

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

October 26, 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 Charles Oddo
Acceptance of Agenda

PROCLAMATION/RECOGNITION:

1. Proclamation encouraging citizens to participate in "Operation Green Light for Veterans" from November 1, 2023 to November 13, 2023 to express our collective appreciation for the public service of all veterans. (pages 4-5)
2. Recognition of Commissioner Charles Oddo, Fire Chief Jeff Hill, Parks and Recreation Director Anita Godbee, 911 Director Katye Vogt, for completion and award of the Association County Commissioners of Georgia (ACCG) Intergovernmental Relations, Public Safety, Quality Life/Social Issues, and Public Safety Specialty Track Certifications, respectively. (page 6)

PUBLIC HEARING:

3. Consideration of Petition No. 1333-23, Wen Lin and Jie Lin, Owners, request to rezone 6.63 acres from A-R to R-72; property located in Land Lot 5 of the 5th District, and fronts on State Route 85 and Harp Road. (pages 7-37)

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:

4. Approval of the proposed 2024 Local Maintenance & Improvement Grant (LMIG) project list for unincorporated Fayette County and authorization for the Chairman to sign the LMIG Application and related documents. (pages 38-41)
5. Approval to acquire all fee simple right-of-way and easements for the proposed multi-use path and tunnel at the intersection of Redwine Road and Robinson Road (2017 SPLOST 17TAI)-approval of revised right-of-way plans dated October 12, 2023. (pages 42-58)
6. Approval of the September 28, 2023 Board of Commissioners Meeting Minutes. (pages 59-67)

OLD BUSINESS:

7. 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 68-69)
8. 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. *This item was tabled at the September 28, 2023 Board of Commissioners Meeting.* (pages 70-79)

NEW BUSINESS:

9. Consideration of a Step Two Annexation Notification from Peachtree City regarding an application from R S Towson Holdings, LLC, to annex approximately 11.4 acres east of Shiloh Manufactured Home Park. (pages 80-114)
10. Request to approve the use of General Fund fund balance in the amount of \$610,663, for the purpose of audio-visual modernization for the Griffin Judicial Circuit Fayette County court rooms, with no reimbursement expected from the American Rescue Plan Act (ARPA). (pages 115-163)
11. Request to award Bid #2300-B Parking Lot Resurfacing Project to The Surface Masters, Inc. in the amount of \$836,968.57 to resurface six (6) Fayette County parking lots. (pages 164-169)
12. Request to award Bid #2316-B to Piedmont Paving, Inc. for FY2024 Full Depth Reclamation (FDR) of Hampton Road and Wilmington Lane in the amount of \$704,858.12. (page 170)
13. Request to award bid #2306-B Pumper Fire Apparatus to FireLine, Inc. for two (2) pumpers in the amount of \$1,479,658, to transfer \$60,118 from Fire Services fund balance and to allocate \$45,000 to apparatus safety equipment to supply both pumpers. (pages 174-178)
14. Request to designate vehicle Asset # 10845 (Fleet #23120) and Asset #10847 (Fleet #23130) as surplus and to authorize auctioning both units. (pages 179)
15. Request to award Bid #2314-B FCWS-Trilith Studios Elevated Water Storage Tank to Caldwell Tanks, Inc. in the amount of \$2,786,200 for construction of a new metal elevated water storage tank at the Trilith Studios property and to transfer \$272,870 from R&E to CIP 23WSH. (pages 180-182)
16. Request to approve a revised agreement with Georgia Department of Transportation (GDOT) PI 0013726 in the amount of \$1,819,817.10 to supply all construction engineering and contract supervision for water distribution line relocations, adjustments and improvements on State Routes 74 and 54 in Peachtree City. (pages 183-192)
17. Request to re-appoint Martin Sas to the Fayette County Transportation Committee to serve a term beginning April 1, 2023 and expiring March 31, 2026. (pages 193-200)

18. Request to extend the name "Ebenezer Church Road" along the newly constructed alignment and change the name of the remaining segment to "Little Way;" and to approve the recommended posted speed limits of 35 mph and 25 mph, respectively, on the two segments of roads. (pages 201-203)
19. Request to submit a Safety Equipment Request Form to the Georgia Department of Transportation (GDOT) for donation of traffic signal equipment, estimated value of \$139,100.00, for the 2004 SPLOST Intersection Improvement Project R-19 & R-20 at SR 85 and Highway 85 Connector. (pages 204-207)
20. Request to award Bid #2309-B, Camp Creek Multi-Use Path Phase 1 Project (SPLOST 24TAA) to Redland Grading Company, Inc. in the amount of \$128,857.77. (pages 208-214)
21. Request to accept a Hazard Mitigation Grant Program (HMGP) award in the amount of \$3,842,187.75 plus admin costs of \$37,318.00 to upgrade the Phillips Lake and Kozisek Lake dams to Category 1 standards, to provide the local match of \$1,280,729.25 for an approved project total amount of \$5,122,917.00, and authorization for the County Administrator to sign the award documentation. (pages 215-266)
22. Request to adopt Resolution 2023-09 urging the Governor and General Assembly of Georgia to continue efforts to reform and improve mental health services for the citizens of Georgia. (pages 267-269)

ADMINISTRATOR'S REPORTS:

ATTORNEY'S REPORTS:

COMMISSIONERS' REPORTS:

EXECUTIVE SESSION:

ADJOURNMENT:

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Proclamation encouraging citizens to participate in "Operation Green Light for Veterans" from November 1, 2023 to November 13, 2023 to express our collective appreciation for the public service of all veterans.

Background/History/Details:

This coming Veterans Day, the National Association of Counties (NACo) and the National Association of County Veteran Service Officers (NACVSO) have invited county leaders to join in Operation Green Light for Veterans by lighting county buildings green until November 13, 2023.

Operation Green Light draws attention to the challenges veterans face, particularly as they leave active service and return to civilian life.

What action are you seeking from the Board of Commissioners?

Proclamation encouraging citizens to participate in "Operation Green Light for Veterans" from November 1, 2023 to November 13, 2023 as a way to express our collective appreciation for the public service of all veterans.

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 BOARD OF COMMISSIONERS

Proclamation

OPERATION GREEN LIGHT FOR VETERANS

- Whereas,** the residents of Fayette County have great respect, admiration, and the utmost gratitude for all of the men and women who have selflessly served our country and this community in the Armed Forces; and
- Whereas,** the contributions and sacrifices of the men and women who served in the Armed Forces have been vital in maintaining the freedoms and way of life enjoyed by our citizens; and
- Whereas,** Fayette County seeks to honor these individuals who have paid the high price for freedom by placing themselves in harm's way for the good of all; and
- Whereas,** Veterans continue to serve our community in the American Legion, Veterans of Foreign Wars, religious groups, civil service, and by functioning as County Veteran Service Officers in 29 states to help fellow former service members access more than \$52 billion in federal health, disability and compensation benefits each year; and
- Whereas,** approximately 200,000 service members transition to civilian communities annually and an estimated 20 percent increase of service members will transition to civilian life in the near future; and
- Whereas,** studies indicate that 44-72 percent of service members experience high levels of stress during transition from military to civilian life and Active Military Service Members transitioning from military service are at a high risk for suicide during their first year after military service; and
- Whereas,** the National Association of Counties encourages all counties, parishes and boroughs to recognize Operation Green Light for Veterans. Fayette County appreciates the sacrifices of our United States Military Personnel and believes specific recognition should be granted.

NOW, THEREFORE, be it resolved, with designation of a "Green Light for Veterans County", Fayette County hereby declares from November 1, 2023 through November 13, 2023, a time to salute and honor the service and sacrifice of our men and women in uniform transitioning from active service.

THEREFORE, BE IT FURTHER RESOLVED, that in observation of Operation Green Light, Fayette County encourages its citizens in patriotic tradition to recognize the importance of honoring all those who made immeasurable sacrifices to preserve freedom by displaying a green light in a window of their place of business and/or home.

So proclaimed this 26th day of October 2023

Lee Hearn, Chairman
Fayette County Board of Commissioners

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Recognition of Commissioner Charles Oddo, Fire Chief Jeff Hill, Parks and Recreation Director Anita Godbee, 911 Director Katye Vogt, for completion and award of the Association County Commissioners of Georgia (ACCG) Intergovernmental Relations, Public Safety, Quality Life/Social Issues, and Public Safety Specialty Track Certifications, respectively.

Background/History/Details:

The ACCG Lifelong Learning Academy was created with significant input from county commissioners. These experienced commissioners identified the core and specialty track requirements and participated in the development of course outlines based on the issues and decision making challenges regularly faced by county officials. The ACCG Lifelong Learning Committee, composed of county commissioners along with staff from ACCG and the University of Georgia Carl Vinson Institute of Government regularly review the course requirements and curriculum and make adjustments as needed to keep the subject matter relevant and engaging for participants.

Following the completion of the core certification, county officials can work on specialty certifications, providing even more in-depth courses in areas such as economic development, intergovernmental relations or revenue and finance. The specialty certification program is designed to be flexible in order to provide training on current issues and best practices. Each specialty certification requires an additional 48 hours of coursework.

What action are you seeking from the Board of Commissioners?

Recognition of Commissioner Charles Oddo, Fire Chief Jeff Hill, Parks and Recreation Director Anita Godbee, 911 Director Katye Vogt, for completion and award of the Association County Commissioners of Georgia (ACCG) Intergovernmental Relations, Public Safety, Quality Life/Social Issues, and Public Safety Specialty Track Certifications, respectively.

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:

Consideration of Petition No. 1333-23, Wen Lin and Jie Lin, Owners, request to rezone 6.63 acres from A-R to R-72; property located in Land Lot 5 of the 5th District, and fronts on State Route 85 and Harp Road.

Background/History/Details:

The property is a legal lot of record. This property is developed as a single-family residence with 1 house and standard accessory structures. The property has historically been zoned A-R and has not been rezoned. As defined in the Fayette County Comprehensive Plan, Rural Residential-2 (1 Unit/2 Acres) is designated for this area and existing adjacent uses are Residential and A-R, so the request for R-72 zoning is appropriate.

On October 5, 2023, the Planning Commission voted 4-0 to approve (Mr. Danny England was absent).

Staff recommends CONDITIONAL APPROVAL of Petition No. 1333-23, to rezone 6.63 acres from A-R to R-72, subject to the following condition: 1. Harp Road is a Minor Arterial per the Fayette County Thoroughfare Plan. The owner/developer shall dedicate right-of-way, as needed, to provide 50 feet as measured from the existing centerline of Harp Road prior to Final Plat approval. Dedication documents to include Warranty or Quitclaim Deed and full written legal description exhibit of right of way.

What action are you seeking from the Board of Commissioners?

Approval of Petition No. 1333-23, Wen Lin and Jie Lin, Owners, request to rezone 6.63 acres from A-R to R-72; property located in Land Lot 5 of the 5th District, and fronts on State Route 85 and Harp Road, with one (1) condition.

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: 1333-23

REQUESTED ACTION: Rezone from A-R to R-72

PARCEL NUMBER: 0503 012

PROPOSED USE: Single-Family Residential

EXISTING USE: Single-Family Residential

LOCATION: 1451 Hwy. 85 S

DISTRICT/LAND LOT(S): 5th District, Land Lot 5

OWNERS: Wen Lin & Jie Lin

AGENT: N/A

PLANNING COMMISSION PUBLIC HEARING: October 5, 2023

BOARD OF COMMISSIONERS PUBLIC HEARING: October 26, 2023

APPLICANT'S INTENT

Applicant proposes to rezone 6.63 acres from A-R to R-72 for the purposes of developing single-family lots.

STAFF RECOMMENDATION

As defined in the Fayette County Comprehensive Plan, Rural Residential-2 (1 Unit/2 Acres) is designated for this area, so the request for R-72 zoning is appropriate. Based on the Investigation and Staff Analysis, Staff recommends **CONDITIONAL APPROVAL** of the request for a zoning of R-72, Single-Family Residential District, subject to the following condition(s):

1. Harp Road is a Minor Arterial per the Fayette County Thoroughfare Plan. The owner/developer shall dedicate right-of-way, as needed, to provide 50 feet as measured from the existing centerline of Harp Road prior to Final Plat approval. **Dedication documents to include Warranty or Quitclaim Deed and full written legal description exhibit of right of way.*

INVESTIGATION**A. GENERAL PROPERTY INFORMATION**

The property is a legal lot of record. This property is located in the General State Route Overlay Zone.

B. REZONING HISTORY:

This property has historically been zoned A-R and has not been rezoned to any other district.

C. CURRENT DEVELOPMENT HISTORY:

The property currently has 1 single-family home.

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 (across Harp Road)	4.04	A-R	Undeveloped	Rural Residential – 2 (1 Unit/2 Acres)
South	4.5	A-R	Single-family Residential	Rural Residential – 2 (1 Unit/2 Acres)
East (across SR 85)	3.13 2.70	R-40 A-R	Single-family Residential Single-family Residential	Rural Residential – 2 (1 Unit/2 Acres)
West	5.7	R-45	Single-family Residential	Rural Residential – 2 (1 Unit/2 Acres)

C. COMPREHENSIVE PLAN

The subject property lies within an area designated for Rural Residential – 2 (1 Unit/2 Acres). It is also in the General State Route Overlay Zone, although that does not impose any restrictions upon residential development.

D. ZONING/REGULATORY REVIEW

Access & Right-of Way: The property has existing access to Harp Road and State Route 85.

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

E. DEPARTMENTAL COMMENTS

- Water System** - FCWS has no objection to the proposed rezoning.
- Public Works**
 - **County Road Frontage and Right of Way Dedication**
 - GA Hwy 85 is a **Major Arterial** roadway and the GADOT controls all entrances, exits, and right of ways within the state route. Any proposed modifications to the site entrances, exits, and right of way dedication will be permitted through GADOT.
 - Harp Road is a **Minor Arterial** roadway and Fayette County Environmental Management will issue driveway permits. There is no right of way dedication required at this time. **Article III, Section 104-55 requires driveways to be installed on the lower roadway classifications – lot 1 access via Harp Road.*
 - **Traffic Data**
 - According to the GDOT on-line traffic data in 2022, the annual average daily traffic for State Route 85 (approximately one (1) mile from the site) is **10,700 vehicles per day**. The County does not have any current traffic counts on Harp Road. The owner has not submitted traffic data for the proposed subdivision.
 - If the existing tract is rezoned and development into four residential tracts County staff anticipates that this would have negligible effect on existing traffic patterns to Hwy 85 and Harp Road.
 - **Sight Distance**
 - Minimum sight distances will have to be satisfied for any proposed new driveway on County roads and GDOT will review sight distances and driveway permits on SR 85.
- Environmental Management -**
 - **Floodplain Management** - The subject property **DOES NOT** contain floodplain per FEMA FIRM panel 13113C0113E dated September 26, 2008.
 - **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. The project will be subject to the Post-Development Stormwater Management Ordinance.
- Environmental Health Department** – This office has no objections to the proposed rezoning.
- Fire** – No objections to the requested rezoning.
- GDOT** – GDOT has provided requirements for new driveway locations. No building permits will be issued without GDOT approval of the driveway cuts.

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.

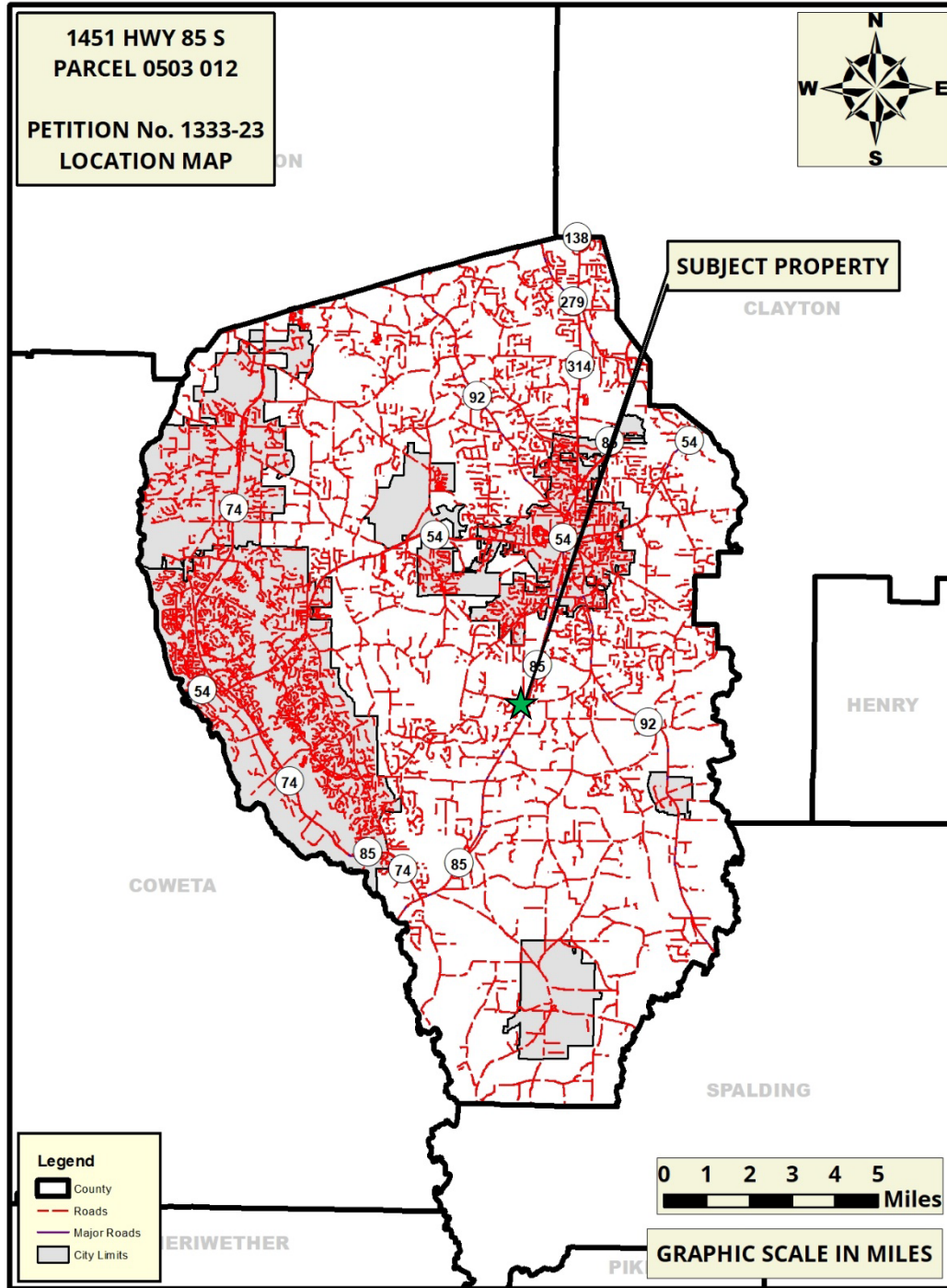
STAFF ANALYSIS

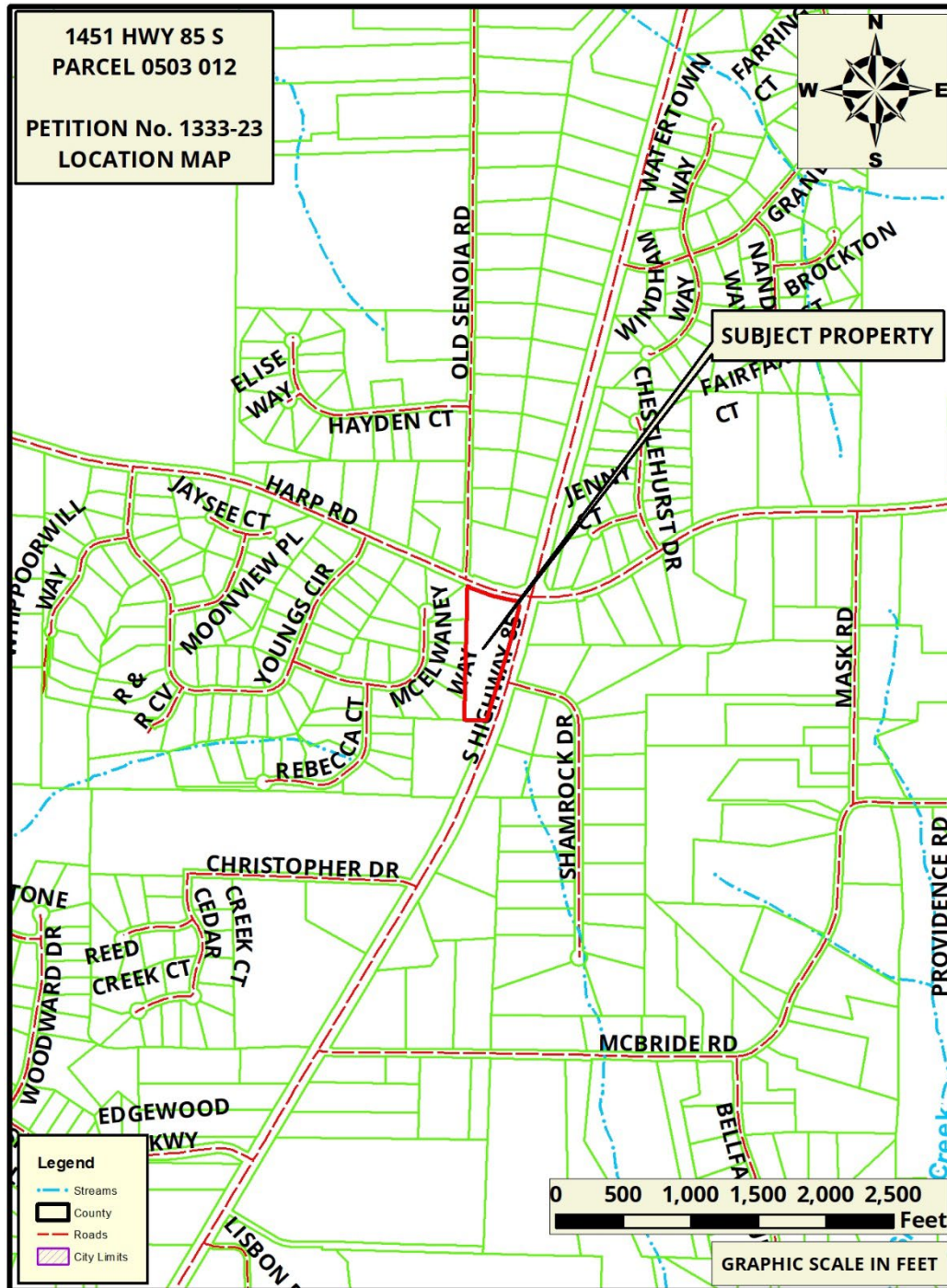
1. The subject property lies within an area designated for Rural Residential-2 Uses. This request does conform to the Fayette County Comprehensive Plan in terms of the use and proposed lot size.
2. The area around the subject property is an area that already has various residential and agricultural uses.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

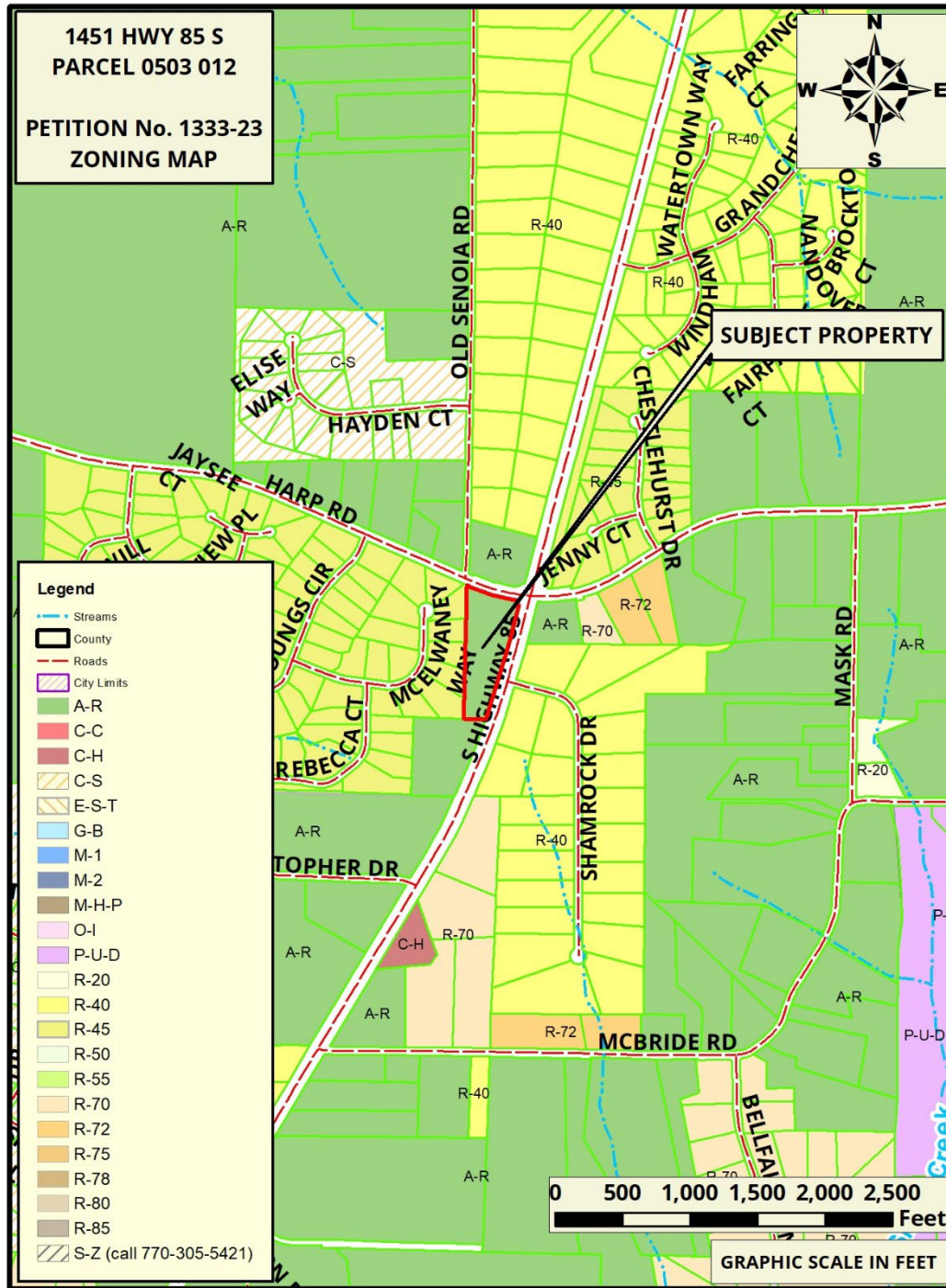
ZONING DISTRICT STANDARDS**Sec. 110-132. R-72, Single-Family Residential District.**

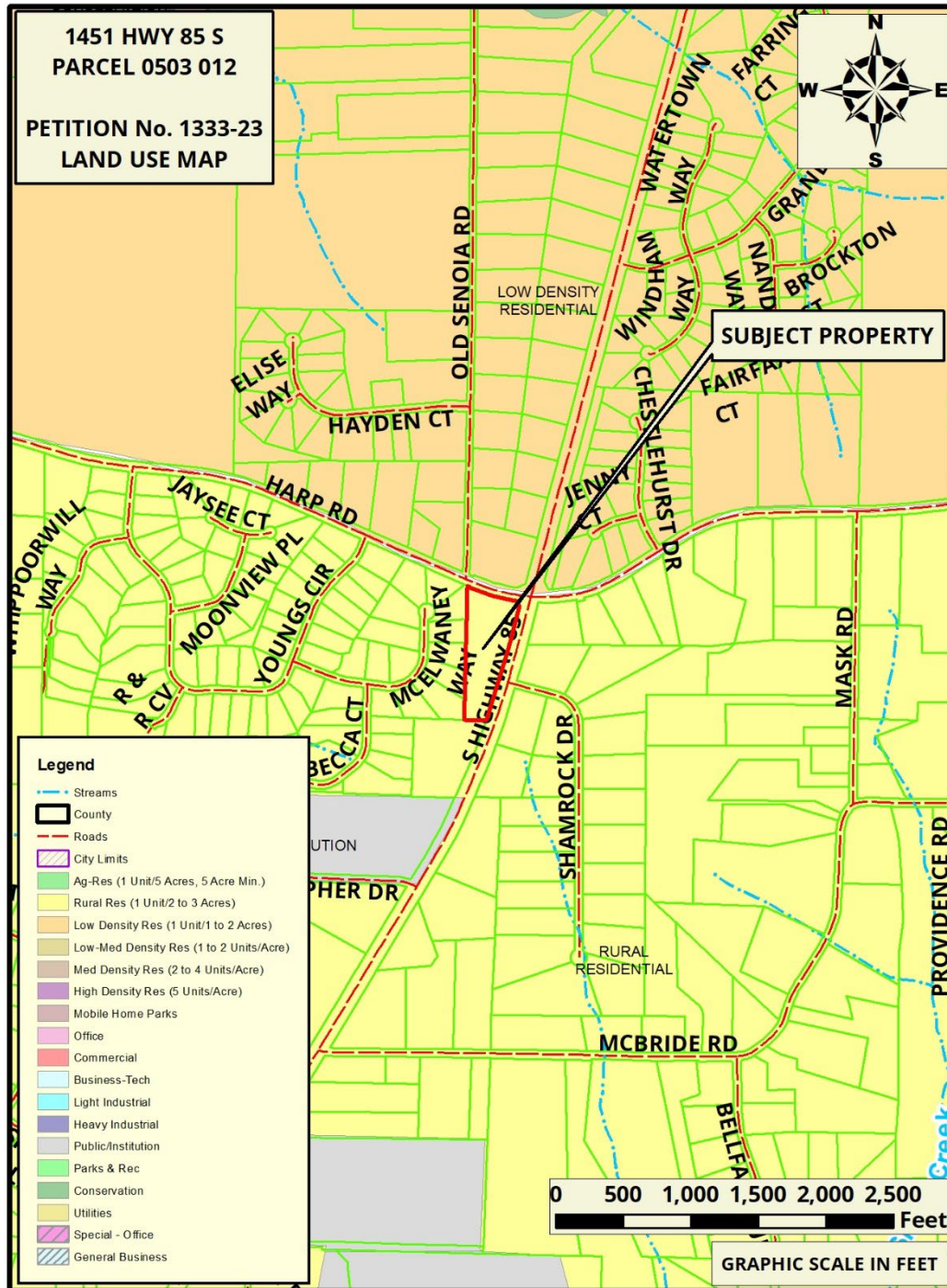
- (a) *Description of district.* This district is composed of certain lands and structures having a low density single-family residential character and designed to protect against the depreciating effects of small lot development and those uses incompatible with such a residential environment.
- (b) *Permitted uses.* The following permitted uses shall be allowed in the R-72 zoning district:
- (1) Single-family dwelling;
 - (2) Residential accessory structures and uses (see article III of this chapter); and
 - (3) Growing crops, gardens.
- (c) *Conditional uses.* The following conditional uses shall be allowed in the R-72 zoning district provided that all conditions specified in article V of this chapter are met:
- (1) Church and/or other place of worship;
 - (2) Developed residential recreational/amenity areas;
 - (3) Home occupation;
 - (4) Horse quarters; and
 - (5) Private school, including, but not limited to: classrooms, administration, playground, housing, athletic fields, gymnasium, and stadium.
- (d) *Dimensional requirements.* The minimum dimensional requirements in the R-72 zoning district shall be as follows:
- (1) Lot area per dwelling unit: 87,120 square feet (two acres).
 - (2) Lot width:
 - a. Major thoroughfare:
 1. Arterial: 175 feet.
 2. Collector: 175 feet.
 - b. Minor thoroughfare: 150 feet.
 - (3) Floor area: 2,100 square feet.
 - (4) Front yard setback:
 - a. Major thoroughfare:
 1. Arterial: 75 feet.
 2. Collector: 75 feet.
 - b. Minor thoroughfare: 50 feet.
 - (5) Rear yard setback: 50 feet.
 - (6) Side yard setback: 25 feet.
 - (7) Height limit: 35 feet.

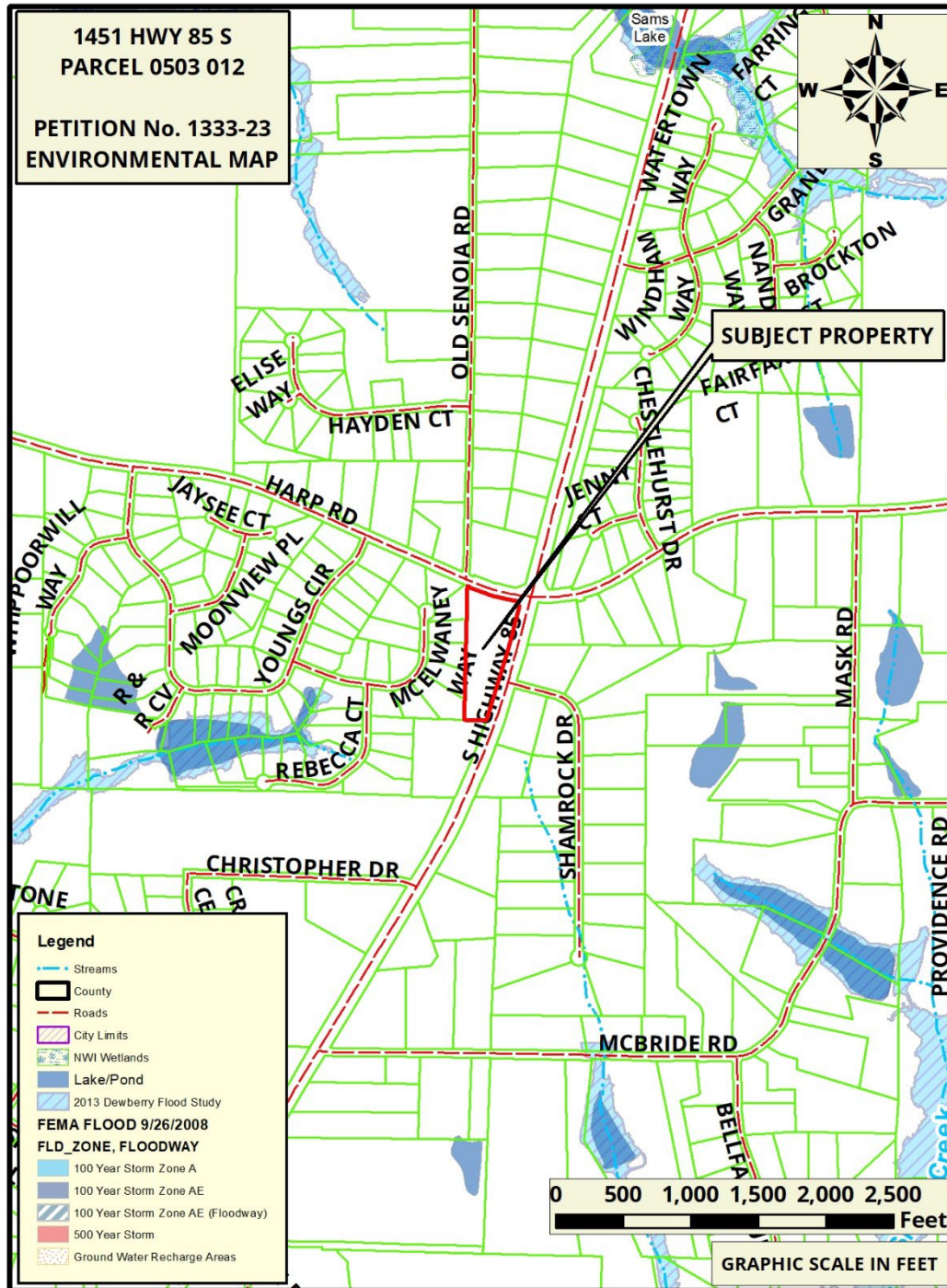
(Code 1992, § 20-6-8; Ord. No. 2012-09, § 4, 5-24-2012; Ord. No. 2018-03, § 13, 9-22-2018)

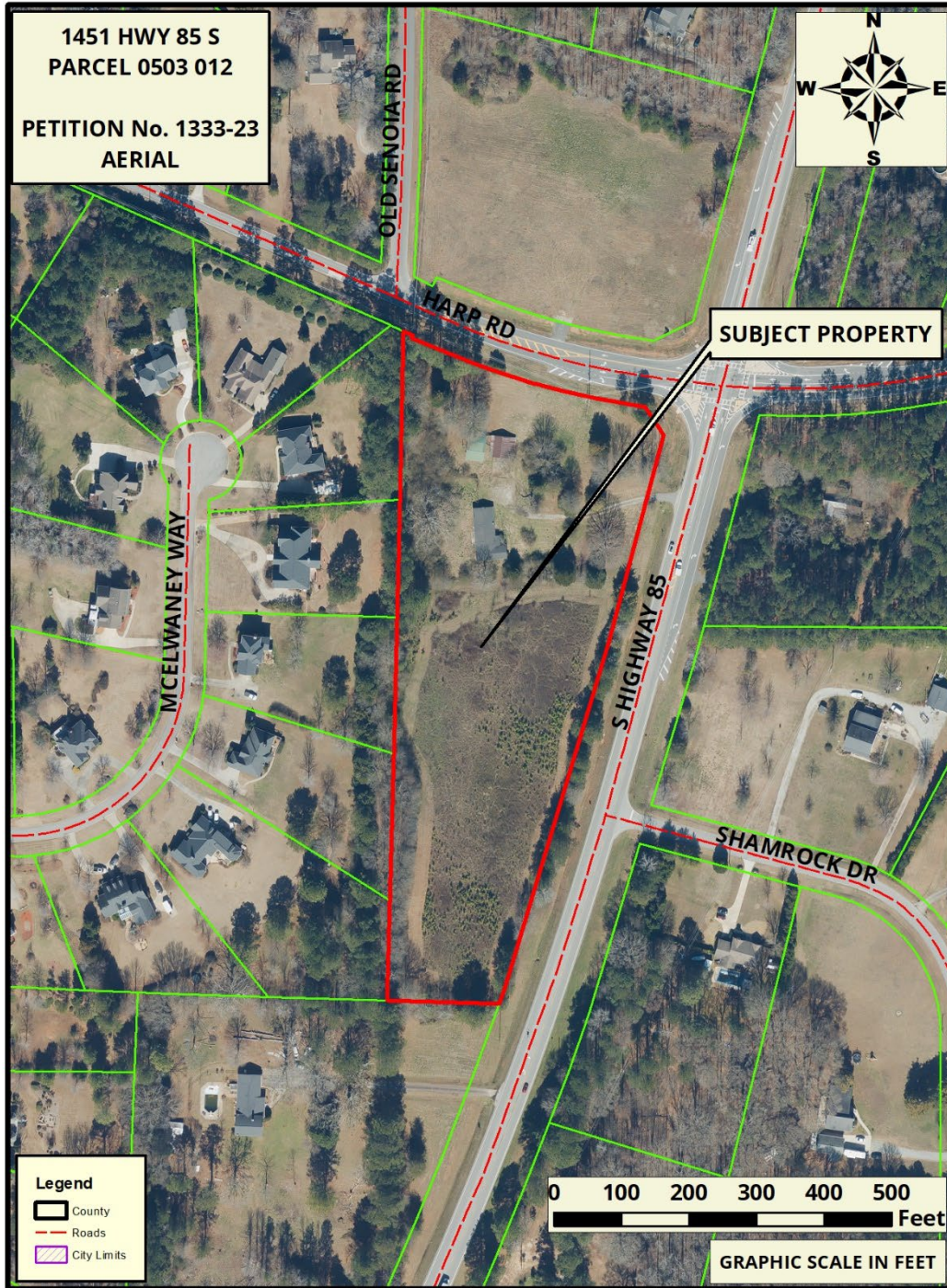


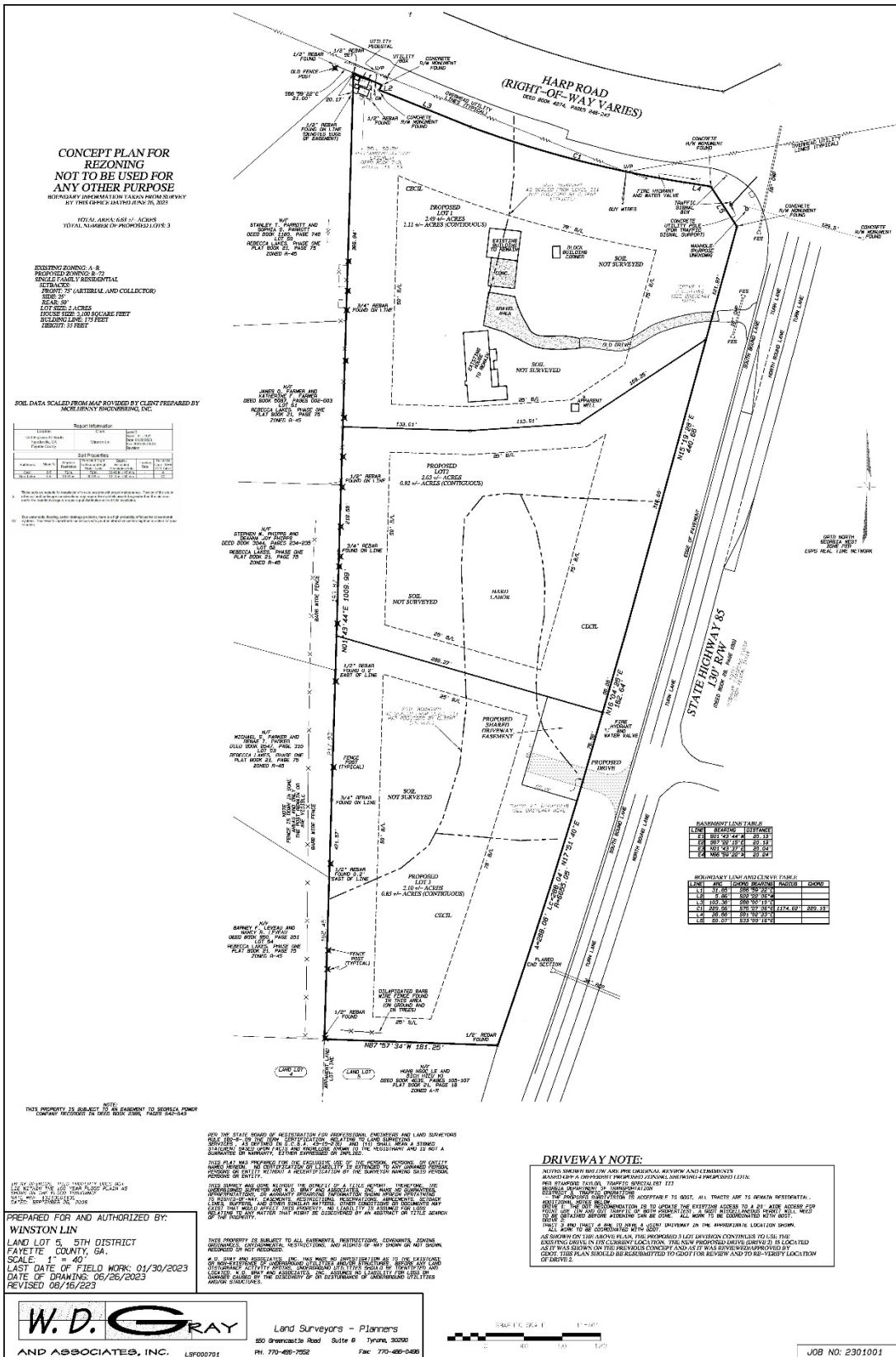












CONCEPT PLAN FOR REZONING
 NOT TO BE USED FOR ANY OTHER PURPOSE
 REZONING INFORMATION TAKEN FROM MAP BY FIELD ENGINEER DATED 01/30/2023

TOTAL AREA: 6.41 ACRES
 TOTAL NUMBER OF PROPOSED LOTS: 3

EXISTING ZONING: A-8
 PROPOSED ZONING: R-72
 SINGLE FAMILY RESIDENTIAL
 1.5 ACRES
 FRONT 75' (LATERAL AND COLLECTOR)
 SIDE 30'
 REAR 30'
 LOT AREA: 1.4 ACRES
 HOUSE SIZE: 3,000 SQUARE FEET
 HEIGHT: 17 FEET
 HEIGHT: 35 FEET

SOIL DATA SCALED FROM MAP PROVIDED BY CLIENT PREPARED BY MCKENNEY ENGINEERING, INC.

Lot	Area	Soil	Soil Description
1	2.14	CECL	CLAYEY SAND
2	2.14	CECL	CLAYEY SAND
3	2.14	CECL	CLAYEY SAND

This information is based on the data provided to the engineer. The engineer is not responsible for the accuracy of the data provided.

The engineer is not responsible for the accuracy of the data provided.

RASHPMENT LINE TABLE

LINE	BEARING	DISTANCE
L1	S 81° 42' 42" E	22.73
L2	S 87° 09' 13" E	22.14
L3	S 87° 09' 13" E	22.14
L4	N 82° 50' 20" W	22.24

BOUNDARY LINE AND CENTER TABLE

LINE	BEARING	DISTANCE	POINT	MARK
L1	S 81° 42' 42" E	22.73	1	1
L2	S 87° 09' 13" E	22.14	2	2
L3	S 87° 09' 13" E	22.14	3	3
L4	N 82° 50' 20" W	22.24	4	4

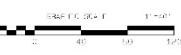
NOT: THIS PROPERTY IS SUBJECT TO AN EASEMENT TO SERVICE POWER COMPANY RECORDED TO DEED BOOK 2008, PAGE 266/267

FOR THE STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS...
 THIS PLAN WAS PREPARED FOR THE PURPOSES OF THE PERSONS NAMED HEREON...
 THE ENGINEER HAS CONDUCTED A VISUAL INSPECTION OF THE PROPERTY...
 THE ENGINEER HAS CONDUCTED A VISUAL INSPECTION OF THE PROPERTY...
 THE ENGINEER HAS CONDUCTED A VISUAL INSPECTION OF THE PROPERTY...

DRIVEWAY NOTE:
 METERS SHOWN ON THIS AND THE CALCULATED BEYOND ADJUSTMENTS...
 ALL DRIVEWAYS SHALL BE CONSTRUCTED TO A MINIMUM OF 10 FEET...
 THE PROPOSED DRIVEWAY IS TO BE CONSTRUCTED TO A MINIMUM OF 10 FEET...
 THE PROPOSED DRIVEWAY IS TO BE CONSTRUCTED TO A MINIMUM OF 10 FEET...
 THE PROPOSED DRIVEWAY IS TO BE CONSTRUCTED TO A MINIMUM OF 10 FEET...

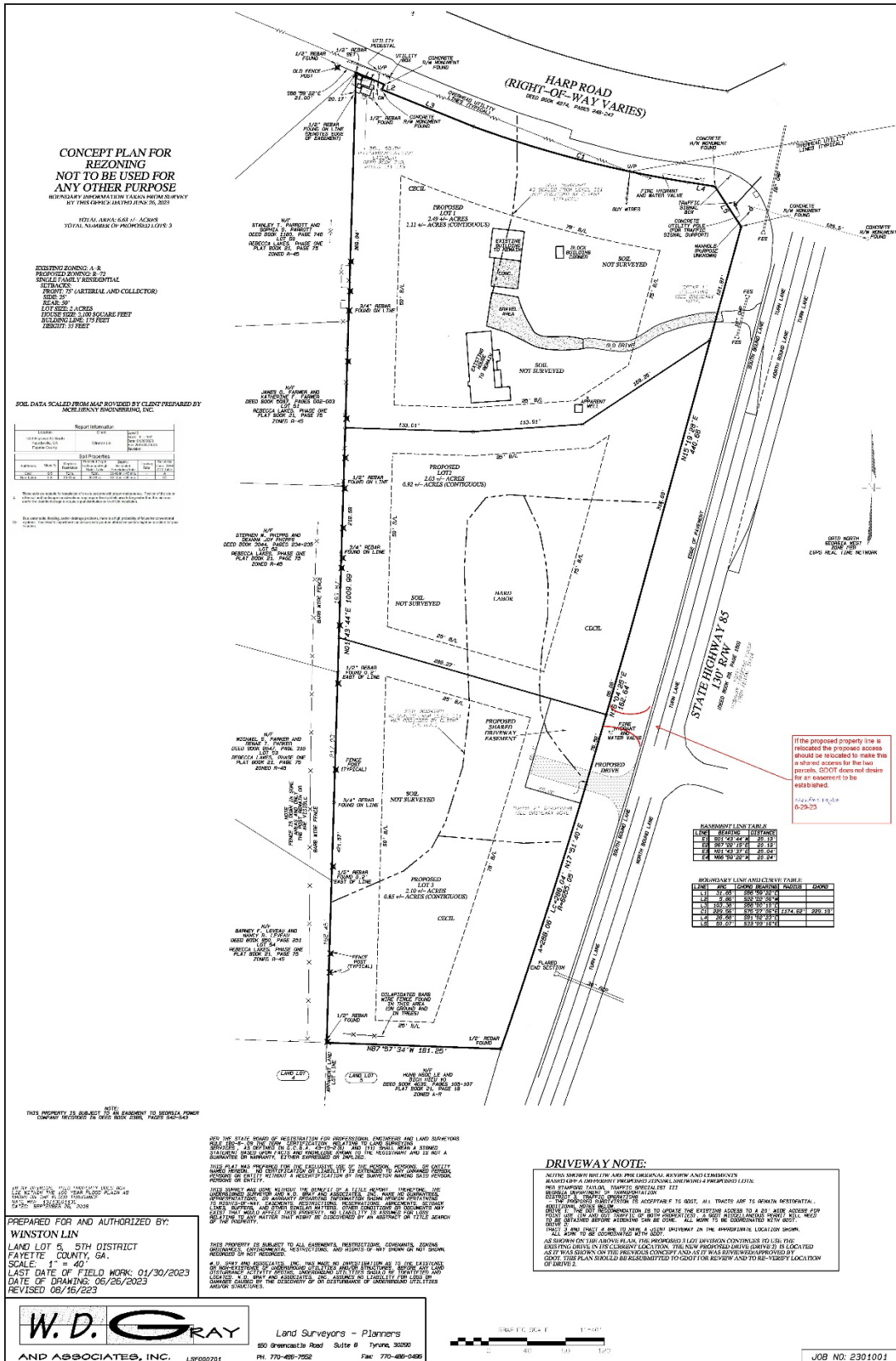
PREPARED FOR AND AUTHORIZED BY:
WINSTON LIN
 LAND LOT 5, 5TH DISTRICT
 FAYETTE COUNTY, GA.
 SCALE: 1" = 40'
 LAST DATE OF FIELD WORK: 01/30/2023
 DATE OF DRAWING: 06/26/2023
 REVISED: 08/16/2023

W. D. GRAY Land Surveyors - Planners
 880 Overbrook Road, Suite B, Fayette, Georgia 30230
 PH: 770-488-7522 FAX: 770-488-0488



JOB NO: 2301001

CONCEPT PLAN FOR R-72 ZONING



GDOT COMMENTS REGARDING NEW DRIVEWAY LOCATION

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

E. Allison Ivey Cox, County Attorney

AGENDA
FAYETTE COUNTY PLANNING COMMISSION MEETING
140 STONEWALL AVENUE WEST
October 5, 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.

John Culbreth made a motion to accept the agenda. Arnold Martin seconded the motion. The motion passed 4-0. Danny England was absent.

4. Consideration of the Minutes of the meeting held on September 7, 2023.

John Culbreth made a motion to accept the minutes of the meeting held September 7, 2023. John Kruzan seconded the motion. The motion passed 3-0. Arnold Martin abstained.

5. Consideration of a Minor Final Plat of CG & PH, LLC. This property will consist of two (2) lots zoned A-R, Agriculture-Residential. It is located in Land Lot 224 of the 13th District and fronts on Gadson Drive.

John Kruzan made a motion to accept the Minor Final Plat of CG & PH, LLC. John Culbreth seconded the motion. The motion passed 4-0.

PUBLIC HEARING

6. Consideration of Petition No. 1333-23, Wen Lin and Jie Lin, Owner, request to rezone 6.63 acres from A-R to R-72. This property is located in Land Lot 5 of the 5th District, and fronts on Harp Road and Highway 85 South.

Arnold made a motion to recommend approval to rezone 6.63 acres from A-R to R-72 with conditions. John Culbreth seconded the motion. The motion passed 4-0.

7. Consideration of the Fayette County Planning Commission 2024 Calendar.

John Culbreth made a motion to accept the Planning Commission 2024 Calendar. John Kruzan seconded the motion. The motion passed 4-0.

PLANNING COMMISSION RECOMMENDATION

DATE: October 5, 2023

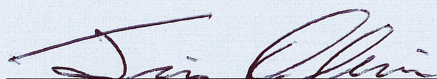
TO: Fayette County Commissioners

The Fayette County Planning Commission recommends that Petition No. 1333-23, the application of Wen Lin and Jie Lin to rezone 6.63 acres from A-R to R-72 , be:

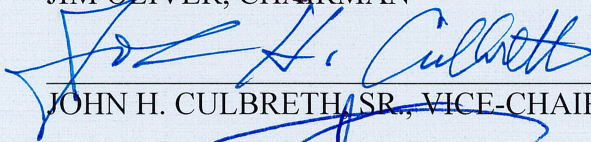
Approved Withdrawn Denied
 Tabled until _____
 Approved with Conditions _____

- 1. Harp Road is a Minor Arterial per the Fayette County Thoroughfare Plan. The owner/developer shall dedicate right-of-way, as needed, to provide 50 feet as measured from the existing centerline of Harp Road prior to Final Plat approval. **Dedication documents to include Warranty or Quitclaim Deed and full written legal description exhibit of right of way.*

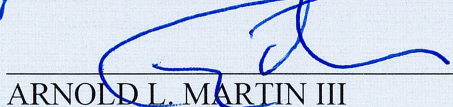
This is forwarded to you for final action.



JIM OLIVER, CHAIRMAN

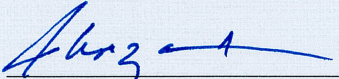


JOHN H. CULBRETH SR., VICE-CHAIRMAN



ARNOLD L. MARTIN III

DANNY ENGLAND



JOHN J. KRUZAN

Remarks:

**STATE OF GEORGIA
COUNTY OF FAYETTE**

RESOLUTION

NO. 1333-23

WHEREAS, Wen Lin and Jie Lin Owner, having come before the Fayette County Planning Commission on October 5, 2023, requesting an amendment to the Fayette County Zoning Map pursuant to "The Zoning Ordinance of Fayette County, Georgia, 2010"; and

WHEREAS, said request being as follows: Request to rezone 6.63 acres from A-R to R-72, in the area of Harp Road and Highway 85 South, Land Lot 5 of the 5th District, for the purpose of developing a R-72 Single-Family Residential District; and

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

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

1. Harp Road is a Minor Arterial per the Fayette County Thoroughfare Plan. The owner/developer shall dedicate right-of-way, as needed, to provide 50 feet as measured from the existing centerline of Harp Road prior to Final Plat approval. **Dedication documents to include Warranty or Quitclaim Deed and full written legal description exhibit of right of way.*

This decision is based on the following reasons:

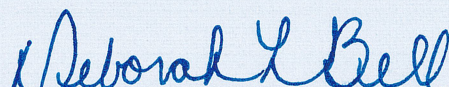
In compliance with the Fayette County Comprehensive Plan.
Compatible with the surrounding area.

**PLANNING COMMISSION
OF
FAYETTE COUNTY**

ATTEST:



JIM OLIVER, CHAIRMAN



**DEBORAH BELL
PLANNING & ZONING DIRECTOR**

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

PROPERTY INFORMATION:

Parcel No. 0503012 Acreage: 6.63
Land Lot: 5 Land District: 5
Address: 1451 HIGHWAY 85 SOUTH
Existing Zoning: AR Requested Zoning: R-45 R-72
Zoning of Surrounding Properties: R-45 AND AR
Existing Use: RESIDENTIAL Proposed Use: RESIDENTIAL
Total Number of Acres Requested to be Rezoned: 6.63 +/- ACRES
Land Use Plan Designation: RURAL RESIDENTIAL 2
Name and Type of Access Road: STATE ROUTE 85 (MAJOR ARTERIAL) + HARP ROAD (MINOR ARTERIAL)
Location of Nearest Water Line: WITHIN S.R. 85 RIGHT-OF-WAY

PROPERTY OWNER INFORMATION

AGENT/DEVELOPER INFORMATION
(If not owner)

Name WEN LIN
Email WINSTONLIN888@GMAIL.COM
Address 11644 WATERBURY LN.
ALPHARETTA GA 30022
Phone (678-899-5231)

Name _____
Email _____
Address _____
Phone _____

(THIS AREA TO BE COMPLETED BY STAFF): PETITION NUMBER: 1333-23

[] Application Insufficient due to lack of: _____

by Staff: _____ Date: _____

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

by Staff: Chelsea Baynton Date: 8-7-23

DATE OF PLANNING COMMISSION HEARING: October 5, 2023

DATE OF COUNTY COMMISSIONERS HEARING: October 26, 2023

Received from Wen Lin a check in the amount of \$ 350.00 ~~450.00~~ for application filing fee, and \$ 100.00 for deposit on frame for public hearing sign(s).

Date Paid: 8/7/23 Receipt Number: 018757

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:

WEN LIN AND JIE LIN

Please Print Names

Property Tax Identification Number(s) of Subject Property: 0503012

(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) 5 of the 5 District, and (if applicable to more than one land district) Land Lot(s) _____ of the _____ District, and said property consists of a total of 6.63 +/- acres (legal description corresponding to most recent recorded plat for the subject property is attached herewith).

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

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

[Signature]
Signature of Property Owner 1

[Signature]
Signature of Notary Public



11644 Waterbury Ln Fayette GA
Address

July 25, 2023
Date

[Signature]
Signature of Property Owner 2

[Signature]
Signature of Notary Public



175 Newhaven Fayetteville GA
Address

July 25, 2023
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: WEN LIN PETITION NUMBER: 1333-23

ADDRESS: 11644 WATERBURY LANE, ALPHARETTA GA 30022

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

WEN LIN affirms that he is the owner or the specifically authorized agent of the property described below. Said property is located in a(n) AE Zoning District. He/She respectfully petitions the County to rezone the property from its present classification and tenders herewith the sum of \$ 350 to cover all expenses of public hearing. He/She petitions the above named to change its classification to R-45.

R-7a

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: SEE ATTACHED

PUBLIC HEARING to be held by the Planning Commission of Fayette County on the 5 day of OCTOBER, 20 23 at 7:00 P.M.

PUBLIC HEARING to be held by the Board of Commissioners of Fayette County on the 26 day of OCTOBER, 20 23 at 7:00 P.M.

SWORN TO AND SUBSCRIBED BEFORE ME THIS 25th DAY OF July, 2023.

[Signature]

SIGNATURE OF PROPERTY OWNER

[Signature]

SIGNATURE OF PROPERTY OWNER

Georgina Leigh
NOTARY PUBLIC



AGREEMENT TO DEDICATE PROPERTY FOR FUTURE RIGHT-OF-WAY

I/We, WEN LIN AND JIE LIN, said property owner(s) of subject property requested to be rezoned, hereby agree to dedicate, at no cost to Fayette County, 0 feet of right-of-way along HAPP ROAD AND S.R. 85 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 25th day of July, 2023.

[Signature]
SIGNATURE OF PROPERTY OWNER

[Signature]
SIGNATURE OF PROPERTY OWNER

Georgina Leigh
NOTARY PUBLIC



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 25th day of July, 2023.



