVED BY THE FAYETTE COUNTY STATE COURT:



Jason B. Thompson, Judge



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 

From: Natasha M. Duggan 

Date: August 24, 2023

**Subject: Contract 2128-B: Annual Contract for Waterline Extension
Task Order 24-03: Ellen's Ridge Water Main**

The Water System must respond to needs for emergency or other non-routine repairs, extensions, or similar work on the water distribution system. On August 11, 2022, the Board of Commissioners awarded Contract 2128-B to Shockley Plumbing Co., Inc. which allows task orders to be issued to establish a not-to-exceed or fixed price for each project.

This task order requests authorization to lower 100 linear feet (LF) of an 8" DIP (ductile iron pipe) water main and install additional valves on Ellen's Ridge. The work is required due to a conflict with GDOT's project at CR61/Coastline Road at CSX Railroad which is three miles northeast of Tyrone (GDOT PI # 0015647).

Specifics of the proposed task order are as follows:

Contract Name	#2128-B: Annual Contract for Waterline Extension	
Contractor	Shockley Plumbing Co., Inc.	
Type of Contract	Annual, indeterminate quantity, fixed unit price contract	
Task Order	24-03 Ellen's Ridge Water Main	
Not to Exceed Amount	\$64,000.00	
Budget:		
Org Code	50544020	Field Operations
Object	522266	Repairs Meters & Water Lines
Project	n/a	
Available	\$251,866.55	As of 8/23/2023

Approved by:  _____ Date: 8/23/23

Place on County Administrator's Report? Yes / No

On Agenda Dated: _____



SHOCKLEY PLUMBING, INC.

1749 HABERSHAM CHURCH ROAD
PERKINS, GEORGIA 30442

K.R. SHOCKLEY
Mobile: (770) 550-5083
Fax: (478) 982-4131

R.W. SHOCKLEY
Mobile: (770) 550-5085
E-mail: robertshockley@att.net

Estimate
~~INVOICE~~ NO. **4119**

DATE: *8-14-2023*

JOB:

*Eller Ridge and
Coastline Road*

John,

*We anticipate reusing the existing 8" DEP.
We will install the 2 Gate Valves using 4 sleeves, then
we will pour 2 deadmans for the first 8" 45° Bends.
The rest of the fittings will be restrained by Megalug
and Restrained Joint Gaskets.*

<i>Materials</i>	<i>12,000</i>
<i>Labor</i>	<i>52,000</i>
<i>Total</i>	<i>64,000</i>

Thanks

RW Shockley

FAYETTE COUNTY WATER SYSTEM
REQUISITION/PURCHASE ORDER ENTRY
SHOCKLEY TASK ORDER DETAIL



Task Order Form must be completed and Notice to Proceed issued before work can commence.

Task Order Detail:

Vendor Name:	Shockley Plumbing
Task Order Name:	Ellen's Ridge
Task Order #:	23-04
Estimated Start Date:	2023.08.21
Length of Project:	~100 LF
Estimated Cost:	\$64,000
Budget Account:	50544020 - 522266
Available Funding:	\$182,139.65 (as of 8/22/2023)
Task Order Manager:	John Caldwell

Scope of Work:

Lower ~100 LF existing 8" DIP WM in place install additional valves to eliminate conflicts with PI 0015647.

Reason for Task Order:

To eliminate conflicts with GDOT PI #: 0015647 Fayette County
 Project Description: CR 61/Coastline Road at CSX Railroad 3mi NE of Tyrone

Impact if Not Approved:

Conflict with GDOT will remain and need to be resolved in some manner.

Required Backup Documentation:

- Quote/Estimate
- Vendor Scope of Work

Additional Comments:

Form Completed By: John Caldwell

Form Completed Date: 2023.08.15