

BOARD OF COUNTY COMMISSIONERS

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

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

(Revised)

February 13, 2025

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.

OFFICIAL SESSION:

Call to Order
Invocation and Pledge of Allegiance by Commissioner Eric Maxwell
Acceptance of Agenda

PROCLAMATION/RECOGNITION:

1. Presentation by Fayette County's auditing firm, Nichols, Cauley & Associates, LLC, of the results of the Fiscal Year 2024 annual audit. (page 3)

PUBLIC HEARING:

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:

2. Approval of the annual Budget Calendar for Fiscal Year 2026, which begins July 1, 2025 and ends June 30, 2026. (pages 4-5)
3. Approval of a FY23 Byrne State Crisis Intervention Specialized Court-Based Program Solicitation grant award for a DUI Accountability Court Peer Support Specialist, in the amount of \$5,220, with no match. (pages 6-40)
4. Approval of the January 23, 2025, Board of Commissioners Meeting Minutes. (pages 41-48)

OLD BUSINESS

5. Request to amend Fayette County Code, Chapter 104 - Development Regulations, Article VII. Watershed Protection. This item was tabled at the January 23, 2025 Board Meeting. (pages 49-51)

NEW BUSINESS:

6. Request to approve the updated plans related to the Animal Control building external upgrades for 2023 SPLOST R23AF (Walking Trails and Livestock Building), along with approval to reallocate \$1.2M of 2023 SPLOST to fund the estimated project costs. (pages 52-65)
7. Request to award Contract #2506-P in the amount of \$1,047,500.00 to MEJA Construction as the Fayette County Multi-Use Recreational Building Construction Manager at Risk. (pages 66-72)
8. Request to accept the FEMA/GEMA (Federal Emergency Management Agency/Georgia Emergency Management Agency) Hazard Mitigation Grant to replace the emergency generator for the Crosstown Water Treatment Plant with a total project cost of \$ 4,156,907.26. (pages 73-121)
9. Request to approve the Planning Commission Selection Committee's recommendation to reappoint James Oliver to fill an open term expiring December 31, 2027. (pages 122-124)
10. Request to approve the Zoning Board of Appeals Selection Committee's recommendation to appoint Kyle McCormick to fill an open term expiring December 31, 2027. (pages 125-127)

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:

Presentation by Fayette County's auditing firm, Nichols, Cauley & Associates, LLC, of the results of the Fiscal Year 2024 annual audit.

Background/History/Details:

Nichols, Cauley & Associates, LLC has completed the independent audit of the County's accounting records for the 2024 fiscal year. The firm will be presenting the results of the audit to the Board of Commissioners.

The firm will present their findings, via PowerPoint, during the meeting.

What action are you seeking from the Board of Commissioners?

No action is requested from the Board. This presentation is for informational purposes.

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:

Approval of the annual Budget Calendar for Fiscal Year 2026, which begins July 1, 2025 and ends June 30, 2026.

Background/History/Details:

Annually, the county conducts a budget process for the purpose of developing a balanced budget to present to the Board of Commissioners for their consideration regarding the upcoming fiscal year.

A recommended budget calendar for FY2026 is attached. Staff is requesting the Board to adopt the proposed calendar as presented.

What action are you seeking from the Board of Commissioners?

Approval of the annual Budget Calendar for Fiscal Year 2026, which begins July 1, 2025 and ends June 30, 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:

**FY 2026 Budget Calendar
BOC - Needs BOC Approval**

2025 DATE		PARTICIPANTS	BUDGET TASK
March 17, 2025	Mon	Finance / Departments / Agencies	Budget forms, budget calendar, instructions published. Budget entry available
March 19, 2025	Wed	Departments / Finance	CIP, Capital, Vehicles, Equipment Requests are Due to Finance
<i>TBD</i>	<i>TBD</i>	<i>Finance</i>	<i>Next Year Budget Entry Training - New personnel</i>
March 31, 2025	Mon	Agencies / Finance	Budget requests submissions due from Agencies
April 7, 2025	Mon	Departments / Finance	Budget requests submissions due from County Departments
April 7, 2025	Mon	Human Resources / Finance	Human Resources - Post Salary/Benefits projection to budget projection
April 14, 2025	Mon	Finance / County Administrator	Countywide budget requests to the County Administrator
April 24 - April 27	Thu - Sun	Commissioners / County Administrator / County Staff	Annual ACCG Conference Savannah
April 28, 29, & 30	Mon - Wed	County Administrator / County Staff	Budget Workshops as necessary
May 9, 2025	Fri	Commissioners / County Staff (Open to the Public)	BOC Annual Retreat - Policy and Board of Commissioner Discussions
May 21, 2025	Wed	Finance / County Administrator	Publish the FY 2026 Proposed Budget Summary and Public Hearings dates and times in local newspapers and on the County's website. Make available detail binders of the FY 2026 Proposed Budget.
May 22, 2025	Thu	Commissioners / County Administrator / County Staff (Open to the Public)	Conduct Special Called Budget Meeting to formally present the FY 2026 Proposed Budget to the Board of Commissioners.
June 12, 2025	Thu		Hold first Public Hearing on the FY 2026 Proposed Budget.
June 26, 2025	Thu		Hold second Public Hearing on the FY 2026 Proposed Budget. Request BOC to adopt FY 2026 Budget.

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Approval of a FY23 Byrne State Crisis Intervention Specialized Court-Based Program Solicitation grant award for a DUI Accountability Court Peer Support Specialist, in the amount of \$5,220, with no match.

Background/History/Details:

The integration of a Peer Support Specialist into this program will significantly enhance its ability to promote recovery and reduce recidivism. Peer support has been proven to improve treatment engagement, increase accountability, and lower relapse rates.

A Peer Support Specialist will provide individualized case management, advocate for behavioral health support, assist in monitoring program activities, and help hold participants accountable. Additionally, they will facilitate workshops on life skills and other educational topics. Most importantly, a Peer Support Specialist will offer practical guidance based on personal experience and serve as a role model for recovery. This grant would fund the position for 12 months.

What action are you seeking from the Board of Commissioners?

Approval of a FY23 Byrne State Crisis Intervention Specialized Court-Based Program Solicitation grant award for the DUI Accountability Court for a Peer Support Specialist in the amount of \$5,220, with no match.

If this item requires funding, please describe:

Funding is available in Accountability Court M&O 21420330-521316-DUI

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:

OFFICE OF THE GOVERNOR
CRIMINAL JUSTICE COORDINATING COUNCIL

STATE OF GEORGIA

SUBGRANT AWARD

SUBGRANTEE: Fayette County Board of Commissioners

IMPLEMENTING

FEDERAL FUNDS: \$ 5,220

AGENCY: Fayette County BOC

MATCHING FUNDS: \$ 0

PROJECT NAME: Drug Court

TOTAL FUNDS: \$ 5,220

SUBGRANT NUMBER: B75-8-015

GRANT PERIOD: 01/01/25-12/30/25

This Award is hereby made in the amount and for the period shown above for a Subgrant under the Bipartisan Safer Communities Supplemental Appropriations Act, 2022 (Pub. L. No. 117-159 Stat. 1313, 1339); 28.U.S.C. 530C. The award is made in accordance with the plan set forth in the application of the Subgrantee and subject to any attached special conditions.

The Subgrantee has agreed through the executed copy of certified assurances to be subject to all applicable rules, regulations, and conditions of the Bipartisan Safer Communities Supplemental Appropriations Act, 2022. This Subgrant shall become effective on the beginning date of the grant period, provided that within forty-five (45) days of the award execution date (below) the properly executed original of this "Subgrant Award" is returned to the Criminal Justice Coordinating Council.

AGENCY APPROVAL

SUBGRANTEE APPROVAL



Jay Neal, Director
Criminal Justice Coordinating Council

Signature of Authorized Official Date

Date Executed: 01/01/25

Typed Name & Title of Authorized Official

58-6000826-001

Employer Tax Identification Number (EIN)

INTERNAL USE ONLY

TRANS CD	REFERENCE	ORDER	EFF DATE	TYPE	PAY DATE	INVOICE	CONTRACT #
102	14198	1	01/01/25	9		**	B75-8-015
OVERRIDE	ORGAN	CLASS	PROJECT			VENDOR CODE	
2	46	4	14SC7				

ITEM CODE	DESCRIPTION 25 CHARACTERS	EXPENSE ACCT	AMOUNT
1	Drug Court	624.41	\$ 5,220

CRIMINAL JUSTICE COORDINATING COUNCIL
 SUBGRANT ADJUSTMENT REQUEST
 FEDERAL GRANT # 23-GG-00007-BSCI

REQUEST DATE: _____

SUBGRANTEE: Fayette County Board of Commissioners

SUBGRANT #: B75-8-015

PROJECT NAME: FY23 Byrne SCIP

NATURE OF ADJUSTMENT:

Mark all that apply.

Adjustments of each type shown should be entered in the section indicated.

- REVISED BUDGET Go To SECTION I
- PROJECT PERIOD AND/OR EXTENSION. Go To SECTION II
- PROJECT OFFICIALS/ADDRESSES. . . Go To SECTION III
- PROJECT PERSONNEL. Go To SECTION III
- GOALS AND OBJECTIVES Go To SECTION III
- OTHER. Go To SECTION III

MUST BE JUSTIFIED AND EXPLAINED THOROUGHLY IN SECTION IV.

SECTION I. REQUEST FOR BUDGET CHANGE - JUSTIFY IN SECTION IV.

	CURRENT APPROVED	REVISIONS +/-	REVISED BUDGET
PERSONNEL	\$ 5,220	_____	_____
EQUIPMENT	0	_____	_____
SUPPLIES	0	_____	_____
TRAVEL	0	_____	_____
PRINTING	0	_____	_____
OTHER	0	_____	_____
TOTAL	\$ 5,220	_____	_____
Federal	\$ 5,220	_____	_____
Match	\$ 0	_____	_____

SECTION II. REQUEST FOR CHANGE IN PROJECT PERIOD - JUSTIFY IN SECTION IV.

CURRENT GRANT PERIOD	REQUESTED GRANT PERIOD	FOR EXTENSION,
Start Date: <u>01/01/25</u>	Start Date: _____	# OF MONTHS: _____
End Date: <u>12/30/25</u>	End Date: _____	

NOTE: The maximum extension request cannot exceed 12 months.

SECTION III. REQUESTS FOR REVISIONS TO PROJECT OFFICIALS/ADDRESSES, PROJECT PERSONNEL, GOALS AND OBJECTIVES, AND/OR OTHER NON-BUDGET, NON-PERIOD CHANGES (JUSTIFY IN SECTION IV.)

CRIMINAL JUSTICE COORDINATING COUNCIL
SUBGRANT ADJUSTMENT REQUEST
FEDERAL GRANT # 23-GG-00007-BSCI

REQUEST DATE: _____

SUBGRANTEE: Fayette County Board of Commissioners
PROJECT NAME: FY23 Byrne SCIP

SUBGRANT #: B75-8-015

SECTION IV. JUSTIFICATION OF ALL REQUESTED ADJUSTMENTS, REVISIONS, AND/OR CHANGES

All requested adjustments in Sections I, II & III (page 1) must be justified in detail in this Section. Include item costs, descriptions, equipment lists, detailed explanations, and any other information that would further clarify and support your request for adjustment. Attach additional pages as needed.

SUBMITTED BY:

Signature of Financial Officer or Project Director

Title

Date

CJCC ROUTING AND APPROVALS:

Approval

Disapproval

Reviewer Signature

Reviewed By: _____

Authorized By: _____



SUPPLIER CHANGE REQUEST FORM

Agency Supplier Liaisons MUST complete the Agency Liaison Use Only sections AND ensure the supplier has completed sections 1 - 3, the Supplier Use Only sections prior to submitting this form to SAO.

 NEW

 EXISTING

SUPPLIER ID NUMBER : *Agency Use Only*

0	0	0	0						
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SECTION 1: SUPPLIER IDENTIFICATION

FEI/SSN/TIN

Supplier Name:

Doing Business As (dba): *if applicable*

SUPPLIER ADDRESS

Address 1:

Address 2:

City:

State: Postal Code:

Contact Email:

Primary Phone #: Ext: Secondary Phone #: Ext:
 Landline Cell *Used for Identity Verification* Landline Cell *Used for Identity Verification*

Driver's License #: *For individuals only* DL State:

SECTION 2: BANK ACCOUNT INFORMATION

Required for New and Reactivating suppliers to add/change bank information to receive payments via ACH.

I do not wish to provide banking information and understand all payments made to me will be via check.