APPLICANT'S SIGNATURE

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

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

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DISCLOSURE STATEMENT

(Please check one)

Campaign contributions: No Yes (see attached disclosure report)

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

O.C.G.A. § 36-67A-3 (2011)

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

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

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

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

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

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

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

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

CHECKLIST OF ITEMS REQUIRED FOR REZONING REQUEST

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

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

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 5 OF THE 5TH LAND DISTRICT, FAYETTE COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A CONCRETE RIGHT-OF-WAY MONUMENT FOUND AT THE SOUTHEASTERLY CORNER OF THE MITERED RIGHT-OF-WAY INTERSECTION OF HARP ROAD (RIGHT-OF-WAY VARIES) AND STATE HIGHWAY 85 (130' RIGHT-OF-WAY); THENCE ALONG THE RIGHT-OF-WAY OF STATE HIGHWAY 85 SOUTH 15°19'28" WEST A DISTANCE OF 440.66 FEET TO A POINT; THENCE CONTINUE ALONG SAID RIGHT-OF-WAY SOUTH 16°04'25" WEST A DISTANCE OF 162.64 FEET TO A POINT; THENCE CONTINUE ALONG SAID RIGHT-OF-WAY FOLLOWING A CURVE TO THE RIGHT HAVING A RADIUS OF 6655.05 FEET, AN ARC LENGTH OF 288.06, A CHORD WHICH BEARS SOUTH 17°51'40" WEST A DISTANCE OF 288.04 FEET TO A 1/2" REBAR FOUND; THENCE LEAVING SAID RIGHT-OF-WAY NORTH 87°57'34" WEST A DISTANCE OF 181.25 FEET TO A 1/2" REBAR FOUND ON THE APPARENT WEST LAND LOT LINE OF LAND LOT 5; THENCE ALONG SAID LAND LOT LINE NORTH 01°43'44" EAST A DISTANCE OF 1009.99 FEET TO A 1/2" REBAR SET ON THE SOUTHERLY RIGHT OF WAY OF HARP ROAD (RIGHT-OF-WAY VARIES); THENCE LEAVING SAID LAND LOT LINE AND FOLLOWING THE RIGHT-OF-WAY OF HARP ROAD THE FOLLOWING COURSES AND DISTANCES:

THENCE SOUTH 66°59'22" EAST A DISTANCE OF 31.85 FEET TO A CONCRETE RIGHT-OF-WAY MONUMENT FOUND;

THENCE SOUTH 22°22'06" WEST A DISTANCE OF 5.86 FEET TO A CONCRETE RIGHT-OF-WAY MONUMENT FOUND;

THENCE SOUTH 68°00'10" EAST A DISTANCE OF 103.38 FEET TO A POINT;

THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 1174.62 FEET, AN ARC LENGTH OF 229.56 FEET, A CHORD WHICH BEARS SOUTH 75°27'06" EAST, AND A CHORD LENGTH OF 229.19 FEET TO A POINT;

THENCE SOUTH 81°02'23" EAST A DISTANCE OF 28.68 FEET TO A CONCRETE RIGHT-OF-WAY MONUMENT AT THE NORTHWESTERLY CORNER OF THE MITERED RIGHT-OF-WAY INTERSECTION OF HARP ROAD AND STATE HIGHWAY 85;

THENCE SOUTH 33°09'16" EAST A DISTANCE OF 50.07 FEET TO A CONCRETE RIGHT-OF-WAY MONUMENT FOUND AND THE **POINT OF BEGINNING**; SAID TRACT CONTAINING 6.63 ACRES MORE OR LESS AND BEING SHOWN ON A RETRACEMENT SURVEY BY W.D. GRAY AND ASSOCIATES, INC. FOR WINSTON LIN DATED 06/26/2023.

After recording, please return to:
Liu & Associates, P.C.
1210 Warsaw Road #200
Roswell, GA 30076
Firm File No.: 20220810649

Type: WD
Recorded: 9/13/2022 1:43:00 PM
Fee Amt: \$345.00 Page 1 of 1
Transfer Tax: \$320.00
Fayette, Ga. Clerk Superior Court
Sheila Studdard Clerk of Court

Participant ID: 6000209987

BK 5539 PG 340

Limited Warranty Deed

STATE OF GEORGIA

COUNTY OF FULTON

THIS INDENTURE, made this September 12th, 2022, by and between

Yvonne C. Kendrick

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

Wen Lin and Jie Lin

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 (\$10.00) and other good and valuable considerations in hand paid at and before the dealing and delivery of these presents, the receipt and sufficiency of which are hereby acknowledged, by these presents does hereby grant, bargain, sell, convey and confirm unto the said Grantee, the following described real property (the "Property"):

All that tract or parcel of land lying and being in Land Lot 5 of the 5th District, Fayette County, Georgia, and being more particularly described as follows:

Beginning at a point located at the intersection of the Northwesterly side of Highway No. 85 and the East side of Old Fayetteville-Senoia Road; thence running Northeasterly along the Northwesterly side of Highway No. 85, One Thousand Four Hundred Seventy-Five (1,475) feet to a point at the intersection of the Northwesterly side of Highway No. 85 and the Southerly side of Harp road; thence running Westerly along the Southerly side of Harp Road, Four Hundred Forty (440) feet to a point on the East side of Old Fayetteville-Senoia Road; thence running South along the East side of said road, One Thousand Five Hundred Four (1,504) feet to the point of beginning; less and except that portion of the above described property conveyed to Mrs. Emmie Lee Kirkley by Warranty Deed recorded in Deed Book 55, Page 442, Fayette County records.


1451 Highway 85 South, Fayetteville, GA 30215.
Parcel ID: 0503 012


TO HAVE AND TO HOLD the Property 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 said Grantee, in FEE SIMPLE.

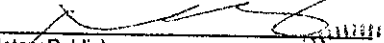
AND Grantor will warrant and forever defend the right and title to the Property unto Grantee against the claims of all persons claiming by, through or under Grantor.

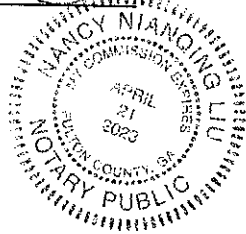
IN WITNESS WHEREOF, Grantor has signed and sealed this deed, the day and year first above written.

Signed, sealed and delivered in the presence of:


(Unofficial witness)


Yvonne C. Kendrick
or AIF.


(Notary Public)



1333-23
Resub Date
20 Sep 2023

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, October
5, 2023, at 7:00 P.M., and before
the Fayette County Board of Com-
missioners on Thursday, October
26, 2023, at 5:00 P.M., in the Fay-
ette County Administrative Com-
plex, 140 Stonewall Avenue West,
Public Meeting Room, First Floor,
Fayetteville, Georgia.

Petition No.: 1333-23

Owner/Agent:

Owners: Wen Lin and Jie Lin

Existing Zoning District:

A-R

Proposed Zoning District:

R-72

Parcel Number: 0503 012

Area of Property: 6.63 acres

Proposed Use: Single Family Res-
idential

Land Lot(s)/District: Land Lots 4
& 5 of the 5th District

Fronts on: Harp Road and Highway
85 South

Legal Description:

ALL THAT TRACT OR PARCEL
OF LAND LYING AND BEING IN

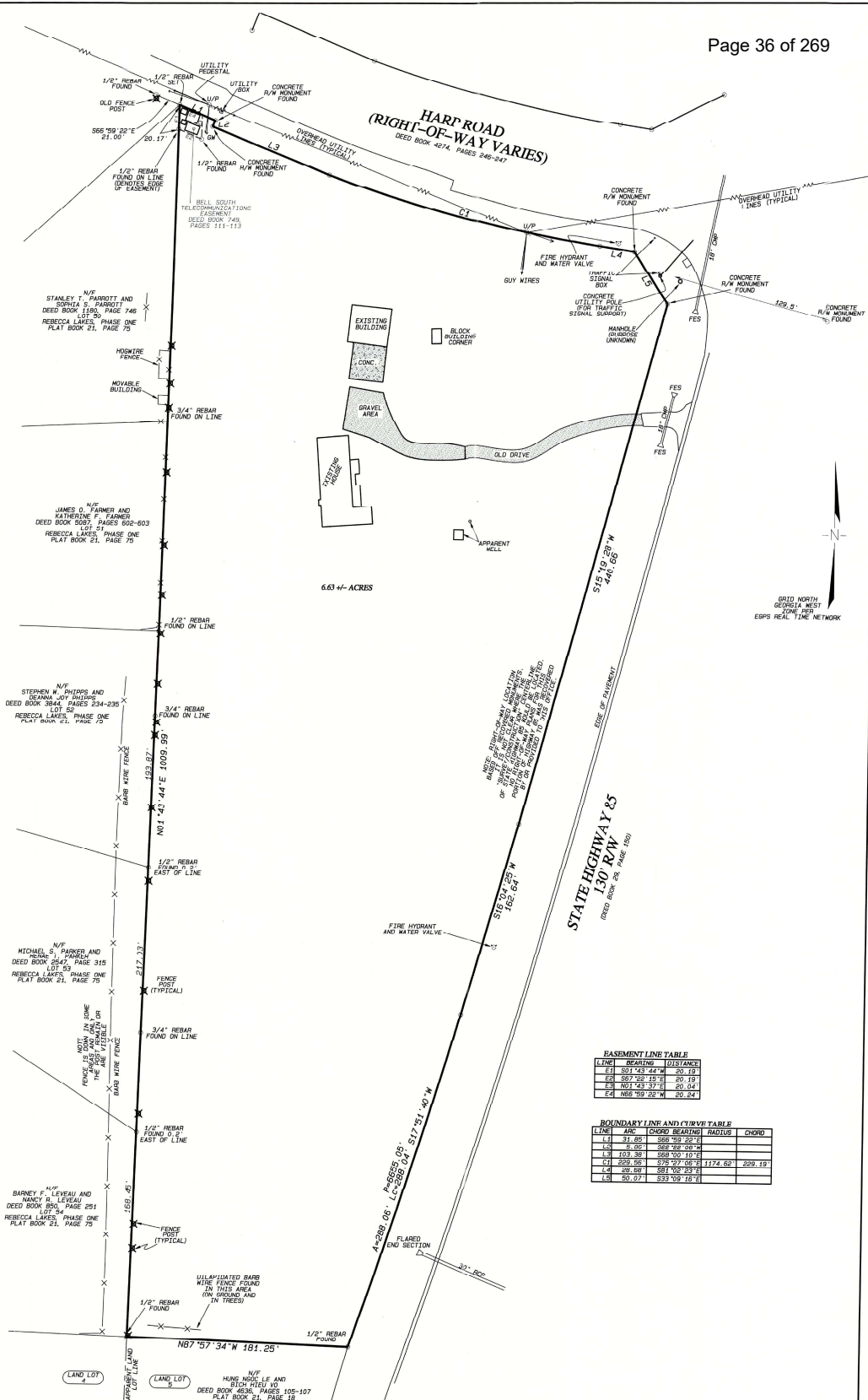
LAND LOT 5 OF THE 5TH LAND
Legals continued page B3

DISTRICT, FAYETTE COUNTY,
GEORGIA AND BEING MORE
PARTICULARLY DESCRIBED AS
FOLLOWS:

BEGINNING AT A CONCRETE
RIGHT-OF-WAY MONUMENT
FOUND AT THE SOUTHEASTER-
LY CORNER OF THE MITERED
RIGHT-OF-WAY INTERSEC-
TION OF HARP ROAD (RIGHT-
OF-WAY VARIES) AND STATE
HIGHWAY 85 (130' RIGHT-OF-
WAY); THENCE ALONG THE
RIGHT-OF-WAY OF STATE
HIGHWAY 85 SOUTH 15°19'28"
WEST A DISTANCE OF 440.66
FEET TO A POINT; THENCE
CONTINUE ALONG SAID RIGHT-
OF-WAY SOUTH 16°04'25" WEST
A DISTANCE OF 162.64 FEET TO
A POINT; THENCE CONTINUE
ALONG SAID RIGHT-OF-WAY
FOLLOWING A CURVE TO THE
RIGHT HAVING A RADIUS OF
6655.05 FEET, AN ARC LENGTH
OF 288.06, A CHORD WHICH
BEARS SOUTH 17°51'40" WEST
A DISTANCE OF 288.04 FEET TO
A 1/2" REBAR FOUND; THENCE
LEAVING SAID RIGHT-OF-WAY
NORTH 87°57'34" WEST A DIS-
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1/2" REBAR FOUND ON THE
APPARENT WEST LAND LOT
LINE OF LAND LOT 5; THENCE
ALONG SAID LAND LOT LINE
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TANCE OF 1009.99 FEET TO
A 1/2" REBAR SET ON THE
SOUTHERLY RIGHT OF WAY OF
HARP ROAD (RIGHT-OF-WAY
VARIES); THENCE LEAVING
SAID LAND LOT LINE AND FOL-
LOWING THE RIGHT-OF-WAY
OF HARP ROAD THE FOLLO-
WING COURSES AND DISTANC-
ES: THENCE SOUTH 66°59'22"
EAST A DISTANCE OF 31.85
FEET TO A CONCRETE RIGHT-
OF-WAY MONUMENT FOUND;
THENCE SOUTH 22°22'06"
WEST A DISTANCE OF 5.86
FEET TO A CONCRETE RIGHT-
OF-WAY MONUMENT FOUND;
THENCE SOUTH 68°00'10" EAST
A DISTANCE OF 103.38 FEET
TO A POINT; THENCE ALONG A
CURVE TO THE LEFT HAVING
A RADIUS OF 1174.62 FEET, AN
ARC LENGTH OF 229.56 FEET, A
CHORD WHICH BEARS SOUTH
75°27'06" EAST, AND A CHORD
LENGTH OF 229.19 FEET TO
A POINT; THENCE SOUTH
81°02'23" EAST A DISTANCE OF
28.68 FEET TO A CONCRETE
RIGHT-OF-WAY MONUMENT
AT THE NORTHWESTERLY
CORNER OF THE MITERED
RIGHT-OF-WAY INTERSECTION
OF HARP ROAD AND STATE
HIGHWAY 85; THENCE SOUTH
33°09'16" EAST A DISTANCE OF
50.07 FEET TO A CONCRETE
RIGHT-OF-WAY MONUMENT
FOUND AND THE POINT OF
BEGINNING; SAID TRACT CON-
TAINING 6.63 ACRES MORE OR
LESS AND BEING SHOWN ON
A RETRACEMENT SURVEY BY
W.D. GRAY AND ASSOCIATES,
INC. FOR WINSTON LIN DATED
06/26/2023.

RETRACEMENT SURVEY

CURRENT OWNER:
WINSTON LIN
 REFERENCE TO LIMITED WARRANTY DEED FROM
YVONNE C. KENDRICK RECORDED IN DEED BOOK 5539, PAGE 340



BASEMENT LINE TABLE

LINE	BEARING	DISTANCE
E1	S51°43'44"W	20.19'
E2	S62°20'15"E	20.19'
E3	N01°43'37"E	20.04'
E4	N68°59'23"W	20.24'

BOUNDARY LINE AND CURVE TABLE

LINE	ARC	CHORD BEARING	RADIUS	CHORD
L1	31.65'	S68°59'23"E		
L2	45.05'	S68°59'23"E		
L3	102.36'	S68°59'23"E		
L4	26.66'	S87°02'29"E	1174.62'	229.19'
L5	50.07'	S33°09'16"E		

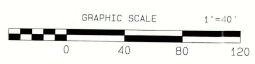
PREPARED FOR AND AUTHORIZED BY:
WINSTON LIN
 LAND LOT 5, 5TH DISTRICT
 FAYETTE COUNTY, GA.
 SCALE: 1" = 40'
 LAST DATE OF FIELD WORK: 01/30/2023
 DATE OF DRAWING: 06/26/2023

NOTE:
 THIS PROPERTY IS SUBJECT TO AN EASEMENT TO GEORGIA POWER COMPANY RECORDED IN DEED BOOK 5095, PAGES 542-543
 PER THE STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS RULE 190-6-09 OF THE TERM CERTIFICATION RELATING TO LAND SURVEYING SERVICES AS DEFINED IN O.C.G.A. §§24-2-43-1 AND 24-2-43-2 SHALL BE A STERNE STATEMENT BASED UPON FACTS AND KNOWLEDGE KNOWN TO THE REGISTRANT AND IS NOT A GUARANTEE OF WARRANTY, EITHER EXPRESS OR IMPLIED.
 THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS, OR ENTITY NAMED HEREON, AND NO CERTIFICATION OR LIABILITY IS TRANSFERRED TO ANY UNNAMED PERSON, PERSONS OR ENTITY WITHOUT A RECERTIFICATION BY THE SURVEYOR NAMING SAID PERSON, PERSONS OR ENTITY.
 THIS SURVEY WAS DONE WITHOUT THE BENEFIT OF A TITLE REPORT. THEREFORE, THE UNDERSIGNED SURVEYOR AND M.D. GRAY AND ASSOCIATES, INC. MAKE NO GUARANTEES, REPRESENTATIONS, OR WARRANTIES REGARDING INFORMATION SHOWN HEREON EXCEPTING TO DIVISION OF LAND, EASEMENTS, RESTRICTIONS, ENCUMBRANCES, ETC. SURVEYOR'S LINES, SURVEY, AND OTHER SIMILAR MATTERS. OTHER CONDITIONS ON DOCUMENTS MAY EXIST THAT WOULD AFFECT THIS PROPERTY, AND LIABILITY IS ASSIGNED FOR LOSS AND DAMAGES CAUSED BY THE DISCOVERY OF OR DISTURBANCE OF UNDERGROUND UTILITIES AND/OR STRUCTURES.
 THIS PROPERTY IS SUBJECT TO ALL EASEMENTS, RESTRICTIONS, COVENANTS, ZONING ORDINANCES, ENVIRONMENTAL RESTRICTIONS, AND RIGHTS-OF-WAY SHOWN OR NOT SHOWN, RECORDS OR NOT RECORDED.
 M.D. GRAY AND ASSOCIATES, INC. HAS MADE NO INVESTIGATION AS TO THE EXISTENCE OR NON-EXISTENCE OF UNDERGROUND UTILITIES AND/OR STRUCTURES. ANY LAND LOCATED IN M.D. GRAY AND ASSOCIATES, INC. HAS NO LIABILITY FOR LOSS AND DAMAGES CAUSED BY THE DISCOVERY OF OR DISTURBANCE OF UNDERGROUND UTILITIES AND/OR STRUCTURES.

(111) This plat is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the owners, past owners, or other interested parties, including the recording of permits, compliance with local regulations or requirements, or suitability for any use or purpose of the land, further down, the undersigned land surveyor certifies that this plat complies with the existing 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 150-67.
 MATTHEW J. LANGLEY, GEORGIA PLS # 3227
 DATE: 06/26/2023



W.D. GRAY
 Land Surveyors - Planners
 160 Greenacres Road Suite B Tyrone, 30290
 AND ASSOCIATES, INC. LA 770-466-7852 Fax 770-406-0400



CONCEPT PLAN FOR REZONING NOT TO BE USED FOR ANY OTHER PURPOSE
 BOUNDARY INFORMATION TAKEN FROM SURVEY BY THIS OFFICE DATED JUNE 26, 2023

TOTAL AREA: 6.63 +/- ACRES
 TOTAL NUMBER OF PROPOSED LOTS: 3

EXISTING ZONING: A-R
 PROPOSED ZONING: R-72
 SINGLE FAMILY RESIDENTIAL
 SETBACKS:
 FRONT: 75' (ARTERIAL AND COLLECTOR)
 SIDE: 25'
 REAR: 50'
 LOT SIZE: 3 ACRES
 HOUSE SIZE: 2,100 SQUARE FEET
 BUILDING LINE: 175 FEET
 HEIGHT: 35 FEET

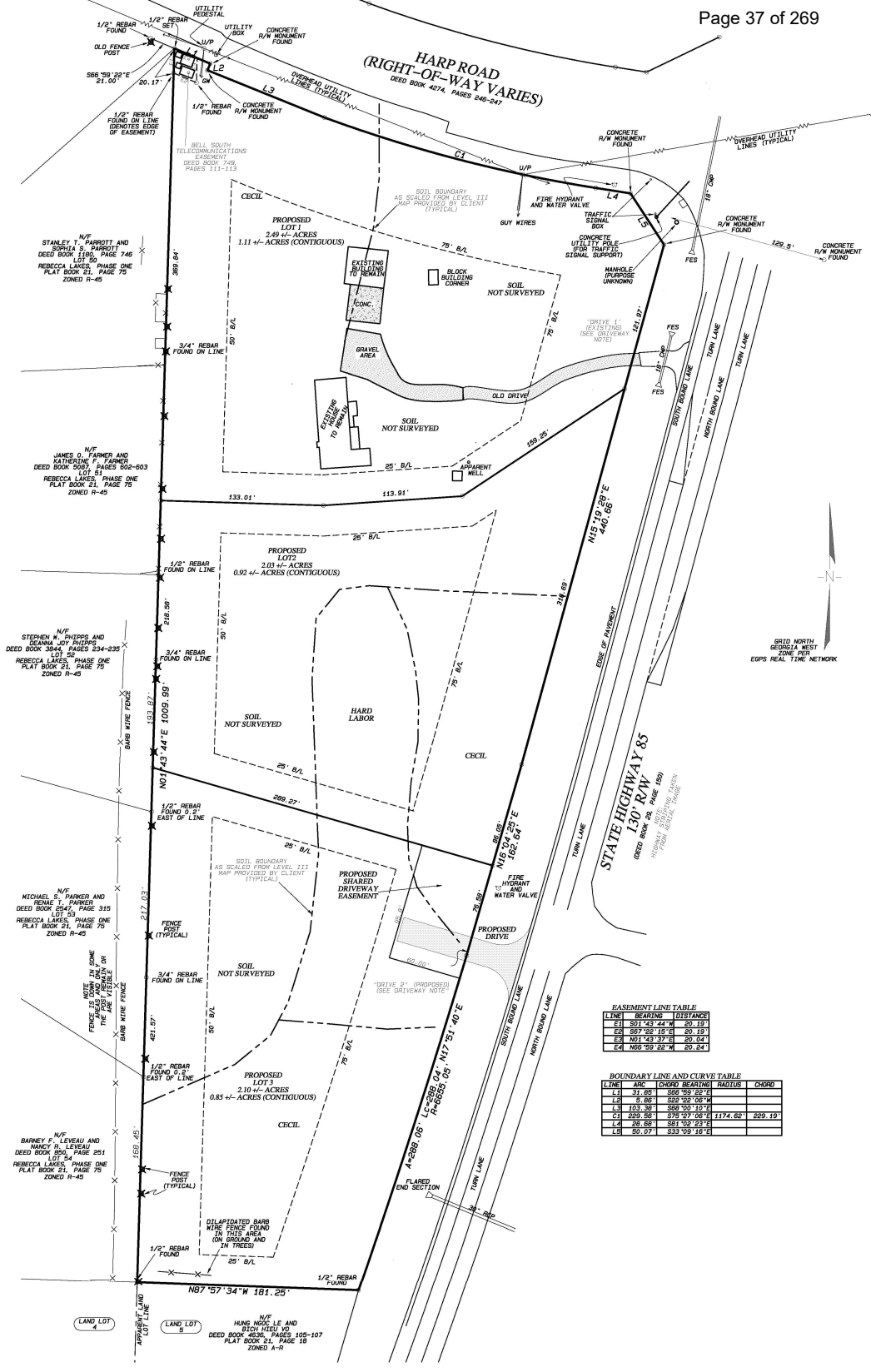
SOIL DATA SCALED FROM MAP PROVIDED BY CLIENT PREPARED BY
 MCGILVERAY ENGINEERING, INC.

Report Information		Scale	
Location	145 Highway 65 South, Fayette County	Sheet	1 of 100
Client	Winston Lin	Date	06/26/2023
Project	REZONING	Drawn	06/26/2023
Scale	1" = 40'	Checked	06/26/2023
Author	W.D. Gray	Reviewed	06/26/2023
Client	Winston Lin	Project	REZONING
Sheet	1 of 100	Scale	1" = 40'
Drawn	06/26/2023	Checked	06/26/2023
Reviewed	06/26/2023	Project	REZONING

These data are suitable for installation of site systems with proper maintenance. Position of site or other work and landscape considerations may require that certain work be greater than the minimum shown for optimal design to ensure proper distribution or flow of water.

Soil conditions, including drainage problems, show a high probability of water in subsoil.

Systems: Your Health Department can discuss with you if an alternative system might be an option for your water.



BASEMENT LINE TABLE

LINE	BEARING	DISTANCE
L1	S89°52'23"E	20.13'
L2	S87°23'15"E	20.19'
L3	S85°43'37"E	20.24'
L4	N66°59'52"W	20.24'

BOUNDARY LINE AND CURVE TABLE

LINE	ARC	CHORD BEARING	RADIUS	CHORD
L1	37.85'	S89°52'23"E	20.13'	20.13'
L2	6.89'	S87°23'15"E	20.19'	20.19'
L3	103.26'	S85°43'37"E	1174.62'	229.19'
L4	86.89'	S81°08'23"E	20.24'	20.24'
L5	85.01'	S83°08'19"E	20.24'	20.24'

NOTE:
 THIS PROPERTY IS SUBJECT TO AN EASEMENT TO GEORGIA POWER COMPANY RECORDED IN DEED BOOK 2385, PAGES 540-543

PER THE STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS RULE 180-4-50 THE TERM "CERTIFICATION" RELATING TO LAND SURVEYING SERVICES AS DEFINED IN O.C.G.A. 49-10-3 (b) AND (11) SHALL MEAN A SIGNED STATEMENT BASED UPON FACTS AND KNOWLEDGE KNOWN TO THE REGISTRANT AND IS NOT A GUARANTEE OR WARRANTY, EITHER EXPRESSED OR IMPLIED.

THIS PLAN WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS, OR ENTITY NAMED HEREON, AND CERTIFICATION OF LIABILITY IS EXTENDED TO ANY UNNAMED PERSON, PERSONS OR ENTITY WITHOUT A RECERTIFICATION BY THE SURVEYOR NAMED SAID PERSON, PERSONS OR ENTITY.

THIS SURVEY WAS DONE WITHOUT THE BENEFIT OF A TITLE REPORT, THEREFORE THE UNDERGROUND UTILITIES AND M.D. GRAY AND ASSOCIATES, INC. MAKE NO GUARANTEED REPRESENTATIONS OR WARRANTIES AS TO THE LOCATION, DEPTH, OR CHARACTER OF ANY UTILITIES, EASEMENTS, RESTRICTIONS, RESERVATIONS, AGREEMENTS, SETBACK LINES, ETC., AND OTHER STIPULATED MATTERS OR CONDITIONS WHICH MAY EXIST THAT WOULD AFFECT THIS PROPERTY, AND LIABILITY IS ASSIGNED FOR LOSS RELATING TO ANY MATTER THAT MIGHT BE DISCOVERED BY AN ABSTRACT OR TITLE SEARCH OF THE PROPERTY.

THIS PROPERTY IS SUBJECT TO ALL EASEMENTS, RESTRICTIONS, COVENANTS, ZONING ORDINANCES, ENVIRONMENTAL RESTRICTIONS, AND RIGHTS-OF-WAY SHOWN OR NOT SHOWN, RECORDED OR NOT RECORDED.
 M.D. GRAY AND ASSOCIATES, INC. HAS MADE NO INVESTIGATION AS TO THE EXISTENCE OR NON-EXISTENCE OF UNDERGROUND UTILITIES AND/OR STRUCTURES, BEFORE ANY LAND DISTURBANCE ACTIVITY BEGINS. UNDERGROUND UTILITIES SHOULD BE IDENTIFIED AND Labeled M.D. GRAY AND ASSOCIATES, INC. HAS NO LIABILITY FOR THE DISCOVERY OF ANY AND/OR STRUCTURES.

DRIVEWAY NOTE:

NOTES SHOWN BELOW ARE PER ORIGINAL REVIEW AND COMMENTS BASED OFF A DIFFERENT PROPOSED ZONING, SHOWING A PROPOSED LOTS:
 PER STANLEY THURMON, TRAFFIC SPECIALIST III
 GEORGIA DEPARTMENT OF TRANSPORTATION DISTRICT 3, TRAFFIC ENGINEER
 THE PROPOSED SUBDIVISION IS ACCEPTABLE TO GOOT. ALL TRACTS ARE TO REMAIN RESIDENTIAL.
 DRIVE 1: THE DOT RECOMMENDATION IS TO UPDATE THE EXISTING ACCESS TO A 20' WIDE ACCESS FROM FRONT (IN AND OUT TRAFFIC) OF BOTH PROPERTIES. A WIDE MISCELLANEOUS FRONT WILL NEED DRIVE 2 OBTAINED BEFORE WIDENING CAN BE DONE. ALL WORK TO BE COORDINATED WITH GOOT.
 DRIVE 3 AND TRACT 4 ARE TO HAVE A DRIVE DRIVEWAY IN THE APPROXIMATE LOCATION SHOWN. ALL WORK TO BE COORDINATED WITH GOOT.
 AS SHOWN ON THE ABOVE PLAN, THE PROPOSED 3 LOT DIVISION CONTINUES TO USE THE EXISTING DRIVEWAY IN ITS CURRENT LOCATION. THE NEW PROPOSED DRIVE (DRIVE 3) IS LOCATED AS IT WAS SHOWN ON THE PREVIOUS CONCEPT AND AS IT WAS REVIEWED/APPROVED BY GOOT. THIS PLAN SHOULD BE RESUBMITTED TO GOOT FOR REVIEW AND TO RE-EVALUATE LOCATION OF DRIVE 2.

PREPARED FOR AND AUTHORIZED BY:
WINSTON LIN
 LAND LOT 5, 5TH DISTRICT
 FAYETTE COUNTY, GA.
 SCALE: 1" = 40'
 LAST DATE OF FIELD WORK: 01/30/2023
 DATE OF DRAWING: 06/26/2023
 REVISED 08/16/2023

W.D. GRAY Land Surveyors - Planners
 AND ASSOCIATES, INC. LSF000701 PH. 770-486-7552 Fax: 770-486-0496
 150 Greencastle Road Suite B Tyrone, 30290



COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Approval of the proposed 2024 Local Maintenance & Improvement Grant (LMIG) project list for unincorporated Fayette County and authorization for the Chairman to sign the LMIG Application and related documents.

Background/History/Details:

The Georgia Department of Transportation's LMIG program is designed to help local governments make needed improvements to local and state roads. Fayette County's LMIG formula amount for CY 2024 is \$950,853.04.

In accordance with LMIG program guidelines, County staff has prepared a project list in excess of this amount. The focus of the 2024 list is on roadway pavement maintenance; including asphalt resurfacing, milling, patching, micro surfacing and striping. A minimum 30 percent match (\$285,255.91) of the LMIG funding is required on all projects.

Fayette County's LMIG application and project list must be submitted to GDOT by January 1, 2024. A check for the grant, up to \$950,853.04 will then be sent to Fayette County.

Fayette County received \$885,422.63 in 2023.

What action are you seeking from the Board of Commissioners?

Approval of the proposed 2024 Local Maintenance & Improvement Grant (LMIG) project list for unincorporated Fayette County and authorization for the Chairman to sign the LMIG Application and related documents.

If this item requires funding, please describe:

Currently \$1,170,000 (State portion plus the 30% local match) was budgeted in the Road Department's FY24 M&O LMIG24 budget. This will need to be increased to \$1,236,109 to meet the increased amount received from GDOT.

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:

Both revenue and expense will need to be adjusted for the additional funding.



Public Works Department

115 McDonough Road
Fayetteville, GA 30214
Phone: 770-461-3142
www.fayettecountyga.gov

October 26, 2023

Ms. Brandy Spiller
Local Government Coordinator
115 Transportation Blvd
Thomaston, GA 30286

RE: Fayette County – 2024 LMIG request and status update of 2023 LMIG Project

Dear Ms. Spiller,

Enclosed is Fayette County's Local Maintenance & improvement Grant (LMIG) application package for 2024. Our project list (attached) includes asphalt resurfacing, micro surfacing and mill patching.

2023 LMIG Status Update – Fayette County has completed 100% of the 2023 LMIG and the *Statement of Final Expenditures* was sent to your attention on October 2nd, 2023.

Please call Bradley Klinger at 770-320-6039 or bklinger@fayettecountyga.gov if you need any additional information pertaining to this request.

Fayette County remains appreciative of the LMIG program. It is administered well and the money it provides to local governments is essential for maintaining off-system infrastructure.

Sincerely,

Lee Hearn, Chairman
Fayette County Board of Commissioners

Enclosures

**GEORGIA DEPARTMENT OF TRANSPORTATION LOCAL MAINTENANCE & IMPROVEMENT
GRANT (LMIG) APPLICATION FOR FISCAL YEAR 2024
TYPE OR PRINT LEGIBLY. ALL SECTIONS MUST BE COMPLETED.**

LOCAL GOVERNMENT AFFIDAVIT AND CERTIFICATION

I, _____ (Name), the _____ (Title), on behalf of
Fayette County Board of Commissioners _____ (Local Government), who being duly sworn do swear that the
information given herein is true to the best of his/her knowledge and belief. Local Government swears and certifies that it has
read and understands the LMIG General Guidelines and Rules and that it has complied with and will comply with the same.

Local government further swears and certifies that it has read and understands the regulations for the Georgia Planning Act of
1989 (O.C.G.A. § 45-12-200, et seq.), Service Delivery Strategy Act (O.C.G.A. § 36-70-20, et seq.), and the Local Government Budgets
and Audits Act (O.C.G.A. 36-81-7 et seq.) and will comply in full with said provisions. Local government further swears and certifies
that the roads or sections of roads described and shown on the local government’s Project List are dedicated public roads and are
part of the Public Road System in said county/city. Local government further swears and certifies that it complied with federal
and/or state environmental protection laws and at the completion of the project(s), it met the match requirements as stated in the
Transportation Investment ACT (TIA).

Further, the local government shall be responsible for any claim, damage, loss or expense that is attributable to negligent acts, errors,
or omissions related to the designs, drawings, specifications, work and other services furnished by or on behalf of the local
government pursuant to this Application (“Loss”). To the extent provided by law, the local government further agrees to hold harmless
and indemnify the DEPARTMENT and the State of Georgia from all suits or claims that may arise from said Loss.

If the local government fails to comply with these General Guidelines and Rules, or fails to comply with its Application and Certification,
or fails to cooperate with the auditor(s) or fails to maintain and retain sufficient records, the DEPARTMENT may, at its discretion,
prohibit the local government from participating in the LMIG program in the future and may pursue any available legal remedy to
obtain reimbursement of the LMIG funds. Furthermore, if in the estimation of the DEPARTMENT, a roadway or bridge shows evidence
of failure(s) due to poor workmanship, the use of substandard materials, or the failure to follow the required design and
construction guidelines as set forth herein, the Department may pursue any available legal remedy to obtain reimbursement of the
allocated LMIG funds or prohibit local government from participating in the LMIG program until such time as corrections are made
to address the deficiencies or reimbursement is made. All projects identified on the Project list shall be constructed in accordance
with the Department’s Standard Specifications of Transportation Systems (Current Edition), Supplemental Specifications (Current
Edition), and Special Provisions.

Local Government:

(Signature)

(Print)
Mayor / Commission Chairperson

(Date)

E-Verify Number

Sworn to and subscribed before me,
This ____ day of _____, 20____.
In the presence of:

NOTARY PUBLIC

My Commission Expires:

LOCAL GOVERNMENT SEAL:

NOTARY PUBLIC SEAL:

2024 LMIG PROJECT REPORT
COUNTY/CITY: FAYETTE COUNTY

ROAD NAME	BEGINNING	ENDING	LENGTH (Miles)	DESCRIPTION OF WORK	CONTRACTOR PROJECT COST
Audubon Lane	Thornton Drive	Dead End	0.04	Milling and Resurfacing	\$10,400.00
Avon Drive	Brookshire Drive	Dead End	0.21	Milling and Resurfacing	\$54,600.00
Bernhard Road	Goza Road	Redwine Road	3.05	Milling and Resurfacing	\$793,000.00
Branchwood Court	Brookwood Ln	Dead End	0.10	Milling and Resurfacing	\$26,000.00
Brookwood Lane	Hilo Rd	Dead End	0.50	Milling and Resurfacing	\$130,000.00
Brown Road	Redwine Road	Dead End	0.21	Milling and Resurfacing	\$54,600.00
Cardinal Ridge Court	Lofty Eagle Ln	Dead End	0.08	Milling and Resurfacing	\$20,800.00
Downybrook Lane	Brookwood Ln	Stoneridge Way	0.30	Milling and Resurfacing	\$78,000.00
Ebenezer Church Road	Redwine Road	Ebenezer Road	2.50	Mill Patching & Micro Surfacing	\$400,000.00
Ellenwood Court	Postwood Drive	Dead End	0.20	Mill Patching & Micro Surfacing	\$32,000.00
Gentle Doe Drive	Lofty Eagle Ln	Dead End	0.40	Milling and Resurfacing	\$104,000.00
Idlewood Lane	Postwood Drive	SR 85	0.23	Mill Patching & Micro Surfacing	\$36,800.00
Little Creek Drive	Thornton Drive	Dead End	0.42	Milling and Resurfacing	\$109,200.00
Lofty Eagle Lane	Gentle Doe Dr	Dead End	0.41	Milling and Resurfacing	\$106,600.00
Lullwood Court	Idlewood Lane	Dead End	0.12	Mill Patching & Micro Surfacing	\$19,200.00
Mountain View Court	Brookwood Ln	Dead End	0.20	Milling and Resurfacing	\$52,000.00
Oak Ridge Trail	Pine Knott Rd	Dead End	0.90	Milling and Resurfacing	\$234,000.00
Pine Knott Road	Buckeye Rd	Oak Ridge Tr	0.50	Milling and Resurfacing	\$130,000.00
Postwood Drive	Idlewood Lane	Idlewood Lane	1.51	Mill Patching & Micro Surfacing	\$241,600.00
River Forest Drive	Pine Knott Rd	Dead End	0.70	Milling and Resurfacing	\$182,000.00
Rockwood Lane	Stoneridge Way	Dead End	0.10	Milling and Resurfacing	\$26,000.00
Silver Fox Place	Gentle Doe Dr	Dead End	0.08	Milling and Resurfacing	\$20,800.00
Stanley Road	Ginger Cake Rd	SR 92	0.72	Mill Patching & Micro Surfacing	\$115,200.00
Stoneridge Court	Stoneridge Way	Dead End	0.10	Milling and Resurfacing	\$26,000.00
Stoneridge Way	Downbrook Ln	Hilo Rd	1.00	Milling and Resurfacing	\$260,000.00
Thornton Court	Thornton Drive	Dead End	0.18	Milling and Resurfacing	\$46,800.00
Thornton Drive	Kenwood Road	Dead End	0.95	Milling and Resurfacing	\$247,000.00
White Road	SR 92	City Limits	0.72	Mill Patching & Micro Surfacing	\$115,200.00
2024 Formula Amount	\$950,853.04		16.43	ESTIMATED TOTAL	\$3,671,800.00
2024 County Match	\$285,255.91				
2024 TOTAL	\$1,236,108.95				

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Approval to acquire all fee simple right-of-way and easements for the proposed multi-use path and tunnel at the intersection of Redwine Road and Robinson Road (2017 SPLOST 17TAI) per the revised right-of-way plans dated October 12, 2023.

Background/History/Details:

On June 27, 2019, Fayette County and Peachtree City entered into an intergovernmental agreement (IGA) for the construction and maintenance of multi-use paths. One County requirement of the IGA was to design and construct a path along a portion of Robinson and Redwine Roads and a tunnel under Redwine Road.

This agenda item seeks approval for staff to acquire the land and easements necessary for construction. The original right-of-way plans (approved by the BOC in October 2022) have been modified to accommodate utility relocations. Four parcels have changed.

A copy of the CROY Engineering revised right-of-way plans and the 2019 IGA are provided as back-up to this request.
(*PE=permanent easement; TE=temporary easement; R/W=right-of-way)

- Parcel 001 changed from 0.110 acres PE to 0.138 acres TE
- Parcel 003 changed from 0.745 acres PE to 0.848 acres TE
- Parcel 005 changed from 0.055 acres TE to 0.016 acres R/W and 0.067 PE
- Parcel 006 changed from 0.048 acres TE to 0.013 acres R/W and 0.119 PE

What action are you seeking from the Board of Commissioners?

Approval to acquire all fee simple right-of-way and easements for the proposed multi-use path and tunnel at the intersection of Redwine Road and Robinson Road (2017 SPLOST 17TAI) per the revised right-of-way plans dated October 12, 2023.

If this item requires funding, please describe:

Funding is available from the 2017 SPLOST (17TAI) \$618k.

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

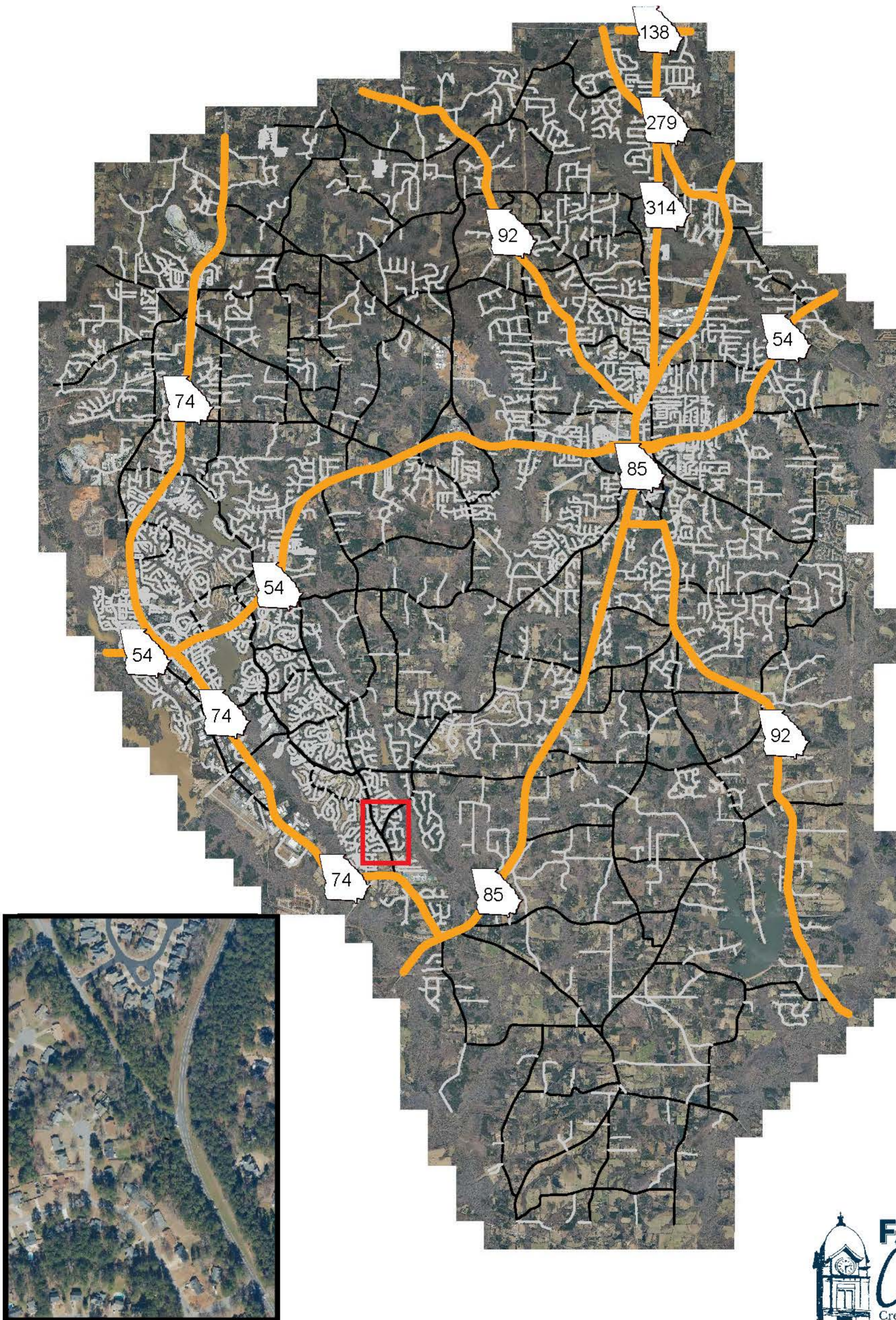
Reviewed by Legal

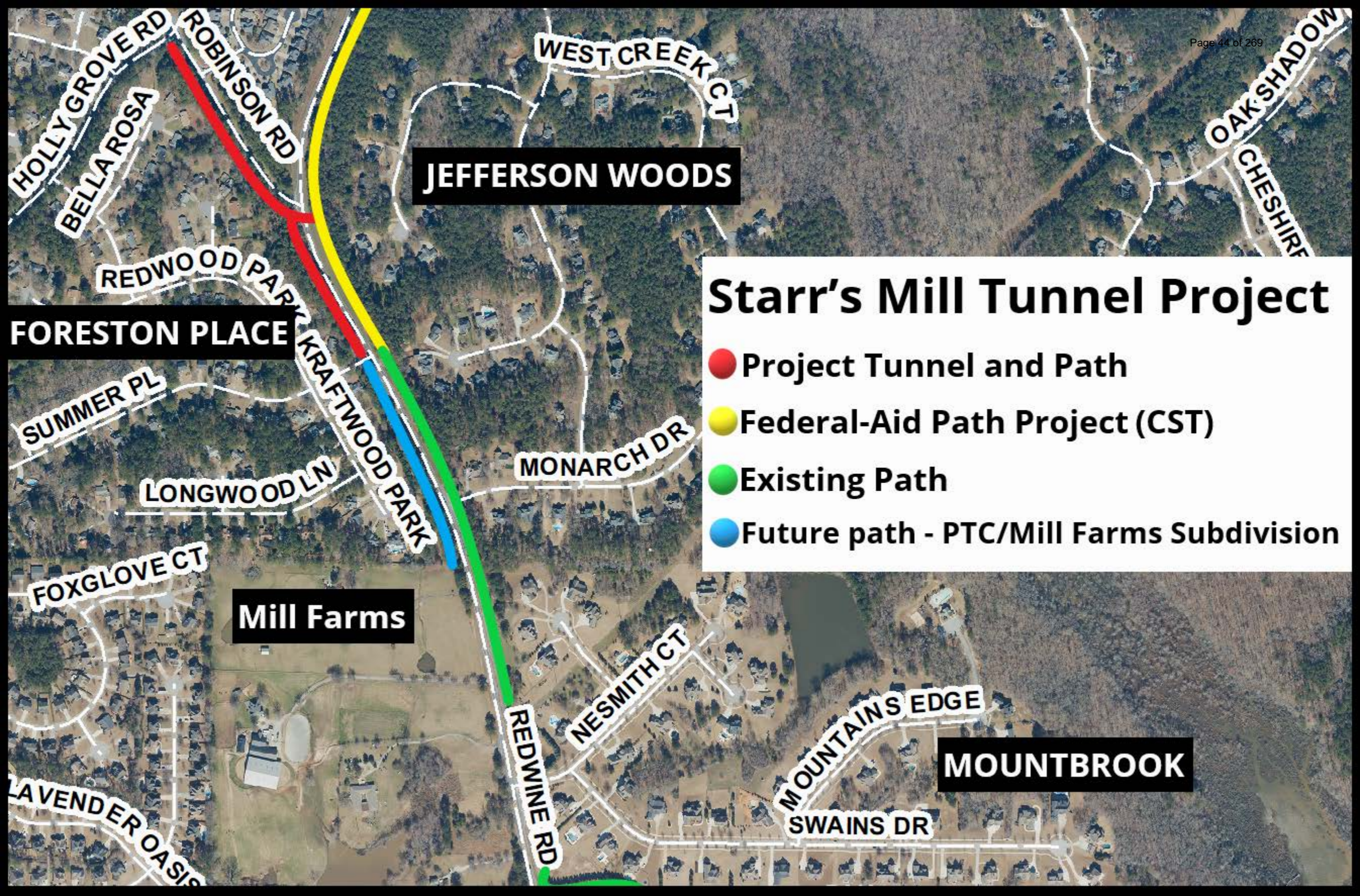
Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:





JEFFERSON WOODS

Starr's Mill Tunnel Project

- Project Tunnel and Path
- Federal-Aid Path Project (CST)
- Existing Path
- Future path - PTC/Mill Farms Subdivision

FORESTON PLACE

Mill Farms

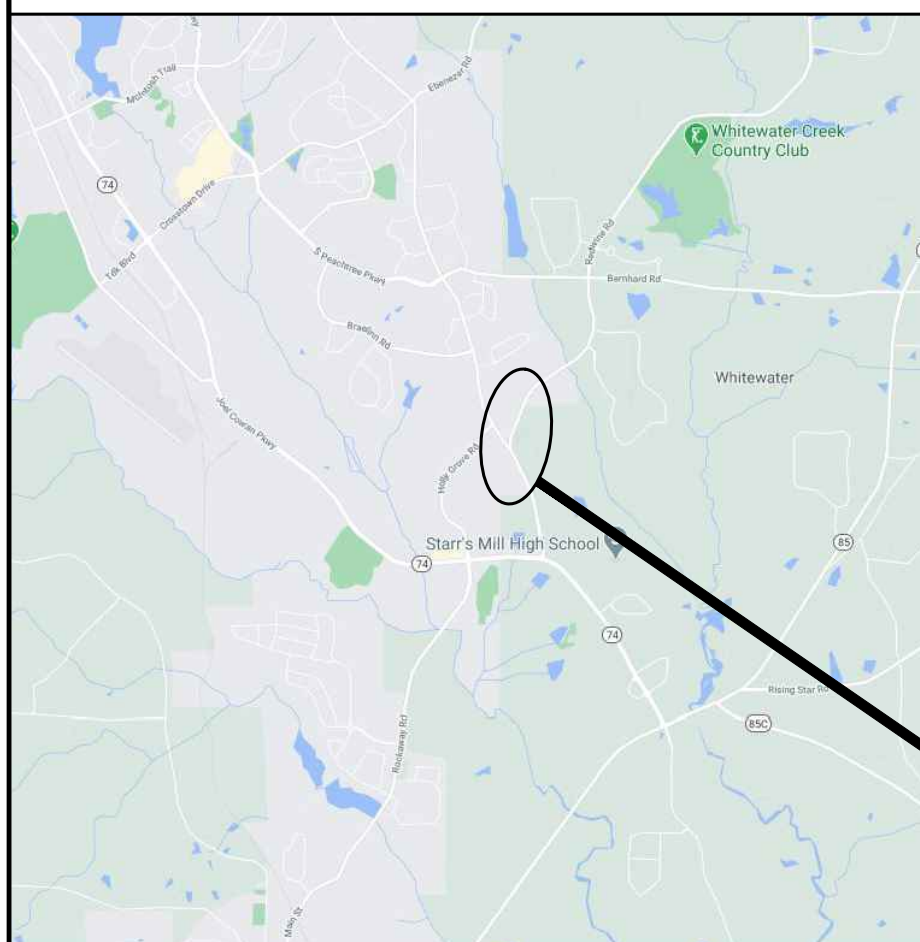
MOUNTBROOK

10/12/2023 9:18:51 AM
 USER:Eric Brisse

P:\Marietta\1866 Fayette County\1866.032 Starrs Mill School Tunnel Design\Engineering\Design\1866.032_Right of Way.dwg

COUNTY	CROY REFERENCE NUMBER	SHEET NO.	TOTAL SHEETS
FAYETTE	1866.032	###	###

LOCATION SKETCH



PROJECT LOCATION

FAYETTE COUNTY

RIGHT OF WAY PROPOSED

STARRS MILL SCHOOL TUNNEL

PROJECT NO. 17TAI

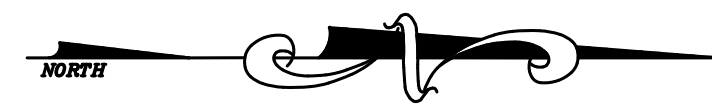
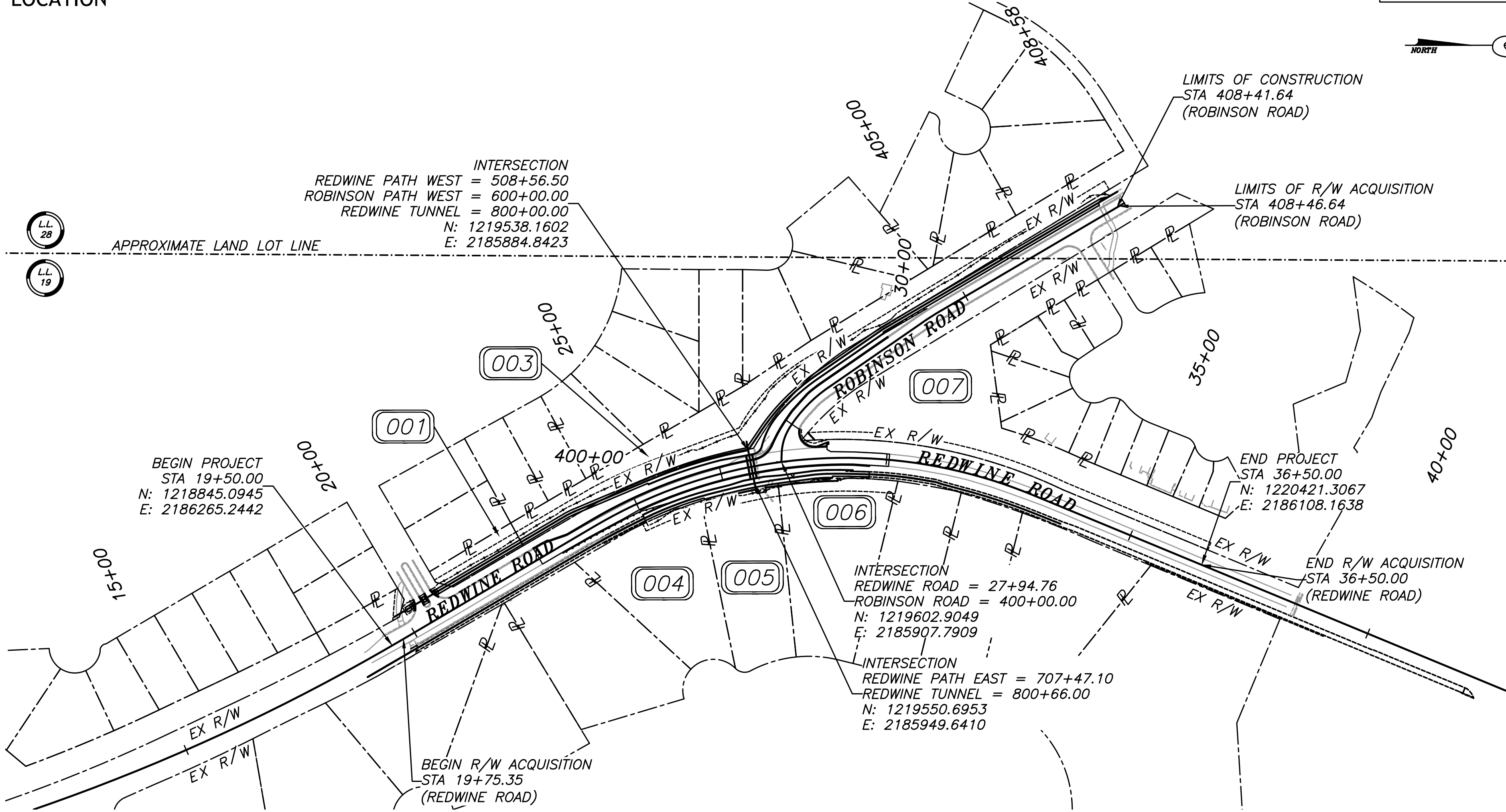
CONVENTIONAL SIGNS	
STATE OR COUNTY LINE	_____
CITY LIMIT LINE	_____
LAND LOT LINE	_____
PROPERTY LINE	_____
SURVEY OR BASE LINE	_____
RIGHT OF WAY LINE	EXISTING
	REQUIRED
	LIMIT OF ACCESS
	REQD R/W & LIMIT OF ACCESS
R/W MARKERS	_____
FENCE	_____
RAILROAD	_____
POWER LINE	_____
TELEPHONE LINE	_____
POWER POLES	_____
TELEPHONE OR TELEGRAPH POLES	_____

NOT TO SCALE
 THIS PROJECT HAS BEEN PREPARED USING THE HORIZONTAL GEORGIA COORDINATE SYSTEM OF 1984 (NAD 1983)/94 WEST ZONE, AND THE NORTH AMERICAN VERTICAL DATUM (NAVD) OF 1988.

FUNCTIONAL CLASS:
 MINOR ARTERIAL

THIS PROJECT IS 100% IN FAYETTE COUNTY IN CONG. DIST. NO. 03.

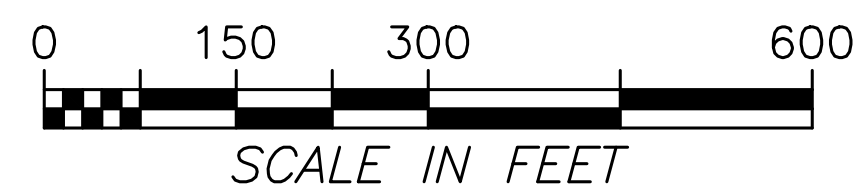
LAND LOTS: 19, 28
 LAND DISTRICT: 6



200 NORTH COBB PARKWAY, BLDG. 400, SUITE 413
 MARIETTA, GA 30062
 PHONE: (770) 971-5407 FAX: (770) 971-0620

NOTE:
 PROJECT TO BE CONSTRUCTED AS PER GEORGIA DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS, CONSTRUCTION OF TRANSPORTATION SYSTEMS, CURRENT EDITION, AS APPROVED BY THE FEDERAL HIGHWAY ADMINISTRATION AND MODIFIED BY CONTRACT DOCUMENTS.

THE DATA, TOGETHER WITH ALL OTHER INFORMATION SHOWN ON THESE PLANS OR IN ANYWAY INDICATED THEREBY, WHETHER BY DRAWINGS OR NOTES, OR IN ANY OTHER MANNER, ARE BASED UPON FIELD INVESTIGATIONS AND ARE BELIEVED TO BE INDICATIVE OF ACTUAL CONDITIONS. HOWEVER, THE SAME ARE SHOWN AS INFORMATION ONLY, ARE NOT GUARANTEED, AND DO NOT BIND THE DEPARTMENT OF TRANSPORTATION IN ANY WAY. THE ATTENTION OF BIDDER IS SPECIFICALLY DIRECTED TO SUBSECTIONS 102.04, 102.05, AND 104.03 OF THE SPECIFICATIONS.