Replace Remittance Address at Loc # With Addr ID #

Replace Invoicing Address at Loc # With Addr ID #

Add New Bank Account Change Bank Account Enter Loc # *Agency Liaisons are required to complete items on this line for bank changes*

ROUTING #

NEW ACCOUNT #

Last Four Digits of Previous Bank Account # *For changes only*

Check here if General Bank Account can be used by ALL State of Georgia agencies making payments.

Check here if this account can only be used for a SPECIFIC PURPOSE

DESCRIBE SPECIFIC PURPOSE

ACCOUNTS RECEIVABLE NOTIFICATION

PAYMENT REMIT EMAIL ADDRESS 1:

PAYMENT REMIT EMAIL ADDRESS 2:

I authorize the State of Georgia to deposit payment for goods and/or services received into the provided bank account by the Automated Clearing House (ACH). I further acknowledge that this agreement is to remain in full effect until such time as changes to the bank account information are submitted in writing by the vendor or individual named below. It is the sole responsibility of the vendor or individual to notify the State of Georgia of any changes to the bank account information. The State of Georgia independently authenticates bank account ownership.

Printed Name of Company Officer _____

Signature of Company Officer _____

SECTION 3: DIVERSITY IDENTIFICATION (Check ALL That Apply)

BUSINESS CERTIFICATIONS

- GA Small Business*
- GA Resident Business**
- Not Applicable
- Women Owned
- Minority Business Certified
- Prefer Not to Disclose

MINORITY BUSINESS ENTERPRISE (51% ownership)

- Hispanic – Latino
- Native American
- Pacific Islander
- Prefer Not to Disclose
- African American
- Asian American
- Not Applicable

*Based on Georgia law (OCGA 50-5-21) (3) “**Small Business**” means any business which is independently owned and operated. Additionally, such business must either have 300 or less employees OR \$30 million or less in gross receipts per year.

****Georgia resident business** is defined as any business that regularly maintains a place from which business is physically conducted in Georgia for at least one year prior to any bid or proposal to the state or a new business that is domiciled in Georgia and which regularly maintains a place from which business is physically regularly conducted in Georgia; provided, however, that a place from which business is conducted shall not include a post office box, a leased private mailbox, site trailer, or temporary structure.

VETERAN-OWNED SMALL BUSINESS (Check ALL That Apply)

- Nonveteran-owned Small Business
- Veteran-owned Small Business
- Service Disabled VOSB
- Prefer Not to Disclose

SECTION 4: REQUESTED CHANGE(S) – (Check ALL That Apply)

- FEI/TIN Change (Cannot change if supplier is 1099 applicable)
- Business Name Change
- 1099 Eligible Cannot change to non-eligible if supplier is already 1099 eligible

1099 Addr ID # Agency Liaisons are REQUIRED to enter the AddrID # where to mail 1099

1099 – M Enter Code (Required for Form 1099 – M)

1099 – N Code 01 (01 is the only code available for the 1099 – NEC)

- Reactivate Supplier Profile
- Deactivate Supplier Profile (Agency Liaison MUST attach written justification from the supplier with the SCR.)
- Add Additional Business Address (Enter additional address in Section 1)
- Change Existing Business Address Enter Addr ID # to change: (Agency Liaisons are required to enter Addr ID # to change)
- Change/Add Payment Alt Name to an existing address (if payable to a different name).

Payment Alt Name:

- Classification Change: (Agency Liaisons are required to check one for Classification Changes.)
 - Attorney
 - Gov Non-State of GA
 - HCM
 - Non-Supplier
 - Student
 - Supplier Minority
 - Supplier Non-minority

- Statewide Contract (DOAS Use Only)
- HCM Vendor
- Other (Provided details in the Comments section below)
- Comments

AGENCY USE ONLY SECTION 5: AGENCY LIAISON CERTIFICATION (REQUIRED)

By my signature below, I certify that all reasonable effort has been made to submit information that is complete, accurate, true, and is associated with the supplier’s name and Tax ID listed above.

AGENCY LIAISON NAME

AGENCY LIAISON SIGNATURE

DATE

DESIGNATION OF GRANT OFFICIALS

LEGAL NAME OF AGENCY: Fayette County Board of Commissioners

PROJECT TITLE: Fayette County DUI/Drug Court

GRANT NUMBER: B75-8-015

Mr.

Ms.

Jourdan Crawford

PROJECT DIRECTOR NAME (Type or Print)

Program Coordinator- Fayette County DUI/Drug Court

Title and Agency

1 Center Drive Fayetteville 30214

Official Agency Mailing Address City Zip

770-716-4328

Daytime Telephone Number Fax Number

jcrawford@fayettecountyga.gov

E-Mail Address

Mr.

Ms.

Sherly Weinmann

FINANCIAL OFFICER (Type or Print)

CFO- Fayette County Board of Commissioners

Title and Agency

140 Stonewall Ave # 101 Fayetteville 30214

Official Agency Mailing Address City Zip

770-305-5138

Daytime Telephone Number Fax Number

Sweinmann@fayettecountyga.gov

E-Mail Address

Mr.

Ms.

Lee Hearn

AUTHORIZED OFFICIAL (Type or Print)

Chairman- Fayette County Board of Commissioners

Title and Agency

140 Stonewall Ave #101 Fayetteville 30214

Official Agency Mailing Address City Zip

770-305-5200

Daytime Telephone Number Fax Number

Lhearn@fayettecountyga.gov

E-Mail Address

CRIMINAL JUSTICE COORDINATING COUNCIL REIMBURSEMENT SELECTION FORM

SUBGRANT NUMBER: B75-8-015
AGENCY NAME: Fayette County Board of Commissioners

1. SELECT A SCHEDULE FOR SUBMITTING REIMBURSEMENTS (CHECK ONE BOX)

- MONTHLY** (Requests for reimbursement are due 15 days after the end of the month)
- QUARTERLY** (Requests for reimbursement are due 30 days after the end of the quarter)

2. SELECT A PROCESS FOR RECEIVING REIMBURSEMENT PAYMENTS (CHECK ONE BOX)

- ELECTRONIC FUNDS TRANSFER** (Reimbursements will be deposited into the bank account listed below. A voided check must be attached to ensure proper routing of funds.)

BANK NAME: _____

BANK ROUTING NUMBER: _____

BANK ACCOUNT NUMBER: _____

AGENCY CONTACT NAME: _____

AGENCY CONTACT TELEPHONE NUMBER: _____

AGENCY AUTHORIZED OFFICIAL NAME AND TITLE: _____

AGENCY AUTHORIZED OFFICIAL SIGNATURE: _____

- CHECK** (Reimbursements will be mailed in the form of a check to the address listed below)

MAILING ADDRESS: _____

CITY, STATE & ZIP: _____

ATTENTION: _____

AGENCY AUTHORIZED OFFICIAL SIGNATURE: _____

For CJCC Use ONLY

CJCC Auditor:	
Phone Number:	
Grant Award Number:	
GBI Entry Initial/Date:	



U.S. DEPARTMENT OF JUSTICE

CERTIFIED STANDARD ASSURANCES

On behalf of the Applicant, and in support of this application for a grant or cooperative agreement, I certify under penalty of perjury to the U.S. Department of Justice ("Department"), that all of the following are true and correct:

(1) I have the authority to make the following representations on behalf of myself and the Applicant. I understand that these representations will be relied upon as material in any Department decision to make an award to the Applicant based on its application.

(2) I certify that the Applicant has the legal authority to apply for the federal assistance sought by the application, and that it has the institutional, managerial, and financial capability (including funds sufficient to pay any required non-federal share of project costs) to plan, manage, and complete the project described in the application properly.

(3) I assure that, throughout the period of performance for the award (if any) made by the Department based on the application--

- a. the Applicant will comply with all award requirements and all federal statutes and regulations applicable to the award;
- b. the Applicant will require all subrecipients to comply with all applicable award requirements and all applicable federal statutes and regulations; and
- c. the Applicant will maintain safeguards to address and prevent any organizational conflict of interest, and also to prohibit employees from using their positions in any manner that poses, or appears to pose, a personal or financial conflict of interest.

(4) The Applicant understands that the federal statutes and regulations applicable to the award (if any) made by the Department based on the application specifically include statutes and regulations pertaining to civil rights and nondiscrimination, and, in addition--

- a. the Applicant understands that the applicable statutes pertaining to civil rights will include section 601 of the Civil Rights Act of 1964 (42 U.S.C. § 2000d); section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794); section 901 of the Education Amendments of 1972 (20 U.S.C. § 1681); and section 303 of the Age Discrimination Act of 1975 (42 U.S.C. § 6102);
- b. the Applicant understands that the applicable statutes pertaining to nondiscrimination may include section 809(c) of Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. § 10228(c)); section 1407(e) of the Victims of Crime Act of 1984 (34 U.S.C. § 20110(e)); section 299A(b) of the Juvenile Justice and Delinquency Prevention Act of 2002 (34 U.S.C. § 11182(b)); and that the grant condition set out at section 40002(b)(13) of the Violence Against Women Act (34 U.S.C. § 12291(b)(13)), which will apply to all awards made by

the Office on Violence Against Women, also may apply to an award made otherwise;

- c. the Applicant understands that it must require any subrecipient to comply with all such applicable statutes (and associated regulations); and
- d. on behalf of the Applicant, I make the specific assurances set out in 28 C.F.R. §§ 42.105 and 42.204.

(5) The Applicant also understands that (in addition to any applicable program-specific regulations and to applicable federal regulations that pertain to civil rights and nondiscrimination) the federal regulations applicable to the award (if any) made by the Department based on the application may include, but are not limited to, 2 C.F.R. Part 2800 (the DOJ "Part 200 Uniform Requirements") and 28 C.F.R. Parts 22 (confidentiality - research and statistical information), 23 (criminal intelligence systems), 38 (regarding faith-based or religious organizations participating in federal financial assistance programs), and 46 (human subjects protection).

(6) I assure that the Applicant will assist the Department as necessary (and will require subrecipients and contractors to assist as necessary) with the Department's compliance with section 106 of the National Historic Preservation Act of 1966 (54 U.S.C. § 306108), the Archeological and Historical Preservation Act of 1974 (54 U.S.C. §§ 312501-312508), and the National Environmental Policy Act of 1969 (42 U.S.C. §§ 4321-4335), and 28 C.F.R. Parts 61 (NEPA) and 63 (floodplains and wetlands).

(7) I assure that the Applicant will give the Department and the Government Accountability Office, through any authorized representative, access to, and opportunity to examine, all paper or electronic records related to the award (if any) made by the Department based on the application.

(8) If this application is for an award from the National Institute of Justice or the Bureau of Justice Statistics pursuant to which award funds may be made available (whether by the award directly or by any subaward at any tier) to an institution of higher education (as defined at 34 U.S.C. § 10251(a)(17)), I assure that, if any award funds actually are made available to such an institution, the Applicant will require that, throughout the period of performance--

- a. each such institution comply with any requirements that are imposed on it by the First Amendment to the Constitution of the United States; and
- b. subject to par. a, each such institution comply with its own representations, if any, concerning academic freedom, freedom of inquiry and debate, research independence, and research integrity, at the institution, that are included in promotional materials, in official statements, in formal policies, in applications for grants (including this award application), for accreditation, or for licensing, or in submissions relating to such grants, accreditation, or licensing, or that otherwise are made or disseminated to students, to faculty, or to the general public.

(9) I assure that, if the Applicant is a governmental entity, with respect to the award (if any) made by the Department based on the application--

- a. it will comply with the requirements of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (42 U.S.C.

- §§ 4601-4655), which govern the treatment of persons displaced as a result of federal and federally-assisted programs; and
- b. it will comply with requirements of 5 U.S.C. §§ 1501-1508 and 7324-7328, which limit certain political activities of State or local government employees whose principal employment is in connection with an activity financed in whole or in part by federal assistance.

(10) If the Applicant applies for and receives an award from the Office of Community Oriented Policing Services (COPS Office), I assure that as required by 34 U.S.C. § 10382(c)(11), it will, to the extent practicable and consistent with applicable law--including, but not limited to, the Indian Self-Determination and Education Assistance Act--seek, recruit, and hire qualified members of racial and ethnic minority groups and qualified women in order to further effective law enforcement by increasing their ranks within the sworn positions, as provided under 34 U.S.C. § 10382(c)(11).

(11) If the Applicant applies for and receives a DOJ award under the STOP School Violence Act program, I assure as required by 34 U.S.C. § 10552(a)(3), that it will maintain and report such data, records, and information (programmatic and financial) as DOJ may reasonably require.

I acknowledge that a materially false, fictitious, or fraudulent statement (or concealment or omission of a material fact) in this certification, or in the application that it supports, may be the subject of criminal prosecution (including under 18 U.S.C. §§ 1001 and/or 1621, and/or 34 U.S.C. §§ 10271-10273), and also may subject me and the Applicant to civil penalties and administrative remedies for false claims or otherwise (including under 31 U.S.C. §§ 3729-3730 and 3801-3812). I also acknowledge that the Department's awards, including certifications provided in connection with such awards, are subject to review by the Department, including by its Office of the Inspector General.

Signature _____

INSTRUCTIONS FOR COMPLETION OF SF-LLL, DISCLOSURE OF LOBBYING ACTIVITIES

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity 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 a covered Federal action. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action.
2. Identify the status of the covered Federal action.
3. Identify the appropriate classification of this report. If this is a followup report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.
4. Enter the full name, address, city, State and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.
5. If the organization filing the report in item 4 checks "Subawardee," then enter the full name, address, city, State and zip code of the prime Federal recipient. Include Congressional District, if known.
6. Enter the name of the Federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.
8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number; Invitation for Bid (IFB) number; grant announcement number; the contract, grant, or loan award number; the application/proposal control number assigned by the Federal agency). Include prefixes, e.g., "RFP-DE-90-001."
9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.
10. (a) Enter the full name, address, city, State and zip code of the lobbying registrant under the Lobbying Disclosure Act of 1995 engaged by the reporting entity identified in item 4 to influence the covered Federal action.

(b) Enter the full names of the individual(s) performing services, and include full address if different from 10 (a). Enter Last Name, First Name, and Middle Initial (MI).
11. The certifying official shall sign and date the form, print his/her name, title, and telephone number.

According to the Paperwork Reduction Act, as amended, no persons are required to respond to a collection of information unless it displays a valid OMB Control Number. The valid OMB control number for this information collection is OMB No. 0348-0046. Public reporting burden for this collection of information is estimated to average 10 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 (0348-0046), Washington, DC 20503.

DISCLOSURE OF LOBBYING ACTIVITIES

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352
(See reverse for public burden disclosure.)

Approved by OMB
0348-0046

1. Type of Federal Action: <input checked="" type="checkbox"/> a. contract <input type="checkbox"/> b. grant <input type="checkbox"/> c. cooperative agreement <input type="checkbox"/> d. loan <input type="checkbox"/> e. loan guarantee <input type="checkbox"/> f. loan insurance	2. Status of Federal Action: <input type="checkbox"/> a. bid/offer/application <input type="checkbox"/> b. initial award <input type="checkbox"/> c. post-award	3. Report Type: <input type="checkbox"/> a. initial filing <input type="checkbox"/> b. material change For Material Change Only: year _____ quarter _____ date of last report _____
4. Name and Address of Reporting Entity: <input type="checkbox"/> Prime <input checked="" type="checkbox"/> Subawardee Tier _____, if known: Congressional District, if known:	5. If Reporting Entity in No. 4 is a Subawardee, Enter Name and Address of Prime: State of Georgia Criminal Justice Coordinating Council 104 Marietta St. NW Suite 440 Atlanta, GA 30303-2743 Congressional District, if known:	
6. Federal Department/Agency: US Dept. of Justice, Office of Justice Programs, Bureau of Justice Assistance	7. Federal Program Name/Description: FY23 Byrne SCIP Grant Program CFDA Number, if applicable: _____	
8. Federal Action Number, if known:	9. Award Amount, if known: \$	
10. a. Name and Address of Lobbying Registrant (if individual, last name, first name, MI): Fayette County Board of Commissioners	b. Individuals Performing Services (including address if different from No. 10a) (last name, first name, MI):	
11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.	Signature: _____ Print Name: Lee Hearn Title: Chairman - Fayette County Board of comm. Telephone No.: 770-305-5200 Date: _____	
Federal Use Only:		Authorized for Local Reproduction Standard Form LLL (Rev. 7-97)



U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS
OFFICE OF THE COMPTROLLER

CERTIFICATIONS REGARDING LOBBYING; DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS; AND DRUG-FREE WORKPLACE REQUIREMENTS

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature of this form provides for compliance with certification requirements under 28 CFR Part 69, "New Restrictions on Lobbying" and 28 CFR Part 67, "Government-wide Debarment and Suspension (Nonprocurement) and Government-wide Requirements for Drug-Free Workplace (Grants)." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Justice determines to award the covered transaction, grant, or cooperative agreement.

1. LOBBYING

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 28 CFR Part 69, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 28 CFR Part 69, the applicant certifies that:

(a) 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 any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;

(b) 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 grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure of Lobbying Activities," in accordance with its instructions;

(c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all sub-recipients shall certify and disclose accordingly.

2. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS (DIRECT RECIPIENT)

As required by Executive Order 12549, Debarment and Suspension, and implemented at 28 CFR Part 67, for prospective participants in primary covered transactions, as defined at 28 CFR Part 67, Section 67.510—

A. The applicant certifies that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a

public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default; and

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

3. DRUG-FREE WORKPLACE (GRANTEES OTHER THAN INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F, for grantees, as defined at 28 CFR Part 67 Sections 67.615 and 67.620—

A. The applicant 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 grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an on-going drug-free awareness program to inform employees about—

(1) The dangers of drug abuse in the workplace;

(2) The grantee'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 grant 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 grant, 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 10 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 title, to: Department of Justice, Office of Justice Programs, ATTN: Control Desk, 633 Indiana Avenue, N.W., Washington, D.C. 20531. Notice shall include the identification number(s) of each affected grant;

(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, as amended; 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).

B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

Check If there are workplaces on file that are not identified here.

Section 67, 630 of the regulations provides that a grantee that is a State may elect to make one certification in each Federal fiscal year. A copy of which should be included with each application for Department of Justice funding. States and State agencies may elect to use OJP Form 4061/7.

Check if the State has elected to complete OJP Form 4061/7.

**DRUG-FREE WORKPLACE
(GRANTEES WHO ARE INDIVIDUALS)**

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F, for grantees, as defined at 28 CFR Part 67; Sections 67.615 and 67.620—

A. As a condition of the grant, I certify that I will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant; and

B. If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, I will report the conviction, in writing, within 10 calendar days of the conviction, to: Department of Justice, Office of Justice Programs, ATTN: Control Desk, 810 Seventh Street NW., Washington, DC 20531.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certifications.

1. Grantee Name and Address: *Fayette County Board of Commissioners*

FY23 Byrne SCIP: B75-8-015

2. Application Number and/or Project Name

3. Grantee IRS/Vendor Number

4. Typed Name and Title of Authorized Representative

5. Signature

6. Date

CIVIL RIGHTS CONTACT

- (1) **Civil Rights Contact Person:** Fayette County Personnel Dept.
- (2) **Title/Address:** 140 Stonewall Ave W
Fayetteville GA 30214

- (3) **Telephone Number:** 770-305-5418
- (4) **Number of persons employed by the organizational unit (agency) responsible for administering the subgrant:** _____

Questions regarding the EEOP compliance requirements in connection with funding under this program should be addressed directly to the Office of Civil Rights Compliance, Office of Justice Programs, 633 Indiana Avenue, NW, Washington, D.C. 20531. That Office may be reached at (202) 724-7861.

BRIAN P. KEMP
GOVERNOR



JAY NEAL
EXECUTIVE DIRECTOR

Audit Requirements

State and local governments are governed by the Single Audit Act of 1984 and OMB Circular A-133, as amended, which is effective regarding audits beginning July 1, 1996 and thereafter. The type of audit required under the Circular is dependent upon the amount of total Federal funds expended in the sub-recipient's fiscal year.

State or local governments and non-profit organizations that expend \$750,000 or more a year in Federal funds shall have an audit made in accordance with the Single Audit Act of 1984 and OMB Circular A-133, as amended. This audit report is due in the State Administering Agency's office not later than nine (9) months after the end of the sub-recipient's fiscal year.

State or local Governments that expend less than \$750,000 in federal funds yearly shall be exempt from compliance with the Single Audit Act and other Federal audit requirements

[Note: This does not exempt you from the requirement to maintain, produce, and report financial and other records and documentation relative to the expenditure of these grant funds upon request of the State or Federal Agency administering this program]

Please provide the following information:

Period of Fiscal Year: Q3, FY25

Date of Last Audit: Q2, FY25

Date of Next Audit: TBD

Anticipated Date of
Next Scheduled
Audit Will Be
Forward to the
Council: TBD

[Note: If the total amount of your agency's federal funds expenditures (including this grant) does not equal or exceed \$750,000 you may write "Not Applicable" in this space.]

CRIMINAL JUSTICE COORDINATING COUNCIL
EDWARD BYRNE MEMORIAL STATE CRISIS INTERVENTION (SCIP) PROGRAM
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1. The subgrantee agrees to comply with the 28 C.F.R. part 38, specifically including any applicable requirements regarding written notice to program beneficiaries and prospective program beneficiaries.

Currently, among other things, 28 C.F.R. Part 38 includes rules that prohibit specific forms of discrimination on the basis of religion, a religious belief, a refusal to hold a religious belief, or refusal to attend or participate in a religious practice. Part 38, currently, also sets out rules and requirements that pertain to recipient and subrecipient ("subgrantee") organizations that engage in or conduct explicitly religious activities, as well as rules and requirements that pertain to recipients and subrecipients that are faith-based or religious organizations.

The text of 28 C.F.R. Part 38 is available via the Electronic Code of Federal Regulations (currently accessible at <https://www.ecfr.gov/current/title-28>), by browsing to Title 28-Judicial Administration, Chapter 1, Part 38, under e-CFR "current" data.

INITIALS: _____

2. The subgrantee agrees to comply with all applicable requirement of 28 C.F.R. Part 42, specifically including any applicable requirements in Subpart E of 28 C.F.R. Part 42 that relate to an equal employment opportunity program.

INITIALS: _____

3. Applicability of Part 200 Uniform Requirements

The Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 C.F.R. Part 200, as adopted and supplemented by the Department of Justice (DOJ) in 2 C.F.R. Part 2800 (the "Part 200 Uniform Requirements") apply to this FY 2023 award from the Office of Justice Programs (OJP).

The Part 200 Uniform Requirements were adopted by the DOJ on December 26, 2014. If this FY 2023 award supplements funds previously awarded by OJP under the same award number (e.g., funds awarded during or before December 2014), the Part 200 Uniform Requirements apply with respect to all funds under that award number (regardless of the award date, and regardless of whether derived from the initial award or supplemental award) that are obligated on or after the acceptance date of this FY 2023 award.

For more information on the Part 200 Uniform Requirements, as they relate to OJP awards, see the Office of Justice Programs (OJP) website at <https://ojp.gov/funding/Part200UniformRequirements.htm>.

Record retention and access: Records pertinent to the award that the subrecipient must retain – typically for a period of 3 years from the date of submission of the final expenditure report, unless a different retention period applies – and to which the subgrantee must provide access, include performance measure information, in addition to the financial records, supporting documents, statistical records, and the other pertinent records indicated at 2 C.F.R. 200.334.

In the event that an award-related question arises from documents or other materials prepared or distributed by OJP that may appear to conflict with, or differ in some way from, the provisions of the Part 200 Uniform Requirements, the recipient is to contact OJP promptly for clarification.

CRIMINAL JUSTICE COORDINATING COUNCIL
EDWARD BYRNE MEMORIAL STATE CRISIS INTERVENTION (SCIP) PROGRAM
SPECIAL CONDITIONS

INITIALS: _____

4. The subgrantee understands and agrees that OJP may withhold award funds, or may impose other related requirements, if the subgrantee does not satisfactorily and promptly address outstanding issues from audits required by the Part 200 Uniform Requirements (or by the terms of this award), or other outstanding issues that arise in connection with audits, investigations, or reviews of DOJ awards.

INITIALS: _____

5. The conditions of this award are material requirements of the award. Compliance with any assurances or certifications submitted by or on behalf of the subgrantee that relate to conduct during the period of performance also is a material requirement of this award.

Limited Exceptions. In certain special circumstances, the U.S. Department of Justice ("DOJ") may determine that it will not enforce, or enforce only in part, one or more requirements otherwise applicable to the award. Any such exceptions regarding enforcement, including any such exceptions made during the period of performance, are (or will be during the period of performance) set out through the Office of Justice Programs ("OJP") webpage entitled "Legal Notices: Special circumstances as to particular award conditions" (<https://www.ojp.gov/funding/explore/legal-notices>), and incorporated by reference into the award.

By signing and accepting this award on behalf of the subgrantee, the authorized official accepts all material requirements of the award, and specifically adopts, as if personally executed by the authorized official, all assurances or certifications submitted by or on behalf the of the subgrantee that relate to conduct during the period of performance.