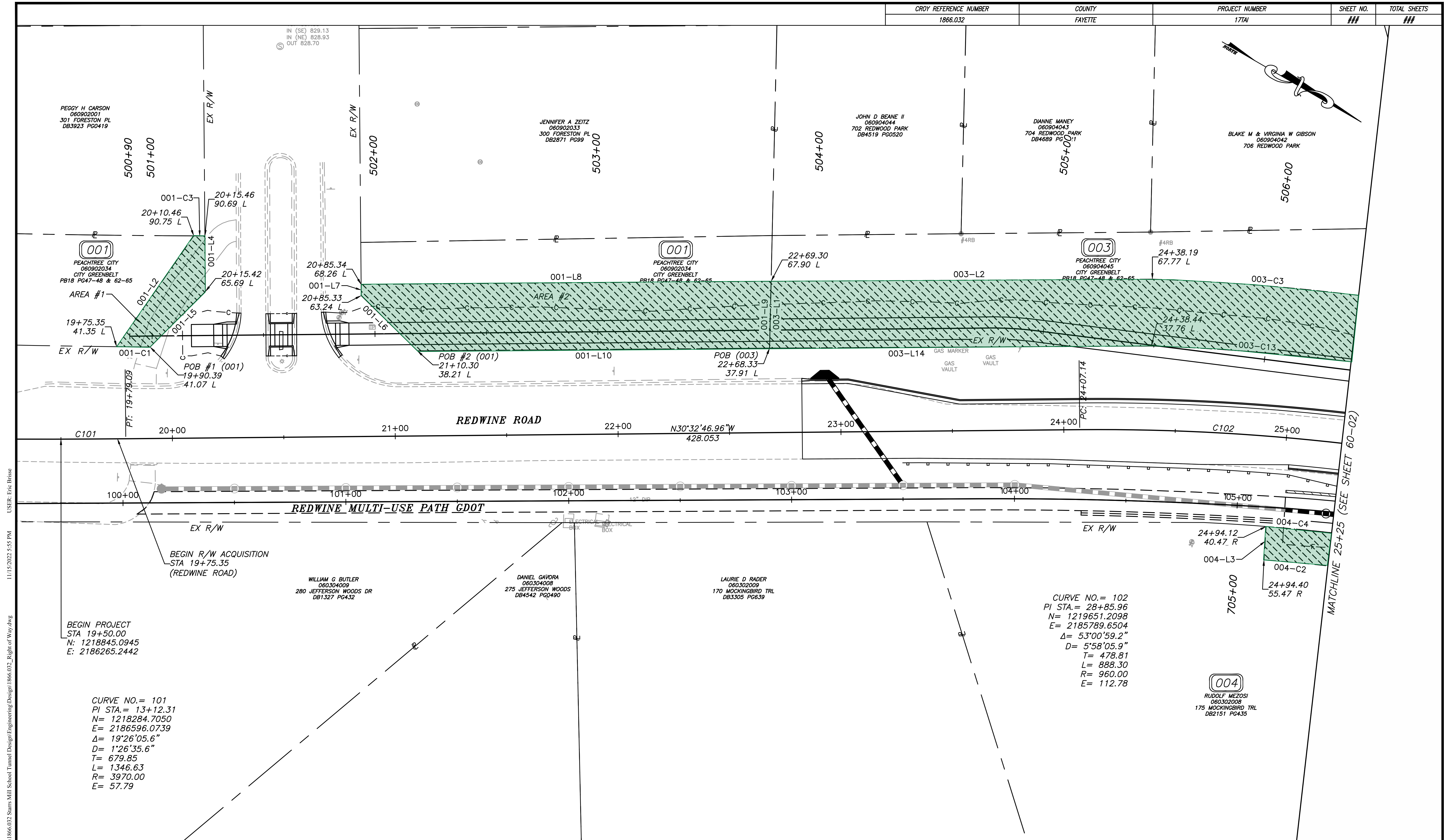
LENGTH OF RIGHT OF WAY PROJECT	COUNTY NO.
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NET LENGTH OF RIGHT OF WAY	MILES
NET LENGTH OF BRIDGES	0.00
NET LENGTH OF EXCEPTIONS	0.00
GROSS LENGTH OF PROJECT	0.32

PLANS PREPARED BY: CHRIS RIDEOUT, P.E.
 DESIGN

PLANS COMPLETED: 10-10-2022

REVISIONS	
11-15-2022	
04-03-2023	
09-12-2023	
10-12-2023	

DRAWING No.
 60-00

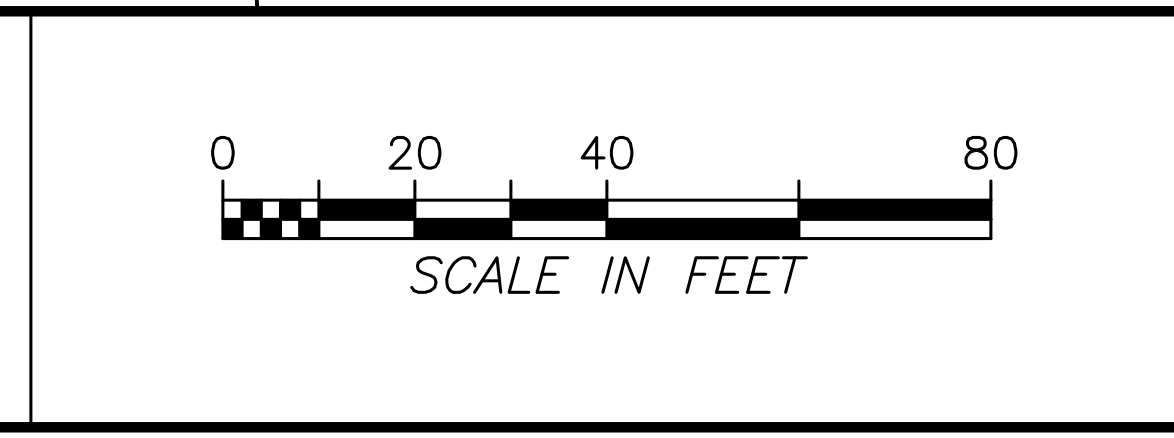


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LEGEND

PROPERTY AND EXISTING R/W LINE	---
REQUIRED R/W LINE	---
CONSTRUCTION LIMITS	C-F
EASEMENT FOR CONSTR & MAINTENANCE OF SLOPES	▨
EASEMENT FOR CONSTR OF SLOPES	▩
EASEMENT FOR CONSTR OF DRIVES	▧

BEGIN LIMIT OF ACCESS	.....	BLA
END LIMIT OF ACCESS	.....	ELA
LIMIT OF ACCESS	---	
REQ'D R/W & LIMIT OF ACCESS	---|---	
ORANGE BARRIER FENCE	---|---	
ESA - ENV. SENSITIVE AREA	---|---	



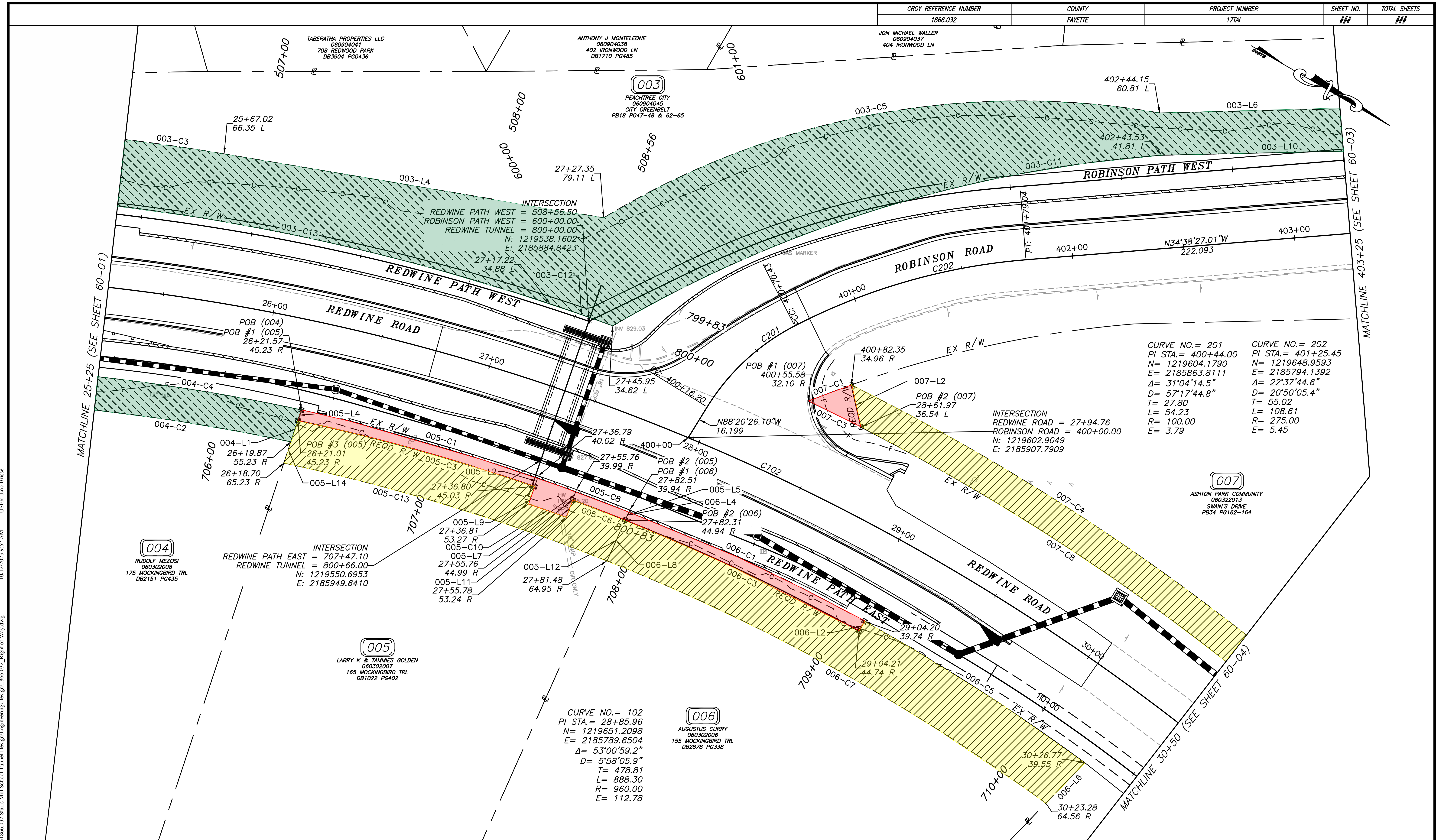
CROY
 200 NORTH COBB PARKWAY, BLDG. 400, SUITE 413
 MARIETTA, GA 30062
 PHONE: (770) 971-5407 FAX: (770) 971-0620

REVISION DATES

11-15-2022	

FAYETTE COUNTY	
STARRS MILL SCHOOL TUNNEL	
RIGHT OF WAY PLANS	DRAWING NO. 60-01

CROY REFERENCE NUMBER	COUNTY	PROJECT NUMBER	SHEET NO.	TOTAL SHEETS
1866.032	FAYETTE	177A	##	##

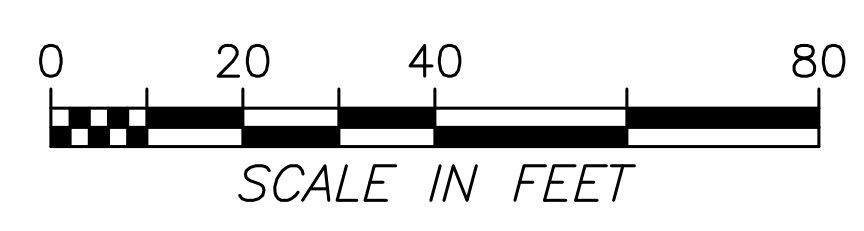


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LEGEND

PROPERTY AND EXISTING R/W LINE	---
REQUIRED R/W LINE	---
CONSTRUCTION LIMITS	C - F
EASEMENT FOR CONSTR & MAINTENANCE OF SLOPES	▨
EASEMENT FOR CONSTR OF SLOPES	▩
EASEMENT FOR CONSTR OF DRIVES	▧

BEGIN LIMIT OF ACCESS	.....	BLA
END LIMIT OF ACCESS	.....	ELA
LIMIT OF ACCESS	----	
REQ'D R/W & LIMIT OF ACCESS	▨▨	
ORANGE BARRIER FENCE	●●	
ESA - ENV. SENSITIVE AREA	▽▽	



CROY

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REVISION DATES

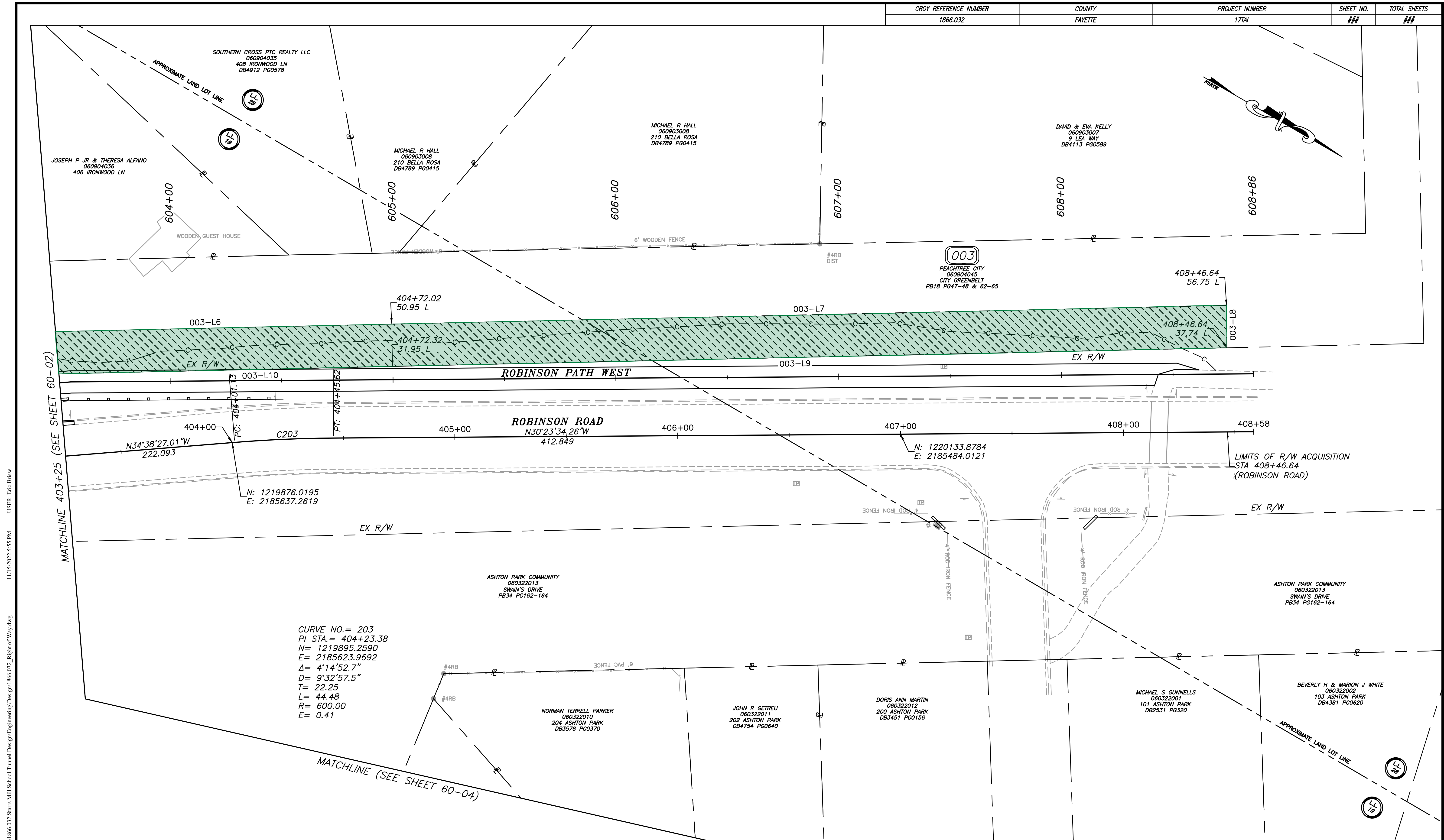
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04-03-2023	
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10-12-2023	

FAYETTE COUNTY

STARRS MILL SCHOOL TUNNEL

RIGHT OF WAY PLANS

DRAWING NO. 60-02



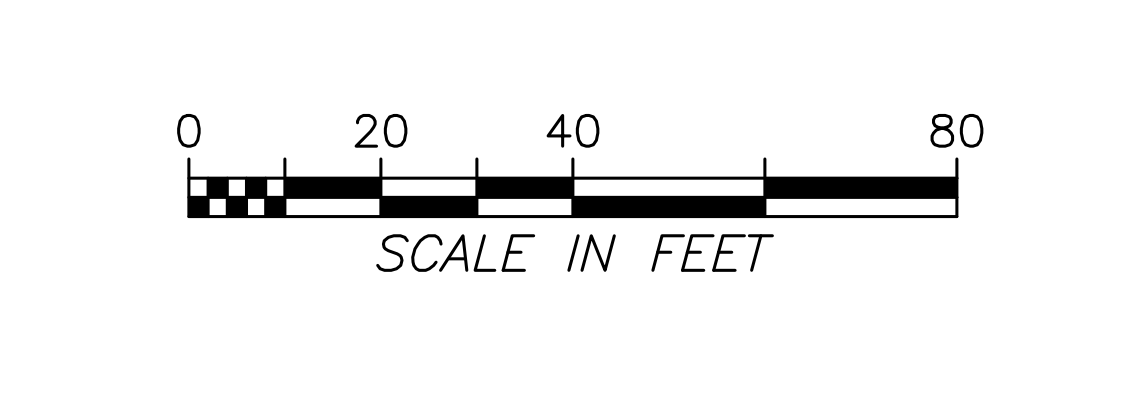
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CROY REFERENCE NUMBER 1866.032	COUNTY FAYETTE	PROJECT NUMBER 177A	SHEET NO. ###	TOTAL SHEETS ###
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LEGEND

PROPERTY AND EXISTING R/W LINE	---
REQUIRED R/W LINE	---
CONSTRUCTION LIMITS	C-F
EASEMENT FOR CONSTR & MAINTENANCE OF SLOPES	[Hatched Box]
EASEMENT FOR CONSTR OF SLOPES	[Diagonal Hatched Box]
EASEMENT FOR CONSTR OF DRIVES	[Cross-hatched Box]

BEGIN LIMIT OF ACCESS	BLA
END LIMIT OF ACCESS	ELA
LIMIT OF ACCESS	[Symbol]
REQ'D R/W & LIMIT OF ACCESS	[Symbol]
ORANGE BARRIER FENCE	[Symbol]
ESA - ENV. SENSITIVE AREA	[Symbol]

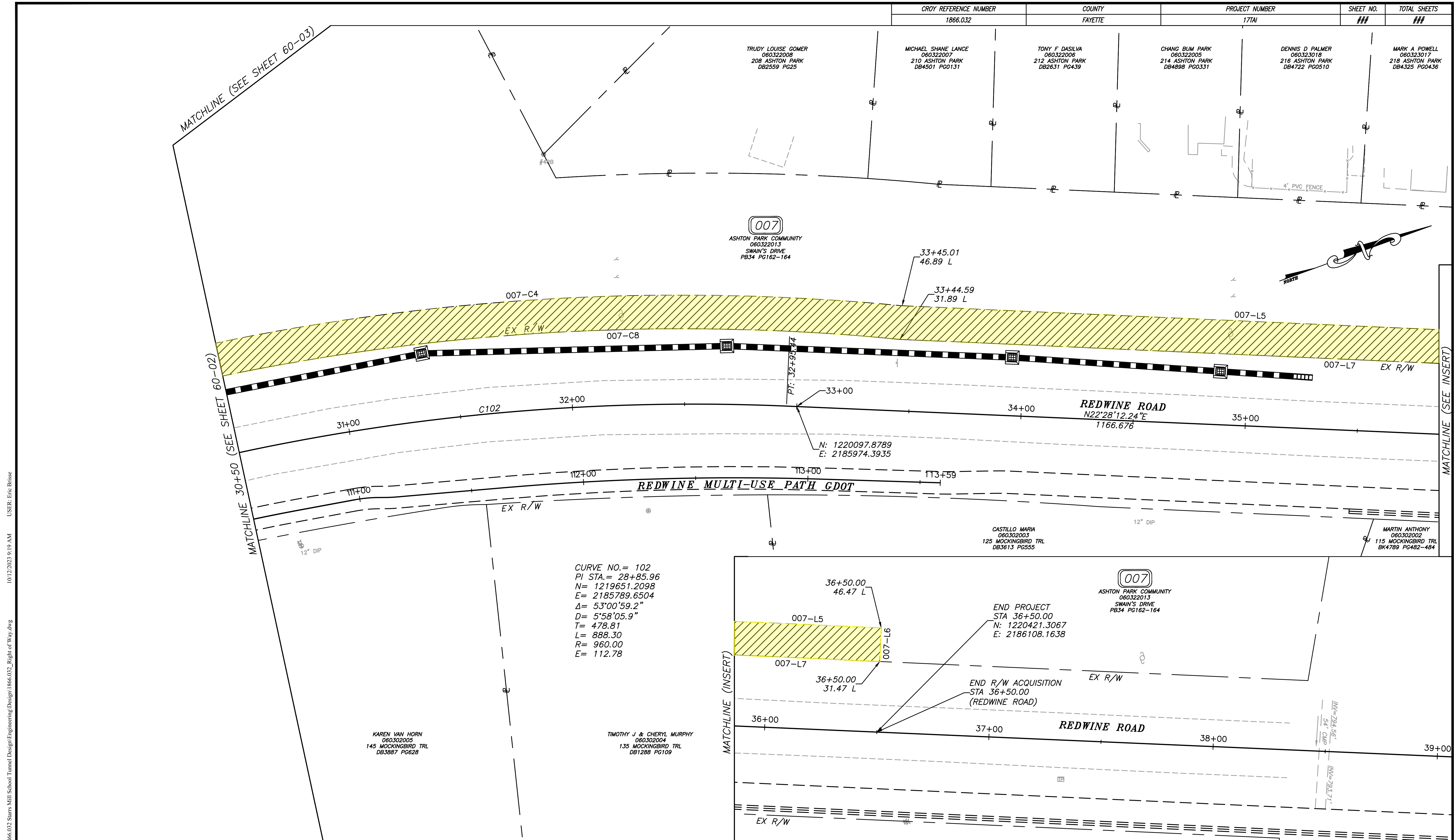


CROY
 200 NORTH COBB PARKWAY, BLDG. 400, SUITE 413
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 PHONE: (770) 971-5407 FAX: (770) 971-0620

REVISION DATES

11-15-2022	

FAYETTE COUNTY	
STARRS MILL SCHOOL TUNNEL	
RIGHT OF WAY PLANS	DRAWING NO. 60-03

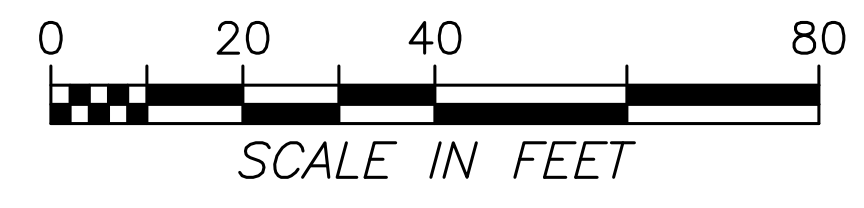


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LEGEND

PROPERTY AND EXISTING R/W LINE	---
REQUIRED R/W LINE	---
CONSTRUCTION LIMITS	C-F
EASEMENT FOR CONSTR & MAINTENANCE OF SLOPES	[Hatched Box]
EASEMENT FOR CONSTR OF SLOPES	[Hatched Box]
EASEMENT FOR CONSTR OF DRIVES	[Hatched Box]

BEGIN LIMIT OF ACCESS	.....	BLA
END LIMIT OF ACCESS	.....	ELA
LIMIT OF ACCESS	----	
REQ'D R/W & LIMIT OF ACCESS	====	
ORANGE BARRIER FENCE	====	
ESA - ENV. SENSITIVE AREA	----	



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REVISION DATES

11-15-2022	
10-12-2023	

FAYETTE COUNTY

STARRS MILL SCHOOL TUNNEL

RIGHT OF WAY PLANS

DRAWING NO. 60-04

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 USER: Eric Brisse

CROY REFERENCE NUMBER	COUNTY	PROJECT NUMBER	SHEET NO.	TOTAL SHEETS
1866.032	FAYETTE	177A	###	###

PARCEL 001	REQ'D TEMP. EASMT. #1	POB #	BEARING	DISTANCE
19+90.39 41.07 LT				
	001-C1		CHORD BEARING: S29°27'08"E CHORD LENGTH: 15.00' ARC LENGTH: 15.00' RADIUS: 4986.70'	
	001-L2		N85°10'29"W	60.58'
	001-C3		CHORD BEARING: N29°47'04"W CHORD LENGTH: 5.00' ARC LENGTH: 5.00' RADIUS: 4936.70'	
	001-L4		N59°32'30"E	25.00'
	001-L5		S75°04'06"E	35.11'
			REQ'D AREA = 813 S.F. REQ'D AREA = 0.019 AC.	

PARCEL 001	REQ'D TEMP. EASMT. #2	POB #	BEARING	DISTANCE
21+10.30 38.21 LT				
	001-L6		S14°31'25"W	35.35'
	001-L7		S59°31'16"W	5.02'
	001-L8		N30°26'07"W	183.97'
	001-L9		N61°19'04"E	30.01'
	001-L10		S30°26'09"E	158.03'
			REQ'D AREA = 5193 S.F. REQ'D AREA = 0.119 AC. TOTAL REQ'D TEMP AREA = 0.138 AC	

PARCEL 003	REQ'D TEMP. EASMT. #1	POB #	BEARING	DISTANCE
22+68.33 37.91 LT				
	003-L1		S61°19'04"W	30.01'
	003-L2		N30°19'13"W	171.07'
	003-C3		CHORD BEARING: N24°15'35"W CHORD LENGTH: 137.73' ARC LENGTH: 137.83' RADIUS: 1034.60'	
	003-L4		N20°26'35"W	172.74'
	003-C5		CHORD BEARING: N40°40'51"W CHORD LENGTH: 253.84' ARC LENGTH: 259.42' RADIUS: 360.00'	
	003-L6		N31°16'45"W	231.93'
	003-L7		N31°16'45"W	374.66'
	003-L8		N59°36'26"E	19.00'
	003-L9		S31°16'45"E	374.37'
	003-L10		S31°16'45"E	231.44'
	003-C11		CHORD BEARING: S47°15'51"E CHORD LENGTH: 257.93' ARC LENGTH: 260.15' RADIUS: 573.67'	
	003-C12		CHORD BEARING: S10°41'33"E CHORD LENGTH: 29.77' ARC LENGTH: 29.77' RADIUS: 1004.60'	
	003-C13		CHORD BEARING: S19°47'32"E CHORD LENGTH: 288.33' ARC LENGTH: 289.33' RADIUS: 1004.60'	
	003-L14		S30°19'13"E	171.34'
			REQ'D AREA = 36,954 S.F. REQ'D AREA = 0.848 AC.	

PARCEL 004	REQ'D TEMP. EASMT. #1	POB #	BEARING	DISTANCE
26+21.57 40.23 RT				
	004-L1		N78°22'02"E	15.09'
	004-C2		CHORD BEARING: S21°42'40"E CHORD LENGTH: 118.14' ARC LENGTH: 118.23' RADIUS: 904.10'	
	004-L3		S63°37'16"W	15.00'
	004-C4		CHORD BEARING: N21°39'59"W CHORD LENGTH: 122.01' ARC LENGTH: 122.09' RADIUS: 919.04'	
			REQ'D AREA = 1803 S.F. REQ'D AREA = 0.041 AC.	

PARCEL 005	REQ'D R/W #1	POB #	BEARING	DISTANCE
26+21.57 40.23 RT				
	005-C1		CHORD BEARING: N14°24'59"W CHORD LENGTH: 110.34' ARC LENGTH: 110.41' RADIUS: 920.78'	
	005-L2		N79°02'38"E	5.00'
	005-C3		CHORD BEARING: S14°25'54"E CHORD LENGTH: 110.28' ARC LENGTH: 110.35' RADIUS: 915.78'	
	005-L4		S78°22'02"W	5.03'
			REQ'D AREA = 552 S.F. REQ'D AREA = 0.013 AC.	

PARCEL 005	REQ'D R/W #2	POB #	BEARING	DISTANCE
27+82.51 39.94 RT				
	005-L5		N84°02'59"E	5.00'
	005-C6		CHORD BEARING: S09°03'27"E CHORD LENGTH: 25.30' ARC LENGTH: 25.30' RADIUS: 915.78'	
	005-L7		S80°11'07"W	5.00'
	005-C8		CHORD BEARING: N09°02'45"W CHORD LENGTH: 25.64' ARC LENGTH: 25.64' RADIUS: 919.04'	
			REQ'D AREA = 127 S.F. REQ'D AREA = 0.003 AC.	


PARCEL 005	REQ'D TEMP. EASMT. #3	POB #	BEARING	DISTANCE
26+21.01 45.23 RT				
	005-C3		CHORD BEARING: N14°25'54"W CHORD LENGTH: 110.28' ARC LENGTH: 110.35' RADIUS: 915.78'	
	005-L9		N79°02'38"E	8.24'
	005-C10		CHORD BEARING: N10°22'54"W CHORD LENGTH: 17.91' ARC LENGTH: 17.91' RADIUS: 905.00'	
	005-L11		S80°11'07"W	8.25'
	005-C6		CHORD BEARING: N09°03'27"W CHORD LENGTH: 25.30' ARC LENGTH: 25.30' RADIUS: 915.78'	
	005-L12		N84°02'59"E	20.02'
	005-C13		CHORD BEARING: S13°10'15"E CHORD LENGTH: 151.57' ARC LENGTH: 151.75' RADIUS: 895.78'	
	005-L14		S78°22'02"W	20.12'
			REQ'D AREA = 2907 S.F. REQ'D AREA = 0.067 AC.	

PARCEL 006	REQ'D R/W #1	POB #	BEARING	DISTANCE
27+82.51 39.94 RT				
	006-C1		CHORD BEARING: N04°36'50"W CHORD LENGTH: 116.57' ARC LENGTH: 116.65' RADIUS: 918.55'	
	006-L2		N89°01'27"E	5.00'
	006-C3		CHORD BEARING: S04°37'13"E CHORD LENGTH: 116.13' ARC LENGTH: 116.21' RADIUS: 913.55'	
	006-L4		S84°02'59"W	5.00'
			REQ'D AREA = 582 S.F. REQ'D AREA = 0.013 AC.	

PARCEL 006	REQ'D TEMP. EASMT. #2	POB #	BEARING	DISTANCE
27+82.31 44.94 RT				
	006-C3		CHORD BEARING: N04°37'13"W CHORD LENGTH: 116.13' ARC LENGTH: 116.21' RADIUS: 913.55'	
	006-L2		S89°01'27"W	5.00'
	006-C5		CHORD BEARING: N02°41'20"E CHORD LENGTH: 117.43' ARC LENGTH: 117.51' RADIUS: 918.55'	
	006-L6		S76°09'04"E	25.22'
	006-C7		CHORD BEARING: S01°05'12"E CHORD LENGTH: 224.90' ARC LENGTH: 225.50' RADIUS: 893.55'	
	006-L8		S84°02'59"W	20.02'
			REQ'D AREA = 5164 S.F. REQ'D AREA = 0.119 AC.	

PARCEL 007	REQ'D R/W #1	POB #	BEARING	DISTANCE
400+55.58 32.10 RT				
	007-C1		CHORD BEARING: N50°45'10"W CHORD LENGTH: 20.58' ARC LENGTH: 20.58' RADIUS: 503.67'	
	007-L2		N47°13'58"E	19.45'
	007-C3		CHORD BEARING: S03°37'16"E CHORD LENGTH: 26.28' ARC LENGTH: 26.28' RADIUS: 1004.60'	
			REQ'D AREA = 199 S.F. REQ'D AREA = 0.005 AC.	

PARCEL 007	REQ'D TEMP. EASMT. #1	POB #	BEARING	DISTANCE
28+61.97 36.54 LT				
	007-L2		S47°13'58"W	19.45'
	007-C4		CHORD BEARING: N10°58'41"E CHORD LENGTH: 512.33' ARC LENGTH: 517.88' RADIUS: 1019.60'	
	007-L5		N22°32'56"E	304.99'
	007-L6		S67°31'48"E	15.00'
	007-L7		S22°32'56"W	305.41'
	007-C8		CHORD BEARING: S11°20'23"W CHORD LENGTH: 493.26' ARC LENGTH: 498.36' RADIUS: 1004.60'	
			REQ'D AREA = 12200 S.F. REQ'D AREA = 0.280 AC.	



200 NORTH COBB PARKWAY, BLDG. 400, SUITE 413
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 PHONE: (770) 871-5407 FAX: (770) 871-0620

REVISION DATES
11-15-2022
04-03-2023
09-12-2023
10-12-2023

FAYETTE COUNTY	
STARRS MILL SCHOOL TUNNEL	
RIGHT OF WAY PLANS	DRAWING NO. 60-05

COUNTY OF FAYETTE
STATE OF GEORGIA

COPY

INTERGOVERNMENTAL AGREEMENT FOR CONSTRUCTION
AND MAINTENANCE OF MULTI-USE PATH PROJECTS

THIS AGREEMENT entered this 27th day of June, 2019, by and between Peachtree City, Georgia (the "CITY"), a municipal corporation of the State of Georgia, acting by and through its Mayor and Council, and Fayette County, Georgia (the "COUNTY"), a political subdivision of the State of Georgia, acting by and through its Board of Commissioners, for the purpose of the CITY and the COUNTY to set out those terms and conditions which will guide them in their ongoing construction and maintenance responsibilities for multi-use paths located in the CITY and the COUNTY (the Construction and Maintenance IGA).

WITNESSETH:

WHEREAS, the Mayor and Council is the duly organized governing authority for the CITY possessing all requisite authority to enter into the Construction and Maintenance IGA; and

WHEREAS, the Board of Commissioners is the duly organized governing authority for the COUNTY possessing all requisite authority to enter into the Construction and Maintenance IGA; and

WHEREAS, the Georgia Constitution, Article IX, Section 2, Paragraph 3, except as otherwise provided by law, prohibits cities and counties from exercising governmental authority within each other's boundaries except by Intergovernmental Agreement; and

WHEREAS, the CITY has been developed around a network of multi-use paths that are used by pedestrians, bicyclists and operators of golf carts; and

WHEREAS, these multi-use paths are used by residents of the CITY and the unincorporated COUNTY as an alternative to the automobile, as well as for exercise and recreation; and

WHEREAS, the communities around the Starr's Mill School Complex have been developed with a focus on access to and from the schools and there is a history of cooperation between the COUNTY, the Board of Education and developers to expand and enhance the multi-use path network; and

WHEREAS, a growing county population increases the desire and need for a multi-use path network that provides safe and appropriate infrastructure, and increases the challenges for local governments to design, construct and maintain said infrastructure; and

WHEREAS, funding opportunities, with the development community, State and Federal grant programs, non-profit groups, etc., are more successfully obtained with cooperation among local governments and agencies; and

WHEREAS, the CITY and the COUNTY desire to enter into the Construction and Maintenance IGA for the purpose of ensuring that appropriate multi-use paths in the CITY and the COUNTY are constructed and adequately maintained over time.

NOW, THEREFORE, for and in consideration of the above premises and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by the CITY and the COUNTY, the CITY and COUNTY hereby agree as follows:

1.

The COUNTY assumes ownership and maintenance responsibilities of all multi-use path infrastructure located within the COUNTY right-of-way, including Segment F as depicted on the attached map labeled as Exhibit "A," with said Exhibit "A" being incorporated into this

Construction and Maintenance IGA by this reference hereto. This path segment was constructed, and it has been maintained by the CITY in accordance with the July 23, 1998 IGA between the CITY and the COUNTY. It is the intent of the parties for this Construction and Maintenance IGA to supersede that certain agreement between Fayette County and Peachtree City dated July 23, 1998 concerning that section of multi-use path east of Redwine Road immediately north of the Starr's Mill School Complex.

2.

As of January 2019, there are two multi-use path projects currently in design:

- Federal-Aid Path Project PI 012624 – Segments A, E1 and E2; and
- SPLOST Project 17TAI – Segments G1 (path) and G2 (tunnel).

The estimated cost for these projects, including design, permitting, land acquisition and construction, is approximately \$3,000,000.00. The COUNTY shall pay for all design, permitting, land acquisition, project management and construction costs for SPLOST Project 17TAI-Segments G1 and G2. The plans and specifications for all work proposed within the City limits shall be provided to the City, or their designated consulting engineers, for review and approval prior to the start of construction. The CITY shall provide limited use (between 8' and 14' of width depending on obstructions, trees, etc.) of existing City Greenspace (when alternate locations are not available), as well as use of existing easements and right-of-way to facilitate project construction of section G1 and G2. Upon completion of the project, maintenance and repair costs for SPLOST Project 17TAI-Segment G1 (path) will be the responsibility of the CITY. Upon completion of the project, future maintenance and repair costs for SPLOST Project 17TAI - Segment G2 (tunnel) located at the City/County Border shall be split 50/50 between the CITY and the COUNTY until such time as the property containing SPLOST Project 17TAI – Segment G2 (tunnel) is annexed by the City. The City shall assume all maintenance and repair

costs for SPLOST Project I7TAI - Segment G2 (tunnel) from the effective date of the annexation forward, should said annexation occur. While the maintenance and repair work are the responsibility of both the City and the County, all maintenance and repair work will be scoped in writing, with a not-to-exceed cost estimate and agreed to by the CITY Manager and the COUNTY Administrator prior to commencing. Minor maintenance or repair work (such as cleaning graffiti or repairing damaged guardrail) that is entirely within one jurisdiction shall be the sole responsibility of that local government unless agreed to otherwise by the CITY and the COUNTY. For the Federal-Aid path project (PI 01264), all costs beyond those covered by Federal Aid shall be paid by the COUNTY. The CITY shall provide limited use (between 8' and 14' of width depending on obstructions, trees, etc.) of existing City Greenspace, as well as use of existing easements, and right-of-way to facilitate project construction and future use, where applicable. Maintenance and repair costs for Federal Aid Path Project PI 01264 Segments A and E2 shall be the responsibility of the COUNTY. To the extent that the City's design standards require the project to encroach more than 14' into the City Greenspace the City shall elect one of the following:

- a. The City shall provide a written exception to the County recognizing and allowing the necessary encroachment due to the City's design standards; or
- b. The City shall revise its design standards in such a manner that no encroachment into the City's Greenspace of more than 14' will be necessary.

If the City elects to provide the written exceptions, said written exceptions will be provided to the County within five (5) business days of the County's request therefor. If the City elects to revise its design standards the County will be required to change the plans and receive additional approval from the Georgia Department of Transportation. Maintenance and repair costs for Federal Aid Path Project PI 01264 Segment E1 shall be the responsibility of the CITY. Upon completion of either or both projects, future ownership and maintenance of the

infrastructure shall be governed by the conditions established within this Construction and Maintenance IGA.

3.

The term of this Construction and Maintenance IGA shall be for twelve (12) months, from June 27, 2019 and concluding on June 27, 2020 . This Construction and Maintenance IGA shall automatically renew for a twelve (12) month term, beginning on the anniversary date of the agreement, so long as the CITY nor the COUNTY take action to terminate this Construction and Maintenance IGA. Additional renewal terms of twelve (12) months each shall automatically begin so long as neither party terminates this Construction and Maintenance IGA. Should either the CITY or the COUNTY desire to terminate this Construction and Maintenance IGA the terminating party must provide 90-days written notice to the other party prior to the end of the then-current term.

4.

This Construction and Maintenance IGA may be modified at any time by mutual written consent of both parties.

5.

All required notices shall be given first class mail, except that any notice of termination shall be mailed via U.S. Mail, return receipt requested. Notices shall be addressed to the parties at the following addresses:

Ifto the CITY: Mr. Jonathan Rorie, City Manager
151 Willowbend Road
Peachtree City, Georgia 30269

Ifto the COUNTY: Mr. Steve Rapson, County Administrator
104 Stonewall Avenue West, Suite 100
Fayetteville, Georgia 30214

6.

This Construction and Maintenance IGA is a full and complete statement of the

agreement between the CITY and the COUNTY as to the subject matter hereof and has been authorized by proper action of the respective parties.

7.

Should any provision of this Construction and Maintenance IGA or application thereof to any person or circumstance be held invalid or unenforceable, the remainder of this Construction and Maintenance IGA or the application of such provision to any person or circumstance, other than those to which it is held invalid or unenforceable, shall not be affected thereby, and each provision of this Construction and Maintenance IGA shall be valid and enforceable to the full extent permitted by law.

8.

This Construction and Maintenance IGA shall be governed by and construed in accordance with the laws of the State of Georgia.

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IN WITNESS WHEREOF, the CITY and the COUNTY have caused this Construction and Maintenance IGA to be executed in their respective corporate names and their respective corporate seals to be hereunto affixed and attested by their duly authorized officers, all as of the date first above written.

(SEAL)



ATTEST:

BOARD OF COMMISSIONERS OF
FAYETTE COUNTY, GEORGIA

By:

RANDY C. OGNIO, Chairman

Tameca P. White, County Clerk

(SEAL)

ATTEST:

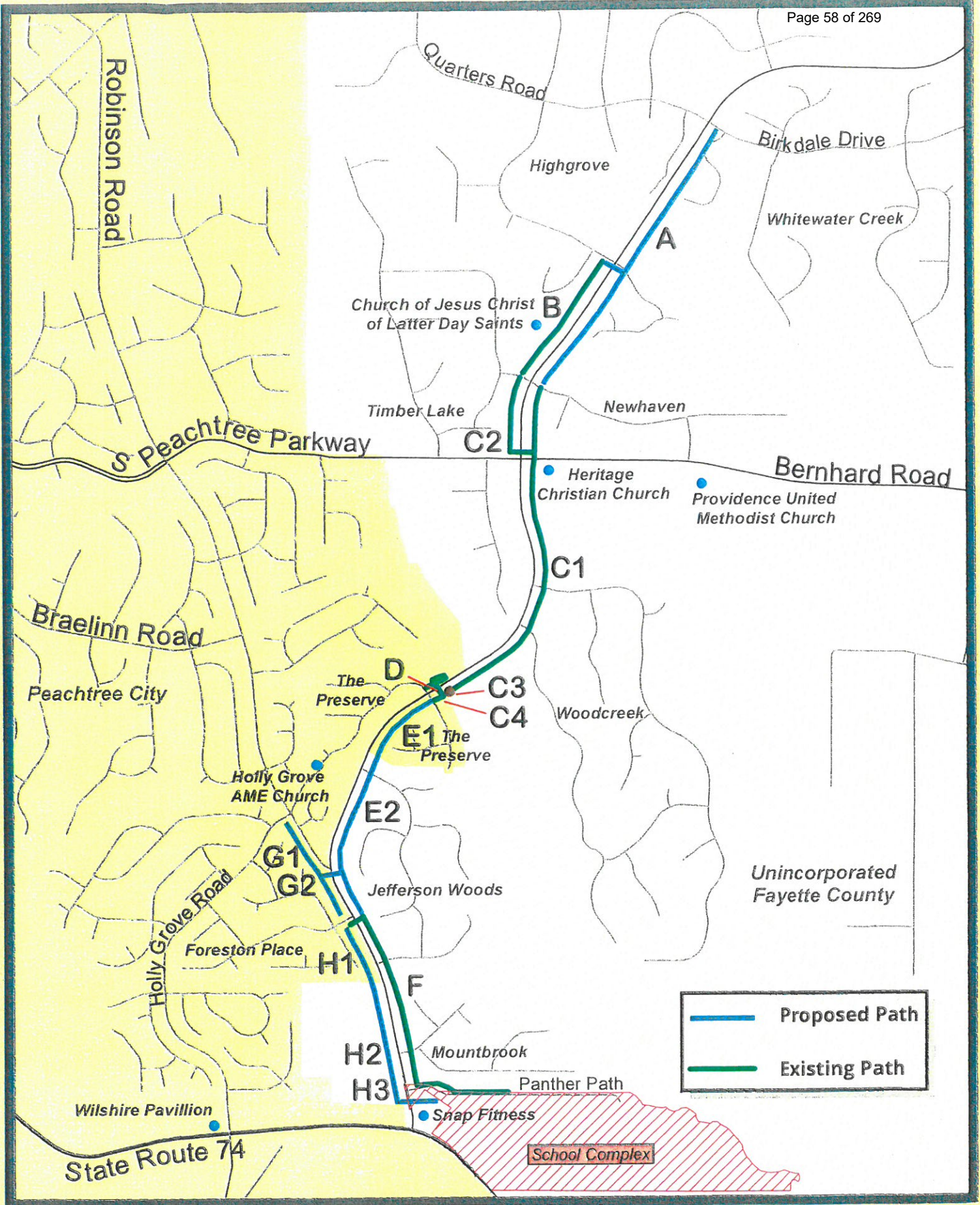
MAYOR AND COUNCIL FOR THE
CITY OF PEACHTREE CITY, GEORGIA

By:

VANESSA FLEISCH, Mayor

Betsy Tyler, City Clerk

Pamela Dufresne, Deputy City Clerk



April 22, 2019

Redwine Road Cart Paths

Exhibit A



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 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

Vice Chairman Gibbons called the September 28, 2023 Board of Commissioners meeting to order at 5:02 p.m. A quorum of the Board was present. Chairman Hearn and Commissioner Rousseau were absent.

Invocation and Pledge of Allegiance by Commissioner Edward Gibbons

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

Acceptance of Agenda

Vice Chairman Gibbons moved to approve the agenda as written, with the exception of moving agenda item #5 to be discussed after item #1. Commissioner Oddo seconded. The motion passed 3-0. Chairman Hearn and Commissioner Rousseau were absent.

County Attorney Dennis Davenport stated that he was under the impression that the Board would handle agenda item #5 first.

Vice Chairman Gibbons amended his motion and moved to approve the agenda as written, with the exception of moving agenda item #5 to be discussed before item #1. Commissioner Oddo amended his seconded. The motion passed 3-0. Chairman Hearn and Commissioner Rousseau were absent.

Commissioner Maxwell as a point of clarification asked if because there was less than a full Board and only three commissioners present, what qualified as a passing vote. He asked if a 2-1 vote was an approving vote or would a vote have to be 3-0 to pass.

Mr. Davenport stated that a passing vote would have to be a unanimous 3-0 vote.

Commissioner Maxwell continued stating that applicants in attendance for the public hearings did have the right to have their item heard before a full Board, if desired, and had the option of tabling the discussion of their item if they wished to do so. He stated that he wanted the applicants to be aware of their options beforehand and to know what it took to receive an approving vote.

Mr. Davenport stated that was correct and was something they would have been advised to each applicant prior to the beginning of the Public Hearings, so they could make their decision well informed.

Commissioner Maxwell asked if this was true for other agenda items.

Mr. Davenport stated this was just for the rezoning public hearings.

PROCLAMATION/RECOGNITION:
PUBLIC HEARING:

Item #5 was moved at the acceptance of the meeting prior to the discussion of a contingent item being considered during the Public Hearing.

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

Mr. Davenport stated that this request stemmed from a rezoning approval form January 13, 2022, about 18-months ago. That rezoning request included two (2) conditions one of which was the right- of- way dedication required for improvements to Ebenezer Bypass and involved the same property in a public hearing item before the Board this evening. Mr. Davenport stated that the petitioner and his counsel were advised that this condition needed to be satisfied prior to the consideration of the rezoning of the property.

Petitioner, Rod Wright, stated that he was prepared to grant the right-of-way dedication to the County along with providing the tax forms for the dedication of property for the Internal Revenue Service.

Commissioner Oddo moved to approve to accept the right-of-way dedication from Wright Chancy Ebenezer Bypass, LLC. Vice Chairman Gibbons seconded. The motion passed 3-0. Chairman Hearn and Commissioner Rousseau were absent.

Planning & Zoning Director Deborah Bell advised that because there was not a full Board present, each petitioners had the option to request that their petition be tabled to the October 26, 2023 Board of Commissioners meeting, provided that the petitioner request that the petition be table prior to any presentation of the item.

Petitioner, Therol R. Brown, agreed to moved forward with the public hearing with less than a full Board.

Petitioner, Rod Wright, agreed to move forward with the public hearing with less than a full Board.

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

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.

Ms. Bell stated that this request was 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. She stated that both staff and the Planning Commission recommended approval of this rezoning request, with no conditions.

Mr. Brown stated that he planned to build a storage building on the property and the A-R zoning provided more flexibility within the building code. He noted that his request complied with the Fayette County Land Use Plan and asked for favorable approval.

No one spoke in opposition.

Commissioner Oddo moved to approve 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. Vice Chairman Gibbons seconded. The motion passed 3-0. Chairman Hearn and Commissioner Rousseau were absent.

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.

Ms. Bell stated that this request was 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. She added that initially this item was recommended for denial due to the right-of-way dedication condition not being met. Since that was satisfied staff and the Planning commission recommended approval with the following conditions:

1. Each subdivision lot associated with the A-R zoning shall be limited to two (2) driveways.
2. The remnant parcel on the southwest side of Ebenezer Bypass shall be deeded to and accepted by the owners of parcel 0715008 & parcel 07150041 within 60 days or it shall be deeded to the County within 30-days thereafter. She noted that this condition was in place to ensure an illegal parcel was not left behind.
3. 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.

Rod Wright noted that as the owner he reserved the right to appeal the decision if his rezoning request was denied. He continued stating that he was requesting approval of rezoning 84.746 acres from C-S to A-R. Mr. Wright stated that he was in agreement with the condition regarding the waterline as well as the driveways however, he was unaware of the remaining condition regarding the remnant parcel dedication. He continued stating that he had been in discussion with the property owners across the street regarding purchasing the property. He stated that he had no plans to ever build on the property and would hopefully end up selling it to the owners across the street. He stated that because of the home value and size of the intended homes in the subdivision he was concerned about what could go in that space and wanted to protect/control that space as much as possible. He stated that the only condition he was hesitant to agree to was the 60-day deadline. He noted that a 6–12-month deadline would be more feasible to finalize his negotiations. Mr. Wright accepted the two other conditions as outlined by Ms. Bell regarding the waterline installation and the driveway limits.

Commissioner Maxwell asked which lot was the unconfirming/illegal lot.

Mr. Davenport highlighted a page in the agenda packet backup that showed a map of the lot. He stated that the property in question was a part of the Ebenezer Church Road realignment and was less than 5-acres, because the rezoning request was for a zoning area that required a minimum of 5-acres per lot, this lot would be an illegal lot and needed to be addressed.

Commissioner Maxwell stated that one of his concerns was that from his review of the agenda there was no discussion of this condition prior to today. He asked where this condition came from.

Mr. Davenport stated that the condition came from his office, this afternoon. He elaborated stating that when this was brought to his attention regarding the rezoning and what was presented before the Planning Commission was that this lot should be labeled as “non-developable/ non-conforming” but once zoned A-R, it would actually become an illegal lot because it was less than 5-acres. If the petitioner wanted it rezoned, the County could not in good conscience create an illegal lot in a rezoning. Something would have to be done with the remnant property hence the condition.

Mr. Wright asked if he could donate the property to the Homeowners Association (HOA), if not the County, in a specified timeframe. He stated that 60-days was too short of a window. He reiterated that because of the size and home value of the intended homes in the subdivision he was concerned about what could go in that space and wanted to protect/control that space as much as possible.

Commissioner Oddo asked if there was any difficulty donating the property to the HOA.

Mr. Davenport stated that with the request to be rezoned to A- R and this property being less than 5-acres it would create an illegal lot. He continued stating that the County could not in good conscience create an illegal lot in a rezoning. This violates

County code, and something would have to be done with the remnant property. Mr. Davenport stated that there needed to be a mechanism in place that required the petitioner, in a short period of time, to release the property.

Mr. Wright asked if he could donate the property to the HOA in the original zoning as a buffer.

Mr. Davenport stated that from his perspective, if he wanted to donate the property to the HOA and it be recorded in the deed of records that this lot would not be develop for any purpose but remain in green space in perpetuity, that would solve the problem because it would never be developed. It also would need to be conditioned, and the HOA would need to have the property deeded to them within a time certain of the formation of the HOA.

Commissioner Oddo asked what that timeframe would be to deed it to the HOA.

Mr. Davenport stated as of today the HOA has not been formed but upon the formation of the HOA a reasonable time of 60 days should suffice to have a deed conveyed.

Further discussion continued

Randy Chancy, partner of petitioner, asked how they were supposed to react as a result of receiving this condition at the last minute. He stated that they were aware of the other conditions about a week or two ago. It was difficult to make an informed decision regarding this condition in the moment.

Vice Chairman Gibbons stated that the petitioner had the options of either accepting the conditions as outlined or they could withdraw the request and wait to have the petition heard before a full Board at the next Board Meeting

Mr. Davenport stated that from the legal perspective, he was unaware that the petitioner was not privy to all the conditions. They should have been made aware of all the conditions beforehand. Mr. Davenport stated that withdrawal would not be the appropriate terminology/process, however it could be deferred for 30-day if the Board felt that was a reasonable resolution.

Vice Chairman Gibbons moved to table this item to the October 26, 2023 Board of Commissioner Meeting.

Commissioner Oddo asked if the petitioner wanted the item tabled.

Mr. Wright stated that he would accept the conditions as outlined.

Commissioner Maxwell stated that he still had concerns regarding the last-minute condition.

Mr. Davenport stated as a point of clarification that the condition regarding the property dedication was outlined as 60-90 days, however Mr. Wright did counter that with a timeframe of 6-12-months. With this in mind, the Board was not locked in to the 60-90-day timeframe and had the authority to adjust that timeframe.

Commissioner Oddo moved to approve 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, with outlined conditions with the change of condition #2 regarding the remnant parcel on the southwest side of Ebenezer Bypass changing the timeline from 60 days to 6 months with the caveat that the property would be deeded to the County within 30-days if it could not be conveyed to the other property owners. Vice Chairman Gibbon seconded. The motion passed 3-0. Chairman Hearn and Commissioner Rousseau were absent.

PUBLIC COMMENT:

The following citizens Rick Minter, Dorthey Herring, Bobby Ferrell, Alice Jones made comments regarding the proposed special events rules and amendments. Citizens reiterate how great it was to work with Ms. Bell and her team. Comments expressed also included concerns and questions regarding the need to separate agritourism from the other events held within the County, clarification of public hearing procedures and Board involvement, capacity requirements, ingress and egress requirements, and comments regarding the disruption to quality of life, traffic and business operation the Rick Ross car event caused and that it needed to be thoroughly reviewed as these amendments were put into place.

CONSENT AGENDA:

Commissioner Oddo moved to approve the Consent Agenda. Vice Chairman Gibbons seconded. The motion passed 3-0. Chairman Hearn and Commissioner Rousseau were absent.

- 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.**
- 4. Approval of the September 14, 2023 Board of Commissioners Meeting Minutes.**

OLD BUSINESS:

NEW BUSINESS:

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

Item #5 was moved at the acceptance of the meeting prior to the discussion of a contingent item being considered during the Public Hearing.

- 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.**

Ms. Bell advised that 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. She added that several citizens spoke about the proposed ordinance. Some believed it needed to be stricter 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. Ms. Bell advised that the Planning Commission recommended that staff develop an ordinance that addressed events on a size-based tier system. However, staff had 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 would function better. Staff was requesting direction from the Board of Commissioners before proceeding to develop the ordinance.

Commissioner Oddo stated that he did not realize that a vote was needed but assumed the Board would be providing guidance and feedback.

County Administrator Steve Rapson stated that what was needed from the Board was input and/or guidance in regards to what was presented conceptually prior to it going to legal. He noted that this item was requesting feedback on if what was currently included in the proposed amendments, was what the Board intended.

Commissioner Oddo expressed his concern regarding the number of events as outlined in the proposed amendments but was unsure how it should be addressed. He also expressed concerns and a desire to carve out regulation specific to educational and/or agritourism type events that were outside the for-profit type events. Commissioner Oddo asked how churches hosting events in the C-H and A-R zoned areas would be affected by these amendments and questioned the 25-acre minimum

requirement, noting that he felt it was too high of a standard. He also asked what an example of “facilities/institutions already approved for special events” as discussed on page 100. He asked who the \$1/ticket fee would apply too. Commissioner Oddo concluded stating that he did not want to see one event affect every other event and color how the County handled other events.

Commissioner Maxwell in an effort to address public comments responded to a few questions. He responded to Mrs. Herring’s question regarding Board participation in review of this item. He noted that it was the Board’s goal to develop an ordinance that could be interrupted by the Administration Office removing the Board of Commissioner from the day-to-day operations and approving applications. He stated that once a framework was established the Board could withdraw from the process which was the typically the case. Commissioner Maxwell expressed his concern regarding the allowance of a 3-day event duration, acreage requirement, capacity, entrance and exit requirements etc. He stated that he did not feel all these aspects of special events had been fully flushed and vetted but believed it was off to a good start. He thanked Ms. Jones for her compliment and acknowledged the entire Board and staff for their efforts in dealing with the car show event. He stated that he did not feel ready to vote on anything this evening and added that he believed it would be valuable to have input provided from the other two commissioner not here tonight. He concluded that he felt the ordinance was still in the draft stage and not ready to be forwarded to legal for formatting.

Vice Chairman Gibbons concurred with Commissioner Maxwell comments and stated that what staff was asking was did the Board want them to proceed with changing these affected ordinances.

Vice Chairman Gibbons moved to proceed with appropriate proposed amendments/recommendations 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. Commissioner Maxwell seconded.

Mr. Rapson stated that this ordinance amendment process was extremely complicated. Part of what was missing in the current ordinance was the “teeth” or penalty and enforcement features that would be included in the amended ordinance. This amendment would include language that referenced a communications plan, a sanitation plan, a transportation plan, etc. and allowed for enforceability but could be ratcheted up or down depending on the specified event request. He noted that staff would move forward, and these amendments would be sent electronically to the Board and if they had additional feedback and input, they would be compiled and included in the working document.

Vice Chairman Gibbons moved to proceed with appropriate proposed amendments/recommendations 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, and bring it back before the Board once ready. Commissioner Maxwell seconded. The motion passed 3-0. Chairman Hearn and Commissioner Rousseau were absent.

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

Ms. Bell stated that Fayette County first adopted the development Impact Fee Ordinance in 2001. This Impact Fee Methodology Report was the first step in the process that access the public facilities and level of services that the County provided to existing residents such as fire protection and parks and recreation. The report focused on what public services would be needed to support the growing population in order to maintain a level of service. It would then be used to update the Capital Improvement Element which was a chapter in the Comprehensive Plan. Ms. Bell advised that the County had contracted with Ross & Associates & Hatley Plans, LLC to do the Methodology Report update and update the Capital Improvement Element.

She added that this was 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. A draft CIE will be presented to the Board for consideration of a Resolution to Transmit to Atlanta Regional Commission (ARC) for review.

Paige Hatley with Ross & Associates & Hatley Plans, LLC provided the Board an updated Methodology Report. This report focused 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 currently. The key was that each capital improvement must create new capacity within the system to keep pace with the number of future residents and businesses as the county grows. Ms. Hatley highlighted that the Methodology Report included 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. She concluded that future discussion would center on the impact fee schedule which included discussion current fees vs. future fees, and what the Board was comfortable in charging for the various service offered via the County as well as reductions in impact fees. This will all be discussed in detail at a future meeting/workshop while the Capital Improvement Element (CIE) was being reviewed by Department of Community Affairs (DCA).

She concluded by outlining the Capital Improvement Element (CIE) transmittal and approval process to include the required public hearing and adoption proceeding.

No vote was taken.

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.

Parks and Recreation Director Anita Godbee stated that this request was to re-appoint Charles McCollum to the Recreation Commission for a term beginning September 1, 2023 and expiring August 31, 2027. She noted that Mr. McCollum was a life-time resident of Fayette County and was active in both youth and adult sports programs, was a youth sports player parent, and coach; and has served for the past 16-years a Recreation Commissioner.

Vice Chairman Gibbons thanked Mr. McCollum for his willingness to serve.

Vice Chairman Gibbons moved to approve re-appoint Charles McCollum to the Recreation Commission for a term beginning September 1, 2023 and expiring August 31, 2027. Commissioner Oddo seconded. The motion passed 3-0. Chairman Hearn and Commissioner Rousseau were absent.

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.

Water System Director Vanessa Tigert stated that this request was to approve USGS Water Flow & Stream Monitoring, which was a requirement of the Water System's Surface Water Withdrawal Permits. The contract amount was \$247,900.

Commissioner Oddo asked for a brief explanation of what this was.

Ms. Tigert stated that special condition requirements in each of the Water System's Surface Water Withdrawal Permits was to monitor reservoir elevations, stream flow and discharge, and water quality indicators on a daily and monthly basis.

Commissioner Oddo moved to approve 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. Vice Chairman Gibbons seconded. The motion passed 3-0. Chairman Hearn and Commissioner Rousseau were absent.

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.

This item was tabled to the October 26, 2023 Board of Commissioners Meeting.

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.

Project Manager, Tim Symonds stated that The Tactical Driving Course Project was currently underway. However, at the far southeastern 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. Mr. Symonds advised that 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.

Commissioner Oddo moved to approve 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. Vice Chairman Gibbons seconded. The motion passed 3-0. Chairman Hearn and Commissioner Rousseau were absent.

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.

Mr. Rapson stated that this item was requesting approval of Renewal #2 of Contract #2228-S between Fayette County and Judicial Correction Services (JCS), LLC for probation supervision and rehabilitation services.