Failure to comply with one or more award requirements – whether a condition set out in full below, a condition incorporated by reference below, or art assurance or certification related to conduct during the award period – may result in CJCC taking appropriate action with respect to the subgrantee and the award. Among other things, the CJCC may withhold award funds, disallow costs, or suspend or terminate the award. DOJ, including OJP, also may take other legal action as appropriate.

Any materially false, fictitious, or fraudulent statement to the federal government related to this award (or concealment or omission of a material fact) may be the subject of criminal prosecution (including under 18 U.S.C. 1001 and/or 1621, and/or 34 U.S.C. 10271-10273), and also may lead to imposition of civil penalties and administrative remedies for false claims or otherwise (including under 31 U.S.C. 3729-3730 and 3801-3812).

Should any provision of a requirement of this award be held to be invalid or unenforceable by its terms, that provision shall first be applied with a limited construction so as to give it the maximum effect permitted by law. Should it be held, instead, that the provision is utterly invalid or -unenforceable, such provision shall be deemed severable from this award.

INITIALS: _____

6. Employment eligibility verification for hiring under the award
1. The subgrantee must –
 - A. Ensure that , as part of the hiring process for any position within the United States that is or will be funded (in whole or in part) with award funds, the subgrantee properly verifies

**EDWARD BYRNE MEMORIAL STATE CRISIS INTERVENTION (SCIP) PROGRAM
SPECIAL CONDITIONS**

the employment eligibility of the individual who is being hired, consistent with the provisions of 8 U.S.C. 1324a(a)(1).

- B. Notify all persons associated with the subgrantee who are or will be involved in activities under this award of both –
 - (1) this award requirement for verification of employment eligibility, and
 - (2) the associated provisions in 8 U.S.C. 1324a(a)(1) that, generally speaking, make it unlawful, in the United States, to hire (or recruit for employment) certain aliens.
 - C. Provide training (to the extent necessary) to those persons required by this condition to be notified of the award requirement for employment eligibility verification and of the associated provisions of 8 U.S.C. 1324a(a)(1).
 - D. As part of the recordkeeping for the award (including pursuant to the Part 200 Uniform Requirements), maintain records of all employment eligibility verifications pertinent to compliance with this award condition in accordance with Form I-9 record retention requirements, as well as records of all pertinent notifications and trainings.
2. Monitoring: The recipient's monitoring responsibilities include monitoring of subgrantee compliance with this condition.
3. Allowable costs: To the extent that such costs are not reimbursed under any other federal program, award funds may be obligated for the reasonable, necessary, and allocable costs (if any) of actions designed to ensure compliance with this condition.
4. Rules of construction
- A. Staff involved in the hiring process
For purposes of this condition, persons "who are or will be involved in activities under this award" specifically includes (without limitation) any and all subgrantee officials or other staff who are or will be involved in the hiring process with respect to a position that is or will be funded (in whole or in part) with award funds.
 - B. Employment eligibility confirmation with E-Verify
For purposes of satisfying the requirement of this condition regarding verification of employment eligibility, the subgrantee may choose to participate in, and use, E-Verify (www.e-verify.gov), provided an appropriate person authorized to act on behalf of the subgrantee uses E-Verify (and follows the proper E-Verify procedures, including in the event of a "Tentative Nonconfirmation" or a "Final Nonconfirmation") to confirm employment eligibility for each hiring for a position in the United States that is or will be funded (in whole or in part) with award funds.
 - C. "United States" specifically includes the District of Columbia, Puerto Rico, Guam, the Virgin Islands of the United States, and the Commonwealth of the Northern Mariana Islands.
 - D. Nothing in this condition shall be understood to authorize or require any subgrantee at any tier, or any person or other entity, to violate any federal law, including any applicable civil rights or nondiscrimination law.
 - E. Nothing in this condition, including in paragraph 4.B., shall be understood to relieve any subgrantee at any tier, or any person or other entity, of any obligation otherwise imposed by law, including 8 U.S.C. 1324a(a)(1).

Questions about E-Verify should be directed to DHS. For more information about E-Verify visit the E-Verify website (<https://www.e-verify.gov/>) or email E-Verify at E-Verify@dhs.gov. E-Verify employer agents can email E-Verify at E-VerifyEmployerAgent@dhs.gov.

Questions about the meaning or scope of this condition should be directed to CJCC, before award acceptance.

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EDWARD BYRNE MEMORIAL STATE CRISIS INTERVENTION (SCIP) PROGRAM
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INITIALS: _____

7. The subgrantee understands and agrees that any training or training materials developed or delivered with funding provided under this award must adhere to the OJP Training Guiding Principles for Grantees and Subgrantees, available at <https://www.ojp.gov/funding/implement/training-guiding-principles-grantees-and-subgrantees>.

INITIALS: _____

8. A subgrantee that is eligible under the Part 200 Uniform Requirements to use the “de minimis” indirect cost rate described in 2 C.F.R. 200.414(f), and that elects to use the “de minimis” indirect cost rate, must advise CJCC in writing of both its eligibility and its election, and must comply with all associated requirements in the Part 200 Uniform Requirements. The “de minimis” rate may be applied only to modified total direct costs (MTDC).

INITIALS: _____

9. Determination of suitability to interact with participating minors
SCOPE. This condition applies to this award if it is indicated -- in the application for the award (as approved by DOJ)(or in the application for any subaward, at any tier), the DOJ funding announcement (solicitation), or an associated federal statute -- that a purpose of some or all of the activities to be carried out under the award (by the subgrantee at any tier) is to benefit a set of individuals under 18 years of age.

The subgrantee must make determinations of suitability before certain individuals may interact with participating minors. This requirement applies regardless of an individual's employment status.

The details of this requirement are posted on the OJP web site at <https://ojp.gov/funding/Explore/Interact-Minors.htm> (Award condition: Determination of suitability required, in advance, for certain individuals who may interact with participating minors), and are incorporated by reference here.

INITIALS: _____

10. The subgrantee must comply with all applicable restrictions on the use of federal funds set out in federal appropriations statuses. Pertinent restriction, including from various “general provisions” in the Consolidated Appropriations Act, 2022, can be found at <https://ojp.gov/funding/Explore/FY22AppropriationsRestrictions.htm>.

Should question arise as to whether a particular use of federal funds by the subgrantee would or might fall within the scope of an appropriations-law restriction, the subgrantee is to contact CJCC for guidance, and may not proceed without the express prior written approval of OJP.

INITIALS: _____

11. The subgrantee agrees to comply with all applicable requirements of 28 C.F.R. Part 54, which relates to nondiscrimination on the basis of sex in certain “education programs”.

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EDWARD BYRNE MEMORIAL STATE CRISIS INTERVENTION (SCIP) PROGRAM
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INITIALS: _____

12. The subgrantee agrees to comply with any additional requirements that may be imposed by CJCC during the period of performance for this award, if the subgrantee is designated as "high risk" for purposes of the DOJ high-risk grantee list.

INITIALS: _____

13. The subgrantee agrees to comply with, and is subject to, all applicable provisions of 41 U.S.C. 4712, including all applicable provisions that prohibit, under specified circumstances, discrimination against an employee as reprisal for the employee's disclosure of information related to gross mismanagement of a federal grant, a gross waste of federal funds, an abuse of authority relating to a federal grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a federal grant. The subgrantee agrees to inform its employees, in writing (and in the predominant native language of the workforce), of employee rights and remedies under 41 U.S.C. 4712. Should a question arise as to the applicability of the provisions of 41 U.S.C. 4712 to this award, the subgrantee is to contact CJCC for guidance.

INITIALS: _____

14. The subgrantee must have written procedures in place to respond in the event of an actual or imminent "breach" (OMB M-17-12) if it ---1) creates, collects, uses, processes, stores, maintains, disseminates, discloses, or disposes of "Personally Identifiable Information (PII)" (2 CFR 200.1) within the scope of an OJP grant-funded program or activity, or 2) uses or operates a "Federal information system" (OMB Circular A-130). The subgrantee's breach procedures must include a requirement to report actual or imminent breach of PII to an OJP Program Manager no later than 24 hours after an occurrence of an actual breach, or the detection of an imminent breach.

INITIALS: _____

15. The subgrantee agrees to comply with all applicable laws, regulations, policies, and guidance (including specific cost limits, prior approval and reporting requirements, where applicable) governing the use of federal funds for expenses related to conferences, meetings, trainings, and other events, including the provision of food and/or beverages, and costs of attendance at such events. Information on pertinent DOJ definition of conferences and the rules applicable to this award appears in the DOJ Grants Financial Guide (Section 3.10 of "Postaward Requirements" in the DOJ Grants Financial Guide).

INITIALS: _____

16. The subgrantee must collect, maintain and provide to CJCC, data that measure the performance and effectiveness of work under this award. The data must be provided to CJCC in the manner (including within the timeframes) specified in the program solicitation, or as otherwise specified by CJCC. Data collection supports compliance with the Government Performance and Results Act (GPRA) and the GPRA Modernization Act of 2010, and other applicable laws.

INITIALS: _____

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17. If the subgrantee is designated as "high risk" by a federal grant making agency outside of DOJ, currently or at any time during the course of the period of performance under this award, the subgrantee must disclose that fact and certain related information to CJCC by email. The disclosure must include the following: 1. The federal awarding agency that currently designates the subgrantee high risk, 2. The date the subgrantee was designated high risk, 3. The high-risk point of contact at that federal awarding agency (name, phone number, and email address), and 4. The reasons for the high-risk status, as set out by the federal awarding agency.

INITIALS: _____

18. Compliance with DOJ Financial Guide

References to the DOJ Grants Financial Guide are posted on the OJP website (currently, the "DOJ Grants Financial Guide" available at <https://ojp.gov/financialguide/DOJ/index.htm>), including any updated version that may be posted during the period of performance. The subgrantee agrees to comply with the DOJ Grants Financial Guide.

INITIALS: _____

19. Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Reg. 51225 (October 1, 2009), the Department of Justice and the CJCC encourages subgrantees to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this grant, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.

INITIALS: _____

20. Restrictions and certifications regarding non-disclosure agreements and related matters

No subgrantee under this award, or entity that receives a contract or subcontract with any funds under this award, may require any employee or contractor to sign an internal confidentiality agreement or statement that prohibits or otherwise restricts, or purports to prohibit or restrict, the reporting (in accordance with the law) of waste, fraud, or abuse to and investigative or law enforcement representative of a federal department or agency authorized to receive such information.

The forgoing is not intended, and shall not be understood by the agency making the award, to contravene requirements applicable to Standard Form 312 (which relates to classified information), Form 4414 (which relates to sensitive compartmented information), or any other form issued by a federal department or agency governing the nondisclosure of classified information.

1. In accepting this award, the subgrantee –

- a. represents that it neither required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and
- b. certifies that, if it learns or is notified that it is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds, will provide prompt written notification to the agency making the award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

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2. If the subgrantee does or is authorized to make subawards or contracts under this award –
 - a. It represents that –
 - 1) it has determined that no other entity that the subgrantee’s application proposes may or will receive award funds (whether through a subaward, contract, or subcontract) either requires or has required internal confidentiality agreements or statements from employees or contractors that currently prohibit the otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above, and
 - 2) it has made appropriate inquiry, or otherwise has an adequate factual basis, to support this representation; and
 - b. it certifies that, if it learns or is notified that any subgrantee that receives funds under this award is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds to or by that entity, will provide prompt written notification to the agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

INITIALS: _____

21. On September 1, 2017, various statutory provisions previously codified elsewhere in the U.S. Code were editorially reclassified to a new Title 34, entitled "Crime Control and Law Enforcement." The reclassification encompassed a number of statutory provisions pertinent to OJP awards (that is, OJP grants and cooperative agreements), including many provisions previously codified in Title 42 of the U.S. Code.

Effective as of September 1, 2017, any reference in this award document to a statutory provision that has been reclassified to the new Title 34 of the U.S. Code is to be read as a reference to that statutory provision as reclassified to Title 34. This rule of construction specifically includes references set out in award conditions, references set out in material incorporated by reference through award conditions, and references set out in other award requirements.

INITIALS: _____

22. The subgrantee must comply with all applicable requirements to obtain specific advance approval to use a noncompetitive approach in any procurement contract that would exceed the Simplified Acquisition Threshold (currently \$250,000). This condition applies to agreements that – for purpose of federal grants administrative requirements – OJP considers a procurement “contract” (and therefore does not consider a subaward).

The details of the requirement for advance approval to use a noncompetitive approach in procurement contract under an OJP award are posted on the OJP web site at <https://ojp.gov/funding/Explore/NoncompetitiveProcurement.htm> (Award condition: Specific post-award approval required to use a noncompetitive approach in a procurement contract (if contract would exceed \$250,000)), and are incorporated by reference here.

INITIALS: _____

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23. The subgrantee must comply with all applicable requirements (including requirements to report allegations) pertaining to prohibited conduct related to the trafficking of persons, whether on the part of the subgrantee or individuals (for the purposes of this condition) defined as “employees” of the subgrantee.

The details of the subgrantee's obligations related to prohibited conduct related to trafficking in persons are posted on the OJP web site at <https://www.ojp.gov/funding/explore/prohibitedconduct-trafficking> (Award condition: Prohibited conduct by subgrantees related to trafficking in persons (including reporting requirements and CJCC authority to terminate award)), and are incorporated by reference here.

INITIALS: _____

24. The subgrantee agrees that if it currently has an open award of federal funds or if it receives an award of federal funds other than this OJP award, and those award funds have been, are being, or are used, in whole or in part, for one or more of the identical cost items for which funds are being provided under this OJP award, the subgrantee will promptly notify, in writing, the grant manager for this CJCC award and, if so requested by CJCC, seek a budget-modification or change-of-project-scope Subgrant Adjustment Request (SAR) to eliminate any inappropriate duplication of funding.

INITIALS: _____

25. Reporting Potential Fraud, Waste, and Abuse, and Similar Misconduct

The subgrantee agrees to promptly refer to the DOJ OIG any credible evidence that an employee, agent, contractor, subcontractor, or other person has either 1) submitted a false claim for grant funds under the False Claims Act; or 2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving grant funds.

Potential fraud, waste, abuse, or misconduct should be reported to the OIG by (1) online submission accessible via the OIG webpage at <https://oig.justice.gov/hotline/contact-grants.htm> (select “Submit Report Online”); or (2) mail directed to:

Office of the Inspector General
U.S. Department of Justice
Investigations Division
ATTN: Grantee Reporting
950 Pennsylvania Avenue NW,
Washington, DC 20530

or hotline fax: (202) 616-9881. Additional information is available from the DOJ OIG website at <https://oig.justice.gov/hotline>.

INITIALS: _____

26. The subgrantee must comply with all applicable requirements for authorization of any subaward. This condition applies to agreement that – for purposes of federal grants administrative requirements – OJP considers a “subaward” (and therefore does not consider a procurement “contract”).

The details of the requirement for authorization of any subaward are posted on the OJP web site at

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<https://ojp.gov/funding/Explore/SubawardAuthorization.htm> (Award condition: All subawards ("subgrants") must have specific federal authorization) and are incorporated by reference here.

INITIALS: _____

27. The subgrantee agrees to comply with applicable requirements regarding registration with the System for Award Management (SAM) www.sam.gov. The details of recipient obligations are posted on the Office of Justice Programs website at <https://ojp.gov/funding/Explore/SAM.htm> and are incorporated by reference here.

INITIALS: _____

28. As a matter of federal law, federal funds awarded by OJP may not be used by the grantee, either directly or indirectly, to support or oppose the enactment, repeal, modification, or adoption of any law, regulation, or policy, at any level of government. See 18 U.S.C. 1913. (There may be exceptions if an applicable federal statute specifically authorizes certain activities that otherwise would be banned by law.)

Another federal law generally prohibits federal funds awarded by OJP from being used by the subgrantee to pay any person to influence (or attempt to influence) a federal agency, a Member of Congress, or Congress (or an official or employee of any of them) with respect to the awarding of a federal grant or cooperative agreement, subgrant, contract, subcontract, or loan, or with respect to actions such as renewing, extending, or modifying any such award. See 31 U.S.C. 1352. Certain exceptions to this law apply, including an exception that applies to Indian tribes and tribal organizations.

Should any questions arise as to whether a particular use of federal funds by the subgrantee would or might fall within the scope of the prohibitions, the grantee is to contact CJCC for guidance, and may not proceed without the express prior written approval of OJP. If any changes occur in the subgrantee's lobbying status or activities, a revised Disclosure of Lobbying Activities Form must be submitted.

INITIALS: _____

29. The subgrantee agrees to comply with CJCC grant monitoring guidelines, protocols, and procedures, and to cooperate with CJCC on all grant monitoring requests, including requests related to desk reviews and/or site visits. The subgrantee agrees to provide to CJCC all documentation necessary to complete monitoring tasks. Further, the subgrantee agrees to abide by reasonable deadlines set by CJCC for providing requested documents. Failure to cooperate with CJCC's grant monitoring activities may result in sanctions affecting the subgrantee's DOJ awards, including, but not limited to: withholdings and/or other restrictions, designation of the subgrantee as a DOJ High Risk Grantee, or termination of an award(s).

INITIALS: _____

30. The subgrantee agrees that all program income (as defined in the Part 200 Uniform Requirements) must be used in accordance with the provisions of the Part 200 Uniform Requirements. Program income earnings and expenditures both must be reported on monthly or quarterly reimbursement requests.

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INITIALS: _____

31. To support public safety and justice information sharing, the subgrantee agrees to comply with DOJ's Global Justice Information Sharing Initiative (DOJ's Global) guidelines and recommendations for this particular award. The subgrantee shall conform to the Global Standards Package (GSP) and all constituent elements, where applicable, as describe at https://it.ojp.gov/gsp_grantcondition. The subgrantee shall document planned approaches to information sharing and describe compliance to the GSP and appropriate privacy policy that protects shared information, or provide detailed justification for why an alternative approach is recommended.

INITIALS: _____

32. Compliance with 28 C.F.R. Part 23

With respect to any information technology system funded or supported by funds under this award, the subgrantee must comply with 28 C.F.R. Part 23, Criminal Intelligence Systems Operating Policies, if OJP determines this regulation to be applicable. Should OJP determine 28 C.F.R. Part 23 to be applicable, OJP may, at its discretion, perform audits of the system, as per the regulation. Should any violation of 28 C.F.R. Part 23 occur, the subgrantee may be fined as per 34 U.S.C. 10231(c)-(d). The subgrantee may not satisfy such a fine with federal funds.

INITIALS: _____

33. The subgrantee agrees to comply with all requirements of 28 CFR Part 46 and all OJP policies and procedures regarding the protection of human research subjects, including obtainment of Institutional Review Board approval, if appropriate, and subject informed consent.

INITIALS: _____

34. The subgrantee agrees to comply with all confidentiality requirements of 34 U.S.C. 10231 and 28 C.F.R. Part 22 that are applicable to collection, use, and revelation of data or information. The recipient further agrees, as a condition of award approval, to submit a Privacy Certificate that is in accord with requirements of 28 C.F.R. Part 22 and, in particular, 28 C.F.R. 22.23.

INITIALS: _____

35. The subgrantee agrees to fully cooperate with any assessments, national evaluation efforts, or information or data collection requests, including, but not limited to, the provision of any information required for the assessment or evaluation of any activities within this project.

INITIALS: _____

36. Any Website that is funded in whole or in part under this award must include the following statement on the home page, on all major entry pages (i.e., pages (exclusive of documents) whose primary purpose is to navigate the user to interior content), and on any pages from which a visitor may access or use a Web-based service, including any pages that provide results or outputs from the service:

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"This Web site is funded in whole or in part through a grant from the Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice. Neither the U.S. Department of Justice nor any of its components operate, control, are responsible for, or necessarily endorse, this Web site (including, without limitation, its content, technical infrastructure, and policies, and any services or tools provided)."

The full text of the foregoing statement must be clearly visible on the home page. On other pages, the statement may be included through a link, entitled "Notice of Federal Funding and Federal Disclaimer," to the full text of the statement.

INITIALS: _____

37. Any written, visual, or audio publications funded in whole or in part under this award, with the exception of press releases, shall contain the following statements:

"This project was supported by Grant No. AWARD_NUMBER> awarded by the Bureau of Justice Assistance. The Bureau of Justice Assistance is a component of the department of Justice's Office of Justice Programs, which also includes the Bureau of Justice Statistics, the National Institute of Justice, the Office of Juvenile Justice and Delinquency Prevention, the Office for Victims of Crime, and the SMART Office. Points of view or opinions in this document are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice."

The current edition of the DOJ Grants Financial Guide provides guidance on allowable printing and publication activities.

INITIALS: _____

38. The subgrantee agrees that a detailed justification for consultant/contractor fees in excess of \$650.00 per eight-hour day (\$81.25 per hour) must be submitted to and approved by the Office of Justice Program office and the CJCC Council prior to obligation or expenditure of such funds.

INITIALS: _____

39. The subgrantee understands that, in accepting this award, the Authorized Representative declares and certifies, among other things, that he or she possesses the requisite legal authority to accept the award on behalf of the subgrantee entity and, in so doing, accepts (or adopts) all material requirements that relate to conduct throughout the period of performance under this award. The subgrantee further understands, and agrees, that it will not assign anyone to the role of Authorized Representative during the period of performance under the award without first ensuring that the individual has the requisite legal authority.

INITIALS: _____

40. Consonant with federal statutes that pertain to firearms and background checks -- including 18 U.S.C. 922 and 34 U.S.C. ch. 409 -- if the subgrantee uses this award to fund (in whole or in part) a specific project or program that results in any court dispositions, information, or other records that are "eligible records" (under federal or State law) relevant to the National Instant Background Check System (NICS), or that has as one of its purposes the establishment or improvement of records systems that contain any court dispositions, information, or other records that are "eligible records" (under federal or State law) relevant to the NICS, the subgrantee must ensure that all such court dispositions, information, or other records that are "eligible records" (under federal or State law) relevant to the NICS are promptly made available to the NICS or to the "State"

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repository/database that is electronically available to (and accessed by) the NICS, and -- when appropriate -- promptly must update, correct, modify, or remove such NICS-relevant "eligible records".

In the event of minor and transitory non-compliance, the subgrantee may submit evidence to demonstrate diligent monitoring of compliance with this condition. DOJ will give great weight to any such evidence in any express written determination regarding this condition.

INITIALS: _____

41. The subgrantee understands and agrees that no more than 10 percent of the total amount of this award may be used by the subgrantee for direct costs associated with administering the award.

INITIALS: _____

42. The subgrantee may not obligate, expend, or draw down funds for subawards until CJCC provides explicit written approval of the proposed subaward. Prior approval for all subawards must be obtained post-award, through the submission and approval of a Grant Award Modification (GAM) through OJP's JustGrants system.

INITIALS: _____

43. The subgrantee must ensure that Limited English Proficiency persons have meaningful access to the services under this program. National origin discrimination includes discrimination on the basis of limited English proficiency (LEP). To ensure compliance with the Title VI and Safe Streets Act, the subgrantee is responsible for taking reasonable steps to ensure that LEP persons have meaningful access to their programs. Meaningful access may entail providing language assistance services, including oral and written translation when necessary. The U.S. Department of Justice has issued guidance for the subgrantee to help them comply with Title VI requirements. The guidance document can be accessed on the internet at www.lep.gov.

INITIALS: _____

44. If the subgrantee uses funds under this award to purchase body armor, the subgrantee must submit a signed certification that the agency receiving the body armor purchased with funds from this award has a written "mandatory wear" policy in effect. This policy must be in place for at least all uniformed officers before any funds from this award may be used the agency for body armor. There are no requirements regarding the nature of the policy other than it be a mandatory wear policy for all uniformed officers while on duty.

Ballistic-resistant and stab-resistant body armor purchased with award funds may be purchased at any threat level, make or model, from any distributor or manufacturer, as long as the body armor has been tested and found to comply with applicable National Institute of Justice ballistic or stab standards and is listed on the NIJ Compliant Body Armor Model List (<https://nij.ojp.gov/topics/equipment-and-technology/body-armor>). In addition, ballistic-resistant and stab-resistant body armor purchased must be made in the United States and must be uniquely fitted, as set forth in 34 U.S.C. 10202(c)(1)(A).

INITIALS: _____

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45. The subgrantee agrees that no funds under this grant award (including via subcontract or subaward, at any tier) may be used for unmanned aircraft systems (UAS), which includes unmanned aircraft vehicles (UAV), or for any accompanying accessories to support UAS.

INITIALS: _____

46. In accepting this award, the subgrantee agrees that grant funds cannot be used for Facial Recognition Technology (FRT) unless the subgrantee has policies and procedures in place to ensure that the FRT will be utilized in an appropriate and responsible manner that promotes public safety, and protects privacy, civil rights, and civil liberties and complies with all applicable provisions of the U.S. Constitution, including the Fourth Amendment's protection against unreasonable searches and seizures and the First Amendment's freedom of association and speech, as well as other laws and regulations. Subgrantees utilizing funds for FRT must make such policies and procedures available to DOJ upon request.