Commissioner Oddo moved 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. Vice Chairman Gibbons seconded. The motion passed 3-0. Chairman Hearn and Commissioner Rousseau were absent.

ADMINISTRATOR'S REPORTS:

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

Mr. Rapson reminded the Board that the Oct 12, 2023 Board Meeting had been cancelled. The next Board Meeting would be held Thursday October 26, 2023.

ATTORNEY'S REPORTS:

Notice of Executive Session: County Attorney Dennis Davenport stated that there were eight items for Executive Session. Six items involving threatened litigation, one involving real estate acquisition and the review of the September 14, 2023 Executive Session Minutes.

Mr. Davenport advised the Board that the County was informed this week that we had a window of opportunity on a tower lease held at Piedmont Fayette Hospital. He stated that the lease had to be renewed no greater than 24-months and no less than 21-months left in a five-year term and the last day of that window was Saturday, September 30, 2023. He asked for Board approval for a 5-year renewal of the tower lease at Piedmont Fayette Hospital with an effective date of July 1, two years from now.

Vice Chairman Gibbons moved to approve 5-year renewal of the tower lease at Piedmont Fayette Hospital. Commissioner Oddo seconded. The motion passed 3-0. Chairman Hearn and Commissioner Rousseau were absent.

COMMISSIONERS' REPORTS:

Commissioner Oddo

Commissioner Oddo advised all in attendance that tax season was over October 15, he noted if you had not done your taxes this was the time to do so.

EXECUTIVE SESSION:

Six items involving threatened litigation, one involving real estate acquisition and the review of the September 14, 2023 Executive Session Minutes. Commissioner Oddo moved to go into Executive Session. Vice Chairman Gibbons seconded. The motion passed 3-0. Chairman Hearn and Commissioner Rousseau were absent.

The Board recessed into Executive Session at 6:24 p.m. and returned to Official Session at 6:39 p.m.

Return to Official Session and Approval to Sign the Executive Session Affidavit: Vice Chairman Gibbons moved to return to Official Session and for the Chairman to sign the Executive Session Affidavit. Commissioner Oddo seconded. The motion passed 3-0. Chairman Hearn and Commissioner Rousseau were absent.

Approval of the September 14, 2023 Executive Session Minutes: Commissioner Oddo moved to approve September 14, 2023 Executive Session Minutes. Vice Chairman Gibbons seconded the motion. The motion passed 3-0. Chairman Hearn and Commissioner Rousseau were absent.

ADJOURNMENT:

Vice Chairman Gibbons moved to adjourn the September 28, 2023 Board of Commissioners meeting. Commissioner Oddo seconded. The motion passed 3-0. Chairman Hearn and Commissioner Rousseau were absent.

The September 28, 2023 Board of Commissioners meeting adjourned at 6:40 p.m.

Marlena M. Edwards, Chief Deputy County Clerk

Edwards Gibbons, Vice Chairman

The foregoing minutes were duly approved at an official meeting of the Board of Commissioners of Fayette County, Georgia, held on the 26th day of October 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:

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.

Staff presented suggestions to the Board of Commissioners on September 28, 2023. The Board asked staff to review the requirements and prepare a revised recommendation.

What action are you seeking from the Board of Commissioners?

Staff requests approval to submit the recommendations to the County Attorney to prepare an ordinance amendment; the amendment will then be presented to Planning Commission and Board of Commissioners at public hearings as part of the amendment process.

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:

Suggested changes:

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Sec. 110-169.-Conditional use approval.

bb. *Horse show, rodeo, carnival, car show, and/or community fair or festival.* Allowed in the A-R and C-H zoning districts. Private social gatherings (i.e. birthday party, wedding reception) that do not charge admission or advertise to the general public are not subject to this section.

The following requirements apply:

1. Said horse show, rodeo, carnival, and/or community fair shall not be operated longer than 14 calendar days per year. No single event may exceed 3 days in duration and be conducted not more than once per calendar quarter, excluding preparation and cleanup. No events may be held at a location for more than 5 consecutive days.

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2. Schematic site plan showing event activity areas, parking & traffic circulation must be included with the application. Off-street parking is required. Site plan shall also address noise abatement concerns by strategically locating noisy activities to minimize their impact on adjacent properties.

3. All events are subject to the County's Noise Control Ordinance.

4. Depending on the size and use of the element, tents, temporary structures such as stages and other elements may require building and electrical permits and/or Fire Marshal approval.

5. Outdoor lighting for activities shall not be permitted after 10:00 p.m.

6. Safety plan, including emergency access points, on-site first aid station, fire safety plan, law enforcement communication and coordination, as necessary.

7. Sanitation plan, including restroom facilities, trash collection and post-event cleanup.

8. Food services require approval from the Department of Environmental Health.

9. Events that charge admission fees or sell admission tickets shall be considered a commercial business activity and shall obtain an appropriate Occupational Tax Certificate with the County.

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2. Tents shall require the approval of the county fire marshal.

3. Off-street parking shall be required.

4. Outdoor lighting for activities shall not be permitted after 10:00 p.m.

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COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda: **This item was tabled to the October 26, 2023 Board of Commissioners meeting**

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 &</u> 1.25 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 & 2.5</u> 2.0 gpm at <u>80</u> 60 psi ^f
<u>Kitchen Sink faucet and replacement aerators</u>	<u>2.0</u> 1.8 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:

Consideration of a Step Two Annexation Notification from Peachtree City regarding an application from R S Towson Holdings, LLC, to annex approximately 11.4 acres east of Shiloh Manufactured Home Park.

Background/History/Details:

Peachtree City has received a Step Two Annexation request for annexation of the above-referenced property and indicates the intent to rezone from MHP (Manufactured Home Park, County) to LUR (Limited Use Residential, Peachtree City) to allow the development of +/- 21 single-family lots.

The County Land Use Plan designates this area as MHP, Manufactured Home Park, which has a maximum potential density of 7.26 units per acre, so the proposed density of 1.8 units per acre will be a less intense use. The annexation and development of the proposed 21 homes is not expected to have an adverse impact to Fayette County Roads. Fire Services/EMS expressed concern about loss of revenue.

With the exception of Fire/EMS concerns regarding revenue, Staff has no objection to the annexation and suggests discussion between Fayette County and Peachtree City to determine if the project is feasible and desired.

What action are you seeking from the Board of Commissioners?

Consideration of a Step Two Annexation Notification from Peachtree City regarding an application from R S Towson Holdings, LLC, to annex approximately 11.4 acres east of Shiloh Manufactured Home Park.

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:

To: Board of Commissioners

From: Debbie Bell, Director of Planning & Zoning

Date: October 9, 2023

Re: Peachtree City Annexation Request for a parcel east of Shiloh Drive. The annexation request will be considered by the Peachtree City Council on November 16, 2023.

Annexation Request

Peachtree City has received a Step Two Annexation Application for of a portion of Parcel No. 0719 010. The portion proposed for annexation is a previously undeveloped portion of Shiloh Manufactured Home Park. The application indicates the intent to rezone from MHP (Manufactured Home Park District) to LUR (Limited Use Residential) to allow the development of +/- 21 single-family lots. The annexation application indicates that the total property is 11.387 acres.

Staff Recommendation:

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

Land Use & Zoning

Peachtree City, Georgia – Zoning Ordinance. Appendix A., Sec. 1013.

Sec. 1013. - LUR limited-use residential.

(1013.1) Intent of district. It is intended that the LUR zoning district be established and reserved for restricted residential development allowing flexibility in design. The regulations which apply to this district are designed to encourage the formation and continuance of a stable, healthy environment while allowing for a uniqueness in design.

(1013.2) Permitted uses. Any one or more of the following uses may be permitted in any LUR district (the specific use and design must be delineated in the zoning request). The property will be rezoned for one or more specific uses only to the exclusion of all other listed permitted uses.

- (a) Single-family detached; (b) Single-family attached; (c) Townhouse; (d) Condominium;
(e) Cluster housing subdivision; (f) Accessory use.*

(1013.3) Other requirements. Unless otherwise specified in this ordinance, uses permitted in LUR zoning districts shall conform to the following standards:

(a) Minimum total zoning lot area: five acres. (b) Minimum floor area per dwelling unit: 1,000 square feet. (c) Minimum side setback depth: 30 feet from project boundary; 20 feet between detached buildings. (d) Minimum rear setback depth: 40 feet when rear setback depth of lot adjoins the project boundary.

Subject Parcel(s)

Location	Parcel ID	Acreage	Current Zoning	County Land Use Designation	Proposed City Land Use
Northeast of Shiloh Manufactured Home Park	Part of 0719 010	11.387	MHP	MHP	Limited Use Residential

The proposed annexation would not create an island. The subject property has access to Deanwood Terrace (Peachtree City). The annexation application does include a concept plan for a residential development.

The parcel is bounded by the following uses and zoning:

Direction	Acres	Zoning	Use	Comprehensive Plan
North	48	Peachtree City	Single-Family Residential	Peachtree City
South	68	MHP	MHP	MHP
East	30.6	R-70	Single-Family Residential	Low Density Residential
West	68	MHP	MHP	MHP

History

The parcel is zoned MHP; this has not changed since 1971. The current use of the subject of annexation is undeveloped, wooded land.

DEPARTMENTAL COMMENTS**Planning and Zoning:**

The subject property is currently zoned MHP and is proposed for LUR zoning in Peachtree City, developing with single-family detached homes. The subject property is currently designated manufactured home park on the Fayette County Future Land Use Map, so the proposed use as medium-density residential is consistent with or less intense than the County's Comprehensive Plan.

Planning and Zoning Staff finds no material increase in burden upon the county as a result of this annexation and rezoning of the subject property to LUR (Peachtree City Zoning Ordinance).

Fire/EMS: The issue from the Fire & Emergency Services perspective is the loss of revenue to the County fire & emergency services from an annexation of these properties into the City.

Sheriff's Office: No objections.

Building Safety: No objections.

Water System: No objections.

Environmental Health: The development will be on a public sanitary sewer system.

Public Works/Engineering/Environmental Management: Public Works and Environmental Management have reviewed the request and have no comments. Preliminary plans show the small residential development will utilize PTC roads and infrastructure.

TRANSPORTATION

The property will be accessed via internal subdivision streets within the Towson Village development. The estimated trip generation for the proposed development is very similar to the estimated trip generation under the existing county zoning district.

TRIP GENERATION DATA***CURRENT (County) ZONING DISTRICT**

Zoning	Density	Housing Type	Maximum # of Units	Trip Generation (*8 th Edition) - Total Generated Trips		
				Daily	AM Hour	PM Hour
MHP	1 unit per 6000 SF (minimum lot size)	Single-family Detached (5.767 acres outside watershed protection areas)	41	205	18	24

PROPOSED (City) ZONING DISTRICT

Zoning	Density	Housing Type	Maximum # of Units	Trip Generation (*8 th Edition) - Total Generated Trips		
				Daily	AM Hour	PM Hour
LUR	3.6 units per buildable acre	Single-Family Residential	21	201	16	21

SUMMARY:

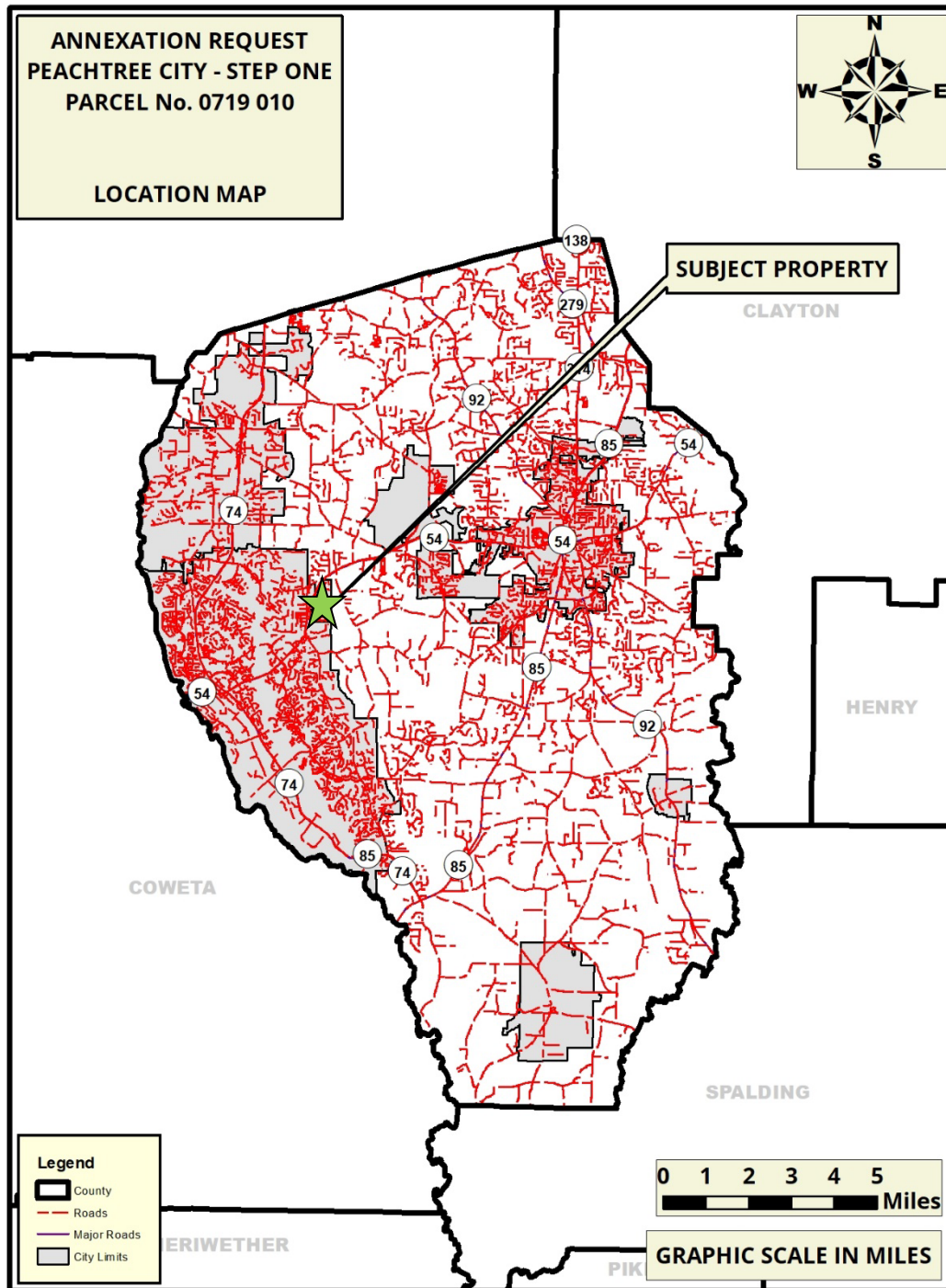
The subject property is currently zoned MHP in the County. The development will not increase density of overall residential development. It will not add any additional commercial uses. The annexation will not create an unincorporated island. The annexation application includes a concept plan for development of detached single-family housing.

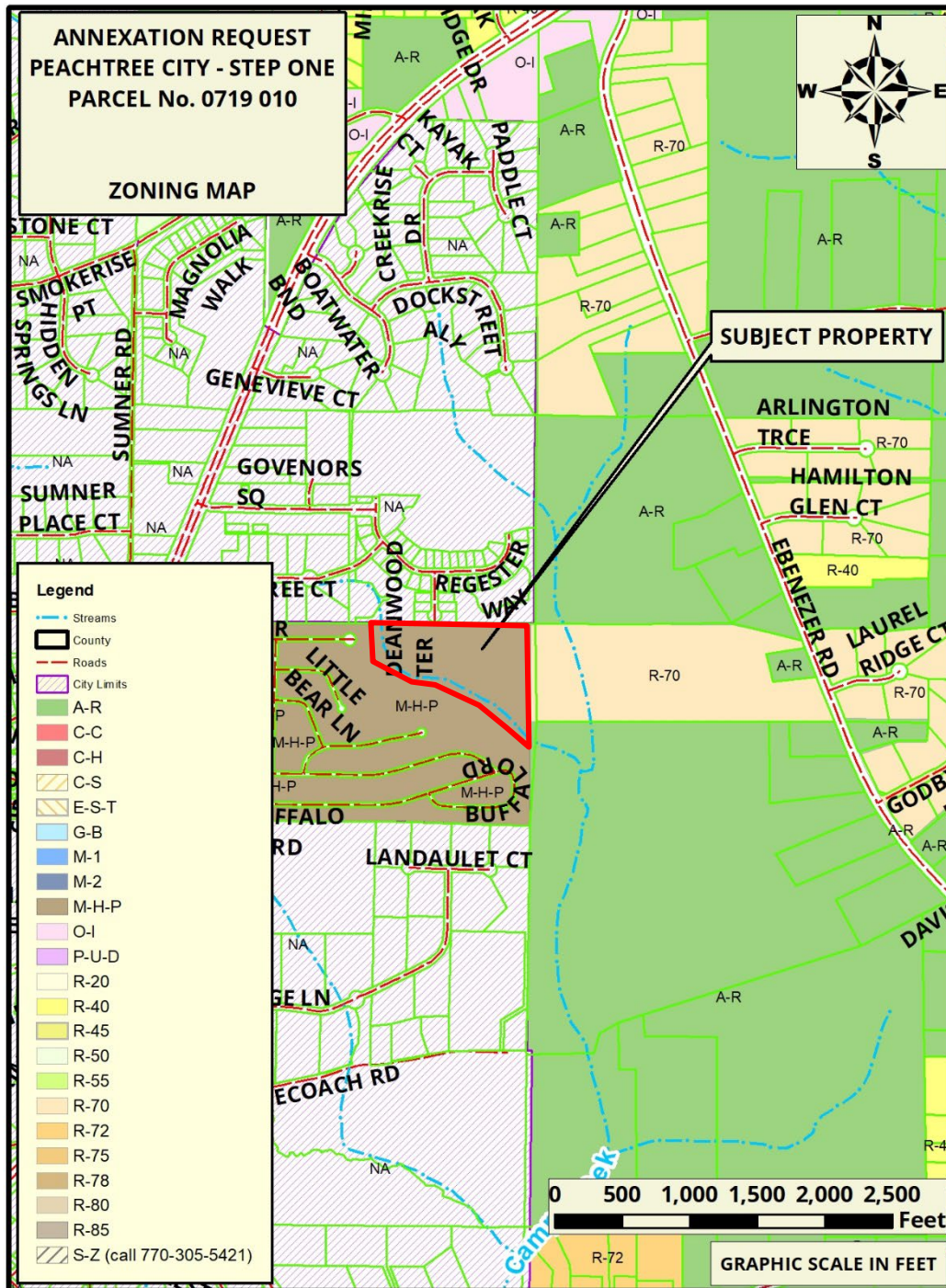
Planning and Zoning Staff finds no material increase in burden upon the county as a result of the proposed annexation and rezoning.

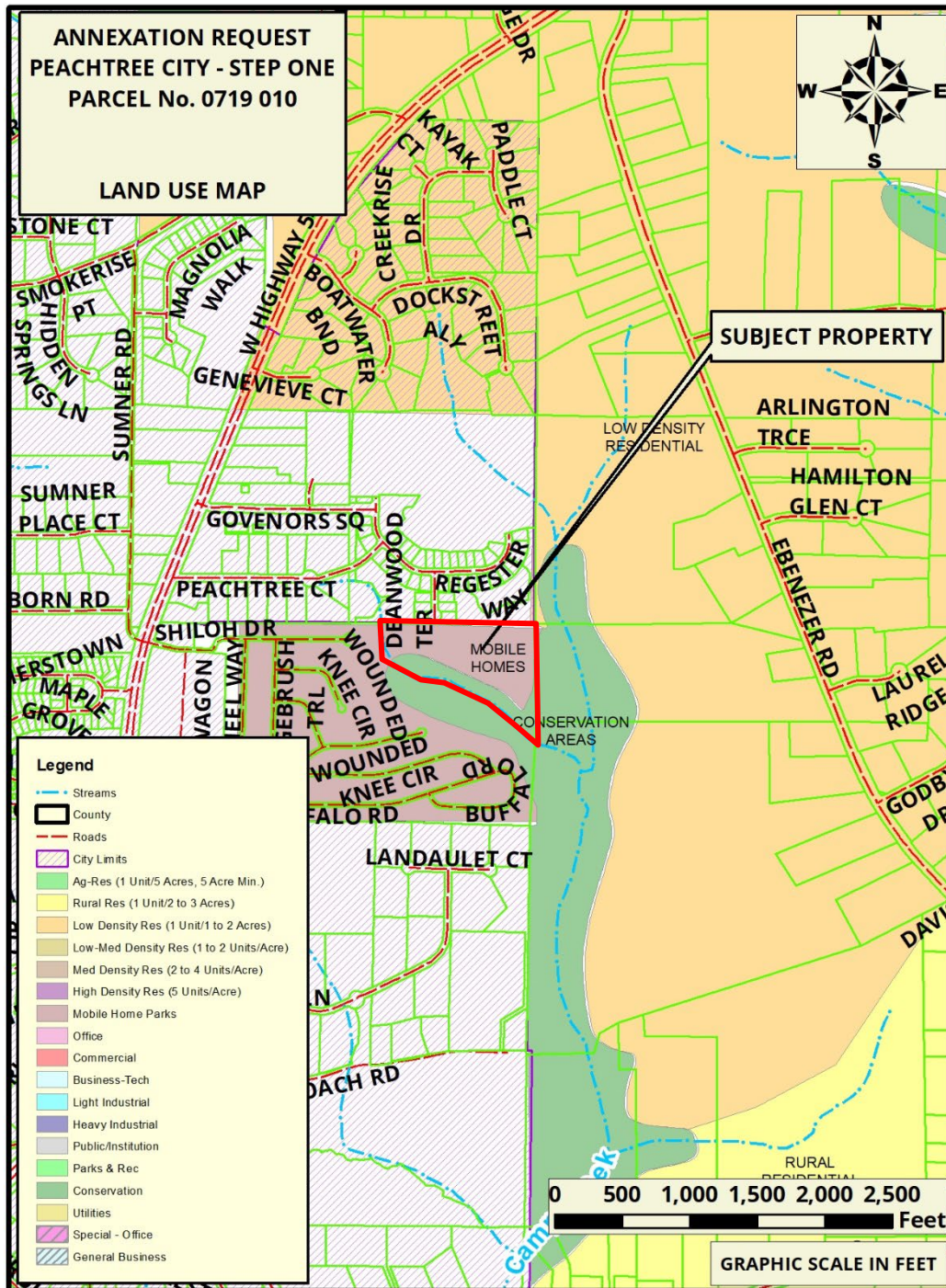
Fire is opposed to the annexation due to the loss of Fire Tax revenues.

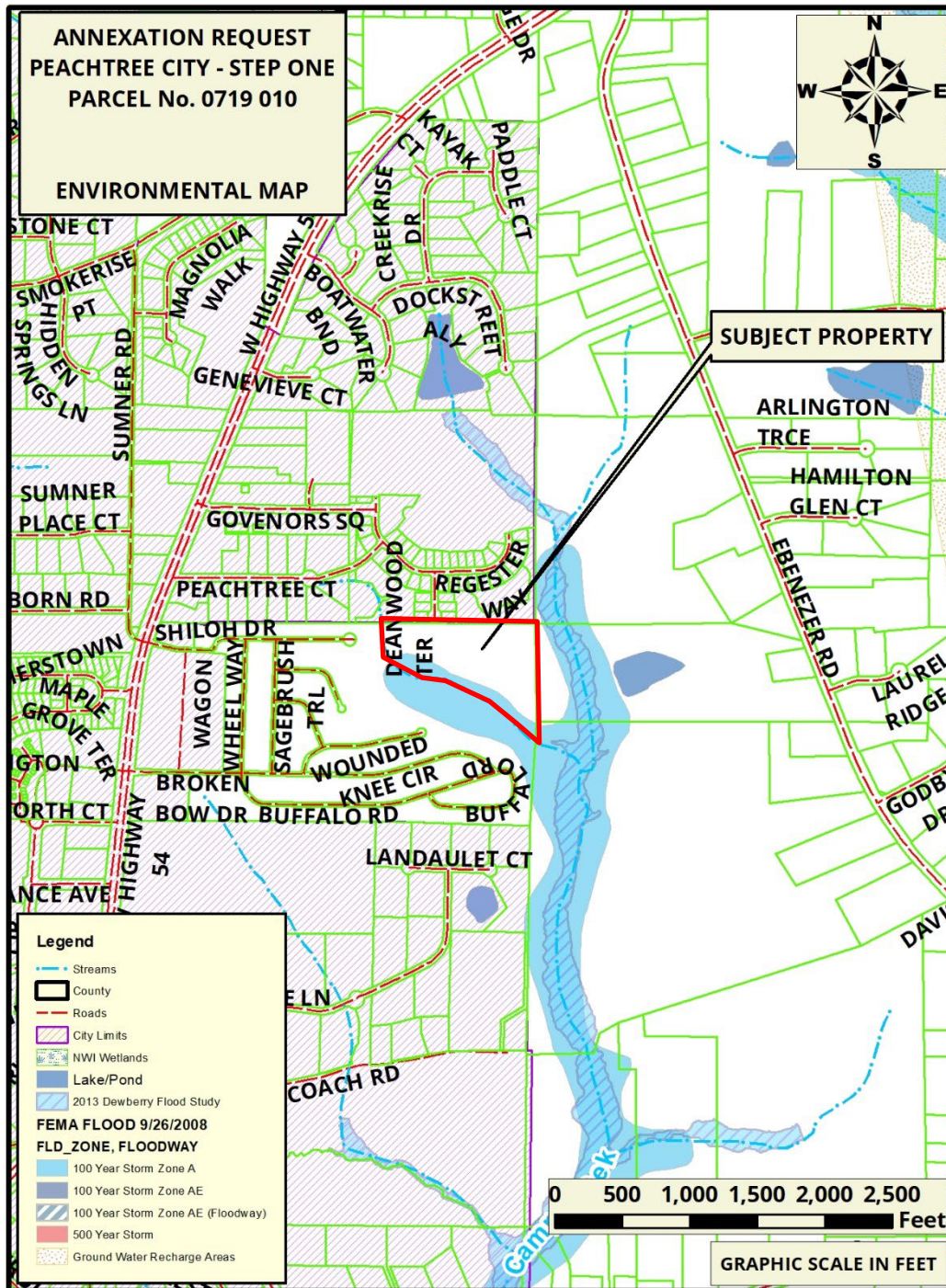
Environmental Health, Fayette County Water System, Public Works/Engineering, Environmental Management, Building Safety have no objections to the request.

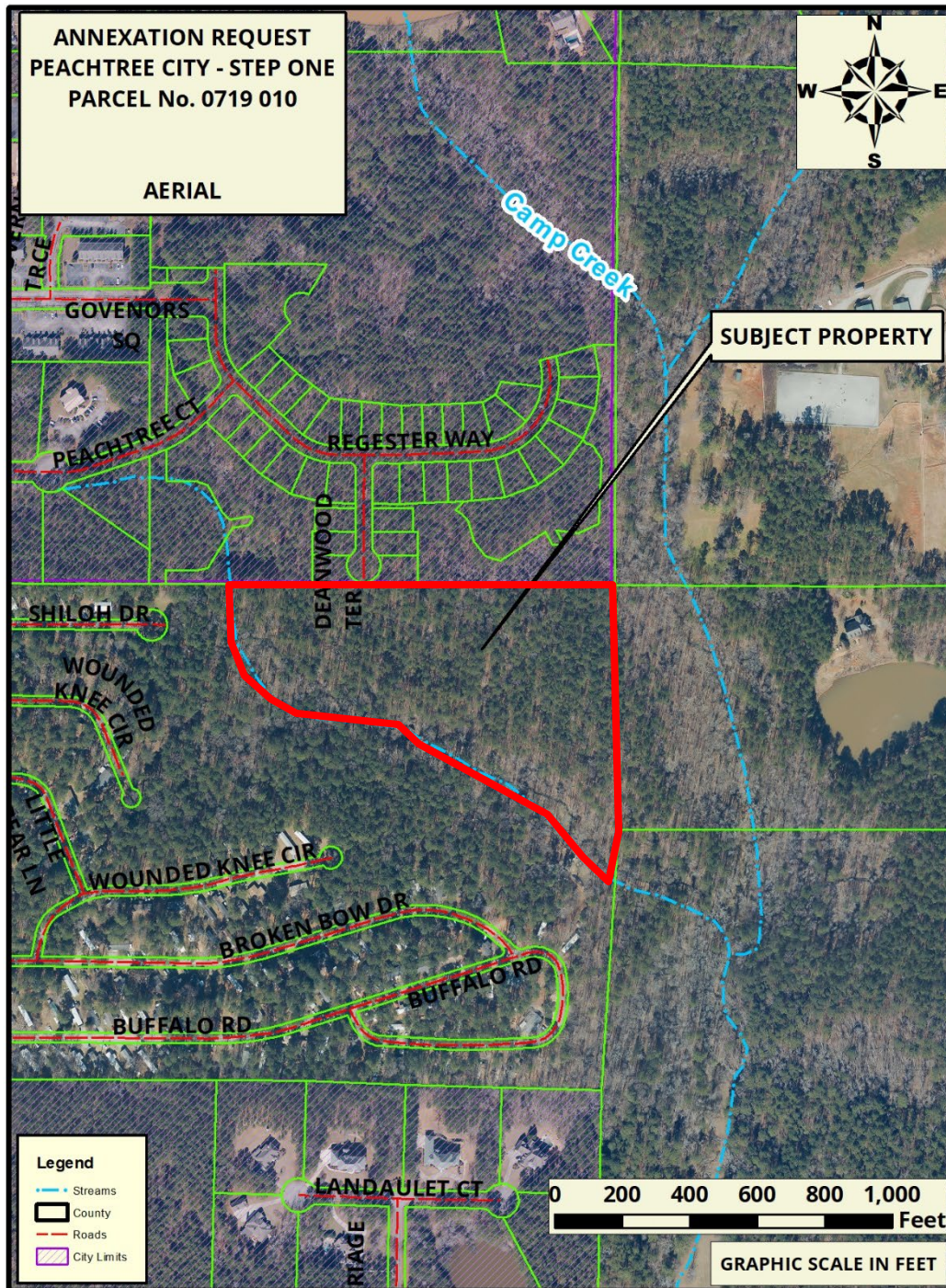
CONCLUSION: It is Staff's opinion that the proposed annexation and development will not cause a significant increase in the need for services, nor create a significant burden upon county infrastructure.











2022 Georgia Code**Title 36 - Local Government****Chapter 36 - Annexation of Territory****Article 7 - Procedure for Resolving Annexation Disputes****§ 36-36-113. Objection to Annexation; Grounds and Procedures**

- a. The county governing authority may by majority vote, as defined by applicable general or local law, object to the annexation because of a material increase in burden upon the county directly related to any one or more of the following:
 1. The proposed change in zoning or land use;
 2. Proposed increase in density; and
 3. Infrastructure demands related to the proposed change in zoning or land use.
- b. Delivery of services may not be a basis for a valid objection but may be used in support of a valid objection if directly related to one or more of the subjects enumerated in paragraphs (1), (2), and (3) of subsection (a) of this Code section.
- c. The objection provided for in subsection (a) of this Code section shall document the nature of the objection specifically providing evidence of any financial impact forming the basis of the objection and shall be delivered to the municipal governing authority and the department by verifiable delivery to be received not later than the end of the forty-fifth calendar day following receipt of the notice provided for in Code Section 36-36-111.
- d. In order for an objection pursuant to this Code section to be valid, the proposed annexation must:
 1. Result in:
 - A. A substantial change in the intensity of the allowable use of the property or a change to a significantly different allowable use; or
 - B. A use which significantly increases the net cost of infrastructure or significantly diminishes the value or useful life of a capital outlay project, as such term is defined in Code Section 48-8-110, which is furnished by the county to the area to be annexed; and
 2. Authorize or result in a land use that differs substantially from the existing uses suggested for the property by the county's comprehensive land use plan or permitted for the property pursuant to the county's zoning ordinance or its land use ordinances.

History. Code 1981, § 36-36-113 , enacted by Ga. L. 2007, p. 292, § 2/HB 2; Ga. L. 2022, p. 367, § 1/HB 1461.

§ 36-36-114. Arbitration Panel; Composition and Membership; Assistance in Formulating Record; regulation

- a. Not later than the fifteenth calendar day following the date the department received the first objection provided for in Code Section 36-36-113, an arbitration panel shall be appointed as provided in this Code section.

- b. The arbitration panel shall be composed of five members to be selected as provided in this subsection. The department shall develop three pools of arbitrators, one pool which consists of persons who are currently or within the previous six years have been municipal elected officials, one pool which consists of persons who are currently or within the previous six years have been county elected officials, and one pool which consists of persons with a master's degree or higher in public administration or planning and who are currently employed by an institution of higher learning in this state, other than the Carl Vinson Institute of Government of the University of Georgia. The pool shall be sufficiently large to ensure as nearly as practicable that no person shall be required to serve on more than four panels in any one calendar year and serve on no more than one panel in any given county in any one calendar year. The department is authorized to coordinate with the Georgia Municipal Association, the Association County Commissioners of Georgia, the Council of Local Governments, and similar organizations in developing and maintaining such pools.
- c. Upon receiving notice of a disputed annexation, the department shall choose at random four names from the pool of municipal officials, four names from the pool of county officials, and three names from the pool of academics; provided, however, that none of such selections shall include a person who is a resident of the county which has interposed the objection or any municipal corporation located wholly or partially in such county, and further provided that none of such selections shall include a person who has already served on four other arbitration panels in the then-current calendar year. The municipal corporation shall be permitted to strike or excuse two of the names chosen from the county officials pool; the county shall be permitted to strike or excuse two of the names chosen from the municipal officials pool; and the county and municipal corporation shall each be permitted to strike or excuse one of the names chosen from the academic pool.
- d. Prior to being eligible to serve on any of the three pools, persons interested in serving on such panels shall receive joint training in alternative dispute resolution together with zoning and land use training, which may be designed and overseen by the Carl Vinson Institute of Government of the University of Georgia in conjunction with the Association County Commissioners of Georgia and the Georgia Municipal Association, provided such training is available. Provided that the General Assembly appropriates sufficient funds in an applicable fiscal year, the Carl Vinson Institute of Government of the University of Georgia shall provide at least one training program per year to train new potential panel members.
- e. At the time any person is selected to serve on a panel for any particular annexation dispute, he or she shall sign the following oath: "I do solemnly swear or affirm that I will faithfully perform my duties as an arbitrator in a fair and impartial manner without favor or affection to any party, and that I have not and will not have any ex parte communication regarding the facts and circumstances of the matters to be determined, other than communications with my fellow arbitrators, and will only consider, in making my determination, those matters which may lawfully come before me."
- f. The department shall develop and maintain a list of court reporters and hearing officers that may be employed by the department at the request of an arbitration panel to assist the panel in formulating the record before the panel. An arbitration panel may by majority vote

of its members elect to employ court reporters and hearing officers from such list. Any costs or charges related to the employment of court reporters and hearing officers pursuant to this subsection shall be evenly divided between the city and the county.

- g. The department shall promulgate rules and regulations to provide for uniform procedures and operations of arbitration panels established pursuant to this article. Notwithstanding any provision of Chapter 13 of Title 50, the "Georgia Administrative Procedure Act," to the contrary, such proposed rules and regulations shall be submitted to the chairperson of the House Governmental Affairs Committee and the Senate Committee on State and Local Government Operations.

History. Code 1981, § 36-36-114, enacted by Ga. L. 2007, p. 292, § 2/HB 2; Ga. L. 2022, p. 367, § 1/HB 1461.

§ 36-36-115. Meetings of Arbitration Panel; Duties; Findings and Recommendations; Compensation

Universal Citation: [GA Code § 36-36-115 \(2022\)](#)

- a.
 - 1.
 - A. The arbitration panel appointed pursuant to Code Section 36-36-114 shall meet as soon after appointment as practicable and shall receive evidence and argument from the municipal corporation, the county, and the applicant or property owner and shall by majority vote render a decision which shall be binding on all parties to the dispute as provided for in this article not later than 60 days following such appointment, provided that the chairperson of the arbitration panel shall be authorized to extend such deadline one time for a period of up to ten business days. Notwithstanding anything in this subparagraph to the contrary, the municipal corporation and county may by mutual agreement, postpone the arbitration procession for a period of up to 180 days to negotiate a potential settlement, and such postponement shall stay the 60 day deadline provided herein.
 - B. Meetings of the panel may occur in person, virtually, or via teleconference. The meetings of the panel in which evidence is submitted or arguments of the parties are made, whether such meeting is in person, virtual, or via teleconference, shall be open to the public pursuant to Chapter 14 of Title 50.
 - C. The panel shall first determine the validity of the grounds for objection as specified in the objection. If an objection involves the financial impact on the county as a result of a change in zoning or land use or the provision of maintenance of infrastructure, the panel shall quantify such impact in terms of cost. As to any objection which the panel has determined to be valid, the panel, in its findings, may establish reasonable zoning, land use, or density conditions applicable to the annexation and propose any reasonable mitigating measures as to an objection pertaining to infrastructure demands.
 - 2. In arriving at its determination, the panel shall consider:

- A. The existing comprehensive land use plans of both the county and city;
 - B. The existing land use patterns in the area of the subject property;
 - C. The existing zoning patterns in the area of the subject property;
 - D. Each jurisdiction's provision of infrastructure to the area of the subject property and to the areas in the vicinity of the subject property;
 - E. Whether the county has approved similar changes in intensity or allowable uses on similar developments in other unincorporated areas of the county;
 - F. Whether the county has approved similar developments in other unincorporated areas of the county which have a similar impact on infrastructure as complained of by the county in its objection; and
 - G. Whether the infrastructure or capital outlay project which is claimed adversely impacted by the county in its objection was funded by a county-wide tax.
3. The county shall provide supporting evidence that its objection is consistent with its land use plan and the pattern of existing land uses and zonings in the area of the subject property, which may include, but not be limited to, adopted planning documents and capital or infrastructure plans.
 4. The cost of the arbitration shall be equally divided between the city and the county; provided, however, that if the panel determines that any party has advanced a position that is not valid, the costs shall be borne by the party or parties that have advanced such position.
 5. The reasonable costs of participation in the arbitration process of the property owner or owners whose property is at issue shall be borne by the county and the city in the same proportion as costs are apportioned under paragraph (4) of this subsection.
 6. The panel shall deliver its findings and recommendations to the parties and the department by verifiable delivery. The department shall maintain a data base and record of arbitration panel results and at least annually publish a report on such decisions and make such report freely available on the department's website.
- b. If the decision of the panel contains zoning, land use, or density conditions, the findings and recommendations of the panel shall be recorded in the deed records of the county with a caption describing the name of the current owner of the property, recording reference of the current owner's acquisition deed and a general description of the property, and plainly showing the expiration date of any restrictions or conditions.
 - c. The arbitration panel shall be dissolved on the tenth day after it renders its findings and recommendations but may be reconvened as provided in Code Section 36-36-116.
 - d. Notwithstanding the provisions of subsection (b) of Code Section 45-7-21, the members of the arbitration panel shall receive the same per diem, expenses, and allowances for their service on the panel as authorized by law for members of the General Assembly.
 - e. If the panel so agrees, any one or more additional annexation disputes which may arise between the parties prior to the panel's initial meeting may be consolidated for the purpose of judicial economy if there are similar issues of location or similar objections raised to such

other annexations or the property to be annexed in such other annexations is within 2,500 feet of the subject property.

History. Code 1981, § 36-36-115 , enacted by Ga. L. 2007, p. 292, § 2/HB 2; Ga. L. 2022, p. 367, § 1/HB 1461.

§ 36-36-116. Appeal

Universal Citation: [GA Code § 36-36-116 \(2022\)](#)

The municipal or county governing authority or an applicant for annexation may appeal the decision of the arbitration panel by filing an action in the superior court of the county within ten calendar days from receipt of the panel's findings and recommendations. The sole grounds for appeal shall be to correct errors of fact or of law, the bias or misconduct of an arbitrator, or the panel's abuse of discretion. The superior court shall schedule an expedited appeal and shall render a decision within 20 days from the date of filing. If the court finds that an error of fact or law has been made, that an arbitrator was biased or engaged in misconduct, or that the panel has abused its discretion, the court shall issue such orders governing the proposed annexation as the circumstances may require, including remand to the panel. Any unappealed order shall be binding upon the parties. The appeal shall be assigned to a judge who is not a judge in the circuit in which the county is located.

History. Code 1981, § 36-36-116 , enacted by Ga. L. 2007, p. 292, § 2/HB 2; Ga. L. 2022, p. 367, § 1/HB 1461.

§ 36-36-117. Annexation After Conclusion of Procedures; Remedies for Violations of Conditions

Universal Citation: [GA Code § 36-36-117 \(2022\)](#)

If the annexation is completed after final resolution of any objection, whether by agreement of the parties, act of the panel, or court order as a result of an appeal, the municipal corporation shall not change the zoning, land use, or density of the annexed property for a period of two years unless such change is made in the service delivery agreement or comprehensive plan and adopted by the affected city and county and all required parties. Following the conclusion of the dispute resolution process outlined in this article, the municipal corporation and an applicant for annexation may either accept the recommendations of the arbitration panel and proceed with the remaining annexation process or abandon the annexation proceeding. A violation of the conditions set forth in this Code section may be enforced thereafter at law or in equity until such conditions have expired as provided in this Code section.

History. Code 1981, § 36-36-117 , enacted by Ga. L. 2007, p. 292, § 2/HB 2; Ga. L. 2022, p. 367, § 1/HB 1461.

§ 36-36-118. Abandonment of Proposed Annexation; Remedies for Violations of Conditions

Universal Citation: [GA Code § 36-36-118 \(2022\)](#)

If at any time during the proceedings the municipal corporation or applicant abandons the proposed annexation, the county shall not change the zoning, land use, or density affecting the property for a period of one year unless such change is made in the service delivery agreement or comprehensive plan and adopted by the affected city and county and all required parties. A violation of the conditions set forth in this Code section may be enforced thereafter at law or in equity until such

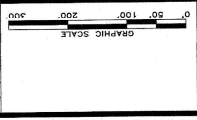
period has expired. After final resolution of any objection, whether by agreement of the parties, act of the panel, or any appeal from the panel's decision, the terms of such decision shall remain valid for the two-year period and such annexation may proceed at any time during the two years without any further action or without any further right of objection by the county.

History. Code 1981, § 36-36-118 , enacted by Ga. L. 2007, p. 292, § 2/HB 2; Ga. L. 2022, p. 367, § 1/HB 1461.

Rochester DCCM
 Rochester and Associates, LLC
 286 Highway 314, Suite A, Fayetteville, GA 30214
 770.718.0000 | www.rochesterdccm.com

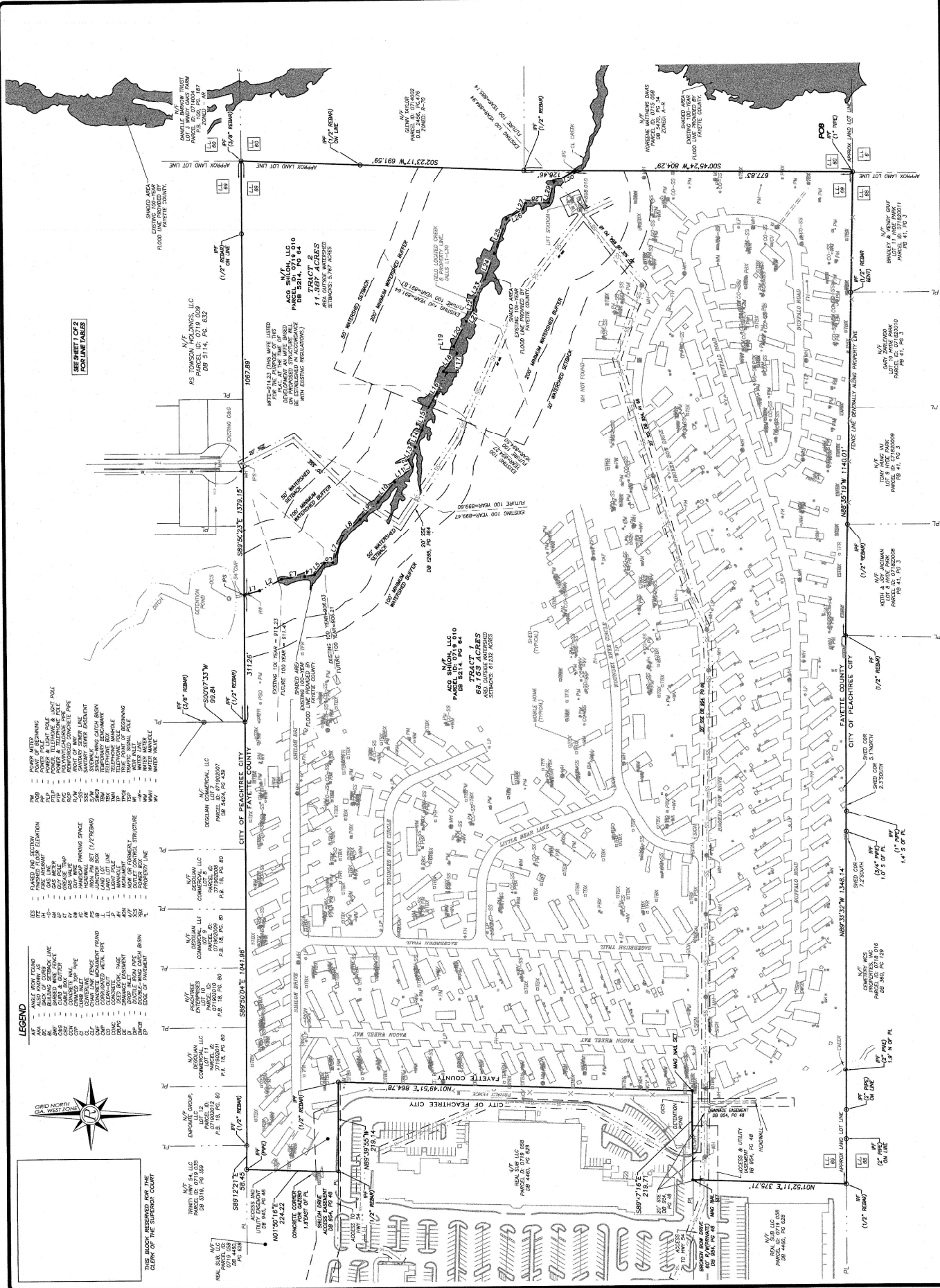
SHILOH
 TOWSON VILLAGE
 MAJOR SUBDIVISION PLAN FOR
 LOT 69
 FAYETTE COUNTY, GEORGIA

NO.	DATE	DESCRIPTION
1	03/20/12	PRELIMINARY
2	03/20/12	REVISED
3	03/20/12	REVISED
4	03/20/12	REVISED
5	03/20/12	REVISED



DATE: 12/17/12	DATE: 12/17/12
DRAWN BY: J. B. ...	DRAWN BY: J. B. ...
SCALE: 1" = 100'	SCALE: 1" = 100'
SHEET: 2	SHEET: 2

Book: 101 Page: 480 Set: 2



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THIS BLOCK RESERVED FOR THE CLERK OF THE SUPERIOR COURT



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

Planning & Development

September 22, 2023

VIA E-MAIL: srapson@fayettecountyga.gov

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

Dear Commissioners:

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

This letter has been sent to you by certified mail, return receipt requested, within thirty (30) days of acceptance of an application for annexation, in accordance with O.C.G.A §36-36-6 and O.C.G.A. §36-36-9 and after receipt of the application for zoning pursuant to O.C.G.A §36-36-111.

The property is about 11.3 acres and located at the end of Deanwood Terrace. It was originally part of the Shiloh Mobile Home park, and is currently zoned M-H-P in unincorporated Fayette County. The property is generally shaped like a triangle and is bound by a tributary of Camp Creek on the west, Towson Place subdivision in Peachtree City on the north, and tax parcel 0714 002 located at 315 Ebenezer Road on the east. The applicant is proposing to zone the property to Limited Use Residential (LUR) and develop into about 21 single-family lots as part of the Towson Place subdivision. A map and conceptual plan are attached to this letter.

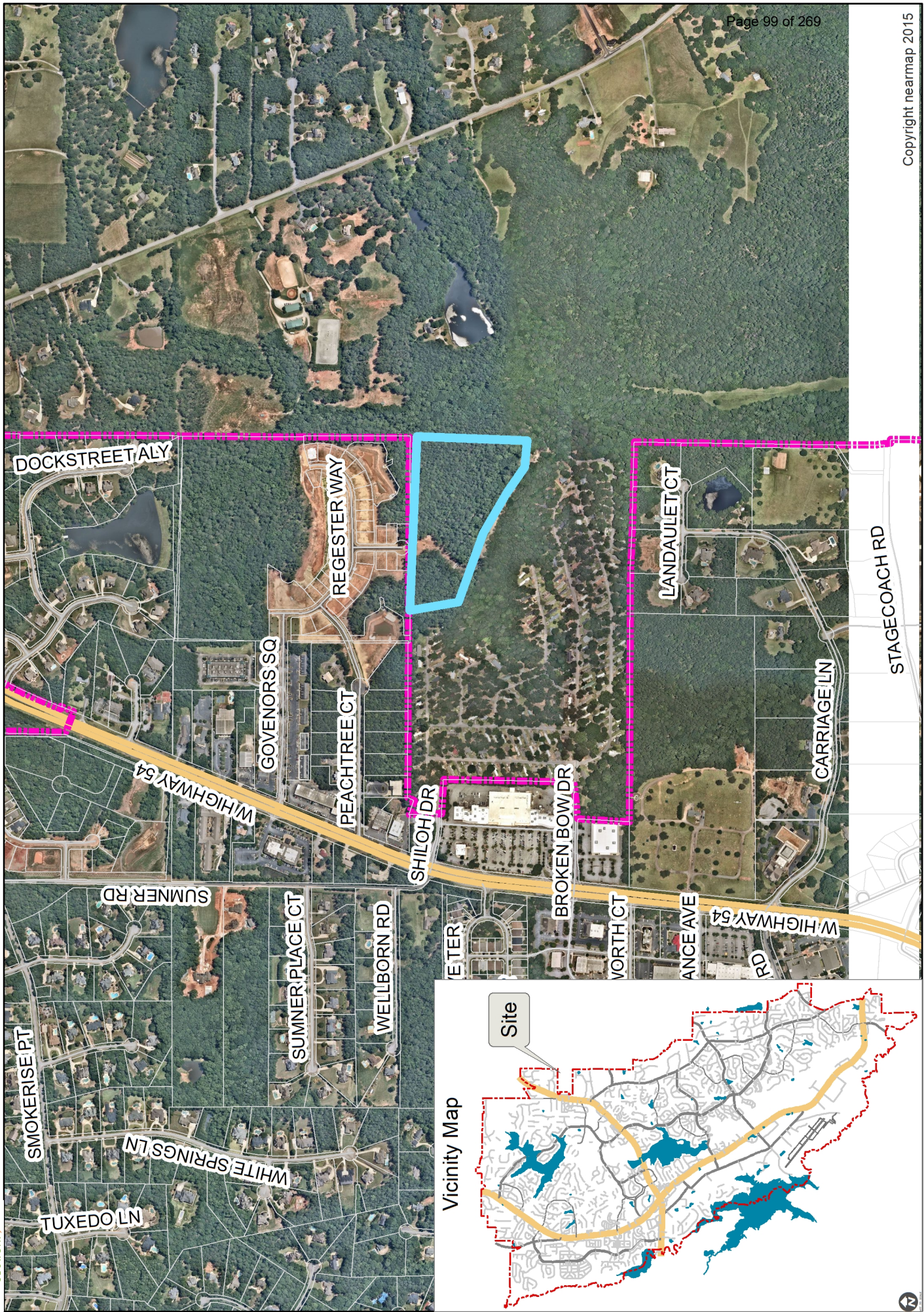
Please notify Peachtree City of any county facilities or property located within the property to be annexed, within five (5) business days of receipt of this letter. Pursuant to O.C.G.A 36-36-113(c), notice of objection of the annexation by the Fayette County Board of Commissioners shall be delivered to Peachtree City and the Georgia Department of Community Affairs by verifiable delivery no later than the end of the forty-fifth calendar day following the receipt of this notice.

The City Council of Peachtree City will hold a public hearing on zoning and annexing the property at their November 16, 2023 meeting, beginning at 6:30 PM and located at 151 Willowbend Road in Peachtree City, Georgia.

Sincerely,

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

Robin Bechtel Cailloux
Director Planning & Development





STEP TWO ANNEXATION APPLICATION

153 Willowbend Rd, Peachtree City, GA 30269
770-487-5731
WWW.PEACHTREE-CITY.ORG

ANNEXATION METHOD	<input checked="" type="checkbox"/> 100% Methodology <ul style="list-style-type: none"> Application requires signatures or signed letters of approval of all current property owners. 	<input type="checkbox"/> 60% Methodology <ul style="list-style-type: none"> Required signatures or signed letters of approval by property owners of at least 60% of the total annexation acreage. Requires signed petition by 60% of registered voters in the annexation area. Signatures must include the address and date 																																								
ANNEXATION PARCELS	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%; border-bottom: 1px solid black;">Parcel ID#:</td> <td style="border-bottom: 1px solid black;">Address:</td> <td style="width: 30%; border-bottom: 1px solid black;">Signature:</td> <td style="width: 20%; border-bottom: 1px solid black;">Indicate signee's role at the address:</td> <td style="width: 10%; border-bottom: 1px solid black;">Date:</td> </tr> <tr> <td style="border-bottom: 1px solid black;">to be assigned</td> <td style="border-bottom: 1px solid black;"></td> <td style="border-bottom: 1px solid black;"></td> <td style="border-bottom: 1px solid black;">Owner <input type="checkbox"/></td> <td style="border-bottom: 1px solid black;">Voter <input type="checkbox"/></td> </tr> <tr> <td style="border-bottom: 1px solid black;">Bk 101 PG 480-481 - Tract 2</td> <td style="border-bottom: 1px solid black;"></td> <td style="border-bottom: 1px solid black;"></td> <td style="border-bottom: 1px solid black;">Owner <input type="checkbox"/></td> <td style="border-bottom: 1px solid black;">Voter <input type="checkbox"/></td> </tr> <tr> <td style="border-bottom: 1px solid black;"></td> <td style="border-bottom: 1px solid black;"></td> <td style="border-bottom: 1px solid black;"></td> <td style="border-bottom: 1px solid black;">Owner <input type="checkbox"/></td> <td style="border-bottom: 1px solid black;">Voter <input type="checkbox"/></td> </tr> <tr> <td style="border-bottom: 1px solid black;"></td> <td style="border-bottom: 1px solid black;"></td> <td style="border-bottom: 1px solid black;"></td> <td style="border-bottom: 1px solid black;">Owner <input type="checkbox"/></td> <td style="border-bottom: 1px solid black;">Voter <input type="checkbox"/></td> </tr> <tr> <td style="border-bottom: 1px solid black;"></td> <td style="border-bottom: 1px solid black;"></td> <td style="border-bottom: 1px solid black;"></td> <td style="border-bottom: 1px solid black;">Owner <input type="checkbox"/></td> <td style="border-bottom: 1px solid black;">Voter <input type="checkbox"/></td> </tr> <tr> <td style="border-bottom: 1px solid black;"></td> <td style="border-bottom: 1px solid black;"></td> <td style="border-bottom: 1px solid black;"></td> <td style="border-bottom: 1px solid black;">Owner <input type="checkbox"/></td> <td style="border-bottom: 1px solid black;">Voter <input type="checkbox"/></td> </tr> <tr> <td style="border-bottom: 1px solid black;"></td> <td style="border-bottom: 1px solid black;"></td> <td style="border-bottom: 1px solid black;"></td> <td style="border-bottom: 1px solid black;">Owner <input type="checkbox"/></td> <td style="border-bottom: 1px solid black;">Voter <input type="checkbox"/></td> </tr> </table>	Parcel ID#:	Address:	Signature:	Indicate signee's role at the address:	Date:	to be assigned			Owner <input type="checkbox"/>	Voter <input type="checkbox"/>	Bk 101 PG 480-481 - Tract 2			Owner <input type="checkbox"/>	Voter <input type="checkbox"/>				Owner <input type="checkbox"/>	Voter <input type="checkbox"/>				Owner <input type="checkbox"/>	Voter <input type="checkbox"/>				Owner <input type="checkbox"/>	Voter <input type="checkbox"/>				Owner <input type="checkbox"/>	Voter <input type="checkbox"/>				Owner <input type="checkbox"/>	Voter <input type="checkbox"/>	
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<i>You may attach a separate list of parcels / signatures, or individual signed and dated letters. Signatures from Step One may be used if dated within one (1) year of the Step Two application submittal. The list of properties cannot be altered once the Step 2 application is submitted.</i>																																										
APPLICANT OR PRIMARY POINT OF CONTACT	Name <u>RS Towson Holdings, LLC</u> Address <u>270 North Jeff Davis Drive</u> Phone # <u>404-539-2124</u> Email <u>dfields@brentholdings.net</u>	ATTORNEY	Name <u>Steven Jones, Taylor English Duma LLP</u> Address <u>1600 Parkwood Cr, STE 200, Atlanta GA 30339</u> Phone # <u>404-218-2756</u> Email <u>sjones@taylorenghish.com</u>																																							
PROPOSED DEVELOPMENT	Zoning Category Request: Brief Description: LUR with lot sizes consistent with LUC-33. The subject property is 11.387 acres that is adjacent to an active SF development in Peachtree City that was approved in 2020. For more information, please see attached narrative.																																									

By signing the application, the Applicant is certifying that the information is current and correct to the best of their knowledge, and that they are granted permission by the property owners to submit this annexation and rezoning application. Signee grants City Staff and representatives access to the properties in order to gather information to review the application. I understand that all materials and fees submitted as a part of the application will become public property and will not be returned once the application is accepted.

Applicant Signature: Daniel Fields Manager, RS Towson Date: 9/5/23



DISCLOSURE OF CAMPAIGN CONTRIBUTIONS & GIFTS

The undersigned below, making application for rezoning action, has complied with the Official Code of Georgia Section 36-67A-1, et. seq. *Conflict of Interest in Zoning Actions*, and has submitted or attached the required information on this form as provided.

All individuals, business entities¹, or other organizations² having a property interest, financial interest, or other interests³ in property subject of this application are as follows (attach additional if necessary):

RS Towson Holdings, LLC

Have you as applicant or anyone associated with this application or property, within the last two (2) years immediately preceding this application, made campaign contributions aggregating \$250 or more to a member of the Peachtree City Planning Commission or the Peachtree City Mayor and City Council? Please circle your response:

YES

NO

IF YES: Please complete the following section (attach additional sheets if necessary).

Name and Official Position of Government Official	Contribution Description and Dollar Amount	Date of Contribution

I do hereby certify the information provided herein is both complete and accurate to the best of my knowledge.

Daniel Fields
Signature of Applicant

RS Towson Holdings, LLC
Type/Print Name and Title

Signature of Applicant's Representative

Steven L. Jones, Esq.
Type/Print Name and Title

[Signature]
Signature of Notary Public



(Affix Seal Here)

¹ Business entity may be a corporation, partnership, limited partnership, firm, enterprise, franchise, association, trade organization, or trust.

² Other organization means non-profit organization, labor union, lobbyist, or other industry or casual representative, church, foundation, committee, club, charitable organization, or educational organization.

³ Property interest means the direct ownership of real property and includes any percentage of ownership. Financial interest means direct ownership of 10% or more of the total assets or capital stock of a business entity.