INITIALS: _____

47. This special condition facilitates compliance with the provisions of the National Environmental Policy Act (NEPA) and related statutes

Upon request, subgrantee must assist BJA in complying with the National Environmental Policy Act (NEPA), the National Historic Preservation Act, and other related federal environmental impact analyses requirements in the use of these award funds. Accordingly, the subgrantee agrees to first determine if any of the following activities will be funded by the grant, prior to obligating funds for any of these purposes. If it is determined that any of the following activities will be funded by the award, the subgrantee agrees to contact CJCC.

The subgrantee understands that this condition applies to new activities as set out below, whether or not they are being specifically funded with these award funds. That is, as long as the activity is being conducted by the subgrantee or any third party, and the activity needs to be undertaken in order to use these award funds, this condition must first be met. The activities covered by this condition are:

- a. New construction;
- b. Minor renovation or remodeling of a property located in an environmentally or historically sensitive area, including properties located within a 100-year flood plain, a wetland, or habitat for endangered species, or a property listed on or eligible for listing on the National Register of Historic Places;
- c. A renovation, lease, or any proposed use of a building or facility that will either (a) result in a change in its basic prior use or (b) significantly change its size;
- d. Implementation of a new program involving the use of chemicals other than chemicals that are (a) purchased as an incidental component of a funded activity and (b) traditionally used, for example, in office, household, recreational, or education environments; and
- e. Implementation of a program relating to clandestine methamphetamine laboratory operations, including the identification, seizure, or closure of clandestine methamphetamine laboratories.

The subgrantee understands and agrees that complying with NEPA may require the preparation of an Environmental Assessment and/or an Environmental Impact Statement, as directed by BJA. The subgrantee further understands and agrees to the requirements for implementation of a Mitigation Plan, as detailed at <https://bj.gov/Funding/nepa.html>, for programs relating to methamphetamine laboratory operations.

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For any of the subgrantee's existing programs or activities that will be funded by these award funds, the subgrantee, upon specific request from BJA, agrees to cooperate with BJA in any preparation by BJA of a national or program environmental assessment of that funded program or activity.

INITIALS: _____

48. The recipient understands and agrees to operate any behavioral health crisis care program funded under this award in accordance with the Substance Abuse and Mental Health Services Administration National Guidelines for Behavioral Health Crisis Care: <https://www.samhsa.gov/sites/default/files/national-guidelines-for-behavioral-health-crisiscare-02242020.pdf>.

INITIALS: _____

49. Extreme risk protection programs funded under this award must include, at a minimum: pre-deprivation and post-deprivation due process rights that prevent any violation or infringement of the Constitution of the United States, including but not limited to the Bill of Rights, and the substantive or procedural due process rights guaranteed under the Fifth and Fourteenth Amendments to the Constitution of the United States, as applied to the States, and as interpreted by State courts and United States courts (including the Supreme Court of the United States). Such programs must include, at the appropriate phase to prevent any violation of constitutional rights, at minimum, notice, the right to an in-person hearing, an unbiased adjudicator, the right to know opposing evidence, the right to present evidence, and the right to confront adverse witnesses; the right to be represented by counsel at no expense to the government; pre-deprivation and post-deprivation heightened evidentiary standards and proof which mean not less than the protections afforded to a similarly situated litigant in Federal court or promulgated by the State's evidentiary body, and sufficient to ensure the full protections of the Constitution of the United States, including but not limited to the Bill of Rights, and the substantive and procedural due process rights guaranteed under the Fifth and Fourteenth Amendments to the Constitution of the United States, as applied to the States, and as interpreted by State courts and United States courts (including the Supreme Court of the United States). The heightened evidentiary standards and proof under such programs must, at all appropriate phases to prevent any violation of any constitutional right, at minimum, prevent reliance upon evidence that is unsworn or unaffirmed, irrelevant, based on inadmissible hearsay, unreliable, vague, speculative, and lacking a foundation; and penalties for abuse of the program.

INITIALS: _____

50. A subgrantee that is eligible under the Part 200 Uniform Requirements to use the "de minimis" indirect cost rate described in 2 C.F.R. 200.414(f), and that elects to use the "de minimis" indirect cost rate, must advise CJCC in writing of both its eligibility and its election, and must comply with all associated requirements in the Part 200 Uniform Requirements. The "de minimis" rate may be applied only to modified total direct costs (MTDC).

INITIALS: _____

51. Subgrantees must verify Point of Contact (POC), Financial Point of Contact (FPOC), and Authorized Representative contact information, including telephone number and e-mail address. If any information is incorrect or has changed, a Subgrant Adjustment Request (SAR) must be submitted in writing to document changes.

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INITIALS: _____

52. The subgrantee agrees to track, account for, and report on all funds from this award separately from all other funds, including Department of Justice funds from awards for the same or similar purposes or programs. Accordingly, the accounting systems of the subgrantee must ensure that funds from this award are not comingled with funds from any other source. The subgrantee further agrees that all personnel whose activities are to be charged to the award will maintain timesheets to document hours worked for activities related to this award and non-award related activities.

INITIALS: _____

53. All subgrantees must have written policies and procedures which govern the fiscal management of grant funds.

INITIALS: _____

54. Funds budgeted for personnel will be limited to that use only. Funds awarded for the purpose of filling a vacant position(s) will be reviewed on a quarterly basis, and if the position continues to be vacant, funds allotted for that position for the quarter will be de-obligated.

INITIALS: _____

55. This award is contingent upon the successful submission of all required CJCC application documents, as well as the timely resolution of outstanding compliance issues. The subgrantee agrees to maintain programmatic and fiscal compliance during the application process and throughout the life of the grant award. If the application submitted for this grant award was deemed incomplete due to missing documents, the subgrantee agrees to provide the necessary documentation to complete the award packet within the time frame designated by CJCC. In addition, if, during a monitoring activity (e.g., site visit, desk review, technical assistance visit), findings are identified, the subgrantee agrees to take the necessary steps to address the findings within the time frame designated by CJCC.

If the subgrantee does not adequately resolve findings resulting from a monitoring activity or provide requested documents within the time frame designated by CJCC, the subgrantee will be deemed non-compliant and placed on a 90-day probationary period. If the required actions have not been resolved by the end of the 90-day probationary period (e.g., the requested documents have not been submitted and/or compliance issues remain outstanding/unresolved), the subgrantee understands that the awarded amount will be rescinded.

INITIALS: _____

56. The subgrantee certifies that federal funds will not be used to supplant funds that would otherwise be made available for grant-funded initiatives. Federal funds must be used to supplement existing funds for program activities and not replace funds appropriated for the same purpose. Potential supplanting will be the subject of application review, as well as pre-award review, post-award monitoring, and audit. If there is a potential presence of supplanting, the subgrantee will be required to document that the reduction in non-federal resources occurred for reasons other than the receipt or anticipated receipt of federal funds.

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INITIALS: _____

57. Where warranted, the subgrantee agrees to fully support homeland security initiatives in any manner, including but not limited to, providing personnel, supplies, equipment, and any other resources deemed necessary by the Georgia Office of Homeland Security.

INITIALS: _____

58. The subgrantee must submit Subgrant Adjustment Request #1 with the completed award package. The adjustment request must be accompanied by a detailed project budget that itemizes all projected expenditures. The project budget and summary will not be established, or officially approved, until the subgrantee receives a written approval notice from the CJCC. All project costs and project activities must coincide with the approved budget, summary, and implementation plan unless subsequent revisions are approved by the CJCC.

INITIALS: _____

59. The subgrantee must submit subsequent requests to revise the budget, project summary, and project plan prior to implementing any substantial changes, but no later than 60 days prior to the end of the subgrant period.

INITIALS: _____

60. The subgrantee agrees to submit requests for reimbursement on either a monthly or quarterly basis, as selected by the subgrantee at the time of award. Subgrant Expenditure Reports (SERs) are due 15 days after the end of the month (if reporting monthly) or 30 days after the end of the quarter (if reporting quarterly).

INITIALS: _____

61. If any changes occur in the subgrantee's eligibility status regarding debarment, a revised Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion form must be submitted to the CJCC.

INITIALS: _____

62. Subgrantees will be reimbursed for lodging up to the federal per diem rates, even for in-state travel. Subgrantees should check the U.S. General Administration Services website (<https://www.gsa.gov/>) to determine the eligible per diem rate prior to making travel arrangements. For in-state travel, lodging will only be reimbursed if 1) the destination of the eligible event is 50 miles or more from the participant's place of residence and necessitates overnight travel, and 2) the participant is attending a programmatic event that directly aligns with the purpose of this award.

Grant funded events that include 30 or more participants (both Federal and non-Federal) must ensure that lodging costs for any number of attendees do not exceed the prevailing Federal per diem rate for lodging. If the lodging rate is not the Federal per diem rate or less, none of the lodging costs associated with the event are allowable costs to the award. As a result, as the recipient, you would be required to pay for all lodging costs for the event with non-award funds, not just the amount in excess of the Federal per diem. For example,

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if the Federal per diem for lodging is \$78 per night, and the event lodging rate is \$100 per night, you would be required to pay the full \$100 per night, not just the difference of \$22 per night.

INITIALS: _____

63. Subgrantees agree to provide the Council with a copy of all contracts executed under this grant award.

INITIALS: _____

Please be advised that failure to comply with any of the Special Conditions will result in material noncompliance with the Subgrant Agreement, thus subjecting the Subgrant Agreement to possible termination by the CJCC.

Authorized Official Signature

Date

Print Authorized Official Name

Title

BOARD OF COUNTY COMMISSIONERS

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

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

January 23, 2025
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.

OFFICIAL SESSION:

Call to Order

Vice Chairman Edward Gibbons called the January 23, 2025 Board of Commissioners meeting to order at 5:00 p.m. A quorum of the Board was present. Chairman Lee Hearn and Commissioner Charles Rousseau were absent.

Invocation and Pledge of Allegiance by Commissioner Eric Maxwell

Commissioner Eric Maxwell offered the invocation and led the audience in the Pledge of Allegiance

Acceptance of Agenda

Commissioner Maxwell moved to accept the agenda as written, except for item #1. Commissioner Charles Oddo seconded. The motion passed 3-0.

PROCLAMATION/RECOGNITION:

- 1. Presentation by Fayette County's auditing firm, Nichols, Cauley & Associates, LLC, of the results of the Fiscal Year 2024 annual audit.**

This item was pulled from the agenda.

PUBLIC HEARING:

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

- 2. Consideration of Petition No. 1353-24, The Estate of Richard N. Cates/Carol Denise Cates Mercer, Executrix; request to rezone 4.86 acres from A-R (Agricultural-Residential) to C-C (Community Commercial) for the purpose of constructing a convenience store w/fuel pumps; property located in Land Lot 151 of the 5th District, fronts on Banks Rd and Hwy 54. This petition was tabled at the October 24, 2024 meeting.**

Ms. Bell stated that this item was a request to rezone 4.86 acres from A-R (Agricultural-Residential) to C-C (Community Commercial) for the purpose of constructing a convenience store with fuel pumps. The property was located in Land Lot 151 of the 5th District, and fronts on Banks Rd and Hwy 54. She stated that the property was a legal, nonconforming lot. It did not contain the minimum required acreage for the A-R zoning district, but it was a "lot of record" based on the ordinance criteria. The

reduction in lot area was a result of right-of-way acquisitions for road improvements. The Future Land Use Plan in the Comprehensive Plan indicated Low-Density Residential (1 unit / 1 acre) as the planned use for this area. As a result, the request for CC rezoning did not conform with the Future Land User Plan. Ms. Bell noted that the property was the subject of a request to rezone from A-R to C-H in 2009 which was subsequently denied. She added that both staff and the Planning Commission recommended denial of the request to rezone from A-R to C-C. Ms. Bell stated although the recommendation was to deny the request, if approved, the following conditions were recommended:

1. Applicant to provide a minimum of 40 feet of ROW as measured from the existing road centerline or at least 10 feet beyond edge of payment for acceleration / deceleration lanes, whichever is greater.
2. Submittal of all warranty deed(s) and legal descriptions for right-of-way dedications shall be provided to the County within 90 days of the approval of the rezoning request, or prior to the final plat approval, whichever comes first.
3. Entrance location on Banks Road shall be limited to a right in right out and as recommended by GDOT the driveway shall be a minimum of 200ft from the return radius of Banks Road and SR 54.
4. Applicant shall extend existing sidewalk along Banks Road for the length of the property.

Ms. Bell provided an overview of logistical, environmental, and aerial maps for Board review.

As a point of clarity, County Attorney Dennis Davenport stated that because there were only three Board members present, it would require a unanimous or 3-0 vote to approve the rezoning request.

Vice Chairman Gibbons stated that the County policy was that the Petitioner had the opportunity to defer/table discussion of an item, however a subsequent request to defer would require a vote from the Board.

Mr. Davenport stated that the initial request to defer/table a petition (due the lack of a full Board) was the right of an applicant and would be granted by the Board based on that right. Any additional request would be granted at the discretion of the Board.

Commissioner Maxwell stated that because there was less than a full Board, he would be recommending tabling the following petition request and in an effort to be fair and consistent to both applicants, he wanted to extend the opportunity to request tabling this petition as well.

Newton Gallaway, applicant representative, stated that they would like to proceed with the Public Hearing. Mr. Gallaway stated that this request was for a proposed convenience store with fuel pumps, the property was 4.86 acres and currently zoned A-R with a request to be rezoned to C-C. Mr. Gallaway acknowledged that this was a difficult piece of property. Surrounding properties were zoned residential and based on the Comprehensive Plan would remain low density residential. He noted that the shape of the property, in addition to the location at the intersection, was problematic, residing along a major throughfare and collector road. Mr. Gallaway provided a concept site plan outlining the logistics of the development highlighting the necessary setbacks and entrance locations. Mr. Gallaway stated that if this property was developed as it was currently zoned it would require a 5-acre tract of land along with requiring specific setbacks. Mr. Gallaway stated that although this petition was denied by the Planning Commission, they did acknowledge that this property was no longer A-R and could not be developed as such. Under the Future Land Use Plan the property was noted as Low-Density Residential (1 unit / 1 acre) and could be either R-20 or R-40 which there was no market for. He noted that the property was in a State Route overlay zone which the development, as presented, met the requirement of. Mr. Gallaway stated that the County was charged with developing the Comprehensive Plan, however, he stated that based on OCGA 36-70-5, while the Comprehensive Plan was important and a key component in rezoning and outlining the development of the County, it was not definitive. He continued stating that the Comprehensive Plan only served a guide for planning and development.

Property owner **Denise Mercer** stated that she and her family had been longtime residents of Fayette County and understood past denials of the rezoning request, however now considering the changes in the area and schematics of the property, A-R zoning was not appropriate and deemed her property unviable.

Arnold Martin of Fayetteville stated that he represented his community and expressed that he and his neighbors were in opposition to the proposed development. He noted that the development would abut his subdivision which was quiet and tranquil, and a convenience was not the ideal type of business for the area. He also highlighted that this development did not meet the Comprehensive /Future Land Use Plan which was created to maintain the integrity of the County as it related to development and growth. Mr. Martin expressed his concerns regarding safety and traffic management.

Darryl Hicks of Fayetteville speaking on behalf of the Oaks of Fayetteville subdivision Homeowners Association (HOA). He stated that they were in opposition to the development. He noted that their primary concern related to the environmental impact a gas station would have on the land surrounding the community. He expressed his concerns related to gas leaks and the possibility of gas being emitted into the ground and how that would affect the water table for the neighboring communities.

Griffin Root of Fayetteville speaking on behalf of the Wellington Place subdivision. Mr. Root stated that they were in opposition to the proposed rezoning and development and in addition, to the previously mentioned issues stated that were also a concern; noise and light pollution. He highlighted that his subdivision was peaceful and quiet, and this development would disrupt this quality of life. There were already gas stations in the vicinity and building a third was not wanted or necessary.

Sandra Quiry of Fayetteville stated that she was in opposition to this request and noted issues related to health concerns as a result of living near a gas station. She highlighted the concerns.

Leroy Brown of Fayetteville stated that his property bordered the proposed development. He stated that he was in opposition of this request and expressed his concerns regarding the loss of the tranquility of the neighborhood, an increase in crime, and increase in traffic and noise.

Mr. Galloway stated that the traffic volume numbers mentioned in the comments, highlighted the need for a convenience store. He reiterated that this property would never be purchased as a residential use. He noted in response to concerns related to lighting, that there would be a natural buffer in place and the development would install dark sky lightening to reject away from residential properties. Mr. Galloway stated that the development would house underground (gas) tanks that would be regulated on the state and federal level. He noted that in researching the concerns regarding crime it was noted that any crime at a convenience store was tied to the level of crime in the area. Mr. Galloway stated that as it related to traffic data showed that 40% of customer travel from home, go to a convenience store, pick up items and return home. The remaining traffic would be by those traveling by the store. The convenience store was not the destination so a great percentage of the traffic would be by those already in the surrounding area. Mr. Galloway noted that the greatest traffic generator in the area was via residents and this trend would continue with future development in the area. He stated that the number of objectors did not determine the rights of the property owner.

Commissioner Maxwell moved to deny Petition No. 1353-24, The Estate of Richard N. Cates/Carol Denise Cates Mercer, Executrix; request to rezone 4.86 acres from A-R (Agricultural-Residential) to C-C (Community Commercial) for the purpose of constructing a convenience store w/fuel pumps; property located in Land Lot 151 of the 5th District, fronts on Banks Rd and Hwy 54. Commissioner Oddo seconded.

Commissioner Maxwell highlighted that although rezoning this property and developing the land into a convenience store was the highest and most profitable option for the property owner, it was not the only option. He stated that there were both agricultural and residential uses available under the current zoning, although they would not yield the highest profit. That was not the Board responsibility to consider.

Mr. Galloway stated that he contended the possible agricultural uses and he did not agree that there was a market for the residential housing at this property based its location.

Commissioner Oddo stated that this was a difficult position because he understood the desire of the property owner. However, when reviewing rezoning requests he had to use the Comprehensive Plan/Future Land Use Plan as his guideline and this request did not meet the requirements.

Commissioner Maxwell moved to deny Petition No. 1353-24, The Estate of Richard N. Cates/Carol Denise Cates Mercer, Executrix; request to rezone 4.86 acres from A-R (Agricultural-Residential) to C-C (Community Commercial) for the purpose of constructing a convenience store w/fuel pumps; property located in Land Lot 151 of the 5th District, fronts on Banks Rd and Hwy 54. Commissioner Oddo seconded. The motion passed 3-0.

Commissioner Oddo urged those in the audience to maintain their decorum and hold the applause, in consideration of those on the receiving side of the denial.

- 3. Consideration of Petition No. 1355-24, Andrea Pope Camp and Jordan Camp, Owners; Randy Board, Agent, request to rezone 41.78 acres from A-R to R-75 for the purpose of creating additional lots without any new infrastructure; property located in Land Lot 28 of the 7th District and fronts on Davis Road and Huiet Drive. This petition was tabled at the October 24, 2024 meeting.**

Randy Boyd, Agent, asked for a deferral of this Public Hearing. He noted that there was backup documents submitted that was not included in the package that he wanted to ensure was seen by the Board for review as well as the public. He added that he also felt that this rezoning included some particulars that warranted consideration via a full Board.

Commissioner Maxwell moved to defer this item to the February 27th Board meeting. Commissioner Oddo seconded. The motion passed 3-0.

PUBLIC COMMENT:

Lotte Commerford, Alexa Julien, Susan Griffith, Laura Line, Lynne Lasher made public comments.

Commenters expressed concerns and frustration regarding rude and disrespectful comments regarding the animal advocates, the need for increased attention to cat care, lack of Board engagement, capacity concerns, the desire for the findings from Dr. Cannon, the need to focus on the current building and not on Phase II construction, and the need for continued county and citizen/community engagement and teamwork.

Steve Sappington of Brooks stated that he made comments at the previous Board meeting expressing his concerns and he stated that his issues were quickly resolved and he thanked the Board.

Commissioner Maxwell asked if he and Mr. Sappington had ever met or spoke prior to the previous meeting.

Mr. Sappington stated no they had not.

CONSENT AGENDA:

Commissioner Oddo moved to approve the Consent Agenda. Commissioner Maxwell seconded. The motion passed 3-0.

- 4. Acceptance of Sheriff Babb's decision to accept eight vehicles from the Town of Tyrone (Tyrone Police Department).**
- 5. Approval of Board of Assessors' recommendation to approve a disposition of tax refund, as requested by James M. Ivey, in the amount of \$77.22 for tax year(s) 2022 and 2023.**

6. Approval of Board of Assessors' recommendation to approve a disposition of tax refund, as requested by Randy Johnson, in the amount of \$4,860.05 for tax year(s) 2022, 2023, and 2024.
7. Approval of Board of Assessors' recommendation to approve a disposition of tax refund, as requested by Glendae Tuthill, in the amount of \$773.12 for tax year 2023.
8. Approval to accept the right-of-way dedication known as "Right-of -Way Dedication 2, 0.032 Acres" as shown on the Minor Final Plat of The Alvarez Estate, recorded in Plat Book 101, Pages 482-483, and the Quitclaim Deed dated June 26, 2023 per Fayette County Code requirements.
9. Approval to accept the right-of-way dedication known as "R/W Dedication Tract, 0.536 Acres" shown on the Minor Final Plat for Atha Acres, recorded in Plat Book 101, Page 335, and the Warranty Deed dated March 2, 2023 per Fayette County Code requirements.
10. Approval to accept the right-of-way dedication known as "R/W Next to 044701002," 0.08 Acres, shown on the Minor Final Plat for Brandon Harp, recorded in Plat Book 52, Page 106, and the Warranty Deed dated March 9, 2023 per Fayette County Code requirements.
11. Approval to accept the right-of-way dedication known as "Tract Two Right of Way dedication to Fayette County, 0.419 Acres" shown on the Minor Final Plat, DG Fayetteville, as recorded in Plat Book 101, Page 564, and the Warranty Deed dated October 11, 2023 per Fayette County Code requirements.
12. Approval to accept the right-of-way dedication known as "Tract B, 0.08 Acres" shown on the Plat for Javier Torres Fernandez, dated February 6, 2024, and the Quitclaim Deed dated November 26, 2024 per Fayette County Code requirements.
13. Approval to accept the right-of-way dedication known as "New R/W dedication, 0.114 Acres" shown on the Minor Final Plat for County Line Estates, recorded in Plat Book 101, Pages 315-316, and the Quitclaim Deed dated November 11, 2023 per Fayette County Code requirements.
14. Approval to accept the right-of-way dedication known as "New R/W dedication, 0.068 Acres" shown on the Minor Final Plat for County Line Estates South, recorded in Plat Book 101, Pages 408-409, and the Quitclaim Deed dated January 23, 2023 per Fayette County Code requirements.
15. Approval to accept the right-of-way dedication known as "Right of Way Dedication, 0.101 Acres" shown on the Minor Final Plat for The Golden Rule Farm, recorded in Plat Book 101, Pages 392-393, and the Right-of-Way Deed dated January 25, 2023 per Fayette County Code requirements.
16. Approval to accept the right-of-way dedication known as "Right-of-Way Dedication, 0.271 Acres", as shown on the Minor Final Plat of The Johnnie K. Holland Estate, recorded in Plat Book 101, Pages 463-464, and the Quitclaim Deed dated April 28, 2023, per Fayette County Code requirements.
17. Approval to accept the right-of-way dedication known as "R/W Dedication: 0.57 Acres" shown on the Plat for Mark Anderson, recorded in Plat Book 101, Page 437, and the Quitclaim Deed dated March 29, 2023 per Fayette County Code requirements.

18. Approval to accept the right-of-way dedication known as "R/W Lot 1A 0.023 Acres" and "R/W Lot 2A 0.025 acres" as shown on the Minor Final Plat of Phillips & Suren Property, recorded in Plat Book 52, Pages 128-129, and the Right-of-Way Deed dated June 15, 2023 per Fayette County Code requirements.
19. Approval to accept the right-of-way dedication known as "R/W Lot 3A 0.022 Acres" and "R/W Lot 3B 0.024 acres" as shown on the Minor Final Plat of Phillips & Suren Property, recorded in Plat Book 52, Pages 128-129, and the Right-of-Way Deed dated June 20, 2023 per Fayette County Code requirements.
20. Approval to accept the right-of-way dedication known as "10' Additional R/W Strip to Fayette County, Area 0.70 Acres" shown on the Riverbend Overlook Phase I Plat dated August 27, 2020 and the Warranty Deed dated December 16, 2024 per Fayette County Code requirements.
21. Approval to accept the right-of-way dedication known as "R/W Tract 8 sq. ft." as shown on the Minor Final Plat of 385 Snead Road, recorded in Plat Book 102, Pages 23-24, and the Quitclaim Deed dated August 21, 2024 per Fayette County Code requirements.
22. Approval to accept the right-of-way dedication known as "R/W Tract, 0.063 Acres" as shown on the Plat Prepared for Colunteya & Oliver Weems & Geraldine Johnson, dated March 29, 2023, and the Warranty Deed dated October 9, 2023 per Fayette County Code requirements.
23. Approval to accept the right-of-way dedication known as "Right of Way Dedication 1, 0.23 Acres" as shown on the Minor Final Plat of The Alvarez Estate, recorded in Plat Book 101, Pages 482-483, and the Quitclaim Deed dated June 24, 2023 per Fayette County Code requirements.
24. Approval of the January 09, 2025, Board of Commissioners Meeting Minutes.