RS TOWSON HOLDINGS, LLC

270 North Jeff Davis
Fayetteville, Georgia 30214

September 8, 2023

VIA EMAIL AND FEDEX

Ms. Robin Cailloux
Planning and Development Director
153 Willowbend Road
Peachtree City, GA 30269

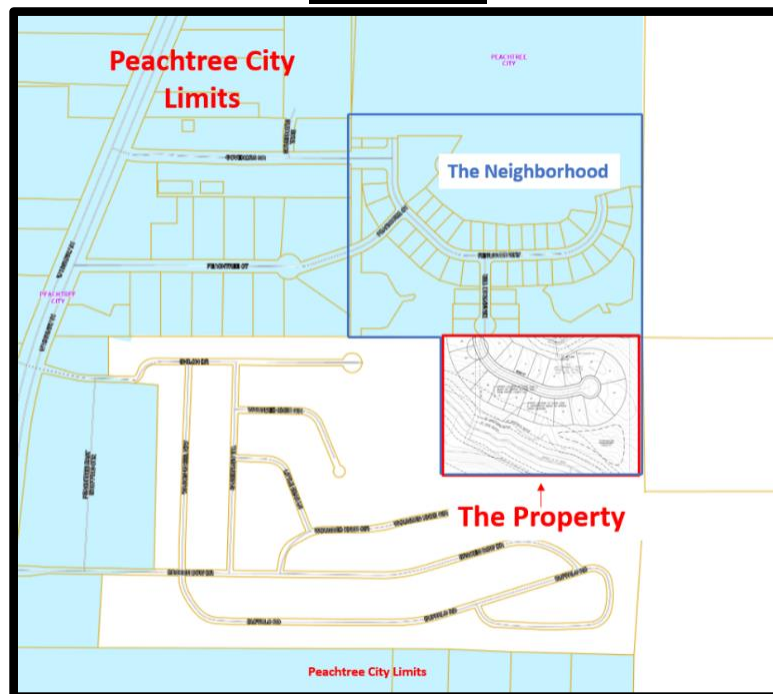
**Re: Step Two Annexation Application (the “Application”)
11.387 Acres (Part of Tax Parcel ID # 0719 010)**

Dear Ms. Cailloux,

RS Towson Holdings, LLC (the “Applicant”) respectfully requests annexation of 11.387 acres that was formally part of Parcel ID # 0719010 (the “Property”). In accordance with this request, we have engaged Rochester and Associates to design the attached conceptual plan.

Towson Village (the “Neighborhood”), as seen in **Diagram “1”** below, is zoned LUC-33. The Neighborhood is within the limits of the City of Peachtree City, Georgia (the “City”). The Application seeks to annex the Property into the City so that it can be developed with 20 residential lots as part of and consistent the Neighborhood. When the Neighborhood was zoned, the concept plan associated with LUC-33 contemplated the neighborhood extending onto the Property.

Diagram “1”



The annexation of the Property into the City represents a strategic move aimed at fostering community growth and ensuring a sustainable and vibrant future for all the Neighborhood and the City's residents. The annexation will permit a logical extension of the existing Towson Village neighborhood. The annexation of the Property will broaden the city's tax base, enabling additional funding for critical infrastructure projects, educational initiatives, and essential public services.

As a part of this application, we have included the following:

- Written Narrative;
- Step Two Annexation Application;
- Legal Description (Exhibit 1);
- Boundary Survey (Exhibit 2);
- A Vesting Deed for the Property (Exhibit 3);
- Nearby Properties List (Exhibit 4);
- Neary Properties Map (Exhibit 5);
- Documentation of Annexation Methodology (Exhibit 6);
- Utility Verification (Exhibit 7);
- Compliance Statement (Exhibit 8);
- Authorization of Property Owner (Exhibit 9); and
- A Schematic Land Use (i.e., Concept) Plan (Exhibit 10)
- Campaign Disclosure (included in the Step Two Annexation Application).

We appreciate the opportunity to have this annexation request considered by the City and look forward to working with you on this matter.

Sincerely,

/s/ Daniel Fields

Daniel Fields

Step Two Annexation Narrative

Peachtree City, Georgia

Applicant:

RS Towson Holdings, LLC

Property:

11.387 acres on Deanwood Terrace
(Part of) Parcel # 0719 010

Narrative Submitted for Applicant by:

Steven L. Jones
Joshua Williams
Taylor English Duma LLP
1600 Parkwood Circle
Suite 200
Atlanta, GA 30339

I. INTRODUCTION

The Applicant respectfully requests the annexation by Peachtree City, Georgia (the “City”) of 11.387 acres (the “Property”) that was formerly part of Fayette County Tax Parcel No. (“TPN”) 0719010 and is located at the end of Deanwood Terrace. The Property was recently subdivided from TPN 0719010 which was a total of 79.54 acres prior to the subdivision. The Plat that recorded subdivision was approved by Fayette County and recorded on July 7, 2023.

II. ANNEXATION ANALYSIS

Written Narrative Elements

The City’s Step Two Annexation Application calls for analysis of the following items set out in bolded alphabetical headings with the Applicant’s response to each.

A. General description of the proposed development and how it relates to the City’s Comprehensive Plan and annexation policy.

Towson Village subdivision (the “Neighborhood”), is within the limits of the City of Peachtree City, Georgia (the “City”). The Application seeks to annex the Property into the City so that it can be developed with 20 residential lots as part of the Neighborhood. The Property, as proposed to be developed, is known as “Towson Place.” Currently, the Property is zoned MHP, Manufactured Home Park District (“MHP”) in unincorporated Fayette County (the “County”).

The Property is bordered to the north by the single-family development known as Towson which is in the Peachtree City limits. To the south and west, respectively, the Property is bordered by the Shiloh Mobile Home Park and the village center known as Lexington Village Center as noted in the City’s Comprehensive Plan. To the northeast, east, and southeast, the Property is bordered by agricultural, residential, and undeveloped properties in unincorporated Fayette County zoned A-R and R-70. The proposed use would be consistent in use and density with what has been approved for the Neighborhood and with the surrounding land uses. Furthermore, the land use would complement the Lexington Village Center as it would be a less intense use as compared to its current MHP zoning in the County.

B. How the development will minimize and mitigate impacts on the natural environment.

The Applicant has identified the sensitive areas including a stream and wetlands and will abide by local and statewide laws to protect these sensitive areas.

C. Provide proposed density and the projected population/ employment figures at build-out.

As shown on the concept plan submitted herewith, the proposed density of the Property/Towson Place would be substantially similar to the Neighborhood/Towson Village. The

project would add an additional 20 homes to the Neighborhood, with a projected population increase of 70 residents (3.5 residents per home). As the proposal is residential, there are no employment figures to be considered.

D. How the development will tie into the City’s street network and multi-use path system.

The development will have access to the City’s street network and multi-use path system via the infrastructure that has already been built out for the Neighborhood/Towson Village.

E. Analysis of how the proposed annexation will affect the City’s tax base, public education system, public safety services, emergency medical services, transportation system, utilities, and recreational services.

The proposed annexation would provide additional property tax digest for the City. At an estimated 20 homes valued at an average of \$850,000, this would equate to an additional \$6,800,000 of net taxable value to the City. Given the location of the Property and proximity to City limits, the Property would likely be served by City emergency services. Furthermore, the Peachtree City Water and Sewer Authority owns and operates a pump station on the Property that was installed to serve this basin as it was further developed. A residential development would produce a return on the existing sewer investment in the form of tap and sewer fees.

Due to the only access being through Neighborhood/Towson Village, which is in the City limits already, the Property would more than likely be served by Peachtree City emergency services and the Property has PTCWSA sewer infrastructure readily available to serve the Property. Fayette County Water would serve the Property with water. The developer would install any infrastructure required and adequately bond improvements to limit the City’s exposure to maintenance and repairs over the 2 years following installation. The Property would have access to the amenity that will be built as part of the Neighborhood/Towson Village.

Rezoning Factors Under Section 1304(d)

A. Whether the zoning proposal is in conformity with the policy and intent of the land use plan.

The area surrounding the property is a regional node with a variety and mixture of uses. If the requested proposal is granted, the development of the subject property will be consistent with the overall development theme of the surrounding area. Therefore, the proposal, if granted, will be consistent with the purpose and intent of the land use plan. The City’s 2022 Comprehensive Plan (the “land use plan”) sets out various policies, with which the proposal complies. Namely, the land use plan aims to (a) “protect the neighborhood character of single-family subdivision;” (b) “encourage housing options that accommodate gaining in place, working from home, and multi-generational families while protecting the residential character of established neighborhoods;” (c) “utilize step down residential density so that higher density is located within and next to Village Centers, then stepping down to medium density, and finally stepping down to

low density furthest from the village Center;” (d) “protect[ing] environmentally sensitive lands in permanently protected greenspaces;” (e) “protect[ing] the residential character of established neighborhoods;” and (f) “encourag[ing] alternative modes [of transportation] such as walking, bicycling, and low-speed cart.” (land use plan, pp. 19, 28, 39, 49-50). All of these polices under the land use plan are furthered by the proposed annexation.

B. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.

The adjacent and nearby properties are commercial buildings, undeveloped land, and residential neighborhoods. Furthermore, the land use would complement the Lexington Village Center as it would be a less intense use as compared to its current zoning in the County. As such, the proposal will permit a use that is suitable in view of the use and development of the adjacent and nearby property.

C. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.

The proposal will have no adverse effects on the use or usability of the adjacent or nearby properties. Additionally, the zoning proposal would be residential consistent with what has been approved in Towson and with the surrounding land uses.

D. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.

While the property may be used in accordance with the existing zoning, the current County zoning unreasonably limits the use of the property and creates a substantial burden to the applicant. If the County zoning is applied to the Property, application of the current County zoning would create a practical difficulty for applicant. Specifically, it would prevent the Applicant from developing the Property in an economically viable manner.

E. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

As noted above, the proposal will not result in an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

F. Whether there are other existing or changing conditions affecting the use and development of the property which give supportive grounds for either approval or disapproval of the zoning proposal.

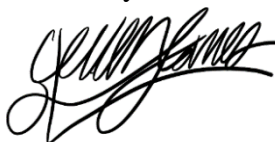
The properties’ unique shape, size, and topography are different than other properties in the same district. The 100-year flood line to the southwest of the property effectively creates a barrier of access. Therefore, the only viable access to the property is through the Towson Village,

making the annexation and zoning proposal the most viable option. Without the requested annexation and zoning proposal, the proposed use will not be viable and an economically viable use of the property will be impossible. While the property may be used in accordance with the existing regulations, the current zoning unreasonably limits the use of the property and creates a substantial burden to the applicant. In other words, it is not practical or feasible for the property to be used under the current zoning, as a mobile home park connected to Towson Village would not be feasible practically or financial and would hurt the character and of Towson Village and Lexington Village. Therefore, the County zoning ordinance as applied to the property creates a practical and unnecessary difficulty.

III. CONCLUSION

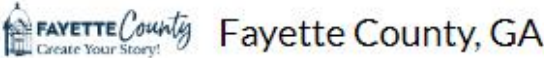
This annexation would support the City's goal to develop and redevelop land in the City based on the Village concept and the surrounding uses. This annexation would maximize the utilization of existing infrastructure and minimize service delivery impacts. For the foregoing reasons, the Applicant respectfully requests that Peachtree City approve the request to annex the Property by the Applicant. If there are any questions about this application, you may contact me at 1600 Parkwood Circle, Suite 200, Atlanta, Georgia 30339, sjones@taylorenghish.com, 678-426-4628.

Sincerely,

A handwritten signature in black ink, appearing to read 'Steven L. Jones', written in a cursive style.

Steven L. Jones

EXHIBIT 5 NEARY PROPERTIES MAP



- Legend
- Parcels
 - Roads
 - City Limits
 - BROOKS
 - FAYETTEVILLE
 - PEACHTREE CITY
 - TYRONE
 - WOOLSEY

Date created: 8/2/2023
 Last Data Uploaded: 8/2/2023 7:08:17 AM
 Developed by Schneider
 GEOSPATIAL

EXHIBIT 6

DOCUMENTATION OF ANNEXATION METHODOLOGY

The 100% Methodology is the annexation method being used for the Annexation. Attached hereto as Exhibit 9 is the signed letter of approval from the owner of the Property.



August 21, 2023

Daniel Fields
Brent Holdings, LLC
270 North Jeff Davis Dr.
Fayetteville, GA 30214

RE: Sanitary Sewer Capacity and Availability – Towson Village Tract Additional Annexation

Dear Mr. Fields,

Presently there is capacity in the Authority's Wastewater System for the proposed project. A thorough survey of the system and the potential impact that the project will have on the existing sanitary sewer infrastructure will need to be done prior to final approval. This project is dependent on the construction of sanitary sewer lines to serve the property.

If you have any questions, please feel free to call.

Sincerely,

Nathan B. Brooks

Nathan B. Brooks, CPII
Construction Coordinator
Peachtree City Water and Sewerage Authority

EXHIBIT 8
COMPLIANCE STATEMENT

I, the undersigned Applicant, of this Peachtree City Step Two Annexation Application, do hereby submit this written and signed Compliance Statement swearing that I am familiar with the Peachtree City, Georgia Zoning Ordinance and Land Development Ordinance, and that I will bring the property subject to the Peachtree City Step Two Annexation Application in compliance with all of Peachtree City's adopted ordinances.

RS Towson Holdings, LLC

Daniel Fields _____
Daniel Fields


Date 9/5/23 _____

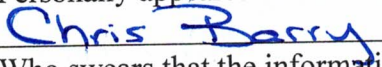
**AUTHORIZATION OF PROPERTY OWNER
Application for Annexation**


I swear that I am the owner of the Property, which is subject to the Step Two Annexation Application, as is shown in the records of Fayette County, Georgia.

I authorize the person named below to act as Applicant in pursuit in the annexation of the Property into Peachtree City, Georgia and the zoning for this Property.

Name of Applicant: RS Towson Holdings, LLC
Address: 270 North Jeff Davis, Fayetteville, Georgia 30214
Property: 11.387 acres on Deanwood Terrace (Part of) Parcel # 0719 010

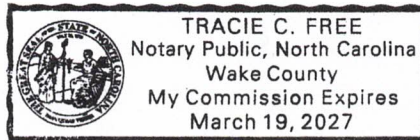

Signature of Owner: ACG Shiloh, LLC

Personally appeared before me

Who swears that the information contained in this authorization is true and correct to the best of his or her knowledge and belief


Notary Public

9/5/2023
Date

SEAL



COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Request to approve the use of General Fund fund balance in the amount of \$610,663, for the purpose of audio-visual modernization for the Griffin Judicial Circuit Fayette County court rooms, with no reimbursement expected from the American Rescue Plan Act (ARPA).

Background/History/Details:

On March 23, 2023, the BOC approved a request from Chief Superior Judge, Fletcher Sams, to apply, on behalf of the Griffin Judicial Circuit (GJC), for \$851,917 of American Rescue Plan Act (ARPA) grant funds, for the purpose of audio-visual modernization. The BOC approved using General Fund fund balance for the expenses, with the understanding that these costs would be reimbursed.

On May 19, 2023, Chief Superior Judge Sams received an award letter from the Judicial Council of Georgia in the amount of \$1,035,540. Allocating \$610,663 for Fayette County court rooms and \$335,812 of these funds for Spalding County court rooms. The award amount decreased from \$851,917 to \$610,663 because the Probate Court and Magistrate Court rooms were deemed ineligible.

On June 1, 2023, the effective date of the grant, Fayette County Purchasing received an email from the Judicial Council of Georgia Legal Department stating we could move forward with the sole source. Fayette County issued a Notice to Proceed to Sound Principles, LLC, the existing technology vendor, to maintain technological consistency throughout the County.

On September 12, Chief Superior Judge Sams, sent an email stating that the State Office of Planning and Budget (OPB) believed that the sole source may not pass Federal scrutiny and OPB suggested rebidding the project based upon Federal regulations. Staff are still requesting OPB approval, but in an abundance of caution, request approval to utilize general fund balance in case such a reimbursement request fails.

What action are you seeking from the Board of Commissioners?

Request to approve the use of General Fund fund balance in the amount of \$610,663, for the purpose of audio-visual modernization for the Griffin Judicial Circuit Fayette County court rooms, with no reimbursement expected from the American Rescue Plan Act (ARPA).

If this item requires funding, please describe:

The 375-GJC22 project is currently funded with General Fund fund balance; however, no reimbursement is expected from ARPA.

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:



Judicial Council of Georgia Administrative Office of the Courts

Chief Justice Michael P. Boggs
Chair

Cynthia H. Clanton
Director

May 19, 2023

The Honorable W. Fletcher Sams
Chief Judge
Griffin Judicial Circuit
1 Center Drive
Fayetteville, Georgia 30214

Re: The Judicial Council of Georgia American Rescue Plan Act Funding Award-CY23 Cycle 2

Dear Chief Judge Sams:

On behalf of the Judicial Council of Georgia Ad Hoc Committee on American Rescue Plan Act (ARPA Committee), I am pleased to inform you that the Griffin Judicial Circuit has been awarded an additional \$1,035,540, increasing the cumulative CY23 award to the Griffin Judicial Circuit to \$2,171,225. The effective date for the additional award begins on June 1, 2023 and will end December 31, 2023.

Attached are the CY23 Grant Agreement outlining the responsibilities and expectations of both parties and the CY23 approved budget. Please review and sign the Grant Agreement and return it within **ten days** of receipt. Upon acceptance of the award, as indicated by returning the signed agreement, the circuit will receive by email the instructions and budget reimbursement form to begin the reimbursement process. The agreement with the **original** signature may be mailed or emailed to:

Kari Kitchens, ARPA Grants Coordinator
Administrative Office of the Courts
244 Washington Street, Suite 300 • Atlanta, GA 30334-5900
Kari.kitchens@georgiacourts.gov • 470.734.6655

For future reporting reference, the CFDA is 21.027.

Please notify me or a member of the Grants Team immediately should there be any discrepancies in the attached award or approved budget to resolve the issue.

We continue to appreciate the outstanding efforts exerted in clearing your circuit's backlog of cases and thank you for your service to the State of Georgia and the Judiciary.

Sincerely,

Regina Hailey

Regina Hailey
ARPA Grants Manager

Attachments: *Grant Award Conditions and Restrictions*
Grant Award Agreement
Approved Budget Form

cc: Jill Irvin via email to jirvin@fayettecountyga.gov
Sergio Acevedo via email to sergioa@fayettecountyga.gov
Will Simmons via email to wtsimmons@gmail.com



Judicial Council of Georgia

Administrative Office of the Courts

Chief Justice Michael P. Boggs
Chair

Cynthia H. Clanton
Director

Judicial Council of Georgia American Rescue Plan Act Grant Funding Calendar Year 2023 Grant Agreement

Award Name: 2023_ARPA_3Y002

Recipient Name: GRIFFIN JUDICIAL CIRCUIT

Award Amount: \$1,035,540	CFDA: 21.027
----------------------------------	---------------------

Grant Period: June 1, 2023 – December 31, 2023	Award Effective: June 1, 2023
---	--------------------------------------

With the acceptance of this award, you agree to administer this grant in compliance with your approved application, the grant budget, and the conditions and restrictions set forth in the grant package. Further, in accordance with Department of Treasury regulations 31 CFR Part 205, implementing the Cash Management Improvement Act, you agree to limit your request for reimbursement of federal funds to the minimum amount needed and to time the request in accordance with the actual, immediate requirements in carrying out programs funded through this award. Failure to adhere to these requirements may cause the suspension of grant funds.

Grantee Responsibilities:

Submit monthly reimbursement requests via email to the Administrative Office of the Courts to Kari.Kitchens@georgiacourts.gov and ARPA@georgiacourts.gov, by the 15th of each month.

The monthly reimbursement requests are to be submitted using the Reimbursement Request Form (RRF) and include supporting documentation as outlined on the RRF Submission Checklist.

AOC Responsibilities:

The AOC will review expense documentation for accuracy and completeness and submit the monthly requests for reimbursements to the Governor's Office of Planning and Budget (OPB). Upon reimbursement from OPB, the AOC will remit reimbursements to the grantees.

Acceptance of Terms and Conditions

Signature and Title:

Date:

From: [Kari L Kitchens](#)
To: [Ted Burgess](#)
Cc: [Jill M Irvin](#); [Sergio Acevedo](#); [Will Simmons \(External\)](#); [ARPA](#); [Fletcher Sams](#); [Steve Rapson](#); [Sheryl Weinmann](#); [Regina Hailey](#)
Subject: RE: Griffin Circuit CY23 Cycle 2 ARPA Grant Award Packet
Date: Thursday, June 1, 2023 10:35:39 AM
Attachments: [image001.png](#)

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

Good morning Mr. Burgess,

Thank you for your inquiry in regard to awarding a sole-source contract. Please find below the response from the AOC Legal Department:

- “Yes, they have provided sufficient justification for the continued use of their existing vendor for their proposed AV equipment modernization projects. Fayette County previously issued an RFP for the vendor at issue for AV projects throughout county facilities and determined that it was in the best interest of the County to use the same vendor going forward for economy of scale and to ensure that all courthouse and county buildings have compatible AV systems. They’re good to go.”

We appreciate your continued partnership with the ARPA grant program. Please feel free to contact me if I may provide additional information or clarification.

Thank you,
Kari

Kari L Kitchens

ARPA Grants Coordinator

Judicial Council of Georgia / Administrative Office of the Courts

From: Ted Burgess <tburgess@fayettecountyga.gov>
Sent: Tuesday, May 30, 2023 2:44 PM
To: Kari L Kitchens <Kari.Kitchens@georgiacourts.gov>
Cc: Jill M Irvin <jirvin@fayettecountyga.gov>; Sergio Acevedo <sergioa@fayettecountyga.gov>; wtlsimmons@gmail.com; ARPA <arpa@georgiacourts.gov>; Fletcher Sams <fletcher@fayettecountyga.gov>; Steve Rapson <srapsn@fayettecountyga.gov>; Sheryl Weinmann <sweinmann@fayettecountyga.gov>
Subject: RE: Griffin Circuit CY23 Cycle 2 ARPA Grant Award Packet

[EXTERNAL EMAIL]

Ms. Kitchens,

Thank you for the news and Grant Award Pack for additional ARPA funds.

As part of our grant application, Fayette County had requested approval to award a sole-source contract for modernization of the audio-visual equipment for our courtrooms (copy attached for

your convenience). Can you confirm for us whether to sole-source procurement is approved?

Thank you, and please contact me if you have any questions about this request.

Ted L. Burgess
Director of Purchasing
Fayette County, Georgia
tburgess@fayettecountyga.gov
(770) 305-5393

From: Kari L Kitchens <Kari.Kitchens@georgiacourts.gov>
Sent: Thursday, May 25, 2023 2:04 PM
To: Fletcher Sams <fletcher@fayettecountyga.gov>
Cc: Jill M Irvin <jirvin@fayettecountyga.gov>; Sergio Acevedo <sergioa@fayettecountyga.gov>; Will Simmons (External) <wtsimmons@gmail.com>; ARPA <arpa@georgiacourts.gov>
Subject: Griffin Circuit CY23 Cycle 2 ARPA Grant Award Packet

Greetings Chief Judge and Judicial Staff,

Please find attached the Judicial Council American Rescue Plan Act (ARPA) Grant Award Packet for the circuit. A hard copy of this packet will also be sent via U.S. mail in the coming days. If you consent to the terms and conditions, please sign and date the CY23 Grant Agreement indicating your acceptance. The agreement with the **original** signature may be mailed **or** emailed to me within **ten days** of receipt at:

Kari Kitchens, ARPA Grants Coordinator
Administrative Office of the Courts
244 Washington Street SW, Suite 300
Atlanta, GA 30334
kari.kitchens@georgiacourts.gov and ARPA@georgiacourts.gov

Please feel free to contact me directly at 470.734.6655 or at the email address listed above with any questions or concerns.

Thank you for your continued dedication to the State of Georgia and the Judiciary. We wish you much success in clearing the backlog of cases within your circuit.

Sincerely,
Kari

Kari L Kitchens
ARPA Grants Coordinator
Judicial Council of Georgia / Administrative Office of the Courts



Office: 470-734-6655
Kari.Kitchens@georgiacourts.gov | georgiacourts.gov
244 Washington Street SW, Suite 300
Atlanta, GA 30334



Purchasing Department
140 Stonewall Avenue West, Ste 204
Fayetteville, GA 30214
Phone: 770-305-5420
www.fayettecountyga.gov

July 21, 2023

Matt Russom
Sound Principles Pro Multi Media, Inc.
403a McDonough Parkway
McDonough, GA 30253

**Subject: Contract 2273-S: Audio-visual Equipment Modernization - Judicial
Notice to Proceed**

Dear Mr. Russom:

You are hereby notified that the above referenced contract is fully executed. Your contact persons for this project are as follows:

Primary Contact:	Jeff Mayo	770312-9952
Secondary Contact	Larry Mitchell	770-320-6004

Invoices should be submitted by email to: accountspayable@fayettecountyga.gov or by U.S. Mail to:

Fayette County Finance
140 Stonewall Ave. W., Suite 101
Fayetteville, GA 30214

Attn: Accounts Payable, **PO 20240068**

Thank you for your participation in this Fayette County project. If you have any questions, please do not hesitate to contact Natasha Duggan, at (770) 305-5150, or email at nduggan@fayettecountyga.gov.

Sincerely,

Ted L. Burgess
Director of Purchasing

Attachments

AGREEMENT

Contract #2237-S: Audio-visual Equipment Modernization - Judicial

This Agreement made this 16th day of July, 2023 by and between Fayette County, Georgia (hereinafter called "Owner") and Sound Principles Pro Multi Media, Inc. (hereinafter called "Contractor").

WITNESSETH: That for and in consideration of the payments and agreements hereinafter mentioned:

1. The Contractor will upgrade the audio-visual equipment at the Judicial Center as described elsewhere in the contract for the amount of \$610,663.00.
2. Invoices shall include the Purchase Order issued by the County. Each installment shall be invoiced separately. The payment installment schedule is as follows:
 - a. 25% due at Contract signing.
 - b. 25% due when the project starts.
 - c. 25% when the Sound Principles advises work is complete.
 - d. 25% when the County signs off on the work.
3. The term "Contract Document" means and includes the following:
 - a. This Agreement
 - b. General Terms and Conditions
 - c. Contractor's Quote
 - d. Contractor Affidavit under O.C.G.A. § 13-10-91 (b)(1)
 - e. Notice to Proceed

IN WITNESS WHEREOF, the parties hereto have executed or caused to be executed by their duly authorized official, this Agreement on the date first above written.

OWNER:

Fayette County, Georgia

[Signature]

By: STEVE RAPSON, County Administrator

ATTEST (TO BE COMPLETED BY THE COUNTY):

[Signature]

[Signature]

(Please Print)

Contract Administrator



CONTRACTOR:

Sound Principles Pro Multi Media Inc. (L.S.)

BY: *[Signature]*

Name: Matthew D. Russom

Address: 403 A. McDonough Parkway
McDonough, GA 30253

Employer Identification Number:

84-4131535

Contractor Affidavit under O.C.G.A. § 13-10-91(b)(1)

The undersigned contractor ("Contractor") executes this Affidavit to comply with O.C.G.A § 13-10-91 related to any contract to which Contractor is a party that is subject to O.C.G.A. § 13-10-91 and hereby verifies its compliance with O.C.G.A. § 13-10-91, attesting as follows:

- a) The Contractor has registered with, is authorized to use and uses the federal work authorization program commonly known as E-Verify, or any subsequent replacement program;
- b) The Contractor will continue to use the federal work authorization program throughout the contract period, including any renewal or extension thereof;
- c) The Contractor will notify the public employer in the event the Contractor ceases to utilize the federal work authorization program during the contract period, including renewals or extensions thereof;
- d) The Contractor understands that ceasing to utilize the federal work authorization program constitutes a material breach of Contract;
- e) The Contractor will contract for the performance of services in satisfaction of such contract only with subcontractors who present an affidavit to the Contractor with the information required by O.C.G.A. § 13-10-91(a), (b), and (c);
- f) The Contractor acknowledges and agrees that this Affidavit shall be incorporated into any contract(s) subject to the provisions of O.C.G.A. § 13-10-91 for the project listed below to which Contractor is a party after the date hereof without further action or consent by Contractor; and
- g) Contractor acknowledges its responsibility to submit copies of any affidavits, drivers' licenses, and identification cards required pursuant to O.C.G.A. § 13-10-91 to the public employer within five business days of receipt.

#2209421

Federal Work Authorization User Identification Number

7/17/2023

Date of Authorization

Sand Principles Pro MultiMedia Inc.
Contractor

2273-S: Audio-visual Equipment Name of
Modernization - Judicial
Name of Project

Fayette County, Georgia
Name of Public Employer

I hereby declare under penalty of perjury that the foregoing is true and correct.

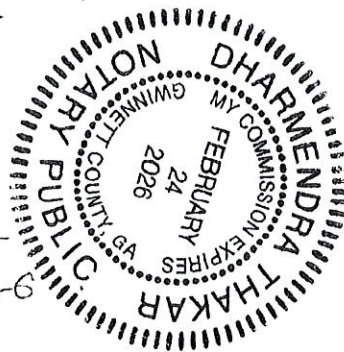
Executed on July 15, 2023 in McDonough (city), Georgia (state).

Matthew D. Rossom
Signature of Authorized Officer or Agent

Matthew D. Rossom
Printed Name and Title of Authorized Officer or Agent

SUBSCRIBED AND SWORN BEFORE ME
ON THIS THE 15th DAY OF July, 2023.

[Signature]
NOTARY PUBLIC
My Commission Expires: 02/24/2026



GENERAL TERMS AND CONDITIONS

Contract 2273-S: Audio-visual Equipment Modernization - Judicial

1. **Definitions:** The term "Contractor" as used in these Terms and Conditions shall be used synonymously with the term "successful responder." The term "County" shall mean Fayette County, Georgia.
2. **Preparation Costs:** The responder shall bear all costs associated with preparing the quote.
3. **Defects or Irregularities:** The County reserves the right to waive any defect or irregularity in any quote received. In case of a discrepancy between unit prices and extended prices, the unit price will govern unless the facts or other considerations indicate another basis for correction of the discrepancy.
4. **Prices Held Firm:** Prices quoted shall be firm for the period of the contract, unless otherwise specified in the quote. All prices for commodities, supplies, equipment, or other products shall be quoted FOB Destination, Fayette County or job site.
5. **Ethics – Disclosure of Relationships:** Before a proposed contract in excess of \$10,000.00 is recommended for award to the Board of Commissioners or the County Administrator, or before the County renews, extends, or otherwise modifies a contract after it has been awarded, the Contractor must disclose certain relationships with any County Commissioner or County Official, or their spouse, mother, father, grandparent, brother, sister, son or daughter related by blood, adoption, or marriage (including in-laws). A relationship that must be reported exists if any of these individuals is a director, officer, partner, or employee, or has a substantial financial interest in the business, as described in Fayette County Ordinance Chapter 2, Article IV, Division 3 (Code of Ethics).

If such relationship exists between your company and any individual mentioned above, relevant information must be presented in the form of a written letter to the Director of Purchasing. You must include the letter with any bid, proposal, or price quote you submit to the Purchasing Department.

In the event that a contractor fails to comply with this requirement, the County will take action as appropriate to the situation, which may include actions up to and including rejection of the bid or offer, cancellation of the contract in question, or debarment or suspension from award of a County contract for a period of up to three years.

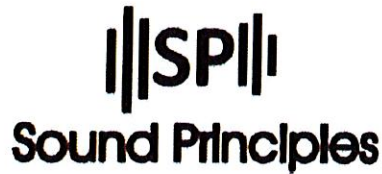
6. **Payment Terms and Discounts:** The County's standard payment terms are Net 30. Any deviation from standard payment terms must be specified in the resulting contract, and both parties must agree on such deviation. Cash discounts offered will be a consideration in awarding the quote, but only if they give the County at least 15 days from receipt of invoice to pay. For taking discounts, time will be computed from the date of invoice acceptance by the County, or the date a correct invoice is received, whichever is the later date. Payment is deemed made, for the purpose of earning the discount, on the date of the check.
7. **Trade Secrets – Internal Use:** In submitting a quote, the responder agrees that the County may reveal any trade secret materials contained in the quote to all County staff and officials involved in the selection process, and to any outside consultant or other third parties who may assist in the selection process. The responder agrees to hold harmless the County and each of its officers, employees, and agents from all costs, damages, and expenses incurred in connection with refusing to disclose any material which the responder has designated as a trade secret.
8. **Contract Execution & Notice to Proceed:** After an award is made, and all required documents are received by the County, and the contract is fully executed with signature of both parties, the County will issue a written Notice to Proceed. The County shall not be liable for payment of any work done or any costs incurred by any responder prior to the County issuing the Notice to Proceed.
9. **Unavailability of Funds:** This contract will terminate immediately and absolutely at such time as appropriated and otherwise unobligated funds are no longer available to satisfy the obligations of the County under the contract.
10. **Insurance:** The Contractor shall procure and maintain the following insurance, to be in effect throughout the term of the contract, in at least the amounts and limits as follows:
 - a. **General Liability Insurance:** \$1,000,000 combined single limit per occurrence, including bodily and personal injury, destruction of property, and contractual liability.
 - b. **Automobile Liability Insurance:** \$1,000,000 combined single limit each occurrence, including bodily injury and property damage liability.
 - c. **Worker's Compensation & Employer's Liability Insurance:** Workers Compensation as required by Georgia statute.

Before a contract is executed, the Certificates of Insurance for all required coverage shall be submitted. The certificate shall list an additional insured as follows:

Fayette County, Georgia
140 Stonewall Avenue West
Fayetteville, GA 30214

11. **Building Permits:** Work performed for the County requiring building permits by licensed contractors will not have permit fees assessed, although any re-inspection fees for disapproved inspections will be the responsibility of the Contractor prior to final inspections and the Certificate of Occupancy or Certificate of Completion being issued.
12. **Unauthorized Performance:** The County will not compensate the Contractor for work performed unless the work is authorized under the contract, as initially executed or as amended.
13. **Indemnification:** The Contractor shall indemnify and save the County and all its officers, agents, and employees harmless from all suits, actions, or other claims of any character, name and description brought for or on account of any damages, losses, or expenses to the extent caused by or resulting from the negligence, recklessness, or intentionally wrongful conduct of the Contractor or other persons employed or utilized by the Contractor in the performance of the contract. The Contractor shall pay any judgment with cost which may be obtained against the County growing out of such damages, losses, or expenses.
14. **Severability:** The invalidity of one or more of the phrases, sentences, clauses or sections contained in the contract shall not affect the validity of the remaining portion of the contract. If any provision of the contract is held to be unenforceable, then both parties shall be relieved of all obligations arising under such provision to the extent that the provision is unenforceable. In such case, the contract shall be deemed amended to the extent necessary to make it enforceable while preserving its intent.
15. **Delivery Failures:** If the Contractor fails to deliver contracted goods or services within the time specified in the contract, or fails to replace rejected items in a timely manner, the County shall have authority to make open-market purchases of comparable goods or services. The County shall have the right to invoice the Contractor for any excess expenses incurred, or deduct such amount from monies owed the Contractor. Such purchases shall be deducted from contracted quantities.

16. **Substitution of Contracted Items:** The Contractor shall be obligated to deliver products awarded in this contract in accordance with terms and conditions specified herein. If a contractor is unable to deliver the products under the contract, it shall be the Contractor's responsibility to obtain prior approval of the ordering agency to deliver an acceptable substitute at the same price quoted in the Contractor's original bid. In the event any contractor consistently needs to substitute or refuses to substitute products, the County reserves the right to terminate the contract or invoke the "Delivery Failures" clause stated herein.
17. **Inspection and Acceptance of Deliveries:** The County reserves the right to inspect all goods and products delivered. The County will decide whether to accept or reject items delivered. The inspection shall be conclusive except with respect to latent defects, fraud, or such gross mistakes as shall amount to fraud. Final inspection resulting in acceptance or rejection of the products will be made as soon as practicable, but failure to inspect shall not be construed as a waiver by the County to claim reimbursement or damages for such products which are later found to be in non-conformance with specifications. Should public necessity demand it, the County reserves the right to use or consume articles delivered which are substandard in quality, subject to an adjustment in price to be determined by the Purchasing Director.
18. **Termination for Cause:** The County may terminate the contract for cause by sending written notice to the Contractor of the Contractor's default in the performance of any term of this agreement. Termination shall be without prejudice to any of the County's rights or remedies by law.
19. **Termination for Convenience:** The County may terminate the contract for its convenience at any time with 10 days' written notice to the Contractor. In the event of termination for convenience, the County will pay the Contractor for services performed. The County will compensate partially completed performance based upon a signed statement of completion.
20. **Force Majeure:** Neither party shall be deemed to be in breach of the contract to the extent that performance of its obligations is delayed, restricted, or prevented by reason of any act of God, natural disaster, act of government, or any other act or condition beyond the reasonable control of the party in question.
21. **Governing Law:** This agreement shall be governed in accordance with the laws of the State of Georgia. The parties agree to submit to the jurisdiction in Georgia, and further agree that any cause of action arising under this agreement shall be required to be brought in proper venue in Fayette County, Georgia.



INVOICE

AV Renovation - Court Rooms

Sound Principles Pro Multi Media Inc.
 403a McDonough Parkway
 McDonough, Georgia 30253
 United States

770 477-6227
 www.soundprinciplespro.com

BILL TO
Fayette County Purchasing
 Mary Catherine Domaleski

 770 305-5235
 mdomaleski@fayettecountyga.gov

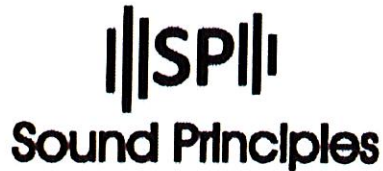
Invoice Number: 2606 1B Ruppenthal
 - DEP

Invoice Date: July 14, 2023

Payment Due: July 14, 2023

Amount Due (USD): \$30,866.75

Items	Quantity	Price	Amount
Crestron Crestron -Crestron Pro Series Control System - VC-4-PC-3 - w licenses	1	\$2,999.00	\$2,999.00
Crestron Crestron - Crestron DSP-1280 or 1281 - -12 in / 8 out Audio processor	1	\$3,299.00	\$3,299.00
Crestron Crestron - DM-NVX-360 DM NVX® 4K60 4:4:4 HDR Network AV Encoder/Decoder - handles HDMI inputs (9) and outputs (2)	11	\$1,980.00	\$21,780.00
Crestron Crestron - HD-CONV-USB-300 - USB Capture interface	2	\$990.00	\$1,980.00
Crestron 10" Touch Panel - Wired 10" wired touch panel - table top TS-1070 - black - Judge and Clerk TSW-1070-B-S	2	\$3,299.00	\$6,598.00
Crestron 8.7" Touch Panel Wireless 1 x 8.7" wireless touchscreen black only - wall mount Podium + 2 desks TST-902 w charger station	3	\$4,180.00	\$12,540.00
Installation materials Materials for installation (connectors, fasteners, any paint, unistrut, clamps or rigging supplies as needed)	1	\$642.00	\$642.00



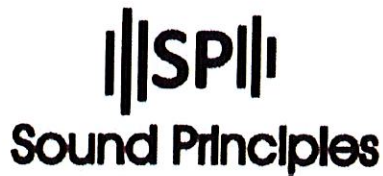
INVOICE

AV Renovation - Court Rooms

Sound Principles Pro Multi Media Inc.
 403a McDonough Parkway
 McDonough, Georgia 30253
 United States

770 477-6227
www.soundprinciplespro.com

Items	Quantity	Price	Amount
Installation Labor Installation Labor 3 hands x 3 days PM for 4 days	1	\$8,750.00	\$8,750.00
Crestron Programming Programming Crestron units - This is an estimate only. We anticipate programming to come in at or around the price estimated in this line item. There could be a variance once finished.	1	\$8,144.00	\$8,144.00
Shure ULXD8 Wireless podium Mic on/off switch	4	\$553.00	\$2,212.00
Shure Rechargeable station for wireless podium mics -Shure SBC850US 8-Bay Networked Charging Station with Power Supply	1	\$1,134.00	\$1,134.00
Shure Wireless Shure receiver for podium wireless LXD	4	\$889.00	\$3,556.00
Shure Battery Shure SB900A Lithium-Ion Rechargeable Battery	5	\$99.00	\$495.00
Cable Cable Package needed for Crestron and Audio Mics and laptop signals	1	\$1,422.00	\$1,422.00
DBX Processor VENU 360 processor to adjust and protect all speakers and fills	1	\$1,069.00	\$1,069.00
Furman Rack Unit Power Conditioner in Rack	1	\$89.00	\$89.00
Equipment Rack Rack to hold items in media control area - No handles / Carpet	1	\$619.00	\$619.00
Drawers for racks 3 space drawer for racks	1	\$219.00	\$219.00



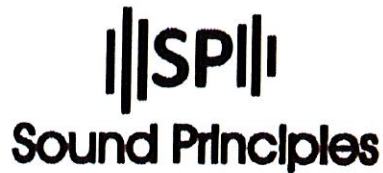
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Items	Quantity	Price	Amount
Installation Labor Installation Labor 3 hands x 3 days PM 3 days	1	\$6,850.00	\$6,850.00
Installation Programming - Audio Audio - Room analyzation, tuning and left ready for use - Instruction on use	1	\$1,050.00	\$1,050.00
Installation Truck Deliver equipment, ladders, Tools as needed - for Crestron and Audio phases	5	\$375.00	\$1,875.00
Installation materials Materials for installation (Rack shelves, connectors, fasteners, any paint, unistrut, clamps or rigging supplies as needed)	1	\$729.00	\$729.00
DataVideo 4ch Encoder - 4 Channel Streaming Encoder	1	\$1,999.00	\$1,999.00
TV 70" LED / 4K / HD TV	3	\$819.00	\$2,457.00
Streaming Add On - Camera DataVideo PTZ Full 1080p HD camera w mounting bracket + 140T-6 w HDBase T receiver - HBT6	4	\$1,889.00	\$7,556.00
Equipment Rack Rack to hold items in a back room area -video camera controller etc	1	\$919.00	\$919.00
DataVideo Controller RMC 300 - 8 Camera Controller	1	\$1,289.00	\$1,289.00
HDMI Video Multiplier Kramer 8x8 4K HDR HDCP 2.2 Matrix Switcher with Digital Audio Routing	1	\$4,729.00	\$4,729.00
Installation materials Materials for installation (TV Mounts, connectors, Camera mounts, unistrut, clamps or rigging supplies as needed)	1	\$618.00	\$618.00



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HDMI Extender Package Kramer HDMI Extender set to CAT6 /Extended Range / Transmitter and Receiver - For TVs - cameras will run SDI	3	\$849.00	\$2,547.00
Black Magic -Multi View 16 Blackmagic Design MultiView 16	1	\$1,575.00	\$1,575.00
DataVideo ProRes 4K Video Recorder-1U Rackmountable - 2 changeable Hard drives	1	\$2,649.00	\$2,649.00
HDMI Capture DataVideo - HDMI to USB 3.0 Capture Box CAP-2	1	\$279.00	\$279.00
Installation Programming - Streaming Multiview - Programming to Webex / meetings and instruction on Use	1	\$1,050.00	\$1,050.00
Shure Wireless Shure SLXD24/58 w Handheld SM58 microphone wireless system	1	\$699.00	\$699.00
Notes for Customer Removal of old equipment no longer used -N/C If TVs are removed from wall, County will need to repair wall	1	\$0.00	\$0.00



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<p>Deposit Request To order items and or reserve staff for dates, Sound Principles requests a Deposit in the amount of: \$30,866.75 due upon receipt. The remaining balance of \$92,600.25 due by the terms of this project's contract - that is: Payment 2 of \$30,866.75 when Sound Principles Pro starts the work on the customer's property. Payment 3 of \$30,866.75 when Sound Principles Pro advises the project is complete and payment 4 of \$30,866.75 plus or minus any changes done within the terms of the contract will be due when county signs off as complete.</p>	-1	\$92,600.25	(\$92,600.25)



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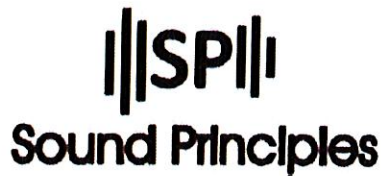
770 477-6227
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Subtotal:	\$30,866.75
No tax 0%:	\$0.00
Total:	\$30,866.75
Amount Due (USD):	\$30,866.75

Notes / Terms

*Customer is to provide or be billed for any electrician or lift needs. If any balance is due, Final payment is due upon completion. Technician fees, Labor fees, Deposit and or Special order items are non refundable. By making payment and or signing this document the customer is accepting this proposal, return policy and agrees to these terms superseding any PO or any other document signed or submitted. No returns or refunds on any payment in regards to Labor, Purchases of Items to Install, Travel, Truck or Freight fees, Rental items, Special Order or Used items. By completing this transaction customer agrees to this return policy.

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BILL TO
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Installation materials Materials for installation (connectors, fasteners, any paint, unistrut, clamps or rigging supplies as needed)	1	\$642.00	\$642.00



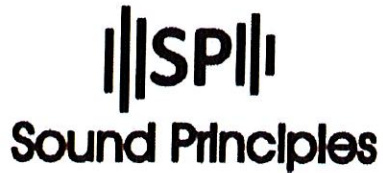
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AV Renovation - Court Rooms

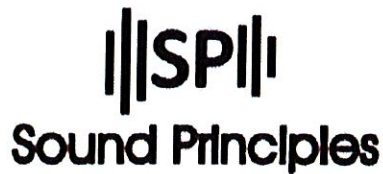
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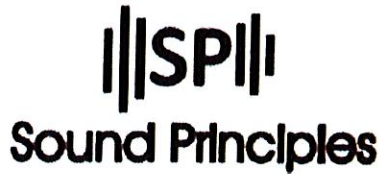
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Subtotal: \$30,449.75

No tax 0%: \$0.00

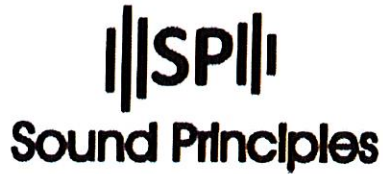
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Mary Catherine Domaleski

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mdomaleski@fayettecountyga.gov

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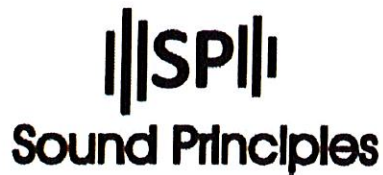
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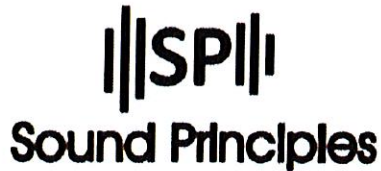
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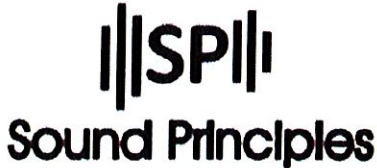
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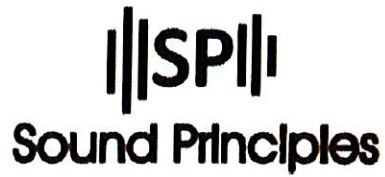
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<p>Notes for Customer Notes for this project - We will need adequate power near equipment</p> <p>Where accessible this proposal includes Sound Principles visiting the 8 rooms being discussed at the courthouse, making a proper list and making use of some key existing components to avoid duplicate purchases, ie: The speaker systems and amps / Cameras / Microphones / TVs that exist in some of the rooms. Where items are agreed to be acceptable to use and are relatively new, we have deducted from this list these items in efforts to not waste products or money.</p> <p>Customer has also indicated they will provide the desk top and laptop computers to make each system complete. We are estimating a total of 3 computers will be needed for each room. 2 Laptop and 1 Desktop that has specs to accommodate heavy remote meetings.</p> <p>Webex /Zoom/ Meetings platforms stay on the customer side accessing and managing, including account and usage permissions.</p> <p>Will use existing amps and speakers fo live room audio / judge boundary mics -</p>	1	\$0.00	\$0.00
<p>Deposit Request To order items and or reserve staff for dates, Sound Principles requests a Deposit in the amount of: \$30,449.75 due upon receipt. The remaining balance of \$91,349.25 due by the terms of this project's contract - that is: Payment 2 of \$30,449.75 when Sound Principles Pro starts the work on the customer's property. Payment 3 of \$30,449.75 when Sound Principles Pro advises the project is complete and payment 4 of \$30,449.75 plus or minus any changes done within the terms of the contract will be due when county signs off as complete.</p>	-1	\$91,349.25	(\$91,349.25)



INVOICE

AV Renovation - Court Rooms

Sound Principles Pro Multi Media Inc.
 403a McDonough Parkway
 McDonough, Georgia 30253
 United States

770 477-6227
www.soundprinciplespro.com

Subtotal:	\$30,449.75
No tax 0%:	\$0.00

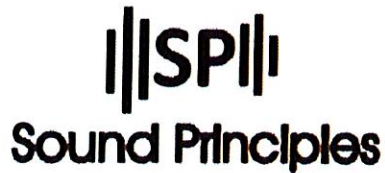
Total:	\$30,449.75
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Amount Due (USD):	\$30,449.75
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BILL TO
Fayette County Purchasing
Mary Catherine Domaleski

770 305-5235
mdomaleski@fayettecountyga.gov

Invoice Number: 2606 2B Ballard -
DEP

Invoice Date: July 14, 2023

Payment Due: July 14, 2023

Amount Due (USD): \$30,449.75

Items	Quantity	Price	Amount
Crestron Crestron -Crestron Pro Series Control System - VC-4-PC-3 - w licenses	1	\$2,999.00	\$2,999.00
Crestron Crestron - Crestron DSP-1280 or 1281 --12 in / 8 out Audio processor	1	\$3,299.00	\$3,299.00
Crestron Crestron - DM-NVX-360 DM NVX® 4K60 4:4:4 HDR Network AV Encoder/Decoder - handles HDMI inputs (9) and outputs (2)	11	\$1,980.00	\$21,780.00
Crestron Crestron - HD-CONV-USB-300 - USB Capture interface	2	\$990.00	\$1,980.00
Crestron 10" Touch Panel - Wired 10" wired touch panel - table top TS-1070 - black - Judge and Clerk TSW-1070-B-S	2	\$3,299.00	\$6,598.00
Crestron 8.7" Touch Panel Wireless 1 x 8.7" wireless touchscreen black only - wall mount Podium + 2 desks TST-902 w charger station	3	\$4,180.00	\$12,540.00
Installation materials Materials for installation (connectors, fasteners, any paint, unistrut, clamps or rigging supplies as needed)	1	\$642.00	\$642.00



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AV Renovation - Court Rooms

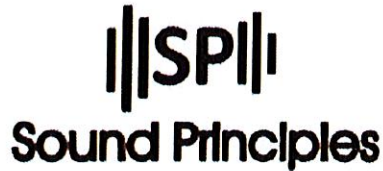
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Items	Quantity	Price	Amount
Installation Labor Installation Labor 3 hands x 3 days PM for 4 days	1	\$8,750.00	\$8,750.00
Crestron Programming Programming Crestron units - This is an estimate only. We anticipate programming to come in at or around the price estimated in this line item. There could be a variance once finished.	1	\$8,144.00	\$8,144.00
Shure ULXD8 Wireless podium Mic on/off switch	4	\$553.00	\$2,212.00
Shure Rechargeable station for wireless podium mics -Shure SBC850US 8-Bay Networked Charging Station with Power Supply	1	\$1,134.00	\$1,134.00
Shure Wireless Shure receiver for podium wireless LXD	4	\$889.00	\$3,556.00
Shure Battery Shure SB900A Lithium-Ion Rechargeable Battery	5	\$99.00	\$495.00
Cable Cable Package needed for Crestron and Audio Mics and laptop signals	1	\$1,422.00	\$1,422.00
DBX Processor VENU 360 processor to adjust and protect all speakers and fills	1	\$1,069.00	\$1,069.00
Furman Rack Unit Power Conditioner in Rack	1	\$89.00	\$89.00
Equipment Rack Rack to hold items in media control area - No handles / Carpet	1	\$619.00	\$619.00
Drawers for racks 3 space drawer for racks	1	\$219.00	\$219.00

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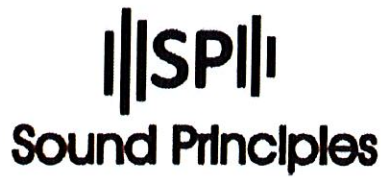
A/V Renovation - Court Rooms



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Items	Quantity	Price	Amount
Installation Labor Installation Labor 3 hands x 3 days PM 3 days	1	\$6,850.00	\$6,850.00
Installation Programming - Audio Audio - Room analyzation, tuning and left ready for use - Instruction on use	1	\$1,050.00	\$1,050.00
Installation Truck Deliver equipment, ladders, Tools as needed - for Crestron and Audio phases	5	\$375.00	\$1,875.00
Installation materials Materials for installation (Rack shelves, connectors, fasteners, any paint, unistrut, clamps or rigging supplies as needed)	1	\$729.00	\$729.00
DataVideo 4ch Encoder - 4 Channel Streaming Encoder	1	\$1,999.00	\$1,999.00
TV 70" LED / 4K / HD TV	2	\$819.00	\$1,638.00
Streaming Add On - Camera DataVideo PTZ Full 1080p HD camera w mounting bracket + 140T-6 w HDBase T receiver - HBT6	4	\$1,889.00	\$7,556.00
Equipment Rack Rack to hold items in a back room area -video camera controller etc	1	\$919.00	\$919.00
DataVideo Controller RMC 300 - 8 Camera Controller	1	\$1,289.00	\$1,289.00
HDMI Video Multiplier Kramer 8x8 4K HDR HDCP 2.2 Matrix Switcher with Digital Audio Routing	1	\$4,729.00	\$4,729.00
Installation materials Materials for installation (TV Mounts, connectors, Camera mounts, unistrut, clamps or rigging supplies as needed)	1	\$618.00	\$618.00



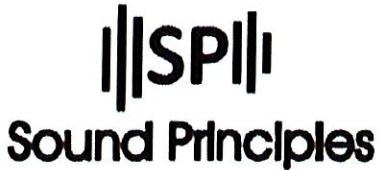
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Installation Labor Installation Labor 3 hands x 2 days PM 2 days	1	\$5,250.00	\$5,250.00
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HDMI Extender Package Kramer HDMI Extender set to CAT6 /Extended Range / Transmitter and Receiver - For TVs - cameras will run SDI	2	\$849.00	\$1,698.00
Black Magic -Multi View 16 Blackmagic Design MultiView 16	1	\$1,575.00	\$1,575.00
DataVideo ProRes 4K Video Recorder-1U Rackmountable - 2 changeable Hard drives	1	\$2,649.00	\$2,649.00
HDMI Capture DataVideo - HDMI to USB 3.0 Capture Box CAP-2	1	\$279.00	\$279.00
Installation Programming - Streaming Multiview - Programming to Webex / meetings and instruction on Use	1	\$1,050.00	\$1,050.00
Shure Wireless Shure SLXD24/58 w Handheld SM58 microphone wireless system	1	\$699.00	\$699.00
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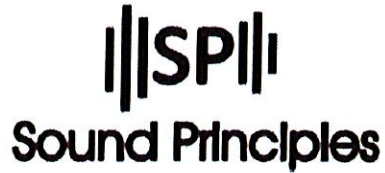
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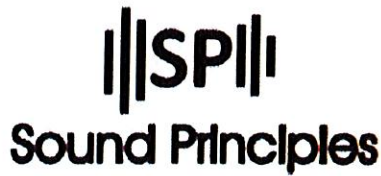
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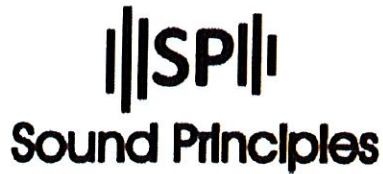
Invoice Number: 2606 2C Visiting
Judge - DEP

Invoice Date: July 14, 2023

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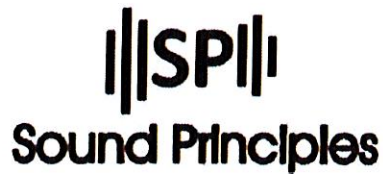
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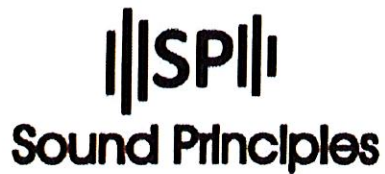
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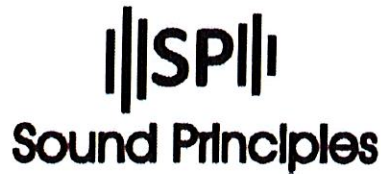
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Black Magic -Multi View 16 Blackmagic Design MultiView 16	1	\$1,575.00	\$1,575.00
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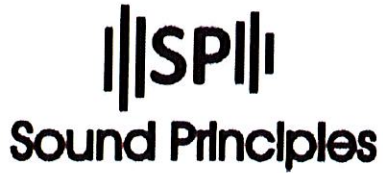
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CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

07/18/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER McGarity Insurance 60 Jonesboro St ; P.O. Box 130 McDonough, GA 30253	CONTACT NAME: Angie Boyd PHONE (A/C, No, Ext): (770)957-2925 FAX (A/C, No): (770)954-0716 E-MAIL ADDRESS: aboyd@mcgarityinsurance.com
	INSURER(S) AFFORDING COVERAGE
	INSURER A : OWNERS INSURANCE COMPANY NAIC # 32700
INSURED SOUND PRINCIPLES, PRO MULTI MEDIA, INC 403 Mcdonough Pkwy # A Mcdonough, GA 30253-6597	INSURER B : EMPLOYERS INSURER C : INSURER D : INSURER E : INSURER F :

COVERAGES CERTIFICATE NUMBER: 00009169-764970 REVISION NUMBER: 22

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	Y		80310828	08/26/2022	08/26/2023	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY			80310828	08/26/2022	08/26/2023	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input checked="" type="checkbox"/> Y / <input type="checkbox"/> N If yes, describe under DESCRIPTION OF OPERATIONS below	Y	N/A	EIG5317738-00	07/19/2023	07/19/2024	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 100,000 E.L. DISEASE - EA EMPLOYEE \$ 100,000 E.L. DISEASE - POLICY LIMIT \$ 500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
FAYETTE COUNTY BOARD OF COMMISSIONERS IS ADDITIONAL INSURED WITH RESPECTS TO GENERAL LIABILITY

CERTIFICATE HOLDER FAYETTE COUNTY BOARD OF COMMISSIONERS 140 STONEWALL AVE. W FAYETTEVILLE,, GA 30214	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE (ASB)
--	---

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From: [Fletcher Sams](#)
To: [Ted Burgess](#)
Cc: [Steve Rapson](#); [Sheryl Weinmann](#); [Amanda Schoonover](#); [Jill M Irvin](#); [Fletcher Sams](#)
Subject: RE: Updated Guidance & Proposed Policy Amendment: JC Ad Hoc Committee on ARPA Funding
Date: Tuesday, September 12, 2023 4:58:08 PM
Attachments: [darron.enns9-12-23.pdf](#)
[darron.enns9-12-23-b.pdf](#)

Folks:

This is the latest update/advise I have from the ARPA Staff. They are concerned if the Service Agreement process did not include publication. I'll discuss it with Darron in more detail tomorrow and let you know.

Chief Justice Boggs did let me know OPB is more...understanding, but we must meet Treasury scrutiny.

I'll get back with you after I talk with Darron. I want to do a bit of review and research before I call him.

Fletcher

From: Fletcher Sams
Sent: Tuesday, September 12, 2023 3:58 PM
To: Ted Burgess <tburgess@fayettecountyga.gov>
Cc: Steve Rapson <srapson@fayettecountyga.gov>; Sheryl Weinmann <sweinmann@fayettecountyga.gov>; Amanda Schoonover <aschoonover@fayettecountyga.gov>; Jill M Irvin <jirvin@fayettecountyga.gov>; Fletcher Sams <fletcher@fayettecountyga.gov>
Subject: RE: Updated Guidance & Proposed Policy Amendment: JC Ad Hoc Committee on ARPA Funding

Folks:

I have requested Spalding to prepare some additional forms and information before sending a formal "Circuit" enquiry since this is a "Circuit" application. I have, however submitted a less formal request on behalf of Fayette for confirmation and approval by OPB. Chief Justice Boggs assured me today that the ARPA Staff is working on it. Hopefully I will hear back this week and will let you know as soon as possible.

Fletcher

From: Ted Burgess
Sent: Tuesday, September 12, 2023 10:55 AM
To: Fletcher Sams <fletcher@fayettecountyga.gov>
Cc: Steve Rapson <srapson@fayettecountyga.gov>; Sheryl Weinmann <sweinmann@fayettecountyga.gov>; Amanda Schoonover <aschoonover@fayettecountyga.gov>
Subject: RE: Updated Guidance & Proposed Policy Amendment: JC Ad Hoc Committee on ARPA

Funding

Good morning Judge Sams,

I was wondering if there has been any movement on the ARPA grant and sole-source question? Is there anything that I can do to assist?

Thanks,

Ted L. Burgess
Director of Purchasing
Fayette County, Georgia
tburgess@fayettecountyga.gov
(770) 305-5393

Fletcher Sams

From: Darron J. Enns <Darron.Enns@georgiacourts.gov>
Sent: Tuesday, September 12, 2023 4:03 PM
To: Fletcher Sams
Cc: Tracy Mason; boggs@gasupreme.us; Regina Hailey
Subject: RE: 2023 ARPA Request- Griffin Judicial Circuit
Attachments: RE: Updated Guidance & Proposed Policy Amendment: JC Ad Hoc Committee on ARPA Funding

Good afternoon Judge Sams,

I will check with Regina’s team (cc’d) regarding the status of your reimbursement requests. Consistent with the attached correspondence, I would not advise submitting a sole source justification form unless absolutely necessary because your A/V vendors were selected via a competitive bidding process and per OPB’s guidance, a sole source justification form will be approved only for the following circumstances: (1) the item is available only from a single source; or (2) after solicitation of a number of sources, competition is determined inadequate. See [FAQ 28.2](#) for details.

In our previous correspondence, you indicated that competitive procurement was part of each county’s selection of a countywide A/V vendor, as stated in the Griffin Circuit’s application documents. If that was the case, I would recommend that you provide OPB documentation of that competitive process, including: (1) publication; (2) an adequate number of proposals or sealed bids (two minimum but three preferred); (3) a written method for conducting a technical evaluation of the proposal; and (4) written procurement policies regarding how goods or services are acquired.

Respectfully,

Darron J. Enns
Assistant General Counsel
Judicial Council of Georgia / Administrative Office of the Courts



Office: 470-585-2782
darron.enns@georgiacourts.gov | georgiacourts.gov
244 Washington Street SW, Suite 300
Atlanta, GA 30334

From: Fletcher Sams <fletcher@fayettecountyga.gov>
Sent: Tuesday, September 12, 2023 3:34 PM
To: Darron J. Enns <Darron.Enns@georgiacourts.gov>
Cc: Tracy Mason <Tracy.Mason@georgiacourts.gov>; boggs@gasupreme.us; Fletcher Sams <fletcher@fayettecountyga.gov>
Subject: 2023 ARPA Request- Griffin Judicial Circuit

[EXTERNAL EMAIL]

Fletcher Sams

From: Darron J. Enns <darron.enns@georgiacourts.gov>
Sent: Tuesday, September 12, 2023 4:35 PM
To: Carolyn Cain-Smith; Sandra E. Nichols; Kari L Kitchens
Cc: Tracy Mason; boggs@gasupreme.us; Regina Hailey; Fletcher Sams; Peterson M. David
Subject: RE: 2023 ARPA Request- Griffin Judicial Circuit

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

Good afternoon Fiscal Team,

Please see a request below from Judge Fletcher Sams regarding the status of A/V equipment reimbursement requests from Spalding and Fayette Counties. Please advise regarding the status of these requests.

The Griffin Circuit previously indicated that competitive procurement process was part of each county's selection of a countywide A/V vendor, as stated in the Griffin Circuit's ARPA application documents. I would recommend submitting documentation of this competitive procurement process instead of sole source justification form because per OPB, a sole source justification form will be approved only under the following circumstances: (1) the item is available only from a single source; or (2) after solicitation of a number of sources, competition is determined inadequate. See my email below and [FAQ 28.2](#) for details.

Respectfully,

Darron J. Enns
 Assistant General Counsel
 Judicial Council of Georgia / Administrative Office of the Courts



Office: 470-585-2782
 darron.enns@georgiacourts.gov | georgiacourts.gov
 244 Washington Street SW, Suite 300
 Atlanta, GA 30334

From: Darron J. Enns <Darron.Enns@georgiacourts.gov>
Sent: Tuesday, September 12, 2023 4:03 PM
To: Fletcher Sams <fletcher@fayettecountyga.gov>
Cc: Tracy Mason <Tracy.Mason@georgiacourts.gov>; boggs@gasupreme.us; Regina Hailey <regina.hailey@georgiacourts.gov>
Subject: RE: 2023 ARPA Request- Griffin Judicial Circuit

Good afternoon Judge Sams,

I will check with Regina's team (cc'd) regarding the status of your reimbursement requests. Consistent with the attached correspondence, I would not advise submitting a sole source justification form unless absolutely necessary because your A/V vendors were selected via a competitive bidding process and per OPB's guidance,

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Request to award Bid #2300-B Parking Lot Resurfacing Project to The Surface Masters, Inc. in the amount of \$836,968.57 to resurface six (6) Fayette County parking lots.

Background/History/Details:

Total of six (6) Fayette County parking lots will be resurfaced under this contract. These parking lots include:

- 1.) Library Parking Lot - This lot will be milled and resurfaced while keeping 2/3rds of the parking lot open during operating hours.
- 2.) Fire Station #2 Back Parking Lot - located off of SR 92 north, the old building's parking lot will be resurfaced.
- 3.) Fire Station #5 Parking Lot - located off of SR 85 South will be milled and resurfaced.
- 4.) Fire Station #6 Parking Lot - located off of 85 Connector in Brooks will be milled and resurfaced.
- 5.) Fire Station #10 Parking Lot - located off Seay Road will be milled and resurfaced.
- 6.) McCurry Park North Soccer Parking - located at the intersection of SR 54 and McDonough Road will be resurfaced.

The Surface Masters, Inc. recently completed the paving of the new Election Department parking lot.

What action are you seeking from the Board of Commissioners?

Approval to award Bid #2300-B Parking Lot Resurfacing Project to The Surface Masters, Inc. in the amount of \$836,968.57 to resurface six (6) Fayette County parking lots.

If this item requires funding, please describe:

Parking lots will be funded from the existing CIP 233AI, 233AJ, 233AL, 243AK, 236AB, and 236AG, along with transfers from Fire Contingency, GF project Contingency, CIP projects 206AN and 226AI.

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:

Fire parking lots budgets (233AI, 233AJ, 233AL, 243AK) total \$215,175; costs \$312,122.44 - \$96,947.44 from Fire Project Contingency. Library project 236AB total \$150,655: cost \$214,725.92 - \$64,070.82 from GF Project Contingency. Parks project total \$265,388; cost \$310,123.31 - \$44,732.31 from projects 206AN and 226AI.



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 *TJB*

From: Sherry White *SW*

Date: October 26, 2023

Subject: Contract #2300-B: Parking Lot Resurfacing Project

The Purchasing Department issued Invitation to Bid #2300-B to secure a contractor to resurface six (6) county parking lots. Notice of the opportunity was emailed to 112 companies. Another 447 were contacted through the web-based Georgia Procurement Registry, who had registered under commodity code # 91394 (Paving and Resurfacing, Alley and Parking Lot), #91395 (Paving and Resurfacing, Highway and Road) and #91396 (Paving and Resurfacing, Streets, Major and Residential). The offer was also advertised through Fayette News, Georgia Local Government Access Marketplace, and the county website.

Seven (7) companies responded by submitted bids, however four were disqualified. Three of the submitters did not include the updated price sheet from the issued addendum and one company did not submit a required bid bond with their bid (Attachment 1).

This contract is funded by a Capital Improvement Project (CIP) accounts established in FY2023. Due to the increase of asphalt and contractor pricing, there is a shortfall. The Fire Department parking lots shortfall will be taken from the Fire Contingency fund. The library parking lot shortfall will be covered by the General Fund contingency fund. The Recreation Department will use money from two CIP funds that were established in FY2023, McCurry Parking Lot Repair (206AN) and McCurry Park Walkway Repair (226AI).

The Road Department recommends Surface Masters, Inc., the lowest bidder. A Contractor Performance Evaluations is attached (Attachment 2).

Specifics of the proposed contract are as follows:

Contract Name	#2300-B: Parking Lot Resurfacing Project
Contractor	Surface Masters, Inc.
Contract amount	\$836,968.57

Budget:	Org Code	Object	CIP	Amount	Available
Old Fire Station #2	37230550	541210	243AK	\$68,321.18	\$41,000.00
Fire Station #5	37530550	541210	233AI	\$88,731.56	\$63,000.00
Fire Station #6	37530550	541210	233AJ	\$88,161.73	\$55,000.00
Fire Station #10	37530550	541210	233AL	\$66,907.97	\$56,175.00
Fire Contingency	37530110	541210	236AG		\$96,947.44
Library	37560500	541210	236AB	\$214,725.82	\$150,655.00
GF Contingency					\$64,070.82
McCurry Park	37560110	541210	236AG	\$310,120.31	\$265,388.00
McCurry PL Repair	37560110	542140	206AN		\$28,601.87
McCurry Pk Walkway	37260110	541210	226AI		\$16,130.44

*Budget adjustments will be made at year end.

Attached 1

Invitation to Bid #2300-B: Parking Lot Resurfacing Project

Tally Sheet

3:00p.m, Friday, October 6, 2023

ITEM NO.	DESCRIPTION	UNIT	QTY	McLeRoy		Summit Construction		Surface Masters	
				Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost
150-1000	Traffic Control	LS	1	\$52,824.27	\$52,824.27	\$214,987.00	\$214,987.00	\$29,522.00	\$29,522.00
	Mobilization	EA	6	\$7,784.03	\$46,704.18	\$3,250.00	\$19,500.00	\$1,253.67	\$7,522.02
402-3130	12.5mm	TN	1,154	\$224.28	\$258,819.12	\$135.00	\$155,790.00	\$148.44	\$171,299.76
402-3103	9.5mm Type 2	TN	2,319	\$237.18	\$550,020.42	\$138.00	\$320,022.00	\$141.70	\$328,602.30
402-3190	Asphalt Leveling	TN	94	\$297.24	\$27,940.56	\$150.00	\$14,100.00	\$157.26	\$14,782.44
	19mm Patching	TN	915	\$319.39	\$292,241.85	\$175.00	\$160,125.00	\$166.73	\$152,557.95
	Speed Humps (remove&replace)	EA	6	\$268.27	\$1,609.62	\$2,500.00	\$15,000.00	\$2,565.33	\$15,391.98
	Sand – Concrete Protection	LS	1	\$3,663.90	\$3,663.90	\$2,500.00	\$2,500.00	\$3,522.00	\$3,522.00
407-0010	Crack Sealing	LF	5,400	\$2.48	\$13,392.00	\$2.00	\$10,800.00	\$1.28	\$6,912.00
413-0750	Bitum Tack Coat	GAL	3,748	\$5.44	\$20,389.12	\$6.50	\$24,362.00	\$0.87	\$3,260.76
432-5010	Mill Asph Conc Pvmt, Varible Depth	SY	20,428	\$7.50	\$153,210.00	\$4.00	\$81,712.00	\$4.12	\$84,163.36
	Pavement Markings – Fire Station #2	LS	1	\$6,906.01	\$6,906.01	\$500.00	\$500.00	\$2,622.00	\$2,622.00
	Pavement Markings – Fire Station #5	LS	1	\$7,154.41	\$7,154.41	\$2,058.00	\$2,058.00	\$2,622.00	\$2,622.00
	Pavement Markings – Fire Station #6	LS	1	\$7,775.41	\$7,775.41	\$2,258.00	\$2,258.00	\$2,622.00	\$2,622.00
	Pavement Markings – Fire Station #10	LS	1	\$8,396.41	\$8,396.41	\$2,258.00	\$2,258.00	\$2,622.00	\$2,622.00
	Pavement Marking - Library	LS	1	\$27,026.41	\$27,026.41	\$1,436.00	\$1,436.00	\$4,472.00	\$4,472.00
	Pavement Markings – McCurry Park	LS	1	\$27,026.41	\$27,026.41	\$8,738.00	\$8,738.00	\$4,472.00	\$4,472.00
TOTAL BID PRICE:					\$1,505,100.10		\$1,036,146.00		\$836,968.57

*Blue print denotes calculation corrections.

FAYETTE COUNTY, GEORGIA CONTRACTOR PERFORMANCE EVALUATION

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: Surface Masters, Inc	Contract Number: #2247-A
Mailing Address: 1393 Cobb Industrial Way	Contract Description or Title: Elections Parking Lot Paving
City, St, Zip Code: Marietta, GA 30066	Contract Term (Dates) From: 5/25/2023 – 8/1/2023
Phone Number: 770-250-6392	Task Order Number:
Cell Number:	Other Reference: Contract #2300-B
E-Mail Address: Griffin.duncan@thersurfacemasters.com	

DEFINITIONS

- OUTSTANDING** – Vendor considerably exceeded minimum contractual requirements or performance expectations of the products/services; The vendor demonstrated the highest level of quality workmanship/professionalism in execution of contract.
- EXCELLENT (Exc)** - Vendor exceeded minimum contractual requirements or performance expectations of the products/services.
- SATISFACTORY (Sat)** - Vendor met minimum contractual requirements or performance expectations of the products/services.
- UNSATISFACTORY (UnSat)** - Vendor did not meet the minimum contractual requirements or performance expectations of the products and/or services; Performed below minimum requirements

EVALUATIONS (Place "X" in appropriate box for each criterion.)

Criteria (includes change orders / amendments)	Out-standing	Exc	Sat	Un-Sat	Not Apply
1. Work or other deliverables performed on schedule		X			
2. Condition of delivered products		X			
3. Quality of work		X			
4. Adherence to specifications or scope of work		X			
5. Timely, appropriate, & satisfactory problem or complaint resolution			X		
6. Timeliness and accuracy of invoicing			X		
7. Working relationship / interfacing with county staff and citizens		X			
8. Service Call (On-Call) response time					X
9. Adherence to contract budget and schedule		X			
10. Other (specify):					
11. Overall evaluation of contractor performance		X			

EVALUATED BY

Signature: <i>Bradley Klinger</i>	Date of Evaluation: 10/16/23
Print Name: <i>Bradley Klinger</i>	Department/Division: <i>ROAD</i>
Title: <i>Asst. Director</i>	Telephone No: <i>6039</i>

Contractor Parking Lot Resurfacing Totals - 10-12-23 - FINAL

Fayette County Road Department

4 Fire Stations, 1 Library and 1 Park Parking lots

ITEM DESCRIPTION	UNIT	UNIT COST	FIRE STATION #2		FIRE STATION #5		FIRE STATION #6		FIRE STATION #10		LIBRARY		McCURRY SOCCER		SUB TOTAL	INFL	FINAL TOTAL	FINAL COST
			QUAN	COST	QUAN	COST	QUAN	COST	QUAN	COST	QUAN	COST	QUAN	COST				
Mobilization	EA	\$1,253.67	1	\$1,253.67	1	\$1,253.67	1	\$1,253.67	1	\$1,253.67	1	\$1,253.67	1	\$1,253.67	6		6	\$7,522.02
Traffic Control	LS	\$29,522.00	0	\$4,920.33	0	\$4,920.33	0	\$4,920.33	0	\$4,920.33	0	\$4,920.33	0	\$4,920.33	1		1	\$29,522.00
Asphalt Milling	SY	\$4.12	560	\$2,307.20	2192	\$9,031.04	2649	\$10,913.88	2451	\$10,098.12	8849	\$36,457.88	1870	\$7,704.40	18571	1857	20428	\$84,163.36
Asphalt Leveling	TN	\$157.26		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00	85	\$13,367.10	85	9	94	\$14,782.44
19MM Asphalt Patching	TN	\$166.73	98	\$16,339.54	110	\$18,340.30	114	\$19,007.22	60	\$10,003.80	285	\$47,518.05	165	\$27,510.45	832	83	915	\$152,557.95
9.5MM TYPE 2 Resurfacing	TN	\$141.70		\$0.00		\$0.00		\$0.00		\$0.00	730	\$103,441.00	1378	\$195,262.60	2108	211	2319	\$328,602.30
12.5MM Resurfacing	TN	\$148.44	225	\$33,399.00	305	\$45,274.20	291	\$43,196.04	228	\$33,844.32		\$0.00		\$0.00	1049	105	1154	\$171,299.76
Tack	GAL	\$0.87	190	\$165.30	350	\$304.50	300	\$261.00	200	\$174.00	800	\$696.00	1600	\$1,392.00	3440	308	3748	\$3,260.76
Sand - Concrete Protection	LS	\$3,522.00	1	\$3,522.00		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00	1		1	\$3,522.00
Speed Humps	EA	\$2,565.33		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00	6	\$15,391.98	6		6	\$15,391.98
Crack Sealing	LF	\$1.28		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00	5400	\$6,912.00	5400		5400	\$6,912.00
Pavement Markings	EA		1	\$2,622.00	1	\$2,622.00	1	\$2,622.00	1	\$2,622.00	1	\$4,472.00	1	\$4,472.00	6		1	\$19,432.00
				\$64,529.04		\$81,746.04		\$82,174.14		\$62,916.24		\$198,758.93		\$278,186.53				\$836,968.57
			INFL	\$3,792.14		\$6,985.51		\$5,987.58		\$3,991.72		\$15,966.89		\$31,933.78				
			Total	\$68,321.18		\$88,731.56		\$88,161.73		\$66,907.97		\$214,725.82		\$310,120.31				

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Request to award Bid #2316-B to Piedmont Paving, Inc. for FY2024 Full Depth Reclamation (FDR) of Hampton Road and Wilmington Lane in the amount of \$704,858.12.

Background/History/Details:

Hampton Road (0.4 miles) and Wilmington Lane (0.4 miles) asphalt pavements are currently failing and are in need of maintenance. This bid package strengthens the substructure of the roads that were constructed without rock base through the process of Full Depth Reclamation (FDR) and provides asphalt resurfacing on both roads Hampton Road (0.74 miles) and Wilmington Lane.

This project was originally bid out in FY23 and the bids came in at \$681,640 which was \$250,000 over the original project budget. This project was again approved in the FY24 budget with additional funding.

All work will be done in accordance with Georgia Department of Transportation Specifications.

What action are you seeking from the Board of Commissioners?

Approval to award Bid #2316-B to Piedmont Paving, Inc. for FY2024 Full Depth Reclamation (FDR) of Hampton Road and Wilmington Lane in the amount of \$704,858.12.

If this item requires funding, please describe:

There is funding in the Road Department's CIP #234AD account to fund \$681,640 of this project and the remaining funds will come from Road Department M&O technical services account.

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 L. Burgess *TLB*
 From: Sherry White *SW*
 Date: October 26, 2023
 Subject: Contract #2316-B: FY2024 FDR Project

The Purchasing Department issued Invitation to Bid #2316-B to secure a contractor to provide Full Depth Reclamation (FDR) to Hampton Road and Wilmington Lane. Notice of the opportunity was emailed to 112 companies. Another 734 were contacted through the web-based Georgia Procurement Registry, who had registered under commodity code #91350 (Construction, Streets, Major and Residential, Including Reconstruction), #91371 (Maintenance and Repair, Highway and Roads, Including Removal of Asphalt, Concrete, Bitumen, etc.), #91384 (Maintenance and Repair, Streets, Major and Residential), #91395 (Paving and Resurfacing, Highway and Road), and #91396 (Paving and Resurfacing, Streets, Major and Residential). The offer was also advertised through Fayette News, Georgia Local Government Access Marketplace, the county website, and Channel 23.

This project is funded by a Capital Improvement Project (CIP) account established in fiscal year 2023. Due to the increase of asphalt and contractor pricing, there is a shortfall. An end of year transfer of \$4,858.12 from the Road Department's Maintenance and Operations technical services account will cover the shortfall.

Five companies submitted bids (Attachment 1).

The Road Department recommends Piedmont Paving, Inc. A Contractor Performance Evaluations is attached (Attachment 2).

Specifics of the proposed contract are as follows:

Contract Name	#2316-B: FY2024 FDR Project		
Contractor	Piedmont Paving, Inc.		
Contract Amount	\$704,858.12		
Budget:			
Fund	375		CIP
Org Code	37540220		Road Department
Object	541210		Other Improvement
Project	234AD		FDR Hampton & Wilmington
Budget	\$700,000.00		as of 10/17/2023
Transfer Amt.	<u>\$4,858.12</u>		M&O Technical Services
Available	\$704,858.12		after end of year transfer

Attachment 1

ITB #2316-B FY2024 FDR PROJECT
TALLY SHEET

OPENING DATE: 3:00pm, October 4, 2023

ITEM NO.	DESCRIPTION	UNIT	ESTIMATED QUANTITY	MAGNUM PAVING LLC		MCLEROY INC.		ER SNELL CONTRACTOR INC.	
				UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE
	Mobilization	LS	1	\$25,000.00	\$25,000.00	\$87,500.00	\$87,500.00	\$20,000.00	\$20,000.00
150-1000	Traffic Control	LS	1	\$40,000.00	\$40,000.00	\$42,000.00	\$42,000.00	\$126,700.00	\$126,700.00
315-1012	Cement Stabilized Reclaimed Base	SY	10,214	\$19.50	\$199,173.00	\$16.05	\$163,934.70	\$13.00	\$132,782.00
315-1000	Cement	TN	429	\$290.00	\$124,410.00	\$254.50	\$109,180.50	\$301.00	\$129,129.00
402-3190	19mm @ 220lbs/sy Binder Level	TN	1,123	\$147.68	\$165,844.64	\$129.00	\$144,867.00	\$120.00	\$134,760.00
402-3190	19mm @ 220lbs/sy Patching	TN	150	\$300.00	\$45,000.00	\$379.00	\$56,850.00	\$242.00	\$36,300.00
432-0206	Asphalt Milling	SY	7,498	\$10.09	\$75,654.82	\$2.80	\$20,994.40	\$5.35	\$40,114.30
402-3130	12.5mm @ 165lbs/sy	TN	1,044	\$144.54	\$150,899.76	\$124.25	\$129,717.00	\$130.00	\$135,720.00
402-3103	9.5mm Type 2 @ 165lbs/sy	TN	420	\$148.16	\$62,227.20	\$144.85	\$60,837.00	\$141.00	\$59,220.00
413-0750	Tack	GAL	1,220	\$5.00	\$6,100.00	\$8.50	\$10,370.00	\$1.00	\$1,220.00
652-2501	Solid Traffic Stripe - 5" White	LF	7,810	\$1.00	\$7,810.00	\$0.60	\$4,686.00	\$0.25	\$1,952.50
652-2502	Solid Traffic Stripe - 5" Yellow	LF	7,810	\$1.00	\$7,810.00	\$0.60	\$4,686.00	\$0.25	\$1,952.50
TOTAL NOT TO EXCEED BID:					\$909,929.42		\$835,622.60		\$819,850.30

ITEM NO.	DESCRIPTION	UNIT	ESTIMATED QUANTITY	BLOUNT CONTRUCTION COMPANY INC.		PIEDMONT PAVING INC.	
				UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE
	Mobilization	LS	1	\$32,941.94	\$32,941.94	\$22,167.00	\$22,167.00
150-1000	Traffic Control	LS	1	\$72,876.39	\$72,876.39	\$46,000.00	\$46,000.00
315-1012	Cement Stabilized Reclaimed Base	SY	10,214	\$16.25	\$165,977.50	\$13.38	\$136,663.32
315-1000	Cement	TN	429	\$242.38	\$103,981.02	\$230.00	\$98,670.00
402-3190	19mm @ 220lbs/sy Binder Level	TN	1,123	\$119.46	\$134,153.58	\$120.00	\$134,760.00
402-3190	19mm @ 220lbs/sy Patching	TN	150	\$215.13	\$32,269.50	\$222.00	\$33,300.00
432-0206	Asphalt Milling	SY	7,498	\$4.77	\$35,765.46	\$4.60	\$34,490.80
402-3130	12.5mm @ 165lbs/sy	TN	1,044	\$124.43	\$129,904.92	\$125.60	\$131,126.40
402-3103	9.5mm Type 2 @ 165lbs/sy	TN	420	\$130.63	\$54,864.60	\$131.85	\$55,377.00
413-0750	Tack	GAL	1,220	\$4.00	\$4,880.00	\$6.50	\$7,930.00
652-2501	Solid Traffic Stripe - 5" White	LF	7,810	\$0.29	\$2,264.90	\$0.28	\$2,186.80
652-2502	Solid Traffic Stripe - 5" Yellow	LF	7,810	\$0.29	\$2,264.90	\$0.28	\$2,186.80
TOTAL NOT TO EXCEED BID:					\$772,144.71		\$704,858.12

FAYETTE COUNTY, GEORGIA CONTRACTOR PERFORMANCE EVALUATION

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: Surface Masters, Inc	Contract Number: #2247-A
Mailing Address: 1393 Cobb Industrial Way	Contract Description or Title: Elections Parking Lot Paving
City, St, Zip Code: Marietta, GA 30066	Contract Term (Dates) From: 5/25/2023 – 8/1/2023
Phone Number: 770-250-6392	Task Order Number:
Cell Number:	Other Reference: Contract #2300-B
E-Mail Address: Griffin.duncan@thersurfacemasters.com	

DEFINITIONS

- OUTSTANDING** – Vendor considerably exceeded minimum contractual requirements or performance expectations of the products/services; The vendor demonstrated the highest level of quality workmanship/professionalism in execution of contract.
- EXCELLENT (Exc)** - Vendor exceeded minimum contractual requirements or performance expectations of the products/services.
- SATISFACTORY (Sat)** - Vendor met minimum contractual requirements or performance expectations of the products/services.
- UNSATISFACTORY (UnSat)** - Vendor did not meet the minimum contractual requirements or performance expectations of the products and/or services; Performed below minimum requirements

EVALUATIONS (Place "X" in appropriate box for each criterion.)

Criteria (includes change orders / amendments)	Out-standing	Exc	Sat	Un-Sat	Not Apply
1. Work or other deliverables performed on schedule		X			
2. Condition of delivered products		X			
3. Quality of work		X			
4. Adherence to specifications or scope of work		X			
5. Timely, appropriate, & satisfactory problem or complaint resolution			X		
6. Timeliness and accuracy of invoicing			X		
7. Working relationship / interfacing with county staff and citizens		X			
8. Service Call (On-Call) response time					X
9. Adherence to contract budget and schedule		X			
10. Other (specify):					
11. Overall evaluation of contractor performance		X			

EVALUATED BY

Signature: <i>Bradley Klinger</i>	Date of Evaluation: 10/16/23
Print Name: <i>Bradley Klinger</i>	Department/Division: <i>ROAD</i>
Title: <i>Asst. Director</i>	Telephone No: <i>6039</i>

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Request to award bid #2306-B Pumper Fire Apparatus to FireLine, Inc. for two (2) pumpers in the amount of \$1,479,658, to transfer \$60,118 from Fire Services fund balance and to allocate \$45,000 to apparatus safety equipment to supply both pumpers.

Background/History/Details:

Fire and Emergency Services was approved for two (2) pumpers for fiscal year 2024 from the vehicle replacement fund. This project was funded at \$1,464,540 total. The lowest responsive bid returned at a cost of \$15,118 above the initial budgeted amount for the entire project, therefore, a transfer of \$60,118 is requested from Fire Services fund balance to purchase the pumpers and apparatus safety equipment.

These units will replace two (2) 2000 Central States Freightliner pumpers due for replacement. Asset #10845 (Fleet #23120) and Asset #10847 (Fleet #23130). Funds from the auction will return to Fire Vehicle Replacement Fund.

Time frame for delivery is 24-30 months for both new pumpers.

What action are you seeking from the Board of Commissioners?

Approval to award bid #2306-B Pumper Fire Apparatus to FireLine, Inc. for two (2) pumpers in the amount of \$1,479,658, to transfer \$60,118 from Fire Services fund balance and to allocate \$45,000 to apparatus safety equipment to supply both pumpers.

If this item requires funding, please describe:

Fire fund 61030550 542200-243AB; \$1,464,540; remaining \$60,118 needed will be paid from Fire Services Vehicle & Equip Replacement fund (Fund 610).

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 L. Burgess *TB*

From: Natasha M. Duggan *ND*

Date: October 26, 2023

Subject: Contract 2306-B: Rescue Body Pumpers

The County's Fiscal Year 2024 budget includes Project 243AB for two new rescue body pumpers. The Purchasing Department issued Invitation to Bid #2306-B to solicit prices. Notice of the opportunity was emailed to 8 companies. Another 68 were contacted through the web-based Georgia Procurement Registry, who had registered under commodity code #07208 (Class 8 Trucks). The offer was also advertised through Georgia Local Government Access Marketplace, Channel 23, the County website, and the Fayette County News.

Two (2) Companies submitted bids (Attachment 1).

Fire & EMS recommends awarding to FireLine, Inc. in the amount of \$1,479,658. The current availability in 243AB Fire Pumper is \$1,464,540. Fire and EMS requests a transfer of \$60,118 from Fire Vehicle & Replacement Fund to fund the purchase of the pumpers and the additional safety equipment required to put the pumpers into service. The surplus pumpers will be sold through an on-line auction. A Contractor Performance Evaluation for FireLine is attached (Attachment 2).

Specifics of the proposed contract are as follows:

Contract Name	2306-B: Rescue Body Pumpers	
Contractor	FireLine, Inc.	
Contract Amount	\$1,479,658.00	
Budget:		
Fund	610	Vehicles/Equipment
Org Code	61030550	Fire Services
Object	542200	Vehicles
Project	243AB	Fire Pumper
Available	\$1,524,658.00	After BOC Approval of Transfer

Tally Sheet

ITB 2306-B: Rescue Body Pumpers

Bids Due 3pm, 9/7/2023

	Ten-8 Fire & Safety	Fireline, Inc.
Apparatus 1: Custom cab, rescue body, meeting all requirements, including lettering, specified in this Invitation to Bid	\$ 855,750.00	\$ 739,829.00
Apparatus 2: Custom cab, rescue body, meeting all requirements, including lettering, specified in this Invitation to Bid	\$ 855,750.00	\$ 739,829.00
Total for Two Pumper Trucks	\$ 1,711,500.00	\$ 1,479,658.00

**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: Fireline, Inc.	Contract Number: 1978-B
Mailing Address: 725 Patrick Industrial Lane	Contract Description or Title: Pumper, PO 20220177
City, St, Zip Code: Winder, GA 30680	Contract Term (Dates) From: Fiscal Year 2022
Phone Number: 770-868-4448	Task Order Number: n/a
Cell Number: N/A	Other Reference: for award of 2306-B Pumper Fire Apparatus
E-Mail Address: bmccabe@firelineinc.com	

DEFINITIONS

OUTSTANDING – Vendor considerably exceeded minimum contractual requirements or performance expectations of the products/services; The vendor demonstrated the highest level of quality workmanship/professionalism in execution of contract.

EXCELLENT (Exc) - Vendor exceeded minimum contractual requirements or performance expectations of the products/services.

SATISFACTORY (Sat) - Vendor met minimum contractual requirements or performance expectations of the products/services.

UNSATISFACTORY (UnSat) - Vendor did not meet the minimum contractual requirements or performance expectations of the products and/or services; Performed below minimum requirements

EVALUATIONS (Place "X" in appropriate box for each criterion.)

Criteria (includes change orders / amendments)	Out-standing	Exc	Sat	Un-Sat	Not Apply
1. Work or other deliverables performed on schedule		X	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: <i>m. Pollard</i>	Date of Evaluation: 09/22/2023
Print Name: Michael Pollard	
Title: Assistant Chief	Telephone No: 770-305-5492

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Request to designate vehicle Asset # 10845 (Fleet #23120) and Asset #10847 (Fleet #23130) as surplus and to authorize auctioning both units.

Background/History/Details:

If award bid #2306-B Pumper Fire Apparatus to FireLine, Inc. is approved, these units, Asset #10845 (Fleet #23120) and Asset #10847 (Fleet #23130), will be replaced with the two (2) new pumpers scheduled for replacement. (previous agenda item).

Funds from the auction will return to Fire Vehicle Replacement Fund.

What action are you seeking from the Board of Commissioners?

Approval to to designate vehicle Asset # 10845 (Fleet #23120) and Asset #10847 (Fleet #23130) as surplus and to authorize auctioning both units.

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:

Request to award Bid #2314-B FCWS-Trilith Studios Elevated Water Storage Tank to Caldwell Tanks, Inc. in the amount of \$2,786,200 for construction of a new metal elevated water storage tank at the Trilith Studios property and to transfer \$272,870 from R&E to CIP 23WSH.

Background/History/Details:

Fayette County Water System's Engineer-of-Record performed a storage gap evaluation of the FCWS water distribution system comparing existing finished water storage volume to the minimum required industry standards of equalization, fire protection, and emergency volumes. The evaluation identified that the Water System's total storage currently exhibits a 0.8 million gallon (MG) surplus system-wide, but is projected to be at a 3.3 MG deficit by 2040 due to increasing water demand.

Trilith Studios, a film and residential community that is exponentially growing, expressed a desire to FCWS to have a water tower on their property to establish an iconic feel to the historic water towers as are on other movie studio lots in America. In June 2022 the FCWS entered into a Memorandum of Understanding with Trilith Studios to accept a donation of \$1.25 million for locating and constructing a storage tank at Trilith Studios.

What action are you seeking from the Board of Commissioners?

Approval to award Bid #2314-B FCWS-Trilith Studios Elevated Water Storage Tank to Caldwell Tanks, Inc. in the amount of \$2,786,200 for construction of a new metal elevated water storage tank at the Trilith Studios property and to transfer \$272,870 from R&E to CIP 23WSH.

If this item requires funding, please describe:

Funding is available in CIP Project 23WSH \$1,263,330; \$1,250,000 MOU with Trilith Development LLC, and the remaining \$272,870 from WS Renewal and Extension (R&E).

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

From: Ted L. Burgess 

Date: October 26, 2023

Subject: Contract 2314-B: FCWS – Trilith Studios Elevated Water Storage Tank

The Purchasing Department issued Invitation to Bid #2314-B to secure a contractor for the construction of a new metal elevated water storage tank at the Trilith Studios property. Notice of the opportunity was emailed to 7 companies. Another 70 were contacted through the web-based Georgia Procurement Registry, who had registered under commodity code #83073 (Steel Tanks, Water Works Type, Elevated and Tower). The offer was also advertised through Georgia Local Government Access Marketplace, Comcast Channel 23, the Fayette County News, and the County's website.

Two companies submitted quotes (Attachment 1). The Water System recommends awarding to Caldwell Tanks, Inc. in the amount of \$2,786,200. The current availability in Water CIP 23WSH is \$1,263,330. The County has a Memorandum of Understanding (MOU) with Trilith Development, LLC which states Trilith will contribute half the cost of the water tank up to \$1,250,000. The Water System is requesting a transfer of \$272,870 from their Renewals & Extensions (R&E) account to fund the balance of the construction.

A Contractor Performance Evaluation is not available since this is the first time contracting with Caldwell Tanks, Inc. Arcadis, the Water System Engineer of Record, checked their references and the results were favorable. Specifics of the proposed contract are as follows:

Contract Name	2314-B: FCWS – Trilith Studios Elevated Water Storage Tank	
Contractor	Caldwell Tanks, Inc.	
Contract Amount	\$2,786,200.00	
Budget:		
Fund	507	Water CIP
Org Code	50740400	Water System – Park Enhancements
Object	542540	Water CIP Expense
Project	23WSH	Trilith Storage Tank
Available:		
CIP 23WSH	\$1,263,330	Trilith Storage Tank
Donation	1,250,000	From Trilith Development, LLC
Transfer	<u>272,870</u>	From Water System R&E
Total Available	\$2,786,200	After BOC Approval of Transfer

ATTACHMENT 1

**ITB 2314-B: FCWS - Trilith Studios Elevated Water Storage Tank
Tally Sheet**

Vendor	Phoenix Fabricators and Erectors	Caldwell
Lump Sum Bid:		
400,000 Gallon Elevated Storage Tank	3,201,343.00	2,726,200.00
Lump Sum Contingency Allowances:		
Materials Testing Laboratory	10,000.00	10,000.00
Owner Directed Changes	50,000.00	50,000.00
Total Lump Sum Contingency Allowance	60,000.00	60,000.00
Total Bid + Allowances	3,261,343.00	2,786,200.00

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Request to approve a revised agreement with Georgia Department of Transportation (GDOT) PI 0013726 in the amount of \$1,819,817.10 to supply all construction engineering and contract supervision for water distribution line relocations, adjustments and improvements on State Routes 74 and 54 in Peachtree City.

Background/History/Details:

On November 10, 2022, Fayette County entered into a contract agreement with GDOT to supply all construction engineering and contract supervision for water distribution line adjustments and improvements on State Routes 74 and 54 in Peachtree City for a not to exceed amount of \$1,819,817.10.

On September 13, 2023, FCWS received a revised pre-let estimate from GDOT. The approximate non-binding pre-let estimate, including betterment, is \$2,134,742.10 (\$1,574,625.00 Non-Reimbursable/In-Kind and \$560,117.10 Betterment). GDOT will bear \$314,925.00 or 20% of the non-reimbursable/in-kind cost; FCWS will bear \$1,259,700.00 or 80% of the non-reimbursable/in-kind cost and \$560,117.10 or 100% of the betterment cost. (total \$1,819,817.10).

What action are you seeking from the Board of Commissioners?

Approval of a revised agreement with Georgia Department of Transportation (GDOT) PI 0013726 in the amount of \$1,819,817.10 to supply all construction engineering and contract supervision for water distribution line relocations, adjustments and improvements on State Routes 74 and 54 in Peachtree City.

If this item requires funding, please describe:

Funding is available in CIP Projects: 22WSH SR 74/54 (\$723,962) and the Revenue and Extension Fund (\$1,095,856.)

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:



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

September 19, 2023

Ms. Vanessa Tigert
Director
Fayette County Water System
245 McDonough Road
Fayetteville, GA 30214

Subject: **Project No.: N/A, Fayette County**
PI No.: 0013726
Contract Item Agreement Undated – Water Facilities

Dear Ms. Tigert:

In accordance with your request, the adjustment of water and sewer facilities belonging to the Fayette County Water System is being included in the Department's contract for the roadway work on the above numbered project.

We are transmitting three counterparts of an undated Contract Item Agreement which sets forth the conditions under which the State agrees to have its Contractor perform the work and by which the Fayette County Water System will reimburse the Department for this work. As outlined in Article 8, the non-binding Pre-let estimate including betterment for this work is **\$2,134,742.10 (\$1,574,625.00 Non-Reimbursable/In-Kind & \$560,117.10 Betterment)** of which the Department shall bear **\$314,925.00 or 20% of the non-reimbursable/in-kind cost;** Fayette County Water System **will bear \$1,259,700.00 or 80% of the non-reimbursable/in-kind cost and \$560,117.10 or 100% of the betterment cost (for a total of \$1,819,817.10).** Also, attached is a cost estimate supporting the Agreement.

If the Agreement meets with your approval, please handle for execution on behalf of Fayette County Water System and return all three (3) counterparts to the State of Georgia, Office of Utilities, One Georgia Center, 600 West Peachtree Street, 10th Floor, Atlanta, Georgia 30308, for execution on behalf of the Department. In this connection, be sure to have a notary public sign the Agreements. Please be certain that the notary public affixes his/her seal alongside their signature. Also, complete the attached resolution form and insert the date of resolution on page 5 of the Agreement. The Official Seal of the Fayette County Water System is also required to be affixed to each counterpart in compliance with instructions from our Attorney General's Office.

Also, please provide the Fayette County Water System's Federal Employee Identification Number (FEIN) in the blank shown on page 4 of the Agreement.

In accordance with Articles 8, 9, and 10 of the Agreement, the Department shall notify the Fayette County Water System in writing of the amount due the Department based upon the aforementioned commitment letter at the time of execution. At that time a check for the amount required to perform the work will be requested as outlined in the Agreement. The Department will refund any overpayment or request in writing that the Fayette County Water System pay the Department the revised amount as determined by the aforesaid method.

Ms. Vanessa Tigert
Project No.: N/A, Fayette County
PI No.: 00013726, Contract Item Agreement Undated – Water Facilities
September 19, 2023; Page 2 of 2

If you have any questions or need further information, please contact Frantz Boileau at 404-347-0605 or by email at fboileau@dot.ga.gov. Please send correspondence by mail addressed to State of Georgia, Office of Utilities, One Georgia Center, 600 West Peachtree Street, 10th Floor, Atlanta, Georgia 30308 for execution on behalf of the Department.

Very Truly Yours,

A handwritten signature in blue ink, appearing to read 'Shajan Joseph', with a stylized flourish at the end.

Shajan Joseph, P.E.
Assistant State Utilities Administrator

For: Nicholas Fields
State Utilities Administrator

NF: SPJ: MGC: FB

Attachments (Agreement and Estimate)

cc: Tyler Peek, P.E., District 3 Engineer
Greg Smith, District 3 Utilities Manager
Danah Bonny, Utilities Preconstruction Specialist
Abdulahid Munshi, Utility Coordinator
Randy Blair, Project Manager

Account No. – Class: 733005-309

Department ID: 4848010000

Program No.: 4181401

STANDARD UTILITY AGREEMENT
CONTRACT ITEM AGREEMENT

Georgia Project No.: N/A, Fayette County

G.D.O.T. P.I. No.: 0013726

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

WITNESS that:

WHEREAS, the DEPARTMENT proposes under the above numbered project to reconstruct/rehabilitate SR 54 at SR 74 in Fayette County, Georgia, Georgia; and

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

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

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

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

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

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

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

STANDARD UTILITY AGREEMENT
CONTRACT ITEM AGREEMENT

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

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

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

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

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

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

8. The DEPARTMENT shall include in its highway contract those items shown as "materials" for permanent installation on the aforesaid plans. The price bid for the appropriate items shall include all labor, materials and incidentals necessary to complete the work. The cost of the requested work shall be determined from unit quantities and unit prices as shown in the DEPARTMENT'S tabulation of bids. The approximate non-binding pre-let estimate, including betterment, is **\$2,134,742.10 (\$1,574,625.00 Non-Reimbursable/In-Kind & \$560,117.10 Betterment)** based on the LOCAL AGENCY'S estimate attached hereto of which the Department shall bear **\$314,925.00 or 20% of the non-reimbursable/in-kind cost; the LOCAL AGENCY shall bear \$1,259,700.00 or 80% of the non-reimbursable/in-kind cost and \$560,117.10 or 100% of the betterment cost.**

STANDARD UTILITY AGREEMENT
CONTRACT ITEM AGREEMENT

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

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

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

12. Pursuant to O.C.G.A. Sec. 50-5-85, LOCAL AGENCY hereby certifies that it is not currently engaged in, and agrees that for the duration of this contract, it will not engage in a boycott of Israel.

13. It is mutually agreed between the parties hereto that this document shall be deemed to have been executed in the Fulton County, Georgia, and that all questions of interpretation and construction shall be governed by the laws of the State of Georgia.

14. This Agreement may be executed in any number of counterparts, each of which so executed shall be deemed to be an original, and such counterparts shall together constitute but one and the same Agreement. The parties shall be entitled to sign and transmit an electronic signature of this Agreement (whether by facsimile, PDF or other email transmission), which signature shall be binding on the party whose name is contained therein. Any party providing an electronic signature agrees to promptly execute and deliver to the other parties an original signed Agreement upon request.

STANDARD UTILITY AGREEMENT
CONTRACT ITEM AGREEMENT

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed in three counterparts, each to be considered as original by their authorized representative the day and date hereinabove written.

FAYETTE COUNTY WATER SYSTEM

BY: _____
CHAIRMAN

Signed on behalf the Fayette County Water System pursuant to resolution dated _____.

FEIN _____

BY: _____
SECRETARY/ASST. SECRETARY
(OFFICIAL SEAL)

RECOMMENDED:

ACCEPTED: _____

DEPARTMENT OF TRANSPORTATION

BY: _____
STATE UTILITIES ADMINISTRATOR

BY: _____
COMMISSIONER

PROJECT NO.: N/A
COUNTY: FAYETTE
G.D.O.T. P.I. NO.: 0013726
DATE: September 19, 2023 FB

Signed, sealed and delivered this _____
day of _____, 20____,

(OFFICIAL SEAL OF THE DEPARTMENT)

I attest that the seal imprinted herein is the Official Seal of the DEPARTMENT.

BY: _____
TREASURER
OFFICIAL CUSTODIAN OF THE SEAL

STANDARD UTILITY AGREEMENT
CONTRACT ITEM AGREEMENT

RESOLUTION

STATE OF GEORGIA

FAYETTE COUNTY WATER SYSTEM

BE IT RESOLVED by the Chairman and Board of Commissioners of FAYETTE COUNTY WATER SYSTEM, and it is hereby resolved, that the foregoing attached Agreement, relative to Project No. N/A, P.I. No. 0013726 - to reconstruct/rehabilitate State Route 54 at State Route 74 in Fayette County and that Lee Hearn, as Chairman of the Boar and Tameca P. Smith, as Clerk, be and they are, thereby authorized and directed to execute the same for and in behalf of said by the CHAIRMAN and BOARD OF COMMISSIONERS of FAYETTE COUNTY WATER SYSTEM.

Passed and adopted, this the _____ day of _____, 20__.

ATTEST:

COMMISSION CLERK

BY: _____
CHAIRMAN

STATE OF GEORGIA,

FAYETTE COUNTY WATER SYSTEM

I _____, as Clerk, do hereby certify that I am custodian of the books and records of the same, and that the above and foregoing copy of the original is now on file in my office, and was passed by the Chairman and Board of Commissioners of FAYETTE COUNTY WATER SYSTEM.

WITNESS my hand and official signature, this the _____ day of _____, 20__.

BY: _____
CLERK



GEORGIA SECURITY AND IMMIGRATION COMPLIANCE ACT AFFIDAVIT

Table with 2 columns: Contractor's Name, Solicitation/Contract No./ Call No. or Project Description. Values: FAYETTE COUNTY WATER SYSTEM, PROJECT NO. N/A, PI 0013726, FAYETTE COUNTY SR 54 @ SR 74

CONTRACTOR AFFIDAVIT

By executing this affidavit, the undersigned contractor verifies its compliance with O.C.G.A. § 13-10-91, stating affirmatively that the individual, entity or corporation which is engaged in the physical performance of services on behalf of the Georgia Department of Transportation has registered with, is authorized to use and uses the federal work authorization program commonly known as E-Verify, or any subsequent replacement program, in accordance with the applicable provisions and deadlines established in O.C.G.A. § 13-10-91.

Furthermore, the undersigned contractor will continue to use the federal work authorization program throughout the contract period and the undersigned contractor will contract for the physical performance of services in satisfaction of such contract only with subcontractors who present an affidavit to the contractor with the information required by O.C.G.A. § 13-10-91(b). Contractor hereby attests that its federal work authorization user identification number and date of authorization are as follows:

Federal Work Authorization User Identification Number (EEV/E-Verify Company Identification Number)

Date of Authorization

Name of Contractor

I hereby declare under penalty of perjury that the foregoing is true and correct

Printed Name (of Authorized Officer or Agent of Contractor)

Title (of Authorized Officer or Agent of Contractor)

Signature (of Authorized Officer or Agent)

Date Signed

SUBSCRIBED AND SWORN BEFORE ME ON THIS THE

DAY OF , 20

[NOTARY SEAL]

Notary Public

My Commission Expires:

P.I. 0013726 Fayette County - Fayette County Water System - Water Utility

Pay Item and Description	Additional Description	Unit	In-Kind Items			Betterment Items		In-Kind / Betterment Total Qty	Actual Bid Costs				
			Orig Plan Total Qty	Orig Est Unit Price	Orig Est Cost	Orig Plan Total Qty	Orig Est Cost		Actual Bid Total Qty	Actual Bid Unit Price	Actual Total Bid Cost	Actual In-Kind Bid Cost	Actual Betterment Bid Cost
615-1000 JACK OR BORE PIPE, 48 IN		LF	40	\$ 1,600.00	\$ 64,000.00	0	\$ -	40				\$ -	\$ -
615-2550 JACK OR BORE PIPE, 24 IN		LF	150	\$ 1,000.00	\$ 150,000.00	0	\$ -	150				\$ -	\$ -
615-2555 JACK OR BORE PIPE, 36 IN STEEL CASE		LF	0	\$ 1,200.00	\$ -	130	\$ 156,000.00	130				\$ -	\$ -
670-1160 WATER MAIN, 16 IN *** Requires Special Provision ***(670-		LF	819	\$ 275.00	\$ 225,225.00	0	\$ -	819				\$ -	\$ -
670-1200 WATER MAIN, 20 IN *** Requires Special Provision ***(670-		LF	455	\$ 300.00	\$ 136,500.00	466	\$ 139,800.00	921				\$ -	\$ -
670-1240 WATER MAIN, 24 IN *** Requires Special Provision ***(670-		LF	613	\$ 500.00	\$ 306,500.00	0	\$ -	613			\$ -	\$ -	\$ -
670-1500 CAP OR REMOVE EXISTING WATER MAIN *** Requires Special Provision ***(670-1500)		EA		\$ 4,000.00		1	\$ 4,000.00	1			\$ -	\$ -	\$ -
670-2002 VALVE MARKER *** Requires Construction Detail ***(670-2002)		EA	13	\$ 200.00	\$ 2,600.00	9	\$ 1,800.00	22			\$ -	\$ -	\$ -
670-2080 GATE VALVE, 8 IN *** Requires Special Provision ***(670-2080)		EA	1	\$ 3,300.00	\$ 3,300.00	1	\$ 3,300.00	2			\$ -	\$ -	\$ -
670-2120 GATE VALVE, 12 IN *** Requires Special Provision ***(670-2120)		EA	1	\$ 8,000.00	\$ 8,000.00	0	\$ -	1			\$ -	\$ -	\$ -
670-0515 BUTTERFLY VALVE, 16 IN *** Requires Special Provision ***(670-0515)		EA	4	\$ 15,000.00	\$ 60,000.00	0	\$ -	4			\$ -	\$ -	\$ -
670-0525 BUTTERFLY VALVE, 20 IN *** Requires Special Provision ***(670-0525)		EA	1	\$ 20,000.00	\$ 20,000.00	7	\$ 140,000.00	8			\$ -	\$ -	\$ -
670-0535 BUTTERFLY VALVE, 24 IN *** Requires Special Provision ***(670-0535)		EA	3	\$ 22,500.00	\$ 67,500.00	0	\$ -	3			\$ -	\$ -	\$ -
670-4000 FIRE HYDRANT *** Requires Special Provision ***(670-4000)		EA	1	\$ 8,000.00	\$ 8,000.00	4	\$ 32,000.00	5			\$ -	\$ -	\$ -
670-4530 CONCRETE THRUST COLLAR, 16 IN PIPE *** Requires Special Provision ***(670-4530)		EA	2	\$ 5,000.00	\$ 10,000.00	4	\$ 20,000.00	6			\$ -	\$ -	\$ -
670-4540 CONCRETE THRUST COLLAR, 20 IN PIPE *** Requires Special Provision ***(670-4540)		EA	6	\$ 6,000.00	\$ 36,000.00	4	\$ 24,000.00	10			\$ -	\$ -	\$ -
670-4490 CONCRETE THRUST COLLAR, 24 IN PIPE *** Requires Special Provision ***(670-4490)		EA	8	\$ 7,000.00	\$ 56,000.00	0	\$ -	8			\$ -	\$ -	\$ -
670-7000 STEEL CASING, 48 IN *** Requires Special Provision ***(670-7000)		LF	40	\$ 700.00	\$ 28,000.00	0	\$ -	40			\$ -	\$ -	\$ -
670-9275 STEEL CASING, 24 IN *** Requires Special Provision ***(670-9275)		LF	150	\$ 550.00	\$ 82,500.00	0	\$ -	150			\$ -	\$ -	\$ -
670-9285 STEEL CASING, 36 IN (670-9285)		LF	0	\$ 301.67	\$ -	130	\$ 39,217.10	130			\$ -	\$ -	\$ -
611-5589 RELOCATE WATER METER, 1 IN		EA	1	\$ 3,000.00	\$ 3,000.00	0	\$ -	1			\$ -	\$ -	\$ -
600-0001 FLOWABLE FILL(600-0001)		CY	123	\$ 2,500.00	\$ 307,500.00	0	\$ -	123			\$ -	\$ -	\$ -
	GDOT SHARE 20%				TOTAL EST In-Kind \$ 1,574,625.00		TOTAL Betterment EST \$ 560,117.10				TOTAL Actual Bid Cost \$ -	TOTAL Actual In-Kind Bid Cost \$ -	TOTAL Actual Betterment Bid Cost \$ -
	UTILITY OWNER SHARE 80%				NON-REIMBURSIBLE / FACILITY OWNER SHARE \$ 1,259,700.00		TOTAL ESTIMATE IN-KIND & BETTERMENT \$ 2,134,742.10				TOTAL BID COST NON-REIMBURSIBLE / FACILITY OWNER \$ -	TOTAL BID COST IN-KIND & BETTERMENT \$ -	
					NON-REIMBURSIBLE / GDOT SHARE \$ 314,925.00		TOTAL ESTIMATE IN-KIND (NON-REIMBURSABLE) FACILITY OWNER SHARE & BETTERMENT \$ 1,819,817.10				TOTAL BID COST / NON-REIMBURSIBLE/ GDOT SHARE \$ -	TOTAL BID COST IN-KIND (NON-REIMBURSABLE) FACILITY OWNER SHARE & BETTERMENT \$ -	
NOTE:	The 20% GDOT Share is for in-kind Non-Reimbursable pay-items due to UTILITY AID granted. 10/12/2022 mgc									NOTES:			

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Request to re-appoint Martin Sas to the Fayette County Transportation Committee to serve a term beginning April 1, 2023 and expiring March 31, 2026.

Background/History/Details:

On January 28, 2016 the Board of Commissioners adopted Ordinance 2016-03 - Transportation Committee.

The purpose of the Transportation Committee is to: a) identify traffic problems in the County; b) provide recommendations to the Board of Commissioners for short-and-long term priorities; c) provide input on project alignments and alternatives; d) assist with identification of funding sources, solicitation of federal funds, grants, etc.; e) assist with coordination of projects between the County and municipalities; f) provide appropriate focus on projects to ensure accountability of staff and consultants; g) provide recommendations for long-term goals; h) identify and support safety initiatives; and i) assemble information and facilitate communication of the County's views and concerns to the Georgia Department of Transportation (GDOT) and the Atlanta Regional Commission (ARC.)

There are two citizen positions on the committee. One is currently vacant. The position was advertised in accordance with county policy 100.19 - Board Appointment.

Martin Sas has served as a citizen appointee since the Committee was founded and is an engaged and active member.

What action are you seeking from the Board of Commissioners?

Approval to re-appoint Martin Sas to the Fayette County Transportation Committee to serve a term beginning April 1, 2023 and expiring March 31, 2026.

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 Transportation Committee

Thank you for your interest in being considered for appointment to the **Fayette County Transportation Committee**. The purpose of the Transportation Committee is to identify traffic problems in the county, provide recommendations for short-and-long term priorities, provide input on project alignments and alternatives; assist with identification and solicitation of federal funds and grants, assist with coordination of projects between the county and municipalities, and to provide appropriate focus that ensures accountability of staff and consultants. Other tasks for the Transportation Committee include providing recommendations for long-term goals, identifying and supporting safety initiatives, and assembling information and facilitating communication of the County's views and concerns to the Georgia Department of Transportation and the Atlanta Regional Committee. It is the intention of the Board of Commissioners that the Fayette County Transportation Committee shall fully explore traffic issues and provide information and recommendations to the Board of Commissioners.

The Transportation Committee meets monthly at 140 Stonewall Avenue West, Suite 100, Fayetteville, Georgia 30214.

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, April 14, 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 _____ Martin S. Sas _____

ADDRESS _____ 332 Elkins Place _____

_____ Peachtree City,, GA 30269 _____

TELEPHONE (cell) _____ [REDACTED] _____ (home) _____ [REDACTED] _____

(email address) _____ [REDACTED] _____

Martin S Sas
Signature

16 Mar 2023
Date



1. How long have you been a resident of Fayette County
I've resided in Fayette County since December 1996.
2. Why are you interested in serving on the Fayette County Transportation Committee?
I am retired and currently have time to serve the community in this capacity and would consider it an honor to do so.
3. What qualifications and experience do you possess that should be considered for appointment to the Transportation Committee?
I retired from the military with 22 years of service as an officer and Program Manager. For 32 years after retirement from the military, I have worked as a System Engineer and a Program Manager for a Defense Contractor and in the civil sector as a Program Manager, System Engineer, and Consultant for several Transportation Engineering companies.

Additionally I have worked in the transportation field over 30+ years as a systems engineer, Program Manager and industry consultant for Intelligent Transportation Systems. While with various toll and transportation companies, as a program manager I, along with every program manager was required to take ethics, code of conduct, and public awareness and interaction training courses on an annual basis.
4. List your recent employment experiences to include name of company and position.
Atkins North America, Inc., Senior Tolls Consultant
Xerox, Senior Program Manager and System Engineer
5. Do you have any past experience related to this position? If so, please describe.
Only in the context of executing my duties as an Officer and as a Program Manager in the Transportation sector addressing traffic control, congestion and tolling efficacy.; also as oversight and management of contractor contract requirements within DoD and as a Program Manager in the civil sector.
6. Are you currently serving on a commission/board/authority or in an elected capacity with any government?
Yes, for the past 7 years as an appointed citizen member on the Fayette County Transportation Committee.
7. Have you attended any Transportation Committee meetings in the past two years and, if so, how many?
Yes, at least Ten.
8. Are you willing to attend seminars or continuing education classes at county expense?
Yes, that would not be a problem.
9. What is your vision of the county's future related to the duties of the Transportation Committee?



I believe the Transportation Committee must work with all county agencies and jurisdictions to develop unified transportation requirements, including multiple path goals, land use, and implementation plans required to maintain Fayette County's quality of life, reduce the effects of uncoordinated development and mitigate growing traffic congestion within the county. The Committee should be open to all options for regional integration that improves transportation options and reduces traffic congestion for everyone in the county. They must be the 'forward thinkers' in the county and should articulate new ideas, as well as concerns, not only to the Board of Commissioners, but to the citizens as well.

10. Would there be any possible conflict of interest between your employment or your family and you serving on the Transportation Committee?

None with family and since I am retired there will be none from any employer.

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.

I have served as President of the Ashley Forest Home Owners Association for over three years and currently support Board and Association requirements for the Everton HOA in Peachtree City as needed.

13. You have been given a copy of the County's Ethics Ordinance. Is there any reason you would not be able to comply with the ordinance?

None.

MARTIN S. SAS

332 Elkins Place ■ Peachtree City, GA 30269 ■ [REDACTED] ■ [REDACTED]
<http://www.linkedin.com/in/martysas>

Senior Management Consultant / Transportation and Toll Systems

Senior manager with extensive project and technical management experience in program management, systems design and implementation, and revenue-financed highways. Expertise in state and federal planning, systems engineering, intelligent transportation systems, revenue collection and back-office services for violation processing and revenue collection, privately financed highway initiatives and interface between agencies and the public.

Adaptable problem solver with MSEE, strong leadership skills and ability to execute under pressure based on military leadership experience and through management and executive roles. Specializations include:

- Electronic Toll Collection (ETC) Systems
- Open Road Toll ETC Systems
- Automatic vehicle classification (AVC) systems,
- Automatic vehicle identification (AVI),
- Intelligent Transportation Systems (ITS) solutions
- Advanced image capture and processing for video & violation enforcement systems (VES)
- Customer Service Center / Violation Processing Center (CSC/VPC).
- Advanced homeland security solutions

HIGHLIGHTED ACCOMPLISHMENTS

- Managed the implementation of the New Jersey Turnpike Authority's ORT Lane ETC System at the Barnegat Plaza completing the program one week ahead of schedule.
- Managed design, construction and implementation of the Salt Lake City Interim Traffic Management Center and Intelligent Transportation System in preparation for the 2002 Olympics on time and on budget.
- Increased sales revenue by 8% with implementation of national sales and marketing program.
- Achieved proposal win ratio greater than 70% sustained over two years as technical proposal team manager.
- Served as the Chief Technical Liaison to U.S. NATO Negotiators.
- Deputy Program Manager for acquisition for a DoD Satellite Terminal program.

PROFESSIONAL EXPERIENCE

Atkins North America, Inc.

2012-2016

Senior Tolls Consultant

Provide technical assistance for project implementation, preparation or review of specifications, development of functional requirements, and support for Request For Proposal development.

Provided technical expertise and support in developing system requirements and proposal support for the managed lane RFP for the SRTA program indicated below

- Toll System Integrator for Toll Collection Systems Implementation and Maintenance RFP program in support of the I-75 South Express Lanes Project and the I-75 Northwest Corridor Project. Both programs will be reversible Express Lane facilities managed initially as separate projects but under the operational control and direction of the SRTA.

Xerox State and Local Solutions Inc. (formally ACS), Germantown, MD

2010 - 2012

Senior Manager, System Consultant

Provided Program management and technical assistance for project implementation, systems engineering oversight, preparing specifications, and developing functional requirements.

Managed and directed the Operations & Maintenance programs and provided leadership, and technical expertise serving as the Program Manager for the programs indicated below

- Delaware River Joint Toll Bridge Commission (DRJTBC) – Program Manager responsible for O&M Contract and providing guidance to project team for the design, build and maintenance of conventional and ORT lanes at 7 plazas.
- New Jersey E-ZPass Lanes – Program Manager responsible for O&M Contract and providing program management for the design, build of ORT lanes at a number of plazas for both the New Jersey Turnpike and the Garden State Parkway. Specifically
 - Barnegat ORT Lanes

PROFESSIONAL EXPERIENCE *(continued)*

- ORT Camera and Zone Controller Upgrade for 6 Plazas (in progress)
- Interchange 8 Conventional Lane Implementation (in progress)
- North Carolina Toll Authority (NCTA) – As Assist Program Manager for lane implementation, I provided both management and technical direction for the design and implementation of the Roadway Overview Camera and Site Security Access Control Systems.
- Florida's Turnpike Enterprise - As Deputy Program Manager I provided technical assistance in lane design, installation and commissioning tests. Directed and contributed to developing the FTE Lane/Plaza O&M Manuals and coordinating document deliverables.

MKRS ASSOCIATES, Atlanta, GA

2009 - 2010

Senior Consultant / Principal

Specializing in project management, systems engineering, technical analysis and system design for electronic toll collection systems, Intelligent Transportation Systems, wireless applications, strategic planning, support for JAVA Technologies.

HNTB CORPORATION, Atlanta, GA

2007 - 2009

Senior Consultant and Project Manager, Toll Facilities Group

Provided management and technical assistance for project implementation, conducting due diligence reviews, preparing specifications, and developing requirements for transportation and toll agencies and enhancing client relations.

- Reduced cost estimate formatting and production time by 40% by developing a cost estimate format for three similar, yet different, project types.
- Co-authored document for publication by the Federal Highway Administration entitled, "*Considerations for HOV to HOT Lane Conversions Guidebook, December 12, 2007*".
- Developed designs and prepared project scopes of work, functional requirements, and cost estimates for more than ten procurement and technical support projects.
 - West Virginia Turnpike Upgrade – Provided technical support in the design of an upgrade to the toll collection system, prepared projected capital cost estimate and prepared the Concept of Operations for the implementation of the proposed upgrade.
 - New Hampshire Turnpike ORT Upgrade – Provided technical support in the design of the ORT upgrade at an existing barrier plaza. Developed the technical functional specifications and statement of work for the procurement documents.
 - Miami Dade Expressway Authority (MDX), Miami FL – Provided technical oversight in the development and coordination of the technical RFP and scope of work, and system capital cost estimates for the procurement of an ORT toll collection system and for a new customer service center and violation processing center.
 - Utah Department of Transportation (UDOT), I-15 HOT Lanes Study, Salt Lake City, UT – Provided technical oversight and assistance in developing the concept of operations, technical specifications, requirements definitions, procurement documents, and the capital cost estimate
 - Port Authority of New York and New Jersey, Prepared project cost estimates for the proposed toll collection upgrade including assessments for implementing an ORT system.
 - Massachusetts Turnpike Authority (Masspike) – Provided technical oversight in the development and coordination of the technical RFP and scope of work and developed cost estimates for procurement options for the toll collection system upgrade. Delaware River Joint Toll Bridge Commission (DRJTBC), In-Lane Toll System Design Build Maintain Project RFP, Lambertville, PA – Provided technical services to develop and coordinate the technical RFP, and scope of work for the procurement of a system upgrade that included an ORT implementation, customer service center, and violation processing center.
 - San Diego Association of Governments (SANDAG), I-15 Managed Lanes, San Diego, CA – Provided technical services in the preparation of network and system cost estimates, procurement and proposal review and evaluation, preparation of the Concept of Operations for the Evaluation of Automatic Vehicle Occupancy

PROFESSIONAL EXPERIENCE *(continued)*

- Transurban, Pocahontas Parkway ETC Conversion Project RFP, Richmond, VA Provided technical services to develop and coordinate the technical and performance requirements for an RFP for the ETC Conversion project.

PBS & J, Atlanta, GA

2001 - 2006

Senior Consultant and Project Manager, Toll Facilities Group

Provided management and technical assistance for project implementation, conducting due diligence reviews, systems engineering oversight, preparing specifications, and developing functional requirements.

- Conducted due diligence review for investment grade evaluation and on-site inspection of existing Toll Collection System, as member of intelligent transportation system (ITS) and toll collection system (TCS) Technical Advisory Team. Created program design, capital and operations expenditure projections and developed design specifications for a private consortium.
- Developed conceptual design for truck-only toll (TOT) facility with electronic tolling and Open Road Tolling option including cost analysis and facility cost estimates as member of Public-Private Initiative (PPI) project design team.
- Developed the designs, prepared project scopes of work, functional requirements, and cost estimates for more than fifteen technical support projects and conducted numerous technical studies.
 - Cintra-Marquarie Consortium - Proposal and technical assistance as member of intelligent transportation system (ITS) and toll collection system (TCS) Technical Advisory Team to conduct a due diligence review for an investment grade evaluation and on-site inspection of an existing TCS that included program design, capital and operations expenditure projections, and developing design specifications for the private consortium's toll road proposal.
 - Bechtel Infrastructure Corporation – Member of a design team for I-75/I-575 Northwest Corridor Public-Private Initiative (PPI) project responsible for the conceptual design for a truck-only toll (TOT) facility with electronic tolling, developing plaza staffing projections as needed, designing an Open Road Tolling option, developing transaction cost analysis and facility cost estimate to implement electronic and VES operations for the TOT facility.
 - Florida's Turnpike Enterprise - Technical assistance for the SunPass Electronic Toll system that included the evaluation of existing and Next Generation enterprise technologies, and product enhancements.
 - Delaware River Port Authority - Managed and conducted the review and evaluation of the Automatic Vehicle Classification (AVC) System to determine the cause of incorrect classifications and toll charges
 - Texas Turnpike Authority (TTA) Technical assistance in the conduct and evaluation of Factory Acceptance Tests of the Tolls Management System to be deployed within the Central Texas Turnpike System
 - ATMS Projects Technical assistance and analysis of existing ATMS facilities to develop improvement scenarios, including ITS and electronic toll applications. Some of the projects included:
 - GDOT's I-285 Strategic Implementation Plan
 - US-95 ITS Communications – Technical assistance in the design of the ITS Corridor communication system in Las Vegas, NV for NDOT, to provide a seamless connection with the existing communications infrastructure
 - iFlorida's RWIS Project - Project manager and technical expert for the Weather Forecasting by Road Segment element of iFlorida's, Surface Transportation Security and Reliability Information System Model Deployment.
 - Orlando-Sanford International Airport Authority – Managed and provided technical assistance for Security Enhancements that included design criteria for the acquisition, integration and replacement of the access control and surveillance system.

PRIOR EXPERIENCE:**MKRS ASSOCIATES, Atlanta, GA****Senior Consultant / Principal**

Specializing in project management, systems engineering, technical analysis and system design for electronic toll collection systems, Intelligent Transportation Systems, wireless applications, strategic planning, value engineering and proposal support for PBS&J and the Florida Turnpike Enterprise.

SURFACE SYSTEMS, INC., St. Louis, MO**Vice President for Product Development**

Provided technical guidance and direction in product development and oversight to functional departments (Engineering, Manufacturing, Customer Service, Shipping and Weather).

- Achieved 8% increase in sales revenue by restructuring national sales and technical support programs.
- Reduced operating expenses by 5% and improved sales department efficiency by approximately 11%.
- Led new product design, product upgrades, and ITS functional specification applications.

TRW INTEGRATED SYSTEMS INC., Atlanta, GA**Project Manager and Senior Systems Engineer**

Provided management and technical design guidance in support of Intelligent Transportation System programs.

- Managed and completed construction of Salt Lake City Interim Traffic Management Center and
- Designed wireless Interim Intelligent Transportation System for 2002 Olympics during I-80 and I-15 reconstruction within budget and ahead of schedule.

MFS NETWORK TECHNOLOGIES, Omaha, NE**Program and Technical Systems Manager**

Provided technical guidance for system design, installation, test, operational planning and transitional management of project implementation from inception to permanent project personnel.

- Achieved proposal win ratio greater than 70% as Technical Manager of technical proposal teams.
- Project Manager for two signature electronic toll collection system projects in California; SR 91 Express Lanes, and Accounting System (ATCAS), Toll Bridges.

MAGNAVOX ELECTRONICS SYSTEMS COMPANY, Leesburg, VA**Program Manager**

Senior Technical Manager of all Magnavox personnel providing technical support to US Forces in Europe

- Provided advice and technical support as the Chief Technical Liaison to US NATO Negotiators.
- Planned and executed the European deployment of a multi million dollar communication system.

MILITARY EXPERIENCE**UNITED STATES ARMY**

- Retired at the rank of *Lieutenant Colonel*
- **Program Manager** - Special Communications Systems (Satellite and HF systems) in Europe
- **Deputy Program Manager** - Acquisition for Extra High Frequency (EHF) Satellite Terminal
- **Division Manager** - Electronic Maintenance Division.

EDUCATION AND AFFILIATIONS

M.S. Electrical Engineering; B.S., Electrical Engineering – University of Alabama

Diploma, Strategic Planning, Armed Forces Staff College

Numerous Technical and Professional Training & Continuing Educational Courses

Member, Institute of Electrical and Electronics Engineers (IEEE)

Member Intelligent Transportation Society of America (ITSA) and ITS Georgia

Member, Institute of Transportation Engineers (ITE) and ITE Georgia

Member International Council of System Engineers (INCOSE)

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Request to extend the name "Ebenezer Church Road" along the newly-constructed alignment and change the name of the remaining segment to "Little Way," and to approve the recommended posted speed limits of 35 mph and 25 mph, respectively, on the two segments of roads.

Background/History/Details:

SPLOST Project 17TAN realigned the western end of Ebenezer Church Road to move its intersection with Ebenezer Road 1,150 feet north from the previous location. The purpose of the change was to improve intersection sight distances and provide more offset distance between Spear Road and Ebenezer Church Road.

This agenda item seeks Board approval to extend the Ebenezer Church Road name along the new alignment (a distance of approximately 1,500 feet and posted at 35 mph) and to rename the former portion of Ebenezer Church Road (a distance of approximately 1,270 feet and posted at 25 mph) Little Way. Little Way will operate as a one-way road with travel allowed in the west to east direction. Doing so maintains access to properties and give drivers a choice in travel paths while eliminating some of the turning movements with the greatest safety concerns. The remaining portion of Ebenezer Church Road will remain posted at 45 mph.

One driveway is impacted by the change. The homeowners have agreed to a new property address and support the proposed road name.

The limits of Little Way will be Ebenezer Road to the west and Ebenezer Church Road to the east, as shown on the backup material.

What action are you seeking from the Board of Commissioners?

Approval to extend the name "Ebenezer Church Road" along the newly-constructed alignment and change the name of the remaining segment to "Little Way," and to post speed limits of 35 mph and 25 mph, respectively, on the two segments of roads.

If this item requires funding, please describe:

No funding is 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

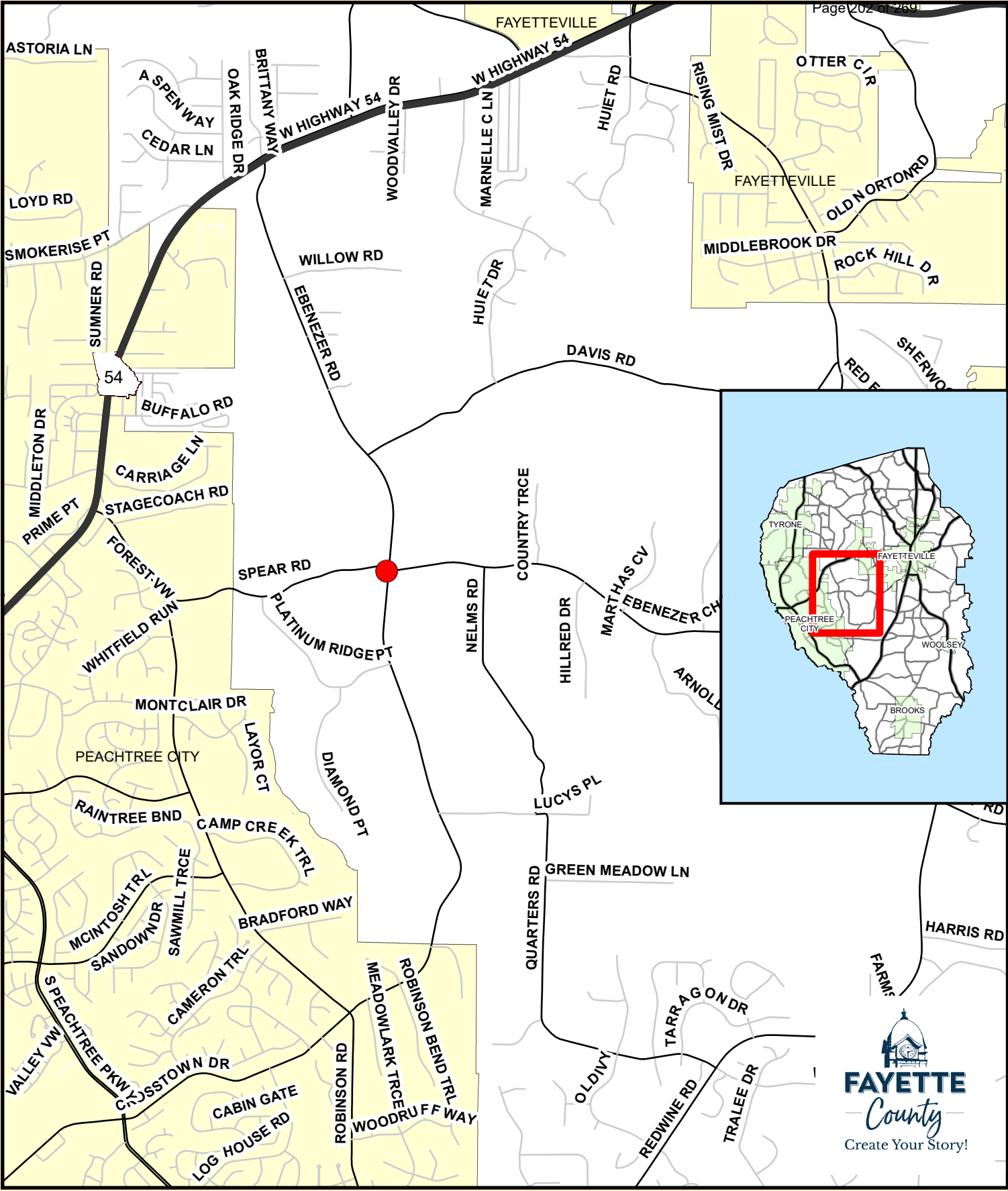
Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:

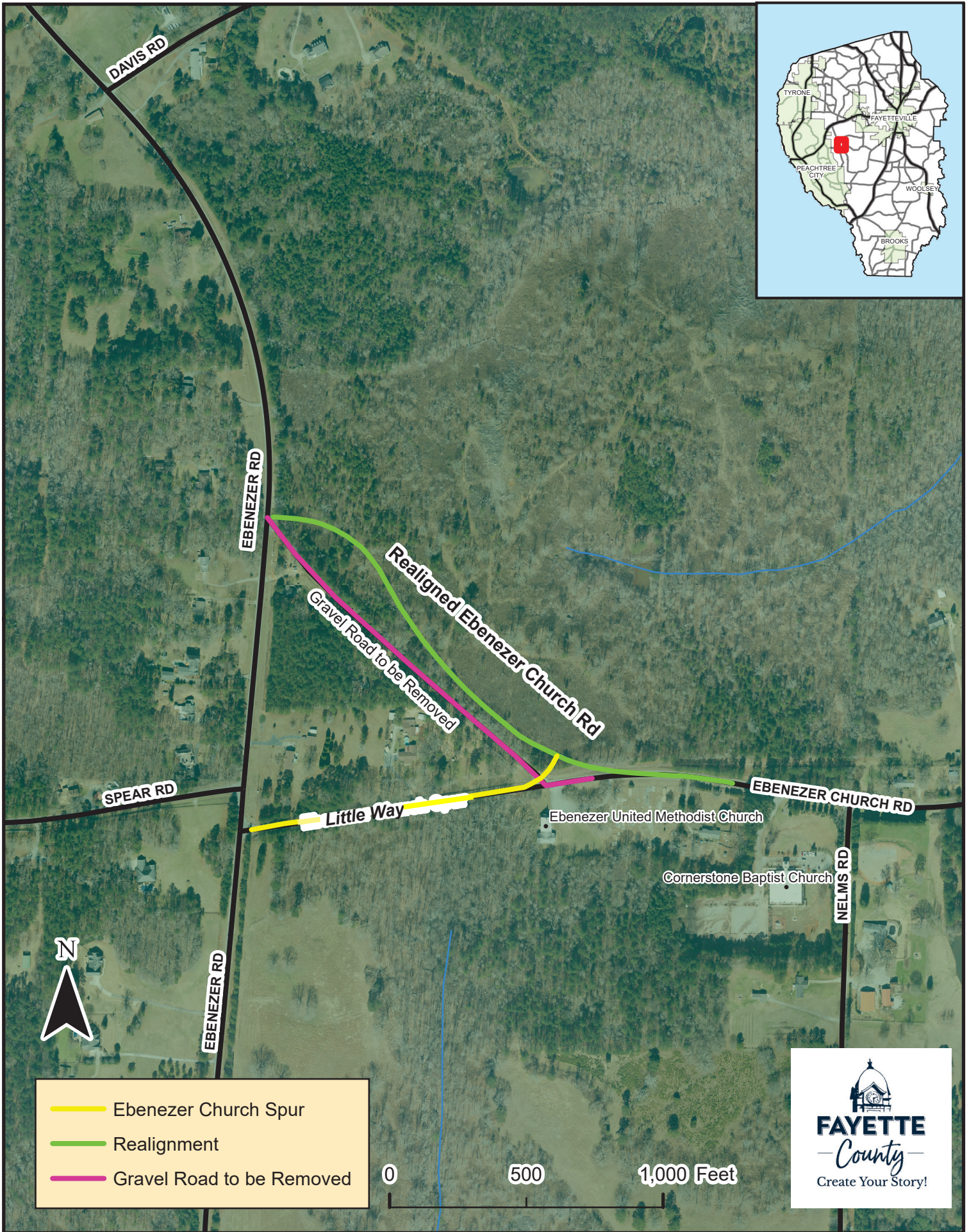


● Project Location

Fayette County 2017 SPLOST
 17TAN Ebenezer Church, Ebenezer Rd, Spear Rd Intersection realignment
 Transportation



Ebenezer Church Road Realignment New Traffic Pattern Effective 8/2/23



COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Request to submit a Safety Equipment Request Form to the Georgia Department of Transportation (GDOT) for donation of traffic signal equipment, estimated value of \$139,100.00, for the 2004 SPLOST Intersection Improvement Project R-19 & R-20 at SR 85 and Highway 85 Connector.

Background/History/Details:

On October 26, 2017, the BOC voted and approved accepting a proposal from GDOT to jointly address safety and operational issues along the SR 85 South corridor and Highway 85 Connector (R-19 and R-20).

After completion of the Traffic Engineering Report done by Croy Engineering, the recommendation was identified and analyzed under existing, 2025 base and 2045 design projected traffic conditions at SR 85 and Highway 85 Connector using the GDOT ICE Tool. The results of the analysis resulted in the installation of a traffic signal being the preferred alternative for traffic control at the intersection.

As plans and design are finalized, staff is seeking to concurrently submit a Safety Equipment Request Form to the GDOT for donation of traffic signal equipment.

The estimated value of the equipment is \$139,100.

What action are you seeking from the Board of Commissioners?

Approval to submit a Safety Equipment Request Form to the Georgia Department of Transportation (GDOT) for donation of traffic signal equipment, estimated value of \$139,100.00, for the 2004 SPLOST Intersection Improvement Project R-19 & R-20 at SR 85 and Highway 85 Connector.

If this item requires funding, please describe:

This request requires no local funding.

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:

Safety Equipment Request Form

Requestor Name:	Paola Kimbell	Job Title:	Transportation Engineer
Organization/Department:	Fayette County Public Works	Date:	9/19/2023
Phone Number:	770-320-6041	Email:	akimbell@fayettecountyga.gov
County:	Fayette	City:	Fayetteville
State Route Number/Road Name:	SR 85	Side Street:	HWY 85 Connector
Latitude:	33.32896	Longitude:	-84.50658
Estimated Cost:	\$139,100		
Final Cost (GDOT use):	Click or tap here to enter text.		
Quantities			
<i>Please list all quantities for requested equipment:</i>			

NON-NEMA CABINET, CONTROLLER ASSEMBLIES

- A. CABINET ASSEMBLY, MODEL 332A W AUXILLIARY OUTPUT FILE - 1 EACH
- B. SWITCH PACK (LOAD SWITCH) - 12 EACH
- C. DC ISOLATOR - 3 EACH
- D. 2010 ECLIP CONFLICT MONITOR. EXTENDED FEATURES - 1 EACH
- E. 2070 CONTROLLER W/ CURRENT GDOT OPERATING SOFTWARE - 1 EACH
- F. 2-CHANNEL LOOP DETECTOR - 4 EACH
- G. 332 CABINET BASE - 1 EACH
- H. 332 CABINET WORKPADS - 2 EACH

LOOP / PED DETECTOR LEAD-IN WIRE

- A. 3 PAIR,18 AWG - 3 REEL

SIGNAL CABLE

- B. 7-CONDUCTOR, (14 AWG) - 3 REEL

ONE-WAY, 3-SECTION, 12" , LED, TRAFFIC SIGNAL HEAD. PLASTIC - 6 EACH

ONE-WAY, 4-SECTION, 12" , LED, TRAFFIC SIGNAL HEAD. PLASTIC - 1 EACH

BACK PLATE FOR ONE-WAY, 3-SECTION, 12" SIGNAL HEAD-2" RETROREFLECTIVE TP - 6 EACH

BACK PLATE FOR ONE-WAY, 4-SECTION, 12" SIGNAL HEAD-2" RETROREFLECTIVE TP - 1 EACH

ONE-WAY I-SECTION, 18" LED COUNTDOWN PEDESTRIAN SIGNAL HEAD, FULL HAND/MAN

OVERLAP, 9" HIGH NUMBERS & 12" SYMBOLS - 6 EACH

PEDESTRIAN PUSH BUTTON STATION ASSEMBLY

- A. 9"X15", PUSH BUTTON STATION, ONE-WAY, WITH ADAPTERS TO EXTEND FOR 9"X15" SIGNS - 6 EACH

PEDESTRIAN SIGN

- A. 9"X15", RIO-3E, (L)EFT OR (R)IGHT, STANDARD - 6 EACH

PEDESTAL POLE, 10 FT W/ DECORATIVE BASE - 4 EACH

HARDWARE FOR SIDE-OF-POLE, ONE-WAY BRACKET ASSEMBLY - 2 EACH

HARDWARE FOR SIDE-OF-POLE, TWO-WAY BRACKET ASSEMBLY - 2 EACH

PULLBOX, TYPE 2- 11 EACH

PULLBOX, TYPE 3 - 3 EACH

PULLBOX, TYPE 4 - 1 EACH

CONDUIT, NONMETAL, TP 2, 1" - 140 LIN FT

CONDUIT, NONMETAL, TP 2, 2" - 190 LIN FT

CONDUIT, NONMETAL, TP 3, 2" - 900 LIN FT

CONDUIT, GRS, 1" - 80 LIN FT

DIRECTIONAL BORE, DESC: 3 IN - 620 LN FT

DIRECTIONAL BORE, DESC: 5 IN - 80 LN FT

OVERHEAD SIGNS

- A. D3-1 #1 (HWY 85 CONNECTOR) - 1 EACH

- B. D3-1 #2 (SR 85) - 2 EACH

- C. R10-5A (LEFT-TURN YIELD) - 1 EACH

Installation and Maintenance				
<p><i>Please describe the installation plan for this equipment. If the requesting organization is not installing, please provide who will be installing this equipment:</i></p> <p>The traffic signal and associated equipment will be installed by a GDOT prequalified signal contractor in accordance with a signal permit from District 3. The plans for the intersection are under design now.</p>		<p><i>Please describe the inspection and maintenance plan for this equipment:</i></p> <p>New traffic signal will be inspected and maintained by Fayette County's third-party annual GDOT approved contractor.</p>		
Safety Justification (Please attach any relevant crash data)				
<p>See attached TE Report for SR 85 and Hwy 85 Connector prepared by Croy Engineering. Appendices can be added upon request.</p>				
Requested By:	<i>Paola Kimbell</i>		Date:	9/19/2023
Reviewed By (Safety):	Click or tap here to enter text.		Date:	Click or tap to enter a date.
Reviewed By (Signals):	Click or tap here to enter text.		Date:	Click or tap to enter a date.

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Request to award Bid #2309-B, Camp Creek Multi-Use Path Phase 1 Project (SPLOST 24TAA) to Redland Grading Company, Inc. in the amount of \$128,857.77.

Background/History/Details:

This is a path project that will construct a path connecting Gristmill Drive in the Millpond Manor Subdivision to Homeowner Association property within the Chimneys Subdivision. Both subdivisions are along SR 74 south of Peachtree City. The path is approximately 912 feet long and will be constructed along the alignment of an existing path constructed of gravel, graded aggregate base (GAB), and concrete. All work is on Fayette County property.

Six bids were received and opened on September 15, 2023 and the lowest responsive, responsible bid was Redland Grading Company, Inc.

This project is fully funded through Fayette County's 2017 Special Purpose Local Options Sales Tax (SPLOST).

What action are you seeking from the Board of Commissioners?

Approval to award Bid #2309-B, Camp Creek Multi-Use Path Phase 1 Project (SPLOST 24TAA) to Redland Grading Company, Inc. in the amount of \$128,857.77.

If this item requires funding, please describe:

Funding for this project is available from the 2017 SPLOST Project 24TAA. (\$150k)

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 L. Burgess *TB*

Date: October 26, 2023

Subject: Contract #2309-B: Camp Creek Trail Multi-Use Path – Phase I

On August 21, 2023 the county issued Invitation to Bid (ITB) #2309-B for a contractor to construct a 912-foot multi-use path to connect Millpond Manor subdivision to HOA property in the Chimneys subdivision. The 12-foot wide path will be constructed along the alignment of an existing unpaved path.

The Purchasing Department issued Invitation to Bid #2309-B to secure a general contractor for the project. Notice of the opportunity was emailed to 54 companies. Another 693 were contacted through the web-based Georgia Procurement Registry, who had registered under commodity code #91225 (Construction, Golf Course), 91226 (Construction, Hike & Bike Trail), 91240 (Demolition Services), and 91250 (Maintenance & Repair, Golf Course), and 91430 (Concrete). The offer was also advertised through Fayette News, Georgia Local Government Access Marketplace, the Fayette County website and Channel 23.

Six companies submitted bids (Attachment 1). The low bid was submitted by Redland Grading Company, Inc.

The ITB required bidders to have been prequalified by the Georgia Department of Transportation (GDOT) in the GDOT Work Classes 310 (Graded Aggregate Construction) and 400 (Hot Mix Asphaltic Concrete Construction). Redland Grading was not prequalified by GDOT in these specific Work Classes, although they were prequalified in four other areas that are applicable to the work required by the project. If this were a GDOT-led project, GDOT said that they would consider Redland Grading's prequalification adequate. Public Works checked Redland Grading's references and their paving subcontractor (Legacy Paving, Inc.), and found both to be more than adequate.

Based on the fact that (1) this is a relatively simple path construction project, (2) references for Redland Grading's past work are good-to-excellent and references for their paving subcontractor are excellent, and (3) GDOT had instructed Redland Grading that they would be qualified if this were a GDOT-administered project, it has been determined that Redland Grading's bid irregularity is not of a material nature, and does not give them a competitive advantage over the other bidders.

It is recommended that the contract be awarded to the lowest reliable bidder, Redland Grading Company, Inc. Staff reviewed Redland Grading's bid for unbalanced condition or other irregularities, and found

none. Since this will be the county's first contract with them, a Contractor Performance Evaluation is not available.

Specifics of the proposed contract are as follows:

Contract Name	#2309-B: Camp Creek Trail Multi-Use Path – Phase I	
Contractor	Redland Grading Company, Inc.	
Not-to-Exceed Amount	\$128,857.77	
Budget:		
Fund	322	2017 SPLOST
Org Code	32240220	Road SPLOST
Object	541210	Other Improvements
Project	24TAA	Camp Creek Trail, Phase I
Available	\$150,000	As of 9/27/2023

Work Item / Scope	Quantity	Units	RYDE GRADING		MCCOY GRADING		MERIWETHER SITE SOLUTIONS	
			Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
Surveying	1	LS	\$2,500.00	\$2,500.00	\$4,884.45	\$4,884.45	\$13,479.37	\$13,479.37
Clearing, Grubbing, Mulching, Off-Site Disposal	1	LS	\$82,221.90	\$82,221.90	\$44,575.47	\$44,575.47	\$41,755.06	\$41,755.06
30-ft HDPE culvert install with headwalls	1	LS	\$3,680.74	\$3,680.74	\$9,299.00	\$9,299.00	\$7,076.73	\$7,076.73
Grading Complete	1	LS	\$80,307.15	\$80,307.15	\$84,676.38	\$84,676.38	\$81,714.32	\$81,714.32
GAB	456	tons	\$84.76	\$38,650.56	\$66.14	\$30,159.84	\$81.39	\$37,113.84
9.5 mm Type 2 asphalt	133.8	tons	\$238.42	\$31,900.60	\$264.34	\$35,368.69	\$181.97	\$24,347.59
Type A Silt Fence	1,000	ft	\$3.50	\$3,500.00	\$4.66	\$4,660.00	\$4.80	\$4,800.00
TOTAL				\$242,760.95		\$213,623.83		\$210,286.91

Work Item / Scope	Quantity	Units	A ABBY GROUP		PIEDMONT PAVING		REDLAND GRADING	
			Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
Surveying	1	LS	\$8,000.00	\$8,000.00	\$6,505.00	\$6,505.00	\$12,075.00	\$12,075.00
Clearing, Grubbing, Mulching, Off-Site Disposal	1	LS	\$62,300.00	\$62,300.00	\$41,470.00	\$41,470.00	\$12,620.00	\$12,620.00
30-ft HDPE culvert install with headwalls	1	LS	\$5,500.00	\$5,500.00	\$11,930.00	\$11,930.00	\$11,700.00	\$11,700.00
Grading Complete	1	LS	\$58,000.00	\$58,000.00	\$56,500.00	\$56,500.00	\$26,985.00	\$26,985.00
GAB	456	tons	\$75.00	\$34,200.00	\$68.45	\$31,213.20	\$62.56	\$28,527.36
9.5 mm Type 2 asphalt	133.8	tons	\$275.00	\$36,795.00	\$212.35	\$28,412.43	\$229.45	\$30,700.41
Type A Silt Fence	1,000	ft	\$4.00	\$4,000.00	\$5.00	\$5,000.00	\$6.25	\$6,250.00
TOTAL				\$208,795.00		\$181,030.63		\$128,857.77

A calculations correction was made.

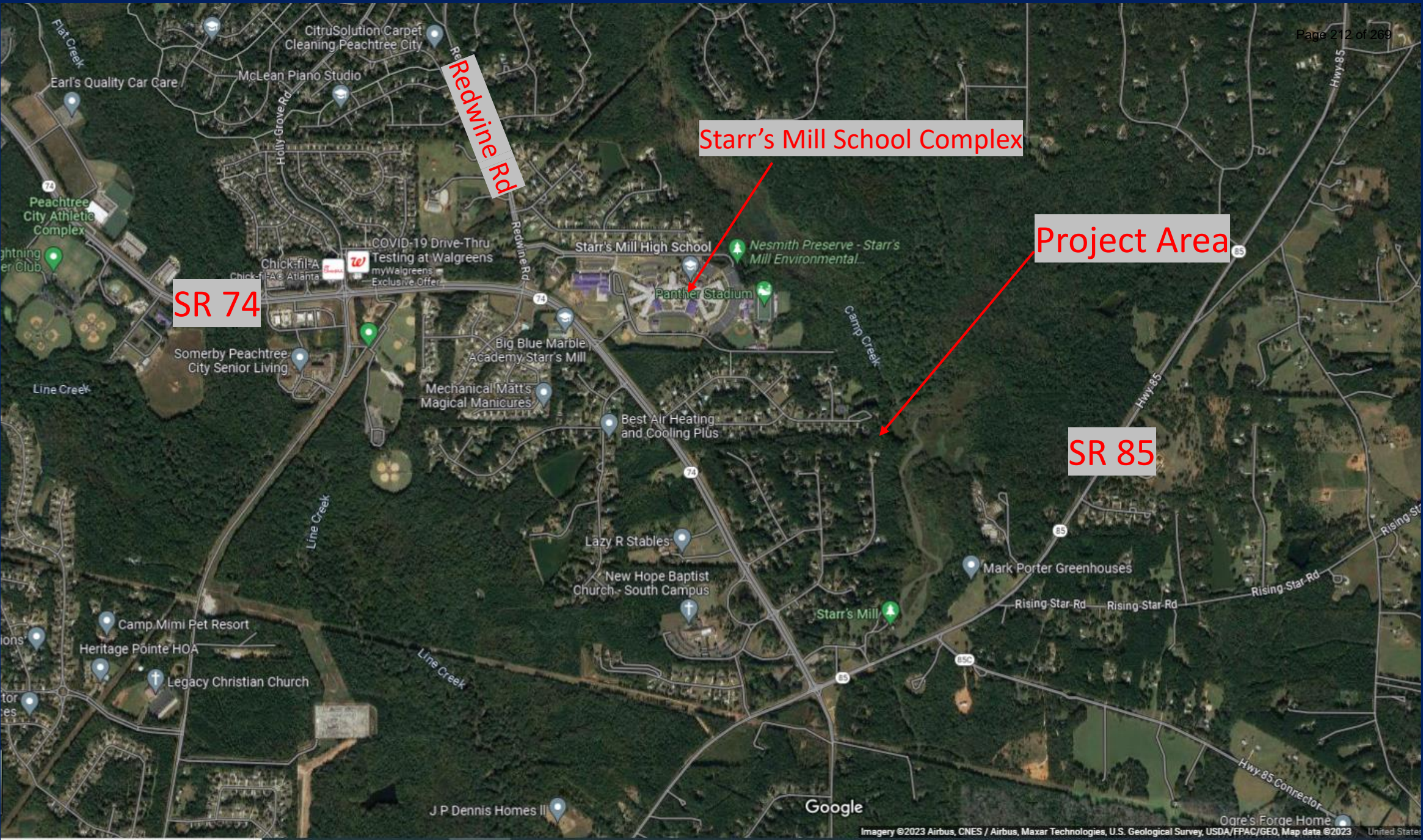
Redwine Rd

Starr's Mill School Complex

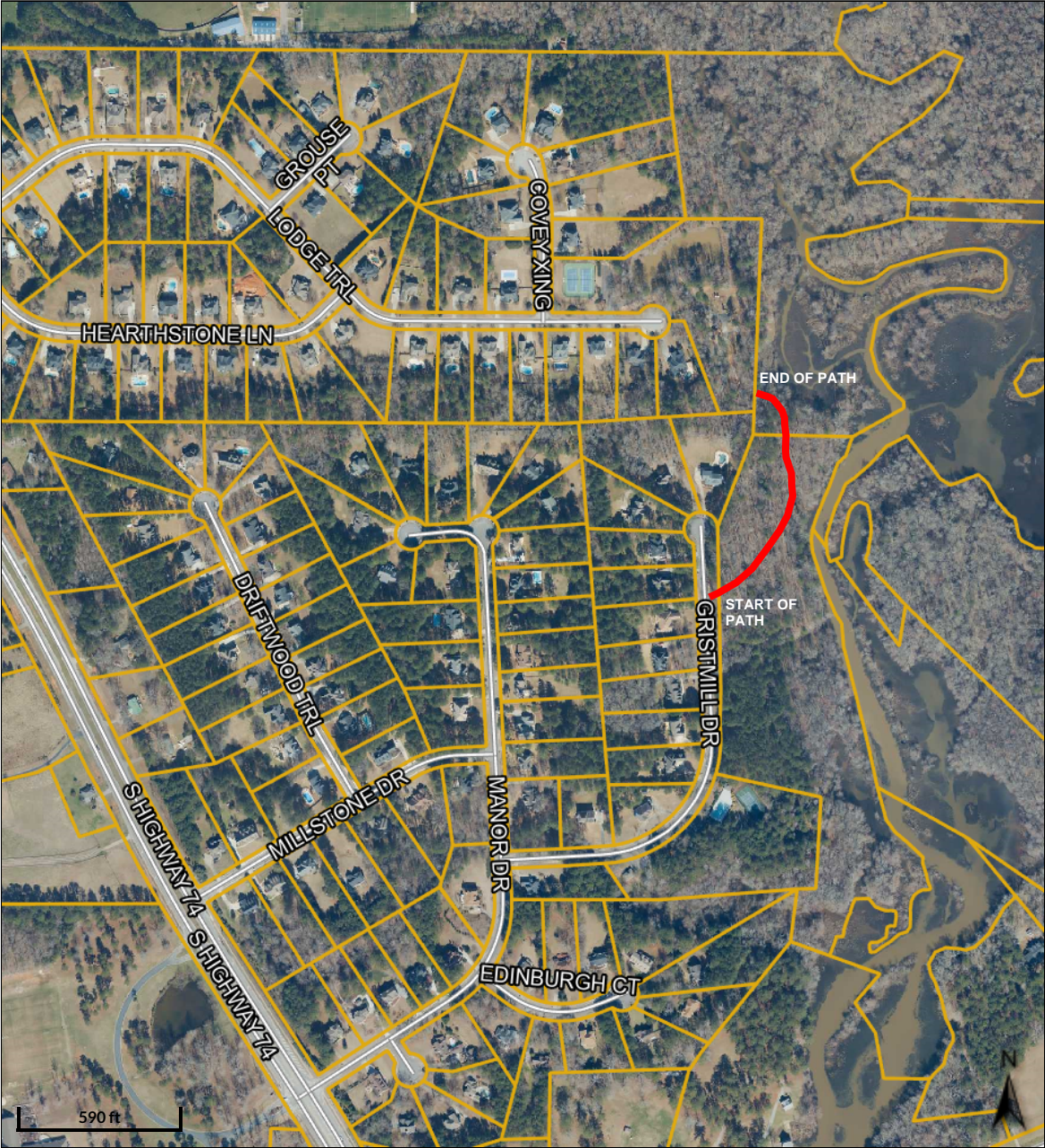
Project Area

SR 74

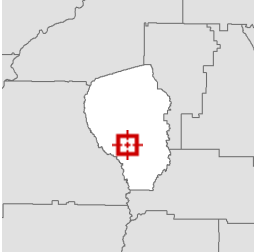
SR 85










24TAA - CAMP CREEK PHASE 1 VICINITY MAP



Overview



Legend

-  Parcels
-  Roads
- City Limits**
-  BROOKS
-  FAYETTEVILLE
-  PEACHTREE CITY
-  TYRONE
-  WOOLSEY

24TAA - CAMP CREEK PHASE 1 EXISTING PATH



COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Request to accept a Hazard Mitigation Grant Program (HMGP) award in the amount of \$3,842,187.75 plus admin costs of \$37,318.00 to upgrade the Phillips Lake and Kozisek Lake dams to Category 1 standards, to provide the local match of \$1,280,729.25 for an approved project total amount of \$5,122,917.00, and authorization for the County Administrator to sign the award documentation.

Background/History/Details:

The Georgia Safe Dams Program determined that Fayette County is responsible to bring the Phillips Lake Dam and Kozisek Lake Dam (both Category 1 dams) into compliance. On March 12, 2020, The Board of Commissioners approved an HMGP application to be submitted to GEMA for a grant to pay for 75 percent of the cost of the rehabilitation of the two dams. The application for the project was submitted on March 16, 2020.

The Federal Emergency Management Agency (FEMA) and the GEMA competitive application process has culminated in FEMA approving a total project cost of \$5,122,917 for upgrading both dams to Category 1 standards, waterline relocation and project management. The federal share is \$3,842,187.75 for project construction costs. An additional payment from FEMA, \$37,318, will be paid to cover management costs. This payment is separate from the grant and local match. Fayette County's match is \$1,280,729.25 or 25 percent of the FEMA costs. This is a reimbursement grant.

Any costs overages above the \$5,122,917 will be the responsibility of Fayette County.

What action are you seeking from the Board of Commissioners?

Approval of a Hazard Mitigation Grant Program (HMGP) award in the amount of \$3,842,187.75 plus admin costs of \$37,318.00 to upgrade the Phillips Lake and Kozisek Lake dams to Category 1 standards, to provide the local match of \$1,280,729.25 for an approved project total amount of \$5,122,917.00, and authorization for the County Administrator to sign the award documentation.

If this item requires funding, please describe:

Funding is available in 5509C - Kozisek (\$6,717.19) and 5509F - Longview Dam 2017 (\$668,318.25) and 2023 SPLOST project (\$3,638,000). Additional 2023 SPLOST revenues will cover the remaining \$809,882 needed for expenses.

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

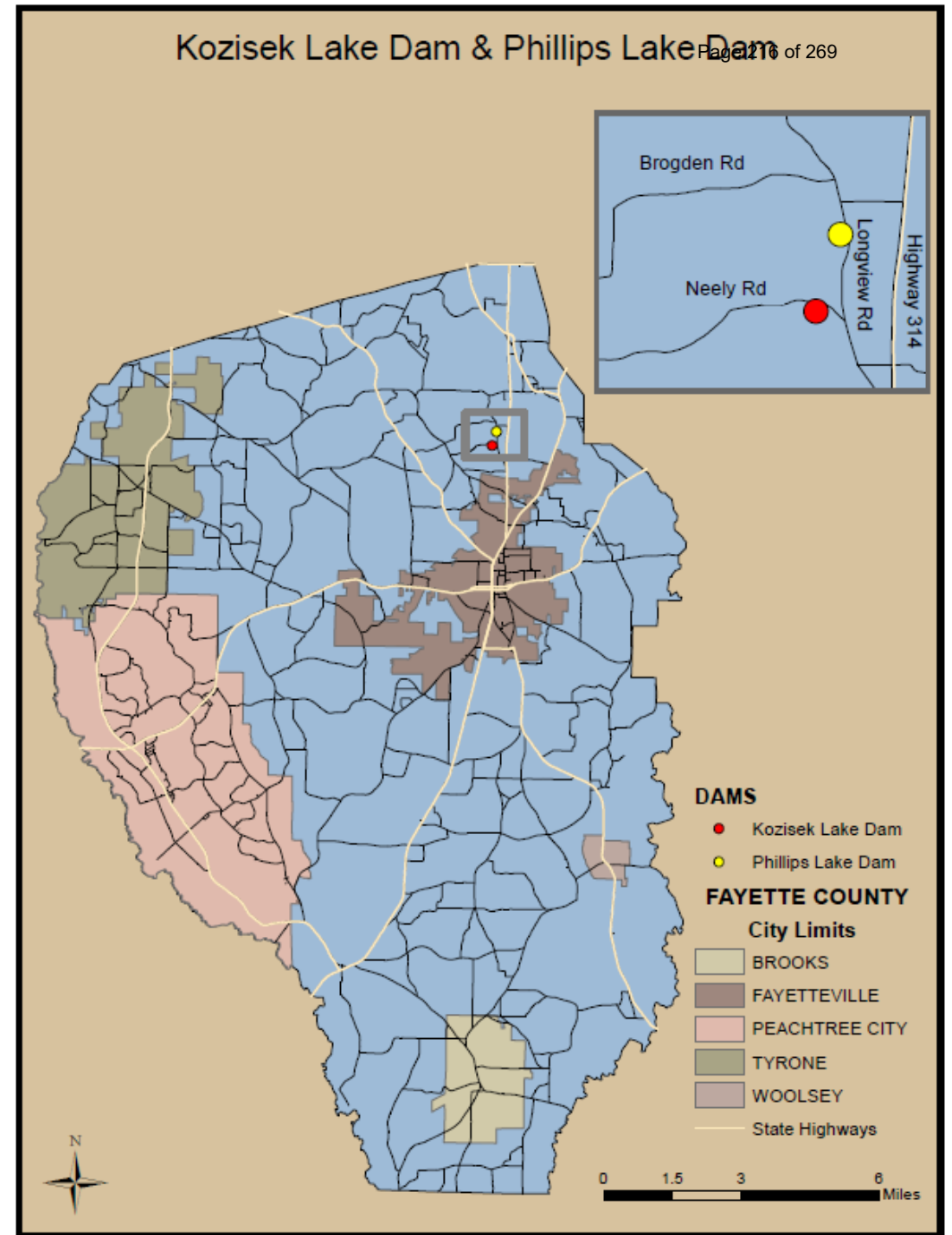
Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:

- Kozisek Dam located adjacent to Neely Road, upstream of Margaret Phillips Lake (red dot)
- Phillips Dam located under Longview Road, between Neely Road and Bethea Road (yellow dot)



BRIAN P. KEMP
GOVERNOR



JAMES C. STALLINGS
DIRECTOR

August 21, 2023

Mr. Steve Rapson
County Administrator
Fayette County Board of Commissioners
140 Stonewall Avenue, Suite 100
Fayetteville, Georgia 30214

Dear Mr. Rapson:

On behalf of Governor Brian P. Kemp, it is my pleasure to inform you that a Hazard Mitigation Grant Program (HMGP) award has been approved by the Federal Emergency Management Agency. This grant, which has been designated HMGP 4400-0048, the project will bring into compliance two dam structures. The scope of work includes culvert and pipe removal and replacement, rip rap and asphalt removal, relocation of power poles, construction of coffer dam, rip rap and chain link installation, construction of headwalls and guardrails, construction of new shoulders and observation wells, and installation of stone creek check dams and rock dams. The total approved cost is \$5,122,917.00 with a federal share of \$3,842,187.75 and a non-Federal share is \$1,280,729.25 to be paid by Fayette County.

In conjunction with the award of the project, the Recipient has requested FEMA approval of Subrecipient Management Costs (SRMC) for anticipated personnel expenses the full request of \$37,318.00 has been approved and obligated.

These funds are subject to the execution of the enclosed Recipient-Subrecipient Agreement. Please sign and return both copies of the agreement and a fully executed copy will be returned to you later for your files.

Thank you for your commitment to protect Georgia citizens. I appreciate your efforts to ensure that Georgia continues to be a safer place for us to live and raise our families. By working together, we are continuing to reduce the impacts caused by natural hazards. Should you have any questions regarding this grant, please contact Stephen Clark, Hazard Mitigation Manager, at (404) 635-4573.

Sincerely,
Valarie Grooms for,

James C. Stallings

mm/rl

Enclosures

cc: Bryan Keller, Director

Fayette County Environmental Management Department

Brian Davis, Director

Fayette County Emergency Management Agency Sheri

Russo, Area Coordinator

Georgia Emergency Management and Homeland Security
Agency

HAZARD MITIGATION GRANT PROGRAM Recipient-Subrecipient Agreement

On October 14, 2018, the President declared that a major disaster exists in the State of Georgia. This declaration was based on damage resulting from Hurricane Michael. This document is the Recipient-Subrecipient Hazard Mitigation Assistance Agreement for the major disaster, designated FEMA-4400-0048, under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, Public Law 93-288 as amended by Public Law 100-707, 42 USC 5121 et seq. ("The Act"), in accordance with 44 CFR 206 Subpart N, Hazard Mitigation Grant Program. Under this Agreement, the interests, and responsibilities of the Recipient, herein after referred to as the State, will be executed by the Georgia Emergency Management and Homeland Security Agency (GEMA/HS). The individual designated to represent the State is the GEMA/HS Director, the Governor's Authorized Representative. The Subrecipient to this Agreement is Fayette County Dam Rehab. The interests and responsibilities of the Subrecipient will be executed by the Fayette County Dam Rehab agent, the Subrecipient Authorized Representative.

1. The following Exhibits are attached and made a part of this agreement:

Exhibit "A": Assurances-Construction Programs, Standard Form 424 D

Exhibit "B": Project Administration Guidelines: Financial Assistance, Hazard Mitigation Grant Program

Exhibit "C": Certification regarding Drug-Free Workplace Requirements

Exhibit "D": Certification regarding Lobbying

Exhibit "E": Scope of Work

Exhibit "F": Progress Payment Request Form

Exhibit "G": Discrimination Complaints and Verification Form

Exhibit "H": Federal Funding Accountability and Transparency Act Certification

2. Pursuant to Section 404 of the Act, funds are hereby awarded to the Subrecipient on a 75 percent federal cost share basis for the hazard mitigation project(s) described in Exhibit "E". The Subrecipient shall be responsible for the remaining 25 percent share of any costs incurred under Section 404 of the Act and this Agreement. Allowable costs will be governed by 2 CFR Part 200.
3. If the Subrecipient violates any of the conditions of disaster relief assistance under the Act, this Agreement, or applicable federal and state regulations; the State shall notify the Subrecipient that additional financial assistance for the project in which the violation occurred will be withheld until such violation has been corrected to the satisfaction of the State. In addition, the State may also withhold all or any portion of financial assistance which has been or is to be made available to the Subrecipient for other disaster relief projects under the Act, this or other agreements, and applicable federal and state regulations until adequate corrective action is taken.
4. The Subrecipient agrees that federal or state officials and auditors, or their duly authorized representatives may conduct required audits and examinations. The Subrecipient further agrees that they shall have access to any books, documents, papers, and records of any recipients of federal disaster assistance and of any persons or entities

which perform any activity which is reimbursed to any extent with federal or state disaster assistance funds distributed under the authority of the Act and this Agreement.

5. The Subrecipient will establish and maintain an active program of nondiscrimination in disaster assistance as outlined in implementing regulations. This program will encompass all Subrecipient actions pursuant to this Agreement.
6. The Subrecipient agrees that the mitigation project contained in this agreement will be completed by Fayette County on or before October 11, 2024. Completion dates may be extended upon justification by the Subrecipient and approval by FEMA and the Governor's Authorized Representative.
7. The written assurances provided by Fayette County pertaining to FEMA's post award approval conditions apply to this Award Agreement and are incorporated by reference.
8. The Subrecipient shall follow Uniform Administrative Requirements for awards found in 2 CFR Part 200 and FEMA HMA (Hazard Mitigation Assistance) program guidance to implement this award.
9. There shall be no changes to this Agreement unless mutually agreed upon, in writing, by both parties to the Agreement.

Governor's Authorized
Representative

Subrecipient's Authorized
Representative

Date

Date

EXHIBIT "A"

**COVER PAGE FOR CURRENT
ASSURANCES- CONSTRUCTION PROGRAMS**

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0042), Washington, DC 20503.





PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the Awarding Agency. Further, certain Federal assistance awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, the right to examine all records, books, papers, or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will not dispose of, modify the use of, or change the terms of the real property title or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the Federal awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure non-discrimination during the useful life of the project.
4. Will comply with the requirements of the assistance awarding agency with regard to the drafting, review and approval of construction plans and specifications.
5. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progressive reports and such other information as may be required by the assistance awarding agency or State.
6. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
7. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
8. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards of merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
9. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
10. Will comply with all Federal statutes relating to non-discrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681 1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

11. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal and federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
12. Will comply with the provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
13. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333) regarding labor standards for federally-assisted construction subagreements.
14. Will comply with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
15. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
16. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
17. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
18. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
19. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.
20. Will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. 7104) which prohibits grant award recipients or a sub-recipient from (1) Engaging in severe forms of trafficking in persons during the period of time that the award is in effect (2) Procuring a commercial sex act during the period of time that the award is in effect or (3) Using forced labor in the performance of the award or subawards under the award.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL 	TITLE 
APPLICANT ORGANIZATION 	DATE SUBMITTED 

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EXHIBIT “B”
GEORGIA EMERGENCY MANAGEMENT
and HOMELAND SECURITY AGENCY
Hazard Mitigation Grant Program
Project Administration Guidelines: Financial Assistance

This fact sheet provides a synopsis of information contained in the Recipient-Subrecipient Agreement and other applicable documents. Its purpose is to provide general guidelines for efficient and timely Hazard Mitigation Grant Program project administration.

1. Project Identification – The Federal Emergency Management Agency (FEMA) has assigned project number HMGP 4400-0048 to this project. Please reference this number in all correspondence, as doing so will greatly assist us in processing any actions for this project.
2. Documentation – You must keep full documentation to get maximum payment for project related expenditures. Documentation will be required as part of the approved Hazard Mitigation Grant Program project file. Documentation consists of:
 - A. Recipient-Subrecipient Agreement
 - B. Copies of checks, vouchers or ledger statements
 - C. Contracts awarded
 - D. Invoices or other billing documents
 - E. Progress reports
 - F. Record of advance or progress payments (where applicable)
3. Funding – Cost sharing has been established at 75% federal, and 25% applicant.
4. Debarred and Suspended Parties – You must not make any award or permit any award (subaward or contract) at any tier to any party which is debarred or suspended or is otherwise excluded from or ineligible for participation in Federal assistance programs under Executive Order 12549, “Debarment and Suspension”.
5. Procurement Standards – You may use your own procurement procedures, which reflect applicable State and local laws and regulations, provided that the procurements conform to applicable Federal laws and standards. Below is a summary of key procurement standards that a Subrecipient should incorporate as discussed in 2 CFR Sections 200.318 to 200.326.
 - A. Conflict of Interest Policy – The Subrecipient must maintain written standards of conduct covering conflicts of interest and governing the performance of its employees engaged in the selection, award, and administration of contracts as required in 2 CFR Section 200.318.

- B. Procurement – Perform procurement transactions in a manner providing full and open completion. Contracts and Procurements must be of reasonable cost, generally must be competitively bid, and must comply with Federal, State, and local procurement standards. FEMA finds five methods of procurement acceptable:
- 1) Micro-purchase procedures: an informal method for securing services or supplies that do not cost more than \$10,000. Micro-purchases may be awarded without soliciting competitive quotes if the Subrecipient considers the price to be reasonable.
 - 2) Small purchase procedures: an informal method for securing services or supplies that do not cost more than \$250,000 by obtaining several price quotes from different sources.
 - 3) Sealed bids: a formal method where bids are publicly advertised and solicited, and the contract is awarded to the responsive bidder whose proposal is the lowest in price.
 - 4) Competitive proposals: a method similar to sealed bid procurement in which contracts are awarded on the basis of contractor qualifications instead of on price.
 - 5) Non-competitive proposals: a method whereby a proposal is received from only one source, because the item is available only from a single source; there is an emergency requirement that will not permit delay.
- C. Maintain sufficient records to detail the significant history of procurement. These records will include, but are not necessarily limited to, the following: rationale for the method of procurement, selection of contract type, and contractor selection or rejection.
- D. Take affirmative steps to assure the use of small and minority firms, women’s business enterprises, and labor surplus area firms when possible.
- E. Include specific provisions in Subrecipient’s contracts to allow changes, remedies, changed conditions, access and records retention, suspension of work and other clauses approved by the Office of Federal Procurement Policy.
6. Payments
- A. Progress Payments
- 1) When progress payments are desired, you must submit a written request (on provided form at Exhibit “F”) and provide supporting documentation, such as an invoice and copies of check.
 - a. The first expenditure report is due by AUGUST 9, 2024, which is within 12 months of the FEMA award date. Subsequent expenditure reports are due annually or more

frequently as needed.

- 2) The Hazard Mitigation Risk Reduction Specialist reviews the request and supporting documentation. The Hazard Mitigation Manager reviews and approves or denies the request.
- 3) If the request is denied, the Hazard Mitigation Manager will inform you in writing that additional documentation is required to support the request.
- 4) If the request is approved, the Hazard Mitigation Manager will authorize payment of the requested amount.
- 5) Quarterly report submissions must be current in order to receive progress payments.

B. Advance Payments – Advance payments will be made on an exception basis only.

7. Subrecipient Performance – The scope of work (see Exhibit “E”) must be initiated within 90 days of this award notification.

- A. If documentation, inspections or other reviews reveal problems in performance of the scope of work, the Hazard Mitigation Manager will inform you in writing of the deficiencies.
- B. In addition, the State may also withhold all or any portion of financial assistance which has been made available under this agreement until adequate corrective action is taken.

8. Award Expiration Date

- A. The award expiration date runs through October 11, 2024, and has been established based on project milestones established by the applicant in their application. The award expiration date is the time during which the Subrecipient is expected to complete the scope of work. You may not expend FEMA or state funds beyond this date. All costs must be submitted for reimbursement within 60 days of the end of the award expiration date.
- B. Requests for time extensions to the Award Expiration Date will be considered but will not be granted automatically. A written request must be submitted to the Hazard Mitigation Manager with an explanation of the reason or reasons for the delay. Without justification, extension requests will not be processed. Extensions will not be granted if the Subrecipient has any overdue quarterly progress reports. If an extension is requested, it must be received 90 days prior to the award expiration date. When fully justified, the State Hazard Mitigation Manager may extend the award expiration date.

9. Project Termination

- A. The Recipient, Subrecipient, or FEMA may terminate award agreements upon giving written notice to the other party at least seven (7) calendar days prior to the effective date of the termination. All notices are to be transmitted via registered or certified mail.
- B. The Subrecipient's authority to incur new costs will be terminated upon the date of receipt of the notice or the date set forth in the notice. Any costs incurred prior to the date of the receipt of the notice or the date of termination set forth in the notice will be negotiated for final payment. Close out of the award will commence and be processed as prescribed under final inspection procedures described in this Recipient-Subrecipient Agreement.

10. Environmental and Historic Preservation Conditions

- A. The following Environmental Project Conditions must be followed to ensure the project remains in compliance through implementation:
 - 1) Any change to the approved scope of work will require re-evaluation for compliance with NEPA and other Laws and Executive Orders. This review did not address all federal, state, and local requirements. Acceptance of federal funding requires Recipients to comply with all federal, state, and local laws. Failure to obtain all appropriate federal, state, and local environmental permits and clearances may jeopardize federal funding.
 - 2) If ground-disturbing activities occur during construction or demolition, Subrecipient will monitor ground disturbance and if any potential archeological resources are discovered, will immediately cease construction in that area and notify the State and FEMA.

11. Equipment/Supplies – The Subrecipient must comply with the regulations listed in 2 CFR 200.313 Equipment, 200.314 Supplies, and must be in compliance with state laws and procedures.

12. Award Modifications

- A. Any award modifications, including deviation from the approved scope of work or budget, must be submitted in writing for approval prior to implementation. Award Modifications include:
 - 1) Any revision which would result in the need for additional funding.
 - 2) Transfers between budget categories.

- B. The Subrecipient shall follow prior approval requirements for budget revisions found in 2 CFR 200.308. Transfer of funds between total direct cost categories in the approved budget shall receive the prior approval of FEMA when such cumulative transfers among those direct cost categories exceed ten percent of the total budget.
13. Appeals – You may submit an appeal on any item related to award assistance. Appeals must be submitted to the State Hazard Mitigation Manager within 90 days of the action which is being appealed.
14. Progress Reports
- A. Quarterly progress reports are required. The report will be supplied to you by GEMA/HS on a quarterly basis for your completion.
 - B. The initial progress report will cover the period through September 30, 2023. It must be submitted no later than October 15, 2023.
 - C. Subsequent reports must be filed by you within fifteen days after the end of each calendar quarter (March 31, June 30, September 30, and December 31).
15. Interim Inspections – Interim inspections may be conducted by GEMA/HS staff and/or FEMA staff.
16. Project Closeout
- A. When all work has been completed, you must notify your Hazard Mitigation Risk Reduction Specialist in writing to request project closeout.
 - B. A desk review will be conducted by your Hazard Mitigation Risk Reduction Specialist.
17. Audits – If you receive \$750,000 or more in federal assistance from all federal sources, not just this award, during your fiscal year, you are responsible for having an audit conducted as prescribed by the Single Audit Act and sending a copy to the Georgia Department of Audits and Accounts. Mail reports to:

Department of Audits and Accounts
Non-Profit and Local Government Audits
270 Washington Street, SW, Room 1-156
Atlanta, Georgia 30334-8400

If you need additional information or assistance, contact the GEMA/HS Hazard Mitigation Program at (404) 635-7522 or 1-800-TRY-GEMA.

EXHIBIT "C"

Certification Regarding Drug Free Workplace Requirements

This certification is required by the regulations implementing the Drug-Free Workplace Act of 1988, 2 CFR Part 3001. The regulations require certification by Subrecipients, prior to award, that they will maintain a drug-free workplace. The certification set out below is a material representation of fact upon which reliance will be placed when the agency determines to grant the award. False certification or violation of the certification shall be grounds for suspension of payments,

A. The Subrecipient certifies that it will or will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the Recipient and Subrecipient's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an ongoing drug-free awareness program to inform employees about--

- (1) The dangers of drug abuse in the workplace;
- (2) The Recipient's policy of maintaining a drug-free workplace;
- (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
- (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the award be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the award, the employee will--

- (1) Abide by the terms of the statement; and
- (2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(e) Notifying the agency in writing within ten calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position and title, to every award officer or other designee on whose award activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected award;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted—

- (1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, 29 U.S.C. § 701 et seq.; or
- (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e) and (f).

EXHIBIT "D"

CERTIFICATION REGARDING LOBBYING Certification For Contracts, Awards, Loans, and Cooperative Agreements

This certification is required by the regulations implementing the New Restrictions on Lobbying, 44 CFR Part 18. The undersigned certifies, to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal award, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, award, loan, or cooperative agreement.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, award, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
3. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, sub awards, and contracts under awards, loans, and cooperative agreements) and that all Subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31 U.S.C. § 1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Subrecipient's Authorized Representative

_____ **Date**

EXHIBIT “E”

SCOPE OF WORK

The project will bring into compliance two dam structures at the site locations below. The scope of work includes culvert and pipe removal and replacement, rip rap and asphalt removal, relocation of power poles, construction of coffer dam, rip rap and chain link installation, construction of headwalls and guardrails, construction of new shoulders and observation wells, and installation of stone creek check dams and rock dams.

Shown below is the funding level and scope of work for the Hazard Mitigation Grant Program project for Fayette County. Any changes to this spreadsheet **MUST RECEIVE PRIOR APPROVAL FROM GEMA/HS** and will be maintained by GEMA/HS and shall supersede all previous versions.

Fayette County Dam			
Description	Project Cost	Federal Share	Local Share
Kozisek Dam	\$2,325,899.40	\$1,744,424.55	\$581,474.85
Longview/Phillips Dam	\$2,553,068.76	\$1,914,801.57	\$638,267.19
Construction Management (5%)	\$243,948.41	\$182,961.31	\$60,987.10
Total	\$5,122,916.57	\$3,842,187.43	\$1,280,729.14

Site Locations:

- 1) Phillips (Longview) Lake Dam, 259 Longview Road, Fayetteville Georgia 30214 (33.497778, -84.4533333)
- 2) Kozisek Lake Dam, Neely Road at Longview Road, Fayetteville Georgia 30214 (33.4933333, -84.455)

The following conditions apply:

Special Conditions:

Executive Order 11990-Wetlands: Construction activities, staging activities, and storage are not to be located in or impact any adjacent wetlands.

Clean Water Act (CWA): The subrecipient is responsible for obtaining and complying with any required Section 404 permit(s) from the United States Army Corps of Engineers (USACE) and 401 permit(s) from the responsible state or tribal agency prior to initiating work. Failure to comply with this requirement may jeopardize receipt of federal funds. The subrecipient must verify at closeout that all permit conditions were followed.

NHPA Condition: If human remains or intact archaeological features or deposits (e.g., arrowheads, pottery, glass, metal, etc.) are uncovered, work in the vicinity of the discovery will stop immediately and all reasonable measures to avoid or minimize harm to the finds will be taken. The subrecipient will ensure that archaeological discoveries are secured in place, that access to the sensitive area is restricted, and that all reasonable measures are taken to avoid further disturbance of the discoveries. The subrecipient's contractor will provide immediate notice of such discoveries to the applicant. The subrecipient shall contact the Georgia Department of Natural Resources and FEMA within 24 hours of the discovery. Work in the vicinity of the discovery may not resume until FEMA has completed consultation with

SHPO, Tribes, and other consulting parties as necessary. In the event that unmarked human remains are encountered during permitted activities, all work shall stop immediately, and the proper authorities notified in accordance with

Georgia Code, Title 31, Section 31-21-6.

National Historic Preservation Act (NHPA) Monitoring Required: No

NHPA Condition: Any changes to the approved scope of work will require submission to, and evaluation and approval by, the State and FEMA, prior to initiation of any work, for compliance with Section 106.

National Historic Preservation Act (NHPA) Monitoring Required: No

RCRA CONDITION: Unusable equipment, debris and material shall be disposed of in an approved manner and location. In the event significant items (or evidence thereof) are discovered during implementation of the project, applicant shall handle, manage, and dispose of petroleum products, hazardous materials and toxic waste in accordance to the requirements and to the satisfaction of the governing local, state and federal agencies.

Resource Conservation and Recovery Act, aka Solid Waste Disposal Act (RCRA)
Monitoring Required: No

Standard Conditions:

Any change to the approved scope of work will require re-evaluation for compliance with NEPA and other Laws and Executive Orders.

This review does not address all federal, state, and local requirements. Acceptance of federal funding requires recipient to comply with all federal, state, and local laws. Failure to obtain all appropriate federal, state, and local environmental permits and clearances may jeopardize federal funding.

If ground disturbing activities occur during construction, applicant will monitor ground disturbance and if any potential archeological resources are discovered, will immediately cease construction in that area and notify the State and FEMA.

Subrecipient Management Costs

Fayette County has been awarded subrecipient management costs in an amount of \$37,318.00.

The recipient must provide documentation for reimbursement of management costs that were acquired during the project.

The subrecipient management costs are not part of the total funding of the project and not subjected to the local match portion.

The funds are separate and federally funded by FEMA.

EXHIBIT "F"
Progress Payment Request Form

Date: _____

HMGP Progress Payment Request

Instructions: All requests for progress payments must be supported by documentation supporting actual expenditures. Itemize each expenditure below to the fullest detail possible, including a reference to specific sites or elements of work. Attach documentation that supports this progress payment request, such as copies of bills of sale, invoices, receipts, and checks evidencing payment. Do not send originals. Attach a continuation sheet if necessary.

Agreement Number: HMGP-4400-0048

FEMA Project Number: HMGP-4400-0048

Subrecipient Name: Fayette County

Site Reference or Element of Work	Approved Amount	Previous Payment	Current Request	Description of Documentation Attached in Support of this Payment Request
		(from continuation sheet attached)		
		SUBTOTAL		
		TOTAL		
		Less Subrecipients Share 25%		
		NET AMOUNT REQUESTED		

Under penalty of perjury, I certify that to the best of my knowledge the data above is correct and that all outlays were made in accordance with the award conditions, comply with procurement regulations contained within the 2 CFR, Part 200, and that payment is due and has not been previously requested. I am familiar with Section 317 of Public Law 93-288, as amended by the Robert T. Stafford Disaster Relief and Emergency Assistance Act.

Signature of Subrecipient's Authorized Representative (and printed name)

EXHIBIT "G"

**DISCRIMINATION COMPLAINTS AND
VERIFICATION FORM**



THE GEORGIA EMERGENCY MANAGEMENT AND HOMELAND SECURITY AGENCY

Language Access Plan 2022

Purpose

The intent of this Language Access Plan (the Plan) is to ensure the Georgia Emergency Management and Homeland Security Agency (GEMA/HS) is prepared to address its responsibilities as a recipient of Federal Financial Assistance as they relate to the needs of individuals with limited English language skills. The Plan has been prepared in accordance with Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 200d, *et seq.*, and Executive Order 13166, to follow when providing services to, or interacting with, individuals who have limited English proficiency (LEP). Following these guidelines is essential to the success of our mission to protect life and property against man-made and natural disasters by directing the State's efforts in the areas of prevention, preparedness, mitigation, response, and recovery.

GEMA/HS is a recipient of federal funds for a portion of its programs and, thus, obligated to reduce language barriers that can preclude Meaningful Access by LEP persons to GEMA/HS programs and GEMA/HS' Subrecipients' programs. GEMA/HS has prepared this Language Access Plan, which defines the actions to be taken to ensure Meaningful Access to Agency services, programs, and activities on the part of persons who have LEP.

Authority

Title VI of the Civil Rights Act of 1964

Section 601 of Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, provides that no person shall "on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal Financial Assistance."

Section 602 authorizes and directs federal agencies that are empowered to extend Federal Financial Assistance to any program or activity "to effectuate the provisions of [section 601] * * * by issuing rules, regulations, or orders of general applicability." 42 U.S.C. 2000d-1.

Executive Order 13166

Executive Order 13166, entitled "Improving Access to Services for Persons with Limited English Proficiency," authorizes the implementation of regulations afforded by Title VI of the Civil Rights Act of 1964. Executive Order 13166 ensures LEP persons have Meaningful Access to federally conducted and funded programs and activities. This protection requires that LEP persons be provided an equal opportunity to benefit from services that are normally provided in English. Executive Order 13166 requires that federal agencies create plans for ensuring that their own activities also provide Meaningful Access for persons who are LEP.

Definitions

Beneficiary: The ultimate consumer of federally funded programs who receives benefits from a federally funded recipient.

Bilingual: A person competent in two languages in equal aptitude in either oral or written form is considered bilingual.

Customer: Any individual or organization communicating with a GEMA/HS program.

GEMA/HS LAP Coordinator: GEMA/HS employees that collectively work together as the LAP Coordinator.

Federal Financial Assistance: Grants, loans, and advances of federal funds, the grant or donation of federal property and interests in property, or any other assistance as specified in 24 CFR Part I § 1.2(e).

Focus Languages: Languages, specifically Chinese, Korean, Spanish, and Vietnamese, identified through the Four-Factor Analysis as having a sufficient level of prevalence amongst LEP individuals in Georgia to warrant statewide efforts for written translations of vital documents.

Interpretation: The act of listening to a communication in one language (source language) and orally converting it to another language (target language) while retaining the same meaning.

Language Access Plan (LAP): A written implementation plan that addresses identified needs of the LEP persons served.

Language Assistance Services: Oral and written language services needed to assist LEP individuals to communicate effectively with staff, and to provide LEP individuals with Meaningful Access to, and an equal opportunity to participate fully in, the services, activities, or other programs administered by GEMA/HS.

Limited English Proficient (LEP) Individuals: Individuals who do not speak English as their primary language and who have a limited ability to read, write, speak, or understand English because of their national origin. For purposes of Title VI and the LEP Guidance, persons may be entitled to language assistance with respect to a particular service, benefit, or encounter. (HUD LEP Guidance). LEP individuals may be competent in English for certain types of communication (e.g., speaking or understanding), but still demonstrate LEP for other purposes (e.g., reading or writing).

Meaningful Access: LEP individuals' accurate, timely, and effective participation in, or benefit from, federally funded programs that is meaningfully equivalent to that of non-LEP individuals, at no cost to the LEP individual.

Multilingual staff or employee: A staff person or employee who has demonstrated fluency in English and reading, writing, speaking, or understanding at least one other language as authorized by his or her Division.

Primary Language: An individual's primary language is the language in which an individual most effectively communicates.

Recipient: Qualified applicants in compliance with 24 CFR §1.2(f) who are awarded Federal Financial Assistance. The Voluntary Compliance Agreement defines Recipient as "the meaning specified at 24 CFR §1.2(0)." 24 CFR §1.2(f) defines Recipient as "any State, political subdivision of any State, or instrumentality of any State or political subdivision, any public or private agency, institution, organization, or other entity, or any individual, in any State, to whom Federal Financial Assistance is extended, directly or through another recipient, for any program or activity, or who otherwise participates in carrying out such program or activity (such as a redeveloper in the Urban Renewal Program), including any successor, assign, or transferee thereof, but such term does not include any ultimate beneficiary under any such program or activity."

Subrecipient: Any public or private agency, institution, organization, or other entity to whom Federal Financial Assistance is extended, through GEMA/HS for any program or activity, or who otherwise participates in carrying out such program or activity, but such term does not include any Beneficiary under any such program.

Translation: The replacement of written text from one language (source language) into an equivalent written text in another language (target language).

Policy

GEMA/HS complies with all federal statutes and regulations in the administration of federally funded programs. Through the Plan, GEMA/HS will take timely and reasonable steps to provide LEP persons with Meaningful Access to programs and activities conducted by GEMA/HS and its Subrecipients. Access to GEMA/HS programs and services should not be impeded as a result of an individual's inability to speak, read, write, or understand English. GEMA/HS will review and update its LEP Four-Factor Analysis at least every five years.

The Plan requires communication of information contained in vital documents involving emergency services to all people in the state of Georgia. All interpreters, translators, and other aids needed to comply with the Plan shall be provided without cost to the person being served and will be informed of the availability of such assistance free of charge. Language assistance will be provided through the use of competent bilingual interpreters, contracts, or formal arrangements with local organizations providing interpretation or translation services, or technology and telephonic interpretation services. All GEMA/HS employees will be provided notice of the Plan, and GEMA/HS employees that may have direct contact with LEP individuals will be trained in effective communication techniques, including the effective use of an interpreter.

GEMA/HS will train staff, contractors, and Subrecipient administrators (program administrators who are expected to conduct a Four-Factor Analysis and other efforts described within this LAP), and local government officials on procedures to implement and continuously monitor and evaluate the implementation of LAPs in the state of Georgia.

Pursuant to the requirements of Title VI, Subrecipients of federal funds received through an administration grant/award made by GEMA/HS are also required to make reasonable efforts to provide timely, Meaningful Access for LEP persons to programs and activities. In order to do so, Subrecipients should first conduct an assessment to determine the need for language assistance within their service area. This is accomplished by conducting the Four-Factor Analysis, which is described in the Plan. After completion of the Four-Factor Analysis, the Subrecipients will understand the languages spoken by LEP persons in their service area and can determine how to provide needed language assistance.

Based upon the findings of the Four-Factor Analysis, and when deemed necessary, the Sub-Recipients should prepare a Language Access Plan addressing the Subrecipient's plan for ensuring Meaningful Access to programs and activities for LEP persons. A Subrecipient may conclude that different language assistance measures are sufficient for the different types of programs or activities in which it engages. For instance, a Subrecipient may determine that certain activities are more important and/or have greater impact on or contact with LEP persons, and thus such programs or activities require enhanced language assistance.

Subrecipients are also required to select an individual responsible for coordination of LEP compliance, train staff involved in programs and activities on LEP requirements, keep records of assistance provided and actions taken, and update the Four-Factor Analysis and LAP, as needed. GEMA/HS will monitor all Subrecipients to ensure LEP individuals receive Meaningful Access to GEMA/HS federally funded programs.

Four Factor Analysis

In developing the Plan, GEMA/HS used the Four Factor LEP analysis, which considers the following:

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by GEMA/HS programs, activities, or services in the state of Georgia;
2. The frequency with which LEP individuals come in contact with GEMA/HS programs, activities or services;
3. The nature and importance of the program, activity or service provided to the LEP population; and
4. The resources available to GEMA/HS and the overall cost to provide assistance.

Factor 1: Number or proportion of LEP persons eligible to be served or likely to be encountered by GEMA/HS programs, activities, or services.

GEMA/HS used the U.S. Census Bureau’s American Community Survey (ACS), 2020: ACS 5-Year Estimates Data Profile of Georgia to determine the number of LEP persons throughout the State. Based on the data provided, GEMA/HS considers individuals who speak English less than “very well” as LEP persons. According to the ACS data, the state of Georgia has a total population of 9,864,494 persons five years old and older. Of the 9,864,494 persons, the ACS estimates that 536,491 persons or 5.44 percent of the State’s population are LEP.

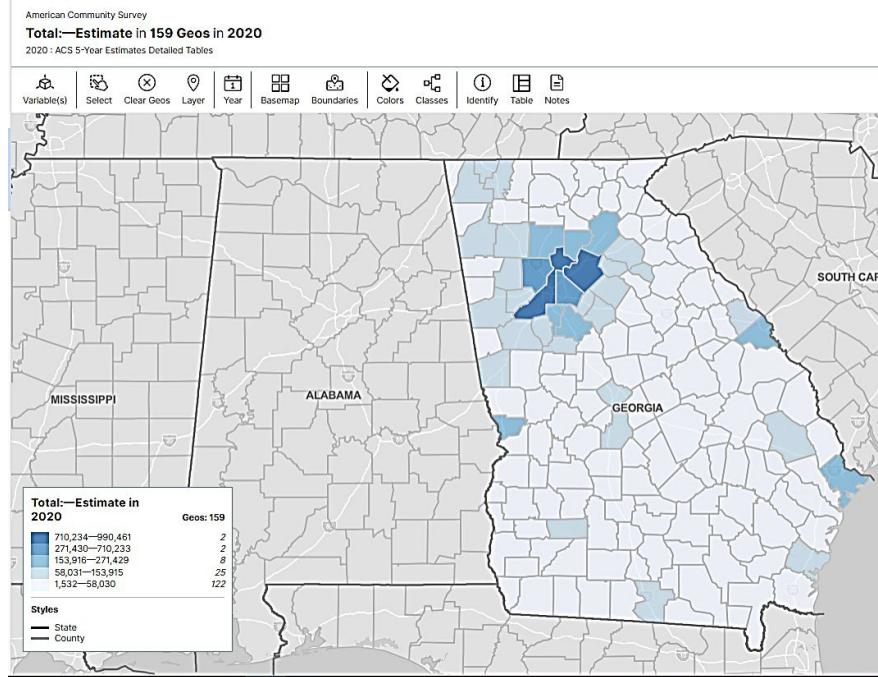
MOST COMMON LANGUAGES SPOKEN AT HOME

	Total Number of speakers	Number who speak English less than “very well”	Percent of total population who speak English less than “very well”
Total population 5 years and over	9,864,494	536,491	5.44%
Spanish	781,103	332,566	3.37%
Korean	47,879	24,252	0.25%
Vietnamese	52,832	32,588	0.33%
Chinese (incl. Mandarin, Cantonese)	51,251	25,814	0.26%
Arabic	20,010	6,025	0.06%
French, Haitian, or Cajun	53,999	11,186	0.11%
German or other West Germanic languages	27,898	3,488	.04%
Russian, Polish, or other Slavic languages	28,301	9,171	

Source: U.S. Census Bureau, 2020 American Community Survey (Table C16001 5 year estimate)

2020 ACS 5-Year Estimates Detailed Tables for 159 Counties in Georgia

Languages Spoken at Home for the Population 5 Years and Over



Source: [U.S. Census Bureau, 2020 American Community Survey \(Table C16001 5 year estimate\)](#)

COUNTIES WITH HIGHEST CONCENTRATION OF LEP PERSONS

	Total population (>age 5)	LEP population (number)	LEP population (percent)
Georgia	9,864,494	536,491	5.44%
Fulton County	990,461	49,465	5.00%
Gwinnett County	865,453	133,239	15.40%
DeKalb County	702,759	58,543	8.33%
Cobb County	710,233	49,527	6.97%
Muscogee County	181,372	4,258	2.35%
Chatham County	271,429	9,517	3.50%
Hall County	188,380	24,750	13.14%
Cherokee County	238,875	11,768	4.93%
Henry County	216,771	8,038	3.71%
Clayton County	265,889	24,413	9.18%
Richmond County	188,446	3,767	2.00%
Bartow County	99,540	3,219	3.23%
Forsyth County	222,422	13,626	6.13%
Floyd County	91,953	4,632	5.04%
Paulding County	153,915	2,823	1.83%

Coweta County	137,185	4,339	3.16%
Douglas County	136,211	6,480	4.76%
Troup County	65,591	1,186	1.81%
Rockdale County	84,942	4,714	5.55%
Walton County	87,651	1,694	1.93%
Jackson County	65,919	2,223	3.37%
Barrow County	75,774	4,407	5.82%
Clarke County	120,443	5,949	4.94%
Fayette County	108,463	3,994	3.68%
Spalding County	61,990	851	1.37%
Newton County	102,864	2,202	2.14%
Carroll County	111,220	3,567	3.21%
Lowndes County	108,509	2,127	1.96%
Dougherty County	82,900	1,076	1.30%
Glynn County	80,176	2,437	3.04%
Bulloch County	73,268	1,306	1.78%
Walker County	65,478	403	0.62%
Whitfield County	97,331	13,367	13.73%
Catoosa County	63,441	939	1.48%
Columbia County	144,458	4,931	3.41%
Bibb County	142,913	2,909	2.03%
Houston County	145,032	4,365	3.01%

Factor 2: Frequency with which LEP individuals come in contact with programs, activities, or services.

GEMA/HS is the lead agency when disasters strike, meaning that GEMA/HS employees are at the front line of responding to emergencies and coordinating preparedness and recovery efforts. GEMA/HS directs the recovery efforts by the State and helps connect locals to the nonprofit organizations that want to offer assistance. Many of these organizations provide emergency housing and shelter, access to transportation, food banks, childcare services, and public health programs, as well as long-term housing and support. Therefore, as the leaders of recovery efforts, our Agency is responsible for properly understanding the needs of the community and making sure the necessary resources are being deployed. To accomplish this function, GEMA/HS employees must have resources available to communicate with the population in need by having interpreter services readily available. Therefore, any information GEMA/HS posts regarding Federal Financial Assistance must be disseminated and accessible to diverse racial, ethnic, and LEP populations.

GEMA/HS encourages all Subrecipients, organizations, and community leaders to regularly engage with the communities they serve, especially those that are LEP. GEMA/HS' goal is to foster relationships with community-based organizations and local service offices, like legal aid,

which have a more established relationship with underserved communities, like LEP persons, to disseminate resources and information.

GEMA/HS anticipates increased contact with LEP persons as natural disasters become more prevalent, emergency situations more frequently arise, and the minority populations within the state of Georgia continues to grow. Given this likely outcome, GEMA/HS must make all necessary preparations to develop products that non-English speakers can read and understand.

Factor 3: The nature and importance of the program, activity or service provided to the LEP population.

In general, after a disaster the affected constituency relies heavily on GEMA/HS to lead them to resources, programs, and benefits. GEMA/HS must ensure LEP persons have equitable contact with these resources, programs, and benefits. Therefore, during post-disaster recovery GEMA/HS will work with the hired consultant to encourage affected counties to identify language services during the planning process so that LEP persons in concentrated areas of a county are not experiencing denial or delay of access to services.

Factor 4: The resources available to GEMA/HS and the overall cost to provide assistance.

GEMA/HS will take all reasonable steps to ensure Meaningful Access to LEP persons when preparing and planning for disaster events and after such events occur. Reasonable steps include working with local LEP community organizations, key stakeholders, and other government agencies to assist with language assistance. GEMA/HS will also leverage existing relationships with community organizations, including faith-based service groups, community associations, and service nonprofits in GA Voluntary Organizations Active in Disaster.

GEMA/HS will maintain LEP maps so that the Agency is consistently updating language materials that reflect the most prevalent languages spoken in areas affected by disasters. The Agency intends to research ethnic centers and venues diverse communities visit so that recovery and benefit information reaches LEP populations. GEMA/HS will utilize its public platforms to post guidance and public service announcements in non-English languages.

Before, during, and after a disaster, GEMA/HS will coordinate with non-English media—in TV, print, and radio, as well as through online platforms and social media—to assist with sharing information to LEP populations.

Complaint Procedures

An employee, client, customer, program participant, or consumer of GEMA/HS or of a GEMA/HS Subrecipient may submit an LEP complaint concerning the implementation or administration of any GEMA/HS program, activity, or service. Any such individual has the right, and is encouraged, to file a written complaint with the Federal Emergency Management Agency's (FEMA) Office of Equal Rights (OER), the DHS's Office for Civil Rights and Civil Liberties (CRCL), or GEMA/HS.

1. If the complaint involves FEMA programs and activities, and programs and activities conducted by FEMA grant recipients, the complaint may be sent directly to FEMA OER by calling FEMA at 202-212-3535 and press 1 for Civil Rights, sending an email to FEMACivilRightsOffice@fema.dhs.gov, or by sending a written explanation to the FEMA OER.

The written explanation should be sent to:

FEMA's Office of Equal Rights
 Civil Rights Section
 500 C Street, SW
 Room 4SW-0915
 Washington, D.C. 20472

2. LEP complaints can also be sent to the DHS's Office for CRCL. There are three submission methods available. One method for submitting the complaint is via email: CRCLCompliance@hq.dhs.gov. A second available method is fax: 202-401-4708. The complaint may also be sent via mail to the following address:

U.S. Department of Homeland Security
 Office for Civil Rights and Civil Liberties
 Compliance Branch
 245 Murray Lane, SW
 Building 410, Mail Stop #0190
 Washington, D.C. 20528

3. Additionally, LEP complaints can be sent directly to GEMA/HS. A complaint form can be downloaded from GEMA/HS' website and submitted by email to: language.access.coordinator@gema.ga.gov.

The completed form may also be sent to:

The Georgia Emergency Management and Homeland Security Agency
 Language Access Coordinator
 935 United Avenue SE
 Atlanta, Georgia 30316

Language Assistance and Interpretation Services

GEMA/HS will improve its ability to identify LEP persons needing language assistance by:

1. Posting notice of the Plan and the availability of interpretation or translation services free of charge in languages LEP persons would understand at initial points of contact. GEMA/HS will display the language identification "I SPEAK" cards in all GEMA/HS offices and when traveling to any county or city when responding to an emergency or disaster.

2. All GEMA/HS field coordinators and front-facing staff will also be provided with “I Speak” cards to assist in identifying the language interpretation needed if the occasion arises.
3. All city staff will be informally surveyed periodically on their experience and frequency concerning any contacts with LEP persons during the previous year.

GEMA/HS will provide an opportunity for LEP persons to request an interpreter. Qualified foreign language interpreters will be provided by GEMA/HS, as needed. Whether or not an interpreter is used, there will always be information sheets available at headquarters, incident command centers, and at any point of contact GEMA/HS has with the community. These information sheets should always include questions and answers concerning the need for an interpreter. GEMA/HS will maintain a list of qualified interpreters or companies it contracts with to provide such interpreters. A qualified interpreter, which may include GEMA/HS personnel, means an interpreter who can interpret effectively, accurately, and impartially, using any specialized vocabulary.

Training

1. GEMA/HS will provide periodic training for all employees regarding:
 - a. Implementing the Plan’s procedures;
 - b. Understanding the requirements of Title VI of the Civil Rights Act, Executive Order 13166, and updates to federal guidance on LEP;
 - c. Locating and contacting language assistance services for GEMA/HS programs and Subrecipients’ programs, as needed;
 - d. Using “I Speak” cards and training Subrecipients to use them;
 - e. Preparing and testing communication strategies to ensure evacuation announcements and critical communications reach LEP populations;
 - f. Recording and responding to LEP complaints; and
 - g. Researching and updating population information so that GEMA/HS can best serve the current Georgia population.
2. GEMA/HS will facilitate LEP training for Subrecipients. Such training may be arranged:
 - a. In conjunction with grant management training;

- b. Online through the GEMA/HS website;
- c. At the request of the Subrecipient; or
- d. As a result of a grant program review.

Notification

GEMA/HS will post the Plan on the GEMA/HS website to notify all interested parties of the appropriate procedures for addressing complaints of discrimination concerning the implementation or administration of any program, activity, or service receiving Federal Financial Assistance from FEMA or DHS.

Complaint Procedures

GEMA/HS Procedures for Processing Complaint

1. A group of GEMA/HS employees will collectively act as the Language Access Coordinator for processing complaints made by individuals who believe they have been denied the benefits associated with this Plan.
2. If an employee, client, customer, program participant, or consumer of GEMA/HS or of a GEMA/HS Subrecipient contacts a GEMA/HS employee and wishes to file a complaint against GEMA/HS or a GEMA/HS Subrecipient concerning the implementation or administration of GEMA/HS any program, activity, or service involving the benefits of the Plan, the GEMA/HS employee shall instruct the complainant to file the complaint in writing, in accordance with the procedures above.
3. Any GEMA/HS employee receiving such a complaint submitted directly to GEMA/HS, and any GEMA/HS employee wishing to submit such a complaint directly to GEMA/HS, shall route it to the Language Access Coordinator. If the complaint is against an employee of GEMA/HS, the complaint shall be forwarded to the Language Access Coordinator.
4. For any complaint received by the Language Access Coordinator that is submitted directly to GEMA/HS, the Language Access Coordinator shall provide written acknowledgment of the complaint to the complainant.
5. The Language Access Coordinator shall refer the complaint to the appropriate entity, which may include the Georgia Office of the Attorney General, the OER, or the CRCL. If the Georgia Office of the Attorney General either is the agency about which the complaint is filed or has a conflict, the complaint shall be referred to the OER or CRCL, as appropriate.

6. Notwithstanding paragraph 5, for any LEP complaint concerning the implementation or administration of any program, activity, or service receiving Federal Financial Assistance from FEMA or DHS, GEMA/HS shall notify the OER or CRCL, as appropriate, in writing of the following:
 - a. Name of complainant;
 - b. Entity named in the complaint;
 - c. Description of the LEP complaint;
 - d. Steps being undertaken to investigate and resolve complaint; and
 - e. Interpretation resources to address the information or benefits the LEP person needed but did not receive.

In addition, GEMA/HS shall notify the complainant that they may file a complaint directly with the OER or CRCL, as appropriate, at the following address or using one of the electronic submission methods described above:

FEMA's Office of Equal Rights
Civil Rights Section
500 C Street, SW
Room 4SW-0915
Washington, D.C. 20472

U.S. Department of Homeland Security
Office for Civil Rights and Civil Liberties
Compliance Branch
245 Murray Lane, SW
Building 410, Mail Stop #0190
Washington, D.C. 20528

Monitoring Language Needs and Implementation

GEMA/HS will continuously monitor and track changes in LEP populations, including what regions might require new language training services and what non-English languages are increasing throughout the population of Georgia. As part of a grant program review, GEMA/HS staff will review the Subrecipients' procedures for adequately providing language assistance to LEP persons. If the procedures do not exist, or are found to need improvement, GEMA/HS staff will send those findings to Subrecipient. At a minimum, the Subrecipient's response procedures should include:

- a. Acknowledge complaint receipt to complainant in writing;
- b. Indicate which external agency the complaint is forwarded to for investigation;
- c. Comply with the appropriate timeframe by which to forward complaint;
- d. Notify GEMA/HS of complaint; and

- e. Notify complainant that a complaint of discrimination may be filed directly with the OER, CRCL, or GEMA/HS, and where to locate those procedures.

Additional Resources:

- **Georgia Department of Human Services (DHS)**
 Contact the Limited English Proficiency / Sensory Impairment (LEP/SI) Program
 Fax: (404) 657-1123
 lepsi@dhs.ga.gov
 2 Peachtree Street N.W.
 Suite 29-103
 Atlanta, GA 30303

- **Georgia Department of Community Affairs**
 Attn: Christy Barnes, DCA LAP Coordinator
 DCA 504 Coordinator
 60 Executive Park South, N.E.
 Atlanta, Georgia 30329-2231
 fairhousing@dca.ga.gov
 404-679-5291
https://www.dca.ga.gov/sites/default/files/dca_lap.pdf

- **iSpeak ATL**
<https://www.welcomingatlanta.com/ispeakatl/>
 Mayor's Office of Immigrant Affairs
 Suite 2400
 55 Trinity Ave SE
 Atlanta GA 303016
 Email: ispeakATL@atlantaga.gov

- Interpreters Unlimited (In person only – 800-726-9891)
- Language Line Services (Telephonic or recording – 800-752-6096)
- LATN, Inc. (In-person or telephonic – 800-943-5286)
- Peach State Health Plan Interpreter & Translation Services
- Contractor Listing for Translation and Interpretation Services
- Contractor Listing for Linguistic Training and Education Services
- American Association of Language Specialists
- American Translators Association
- Federal LEP Website

Appendix 1: I Speak Card

I Speak...

Language Identification Guide

A

Amharic
እኔ አማርኛ ነው ምናረው.

Arabic
أنا أتحدث اللغة العربية

Armenian
Ես խոսում եմ հայերեն

B

Bengali
আমি বাংলা কথা বলতে পারি

Bosnian
Ja govorim bosanski

Bulgarian
Аз говоря български

Burmese
ကျွန်တော်/ကျွန်းမ ငြိမ်းဝေ ဝို ဧည့်သည်တော် ဝေခင်

C

Cambodian
ខ្ញុំនិយាយភាសាខ្មែរ

Cantonese
我講廣東話 (Traditional)
我讲广东话 (Simplified)

Catalan
Parlo català

Croatian
Govorim hrvatski

Czech
Mluvim česky

D

Danish
Jeg taler dansk

Dari
من دری حرف می زنم

Dutch
Ik spreek het Nederlands

E

Estonian
Ma räägin eesti keelt

F

Finnish
Puhun suomea

French
Je parle français

G

German
Ich spreche Deutsch

Greek
Μιλώ τα ελληνικά

Gujarati
હું ગુજરાતી બોલુ છું

H

Haitian Creole
M pale kreyòl ayisyen

Hebrew
אני מדבר עברית

Hindi
मैं हिन्दी बोलता हूँ।

Hmong
Kuv has lug Moob

Hungarian
Beszélék magyarul

Q

Qanjobal
Ayin ti chí wá! q' anjob' al

Quiche
In kinch'aw K'uin ch'e quiche

R

Romanian
Vorbesc românește

Russian
Я говорю по-русски

S

Serbian
Ja govorim srpski

Sign Language

Slovak
Hovorím po slovensky

Slovenian
Govorim slovensko

Somali
Waxaan ku hadlaa af-Soomaali

Spanish
Yo hablo español

Swahili
Ninaongea Kiswahili

Swedish
Jag talar svenska

T

Tagalog
Maraming akong mag-Tagalog

Tamil
நான் தமிழ் பேசுவேன்

Thai
พูดภาษาไทย

Turkish
Türkçe konuşurum

U

Ukrainian
Я розмовляю українською мовою

Urdu
میں اردو بولوں

V

Vietnamese
Tôi nói tiếng Việt

W

Welsh
Dwi'n siarad

X

Xhosa
Ndithetha isiXhosa

Y

Yiddish
איך רעד יידיש

Yoruba
Mo nso Yoruba

Z

Zulu
Ngiyakuhluma isizulu

I

Icelandic
Ég tala íslensku

Ilocano
Agsaznak ti Ilokano

Indonesian
saya bisa berbahasa Indonesia

Italian
Parlo italiano

J

Japanese
私は日本語を話す

K

Kachchiquel
Quim ch'agüic ká ch'ib'al' ruim' n'

Korean
한국어 합니다

Kurdish
min Kurdiî zanim

Kurmanji
min Kurmanjî zanim

L

Laotian
ຂ້ອຍປາກົດພາສາລາວ

Latvian
Es runāju latviski

Lithuanian
Aš kalbu lietuviškai

M

Mam
Bán chiyola tuj kiyol mam

Mandarin
我講國語 (Traditional)
我讲国语/普通话 (Simplified)

Mon
အဲဒီအတိုင်းပဲ

N

Norwegian
Jeg snakker norsk

P

Persian
من فارسی صحبت می کنم.

Polish
Mówię po polsku

Portuguese
Eu falo português do Brasil (for Brazil)
Eu falo português de Portugal (for Portugal)

Punjabi
ਮੈਂ ਪੰਜਾਬੀ ਬੋਲਦਾ/ਬੋਲਦੀ ਹਾਂ।

Executive Order 13166 requires DHS to take reasonable steps to provide meaningful access to its programs and activities for persons with limited English proficiency and - as also required by Title VI of the Civil Rights Act of 1964 - to ensure that recipients of federal financial assistance do the same.

I Speak is provided by the Department of Homeland Security Office for Civil Rights and Civil Liberties (CRCL). Other resources at www.lep.gov

Contact the DHS Office for Civil Rights and Civil Liberties' CRCL Institute at CRCLTraining@dhs.gov for digital copies of this poster or a "I Speak" booklet.

Download copies of the DHS LEP plan and guidance to recipients of financial assistance at www.dhs.gov/crcl

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Georgia Emergency Management and Homeland Security Agency

LIMITED ENGLISH PROFICIENCY COMPLAINT FORM

The purpose of this document is to help you file a Limited English Proficiency (LEP) complaint concerning the implementation or administration of any program, activity, or service receiving federal financial assistance, whether within the Georgia Emergency Management and Homeland Security Agency (GEMA/HS) or a sub-recipient. This document is not intended to be used for complaints about employment with GEMA/HS. You are not required to use this document to file a complaint; a letter with the same information is sufficient. However, if you file a complaint by letter, you should include the same information that is requested herein.

1. Information about the person who is filing the LEP complaint:

Name: _____
 First and Middle (Given Name) Last (Family Name/Surname)

Phone #: Cell/Mobile: _____ Home: _____ Work: _____

Mailing Address: _____
 P.O. Box or Street Address City State Zip Code

Email (Optional): _____

2. Information about the person(s) who failed to properly provide information to the LEP person:

Name: _____
 First and Middle (Given Name) Last (Family Name/Surname)

Phone #: Cell/Mobile: _____ Home: _____ Work: _____

Mailing Address: _____
 P.O. Box or Street Address City State Zip Code

3. Information about the agency or organization involved:

Name: _____

Phone #: _____

Mailing Address: _____
 P.O. Box or Street Address City State Zip Code

4. Are there other individuals or organizations involved in this LEP complaint?

- Yes
- No

If yes, please provide their name, telephone number, and address below:

Name: _____

Phone #: _____

Mailing Address: _____

P.O. Box or Street Address City State Zip Code

5. Describe the nature of the interaction and any suspected violations:

6. Explain in detail what happened, when, and how the person(s) or entity denied meaningful access to a GEMA/HS or sub-recipient service, activity, program, or other benefit.

7. What other information do you think might be helpful to an investigation?

8. Please list below any persons (witnesses, people involved, or others) who have direct knowledge of the situation that might be able to provide information to support or clarify the complaint:

Name: _____

Phone #: _____

Mailing Address: _____

P.O. Box or Street Address City State Zip Code

9. Have you or others filed a case or complaint regarding this allegation with any of the following?

- Office of Equal Rights, Federal Emergency Management Agency
 Office for Civil Rights and Civil Liberties, U.S. Department of Homeland Security
 U.S. Equal Employment Opportunity Commission
 Other Federal Agency
 Federal or State Court
 Other State of Georgia Agency, Authority, or Office
 Other: _____

10. Issues with:

- | | |
|--|---|
| <input type="checkbox"/> Spanish (Español) | <input type="checkbox"/> Lack of signs informing the public of interpretation and translation |
| <input type="checkbox"/> Chinese 中国人 | <input type="checkbox"/> Lack of forms/materials/notices in a language I can understand |
| <input type="checkbox"/> Korean 한국어 | <input type="checkbox"/> I was not offered an interpreter |
| <input type="checkbox"/> Vietnamese Tiếng Việt | <input type="checkbox"/> I asked for an interpreter and was denied |
| <input type="checkbox"/> French (Français) | <input type="checkbox"/> Lack of bilingual personnel, so delay in services |
| <input type="checkbox"/> Arabic برء ^ع | <input type="checkbox"/> The interpreter's skills were not good |
| | <input type="checkbox"/> I was unable to use the services, programs, or activities |

11. Information about the person filing this complaint, if the complaint is being submitted on behalf of another:

Name: _____
First and Middle (Given Name) Last (Family Name/Surname)

Phone #: Cell/Mobile: _____ Home: _____ Work: _____

Mailing Address: _____
P.O. Box or Street Address City State Zip Code

Email (Optional): _____

Signature: _____ **Date:** _____

You may submit the form by email to language.access.coordinator@gema.ga.gov.

Or send via U.S. Mail to the following address:

Georgia Emergency Management and Homeland Security Agency
 Attention: Language Access Coordinator
 P.O. Box 18055
 Atlanta, Georgia 30316



THE GEORGIA EMERGENCY MANAGEMENT AND HOMELAND SECURITY AGENCY

Responding to Discrimination Complaints Relating to Federal Grant Programs

2022

Purpose

The intent of this policy is to ensure that subrecipients which receive grant funds from the Georgia Emergency Management and Homeland Security Agency (GEMA/HS) do not discriminate against any client, customer, program participant, employee, or consumer based on race, color, religion, sex, national origin, age, English proficiency, or physical or mental disability. This policy establishes the procedures for GEMA/HS employees to follow when they receive or wish to make a complaint alleging discrimination concerning the implementation or administration of any program, activity, or service receiving federal financial assistance from the U.S. Department of Justice (DOJ) or the U.S. Department of Homeland Security (DHS), whether within GEMA/HS or a subrecipient.

Complying with Laws and Policies that Prohibit Discrimination

GEMA/HS shall comply with all applicable federal and state laws, rules, and regulations prohibiting discrimination. GEMA/HS shall appropriately address all complaints from any person who believes that a GEMA/HS subrecipient has discriminated against them in violation of federal and/or state law or regulation in the delivery of services or benefits.

Policy

All employees, job applicants, clients, customers, program participants, and consumers of GEMA/HS and its subrecipients shall be treated equally regardless of race, color, religion, national origin, age, English proficiency, or physical or mental disability, sexual orientation, or gender identity.

Individuals have the right to participate in programs, activities, and services operated by GEMA/HS and its subrecipients without discrimination. Statutes and regulations that apply include, but are not limited to, the following:

- Title VI of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color, or national origin in the delivery of services (42 U.S.C. § 200d), and the DOJ implementing regulations at 28 C.F.R. Part 42, Subpart C and D, and DHS implementing regulations at 6 C.F.R. Part 21 and 44 C.F.R. Part 7;
- Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination on the basis of disability in the delivery of services and employment practices (29 U.S.C. § 794), and the DOJ implementing regulations at 28 C.F.R. Part 42, Subpart G;
- Titles I, II, and III of the Americans with Disabilities Act of 1990, which prohibit discrimination on the basis of disability in the delivery of services and employment practices (42 U.S.C. §12101-12213 and §12131-34), and the DOJ implementing regulations at 28 C.F.R. Part 35;
- Title IX of the Education Amendments of 1972, which prohibit discrimination on the basis of sex in educational programs (20 U.S.C. § 1681), the DOJ implementing regulations at 28 C.F.R. Part 42, Subpart D and 28 C.F.R. Part 54, and the DHS implementing regulations at 6 C.F.R. Part 17 and 44 C.F.R. Part 19;
- The Age Discrimination Act of 1975, which prohibits discrimination on the basis of age in the delivery of services (42 U.S.C. § 6102), and the DOJ implementing regulations at 28 C.F.R. Part 42, Subpart I;
- Title VIII of the Civil Rights Act of 1968, which prohibits recipients from discriminating in the sale, rental, financing, and advertising of dwellings, or in the provision of services

in connection therewith, on the basis of race, color, national origin, religion, disability, familial status, and sex (42 U.S.C. §3601);

- The Omnibus Crime Control and Safe Streets Act of 1968, which prohibits discrimination on the basis of race, color, national origin, religion, or sex in the delivery of services and employment practices (34 U.S.C. §10228(c), see also 34 U.S.C. §11182(b)), and the DOJ implementing regulations at 28 C.F.R. Part 42, Subpart D;
- The DOJ regulations on the Equal Treatment for Faith-Based Organizations, which prohibit discrimination on the basis of religion in the delivery of services and prohibit organizations from using DOJ funding on inherently religious activities (28 C.F.R. Part 38);
- The Victims of Crime Act (VOCA) of 1984, which prohibits discrimination based on race, color, religion, national origin, handicap, or sex (34 U.S.C. §20110(e));
- The Violence Against Women Act (VAWA) of 2013, which prohibits discrimination on the basis of actual or perceived race, color, religion, national origin, sex, gender identity, sexual orientation, or disability (34 U.S.C. §12291(b)(13));
- The DHS regulation, which prohibits discrimination based on religion in social service programs (6 C.F.R. Part 19);
- Executive Order 13166, “Improving Access To Services For Persons With Limited English Proficiency”, which requires Federal agencies to develop and implement a plan to provide services to those persons with limited English proficiency (LEP) to ensure meaningful access to programs and activities conducted by those agencies;
- Georgia’s Fair Employment Practices Act of 1978, found at O.C.G.A. § 45-19-29, et seq., which prohibits public employers with 15 or more employees from engaging in discrimination on account of an individual's race, color, religion, sex, age, national origin, or disability;
- Georgia’s Sex Discrimination in Employment Act of 1966, found at O.C.G.A. § 34-5-1, et seq., which mimics the Equal Pay Act of 1963, in that it prohibits discrimination between employees in the same establishment, on the basis of sex, in their compensation for comparable work;
- Georgia’s General Age Discrimination Law of 1971, found at O.C.G.A. § 34-1-2, which makes it a criminal misdemeanor to discriminate against any person between the ages of 40 and 70 years, solely upon the ground of age, when the reasonable demands of the position do not require such an age distinction. The individual must be qualified physically, mentally, and by training and experience to perform satisfactorily the labor assigned to him or her for which he or she applies;

- Georgia’s Equal Employment for Persons with Disabilities Code of 1981, found O.C.G.A. § 34-6A-1, et seq., which mimics the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, as amended, in that it prohibits discrimination because of an individual's disability with respect to wages, rates of pay, hours, or other terms and conditions of employment because of such person's disability unless such disability restricts that individual's ability to engage in the particular job or occupation for which he or she is eligible. The Code has no administrative prerequisites to filing suit; and
- Atlanta Ordinance No. 2000-79, § 1, which applies to employers located within the City of Atlanta with ten or more employees. The Ordinance prohibits employment discrimination based on race, color, creed, religion, sex, domestic relationship status, parental status, familial status, sexual orientation, national origin, gender identity, age, or disability.

Definitions

Complaint Coordinator: A person or persons designated by GEMA/HS to ensure that received complaints are acted upon in a timely manner.

Discrimination: The treatment or consideration of, or making a distinction in favor of or against, a person based on the person’s legally recognized protected category (including race, color, national origin, gender, age, sexual orientation, gender identity, religion, English proficiency, or disability) to which that person belongs rather on individual merit. There are various federal and state laws and rules that further describe the specific types of discrimination.

Retaliation: The act of harassing, threatening, demoting, firing, or otherwise negatively targeting a complainant as a direct result of the complainant opposing unlawful discrimination.

Subrecipient: A non-Federal entity that receives a grant sub-award from GEMA/HS to carry out part of a Federal program. A subrecipient does not include an individual that is a beneficiary of such a program.

Complaint Procedures

An employee, client, customer, program participant, or consumer of GEMA/HS or of a GEMA/HS subrecipient may submit a complaint of discrimination concerning the implementation or administration of any program, activity, or service receiving federal financial assistance from the DOJ or DHS on behalf of him/herself or on behalf of another. Any such individual has the right, and is encouraged, to file a written complaint with the Office for Civil Rights in the DOJ (OCR), the DHS’s Office for Civil Rights and Civil Liberties (CRCL), or GEMA/HS.

1. If the relevant federal grant is funded by the DOJ, the complaint may be sent directly to the OCR using the *Complaint Verification Form* and *Identity Release Statement*, which are available at: <https://www.ojp.gov/program/civil-rights/filing-civil-rights-complaint>.

The completed forms should be sent to:

Office for Civil Rights
Office of Justice Programs
U.S. Department of Justice
810 Seventh Street NW
Washington, D.C. 20531

2. If the relevant federal grant is funded by the DHS, the complaint may be sent directly to the DHS's Office for CRCL. There are three submission methods available. One method for submitting the complaint is via email: CRCLCompliance@hq.dhs.gov. A second available method is fax: 202-401-4708. The complaint may also be sent via mail:

U.S. Department of Homeland Security
Office for Civil Rights and Civil Liberties
Compliance Branch
245 Murray Lane, SW
Building 410, Mail Stop #0190
Washington, D.C. 20528

3. For federal grants funded by either DOJ or DHS, the complaint may also be submitted directly to GEMA/HS. A complaint form can be downloaded from GEMA/HS' website and submitted by email to: grants.complaint.coordinator@gema.ga.gov.
The completed form may also be sent to:

The Georgia Emergency Management and Homeland Security Agency
Grants Complaint Coordinator
935 United Avenue SE
Atlanta, Georgia 30316

Additional Agencies for Filing Discrimination Complaints

In addition to the option for filing a discrimination complaint with GEMA/HS, the OCR, or the CRCL, discrimination complaints may be filed directly with a court, as well as the following state and federal administrative agencies, whose function is to enforce state and federal laws that prohibit discrimination:

- Equal Employment Opportunity Commission (EEOC)
<http://www.eeoc.gov/employees/charge.cfm>
- Georgia Commission on Equal Opportunity (GCEO)
<https://gceo.georgia.gov/>

GEMA/HS Procedures for Processing Complaint

1. A group of GEMA/HS employees will collectively act as the Complaint Coordinator for processing complaints of discrimination associated with this policy.
2. If an employee, client, customer, program participant, or consumer of GEMA/HS or of a GEMA/HS subrecipient contacts a GEMA/HS employee and wishes to file a complaint against GEMA/HS or a GEMA/HS subrecipient concerning the implementation or administration of any program, activity, or service receiving federal financial assistance from the DOJ or DHS, the GEMA/HS employee shall instruct the complainant to file the complaint in writing, in accordance with the procedures above.
3. Any GEMA/HS employee receiving such a complaint submitted directly to GEMA/HS, and any GEMA/HS employee wishing to submit such a complaint directly to GEMA/HS, shall route it to the Complaint Coordinator. If the complaint is against an employee of GEMA/HS, the complaint shall be forwarded to the Complaint Coordinator and that GEMA/HS employee should follow the procedures set out in HR-14, GEMA/HS's Grievance Procedures Policy.
4. For any complaint received by the Complaint Coordinator that is submitted directly to GEMA/HS, the Complaint Coordinator shall provide written acknowledgment of the complaint to the complainant.
5. The Complaint Coordinator shall refer the complaint to the appropriate entity, which may include the Georgia Office of the Attorney General; the GCEO; the EEOC; the OCR; or the CRCL. If the Georgia Office of the Attorney General either is the agency about which the complaint is filed or has a conflict, the complaint shall be referred to the EEOC, OCR, or CRCL, as appropriate.
6. Notwithstanding paragraph 5, for any complaint of discrimination concerning the implementation or administration of any program, activity, or service receiving federal financial assistance from the DOJ or DHS, GEMA/HS shall notify the OCR or CRCL, as appropriate, in writing of the following:
 - a. Name of complainant
 - b. Entity named in the complaint
 - c. Description of the complaint of discrimination
 - d. Steps being undertaken to investigate and resolve complaint

In addition, GEMA/HS shall notify the complainant that they may file a complaint directly with the OCR or CRCL, as appropriate, at the following address or using one of the electronic submission methods described above:

Office for Civil Rights
Office of Justice Programs
U.S. Department of Justice
810 Seventh Street NW
Washington, D.C. 20531

U.S. Department of Homeland Security
Office for Civil Rights and Civil Liberties
Compliance Branch
245 Murray Lane, SW
Building 410, Mail Stop #0190
Washington, D.C. 20528

Notification

GEMA/HS will post this policy on the GEMA/HS website to notify all interested parties of the appropriate procedures for addressing complaints of discrimination concerning the implementation or administration of any program, activity, or service receiving federal financial assistance from the DOJ or DHS.

Monitoring Subrecipients' Response Procedures

As part of a grant program review, GEMA/HS staff will review the subrecipient's procedures for responding to discrimination complaints that employees, clients, customers, program participants, or consumers of the subrecipients have filed directly with the subrecipient. If the procedures do not exist, or are found to need improvement, the report to the subrecipient will note the findings. At a minimum, the subrecipient's response should:

- a. Acknowledge complaint receipt to complainant in writing;
- b. Indicate which external agency the complaint is forwarded to for investigation;
- c. Comply with the appropriate timeframe by which to forward complaint;
- d. Notify GEMA/HS of complaint; and
- e. Notify complainant that a complaint of discrimination may be filed directly with the OCR, CRCL, EEOC, GCEO, or GEMA/HS, and where to locate those procedures.

Training

1. GEMA/HS will provide periodic training for all employees regarding the discrimination complaint procedures.
2. GEMA/HS will facilitate civil rights requirements training for subrecipients. Such training may be arranged:

- a. In conjunction with grant management training;
- b. Online through the GEMA/HS website;
- c. At the request of the subrecipient; or
- d. As a result of a grant program review.

4. Are there other individuals or organizations involved in this discrimination complaint?

- Yes
- No

If yes, please provide their name, telephone number, and address below:

Name: _____

Phone #: _____

Mailing Address: _____
P.O. Box or Street Address City State Zip Code

5. Describe the nature of the alleged discrimination involved:

6. Explain in detail what happened, when, and how the alleged discrimination occurred. State who was involved and how other persons were treated differently.

7. What other information do you think might be helpful to an investigation?

8. Please list below any persons (witnesses, fellow employees, supervisors, or others) who have direct knowledge of the situation that might be able to provide information to support or clarify the complaint:

Name: _____

Phone #: _____

Mailing Address: _____
P.O. Box or Street Address City State Zip Code

EXHIBIT "H"
Federal Funding Accountability and Transparency Act Certification

In order to remain in compliance with The Federal Funding Accountability and Transparency Act of 2006 (FFATA) reporting, complete Items 1-7 and Items 8-10 if necessary, and certify by an authorized agent.

Sub-award Number: **HMGP 4400-0048**

Federal Agency Name: **Federal Emergency Management Agency**

CFDA Program Number and Program Title: **97.039 Hazard Mitigation Grant Program (HMGP)**

Sub-award Project Description: **Fayette County Dam Rehab**

1. Sub-awardee DUNS Number _____
2. Sub-awardee UEI Number _____
3. Sub-awardee Name _____
4. Sub-awardee DBA Name _____
5. Sub-awardee Address _____
6. If DBA, Sub-awardee Parent DUNS Number _____
7. Sub-award Principle Place of Project Performance _____
8. In the preceding fiscal year, did the sub-awardee receive 80% of its annual gross revenues from the Federal government?
Yes _____ No _____
If **Yes**, continue to question 8. If **No**, questionnaire is complete.
9. In the preceding fiscal year, were the sub-awardee's annual gross revenues from the Federal government more than \$25 million annual?
Yes _____ No _____
If **Yes**, continue to question 9. If **No**, questionnaire is complete.
10. Does the public have access to the names and total compensation of the sub-awardee's five most highly compensated officers through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. §§ 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986?
Yes _____ No _____

11. Please list the names and compensation of the sub-awardee's five most highly compensated officers.

- 1. _____ \$ _____
- 2. _____ \$ _____
- 3. _____ \$ _____
- 4. _____ \$ _____
- 5. _____ \$ _____

I certify that to the best of my knowledge all of the information on this form is complete and accurate.

Authorized Signature: _____ **Date:** _____

This section is for use by the Georgia Emergency Management and Homeland Security Agency Only.

Sub-award Obligation/Agency Name: _____

In accordance with The Federal Funding Accountability and Transparency Act of 2006 (FFATA), this document has been processed in the FFATA Sub-award Reporting System (FSRS) by the undersigned:

Signature _____ Date: _____

Sub-award Obligation/Action Date: _____

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Request to adopt Resolution 2023-09 urging the Governor and General Assembly of Georgia to continue efforts to reform and improve mental health services for the citizens of Georgia.

Background/History/Details:

ACCG is strongly encouraging every county in the state to adopt a resolution urging the Governor and General Assembly to continue efforts to reform and improve mental health services for the citizens of Georgia. ACCG asks for this to be adopted by Friday, December 8, 2023, prior to the start of the 2024 legislative session. In addition, the Board is asked to send the resolution to the county's legislative delegation. It is ACCG's hope that all counties will join this effort to help effectuate much-needed change.

What action are you seeking from the Board of Commissioners?

Approval to adopt Resolution 2023-09 urging the Governor and General Assembly of Georgia to continue efforts to reform and improve mental health services for the citizens of Georgia.

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:

**RESOLUTION
NO. 2023- ____**

A RESOLUTION OF THE BOARD OF COMMISSIONERS FOR FAYETTE COUNTY URGING THE GOVERNOR AND GENERAL ASSEMBLY OF GEORGIA TO CONTINUE EFFORTS TO REFORM AND IMPROVE MENTAL HEALTH SERVICES FOR THE CITIZENS OF GEORGIA.

BE IT RESOLVED BY THE FAYETTE COUNTY BOARD OF COMMISSIONERS THAT FAYETTE COUNTY GOVERNMENT REAFFIRMS ITS COMMITMENT TO REFORMING AND IMPROVING MENTAL HEALTH SERVICES FOR ITS CITIZENS AND ALL CITIZENS OF THE STATE OF GEORGIA.

WHEREAS, being the constitutional level of government closest to their constituents, Georgia counties are on the front lines of responding to mental health issues within the community as well as the development of mental health reform efforts; and

WHEREAS, the Fayette County Board of Commissioners supports efforts designed to provide every citizen in need to have accessible, affordable, and adequate mental health services; and

WHEREAS, the Fayette County Board of Commissioners is grateful for the efforts of Georgia's executive, legislative, and judicial branches in working towards mental health reform in recent years, such as the passage of HB 1013 (2022) and introduction of HB 520 (2023), Chief Justice Boggs's work on jail diversion initiatives, and Governor Kemp's commitment to expanding mental health resources in schools for children and young adults; and

WHEREAS, despite these prior steps and successes, the Fayette County Board of Commissioners recognizes that there is still a tremendous amount of work for the citizens of Fayette County and other citizens across Georgia to receive adequate healthcare for mental health and substance abuse disorders; and

NOW, THEREFORE, BE IT RESOLVED, that the Fayette County Board of Commissioners specifically urges the Governor and General Assembly to continue efforts in the 2024 Session of the Georgia General Assembly to enhance Georgia citizens' access to

vital mental health services, including the provision of state budgetary funding for additional behavioral health crisis centers across the state, additional co-responder units, and other resources to assist those with mental health and substance abuse disorders.

BE IT FURTHER RESOLVED, that the Clerk to the Board of Commissioners is hereby directed to provide an executed copy of this Resolution to each member of the Fayette County delegation to the Georgia Senate and Georgia House of Representatives and to the Association County Commissioners of Georgia.

SO RESOLVED, this _____ day of _____, 2023.

FAYETTE COUNTY BOARD OF COMMISSIONERS

(Seal)

By: _____, Chairman

ATTEST: _____, County Clerk