OLD BUSINESS:

NEW BUSINESS:

25. Request to amend Fayette County Code, Chapter 104 – Development Regulations, Article VII. Watershed Protection.

Environmental Management Director Bryan Keller advised the Board that due to lack of a full Board being present and his desire to fully vet recent information received regarding the definition of trails and paths, he was requesting that this item be tabled.

Vice Chairman Gibbons moved to table this item to the February 13th Board meeting. The motion passed 3-0.

26. Request to approve staff's recommendation to approve Contract #2000-P, Badger Meter, Change Order No. 07 Meters, Endpoints and Additional Components, with a not-to-exceed amount of \$250,790.50, to provide additional adjustments for meters, endpoints and retrofit components.

Water System Director Vanessa Tigert stated that the Badger Advanced Metering Infrastructure project began full deployment mid-January 2024. The original contract prescribed 29,340 meters and 31,000 endpoints to be replaced during this project. Based on identified conditions in the field and usage trends, an additional 1,499 meters are needed, 2 retrofit components and a reduction of 100 endpoints totaling \$250,790.50.

Vice Chairman Gibbons asked if these were the meters that had aged out since the start of the contract.

Ms. Tigert stated yes.

Commissioner Oddo moved to approve Contract #2000-P, Badger Meter, Change Order No. 07 Meters, Endpoints and Additional Components, with a not-to-exceed amount of \$250,790.50, to provide additional adjustments for meters, endpoints and retrofit components. Commissioner Maxwell seconded. The motion passed 3-0.

ADMINISTRATOR'S REPORTS:

Hot Project Report

Mr. Rapson updated the Board on the projects including the Parks and Recreation Multi-Use Facility, Starr's Mill Tunnel, Coastline Bridge Improvements, Cedar Trail Culvert Replacement, Public Health building, and Water System Update on the AMI project.

Mr. Rapson highlighted a \$4.156M FEMA/GEMA grant that the Water System received via homeland security for two new generators and the electrical system.

ATTORNEY'S REPORTS:

Notice of Executive Session: County Dennis Davenport stated that there were five items for Executive Session. Two items involving pending litigation, two item involving real estate acquisition and the review of the January 9, 2025 Executive Session Minutes.

COMMISSIONERS' REPORTS:

Vice Chairman Gibbons extended kudos to the Fayette County Emergency Management team for their efforts in managing the recent inclement weather incident. Vice Chairman Gibbons asked Fire Chief Hill for a brief overview of operations surrounding the recent snow day.

Chief Jefferey Hill stated that the inclement weather began about 2:30 p.m. on January 21st. He noted that on a typical day Fire and Emergency Services would run about 33 calls in a 24-hour day. On Tuesday they ran about 38 calls in the first 6 hours of the inclement weather. There were iced over roadways which caused traffic and accidents but in total, Fire and Emergency Services responded to 71 calls during this storm event.

Vice Chairman Gibbons expressed his appreciation to all first responders for their hard work and dedication.

EXECUTIVE SESSION:

Two items involving pending litigation, two item involving real estate acquisition and the review of the January 9, 2025 Executive Session Minutes. Commissioner Oddo moved to go into Executive Session. Commissioner Maxwell seconded. The motion passed 3-0.

The Board recessed into Executive Session at 6:33 p.m. and returned to Official Session at 7:03 p.m.

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

Approval of the January 9, 2025 Executive Session Minutes: Commissioner Oddo moved to approve the January 9, 2025 Executive Session Minutes. Vice Chairman Gibbons seconded the motion. The motion passed 3-0.

ADJOURNMENT:

Commissioner Oddo moved to adjourn the January 23, 2025 Board of Commissioners meeting. Vice Chairman Gibbons seconded. The motion passed 3-0.

The January 23, 2025 Board of Commissioners meeting adjourned at 7:03 p.m.

Marlena Edwards, Chief Deputy County Clerk

Edward 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 13th day of February 2025. 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: #5

Wording for the Agenda:

Request to amend Fayette County Code, Chapter 104 - Development Regulations, Article VII. Watershed Protection. This item was tabled at the January 23, 2025 Board Meeting,

Background/History/Details:

The Fayette County Watershed Protection Ordinance, first adopted in 1987, was established to meet the Georgia Environmental Protection Division's prerequisites for developing water supply reservoirs in Fayette County. This ordinance safeguards both streams and floodplains while complying with Georgia's Environmental Planning Criteria for the protection of publicly owned large and small water supply watersheds. In 2010, the ordinance was updated to align with the buffer model ordinance requirements of the Metropolitan North Georgia Watershed Planning District.

These amendments update the definition of a utility to include path and trails which are publicly utilized with access from county right-of-way and to update the requirements for utilities to be located outside the buffers unless they will not adversely affect the water quality.

This item was tabled at the January 23, 2025 BOC Meeting,

What action are you seeking from the Board of Commissioners?

Request to amend Fayette County Code, Chapter 104 - Development Regulations, Article VII. Watershed Protection.

If this item requires funding, please describe:

No funding is required for this request.

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 amend Fayette County Code, Chapter 104 - Development Regulations, Article VII. Watershed Protection.

Background/History/Details:

Tabled to the February 13, 2025 BOC Meeting

The Fayette County Watershed Protection Ordinance, first adopted in 1987, was established to meet the Georgia Environmental Protection Division's prerequisites for developing water supply reservoirs in Fayette County. This ordinance safeguards both streams and floodplains while complying with Georgia's Environmental Planning Criteria for the protection of publicly owned large and small water supply watersheds. In 2010, the ordinance was updated to align with the buffer model ordinance requirements of the Metropolitan North Georgia Watershed Planning District.

These amendments update the definition of a utility to include path and trails which are publicly utilized with access from county right-of-way and to update the requirements for utilities to be located outside the buffers unless they will not adversely affect the water quality.

What action are you seeking from the Board of Commissioners?

Request to amend Fayette County Code, Chapter 104 - Development Regulations, Article VII. Watershed Protection.

If this item requires funding, please describe:

No funding is required for this request.

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:

Sec. 104-180. - Definitions.

Existing:

Utility means a public or private water or sewer piping systems, water or sewer pumping stations, electric power lines, fuel pipelines, telephone lines, roads, driveways, bridges, river/lake access facilities, stormwater systems and railroads or other utilities identified by a local government.

Proposed:

Utility Any public or private water or sewer piping systems, water or sewer pumping stations, electric power lines, fuel pipelines, telephone lines, roads, driveways, bridges, river/lake access facilities, stormwater systems, **trails/paths for public use with access from the county right-of-way**, railroads or other utilities identified by a local government.

Sec. 104-182. - Minimum watershed protection requirements. (a) The following watershed buffer and setback requirements shall be required on all state waters requiring a buffer within the unincorporated county:

- (1) No sewage treatment facility, dumping, discharging, releasing, spraying, distributing of any toxic or other pollutant is allowed onto the watershed buffer and setback.
- (2) Watershed buffer areas may be hand thinned or hand trimmed of vegetation in accordance with the county's soil erosion and sedimentation control ordinance (article IX of this chapter).
- (3) Pervious hiking trails, four feet wide or less, and pervious picnic areas, 100 square feet or less and with standard-size picnic tables, will be allowed within the watershed buffer and setback, but not within the 25 foot state water buffer unless all federal permits and state variances have been granted. Any land disturbance activities are subject to articles IV and IX of this chapter.
- (4) The watershed buffer shall only constitute 50 percent of a livestock containment area.
- (5) The watershed buffer shall only extend for 1,000 feet from the wrested vegetation of state waters requiring a buffer. If the watershed buffer exceeds the said 1,000 feet then the 1,000 feet will become the watershed buffer and watershed setback will not be applied.
- (6) For subsections (c), (d) and (e) of this section only the watershed buffer may be reduced to 100 feet for activities that do not require grubbing or tilling, such as tree harvesting without stump removal, if and only if, a copy of documentation submitted to the Georgia Forestry Commission is submitted to the environmental management department prior to requesting a reduction in the watershed buffer.

ADD

- (7) With the exception of trails/paths for public use with access from the county right-of-way, utilities shall not be located within these buffers if they can feasibly be located outside these areas. All disturbances to these buffers shall require prior approval by the County and such approval shall be based on a determination that the disturbance will not adversely affect water quality**

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request: #6

Wording for the Agenda:

Request to approve the updated plans related to the Animal Control building external upgrades for 2023 SPLOST R23AF (Walking Trails and Livestock Building), and to reallocate \$1.2M of 2023 SPLOST to fund the estimated project costs.

Background/History/Details:

The Animal Control project Phase 2 (R23AF Walking Trails and Livestock Building) was approved as part of the 2023 SPLOST, with an initial budget of \$500k. The BOC approved a reallocation of SPLOST funds on June 13, 2024, which allocated an additional \$500k to the project, totaling \$1M.

Fayette County staff met with Pond & Co. and offered citizen input; final plans were developed for the design and completion of this project. The plans are attached to this agenda item.

The changes and updates implemented are estimated at a total of \$2.15M. Staff is recommending another 2023 SPLOST reallocation of \$1.2M to the R23AF project. The recommendations include transferring \$600k from both T23AA Road Maintenance and S23AE Stormwater Category II, Tier III, with a total transfer of \$1.2M. The current funding of \$1.0M and these SPLOST reallocations of \$1.2M will provide the funding needed to complete this project. The available funds in R23AF total \$952,353, plus the transfer of \$1.2M total = \$2,152,353.

What action are you seeking from the Board of Commissioners?

Approval of the updated plans related to the Animal Control building external upgrades for 2023 SPLOST R23AF (Walking Trails and Livestock Building), and to reallocate \$1.2M of 2023 SPLOST to fund the estimated project costs.

If this item requires funding, please describe:

Transfer of \$600k from both T23AA Road Maintenance and S23AE Stormwater Category II, Tier III, with a total transfer of \$1.2M to R23AF.

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 Animal Shelter Phase II Master Concept Plan

FEBRUARY 13, 2025

BY: TRACY THOMPSON, DIRECTOR, FAYETTE COUNTY ANIMAL SHELTER

TO: FAYETTE COUNTY BOARD OF COMMISSIONERS

Existing Facilities Update (1/2)

- ▶ **GENERAL** - Updates and repairs for the existing building will run concurrently with the Phase II projects.
- ▶ **DRAINAGE** – Temporary downspout drains have been installed to shed water away from building. Phase II will install a permanent pipe and drainage solution.
- ▶ **LAUNDRY** - Commercial grade washers and dryers are being installed.

Existing Facilities Update (2/2)

- ▶ **AIR FLOW** – Plans for additional ventilation/exhaust fans are underway and will be installed in the existing building.
- ▶ **KENNELS** – With completion of Phase II, the indoor kennels will be reconfigured to 16 larger kennels with the option to split the kennels as needed if there is a large intake of animals.
- ▶ **R/O KENNELS** – Also upon completion of Phase II, the R/O kennels will be reconfigured to allow for safer handling of the animals.

Funding and Project Details

- ▶ The Animal Shelter Project Phase II (R23AF) was approved as part of the 2023 SPLOST, with an initial budget of \$500K. The BOC approved a reallocation of SPLOST Funds on June 13, 2024, which allocated an additional \$500K to the project, totaling \$1.0M.
- ▶ The Phase II Concept Plan includes 24 new Kennels, a livestock barn, walking trails, pavilions, benches, multi purpose fenced areas, and landscaping.
- ▶ The primary focus on this project will be the barn, kennels and a primary hardscape walkway.
- ▶ Design for Phase II will start immediately upon BOC approval of a concept.

Phase II Master Concept Plan

Public Engagement

- ▶ December 14, 2024, a Press Release requesting public engagement with links to the Phase II Concept Plan and a comment card was made available on the Fayette County Website. Materials were also distributed by email and social media.
- ▶ Public Comment period was open December 13 - January 10, 2025.
- ▶ Display boards and Comment Cards were also available at the Fayette County Library and the Fayette County Animal Shelter.
- ▶ An Open House was held on January 7 from 4 pm – 7 pm at the BOC Meeting Hall. Eighteen (18) citizens attended plus press and staff.

Public Comment Summary

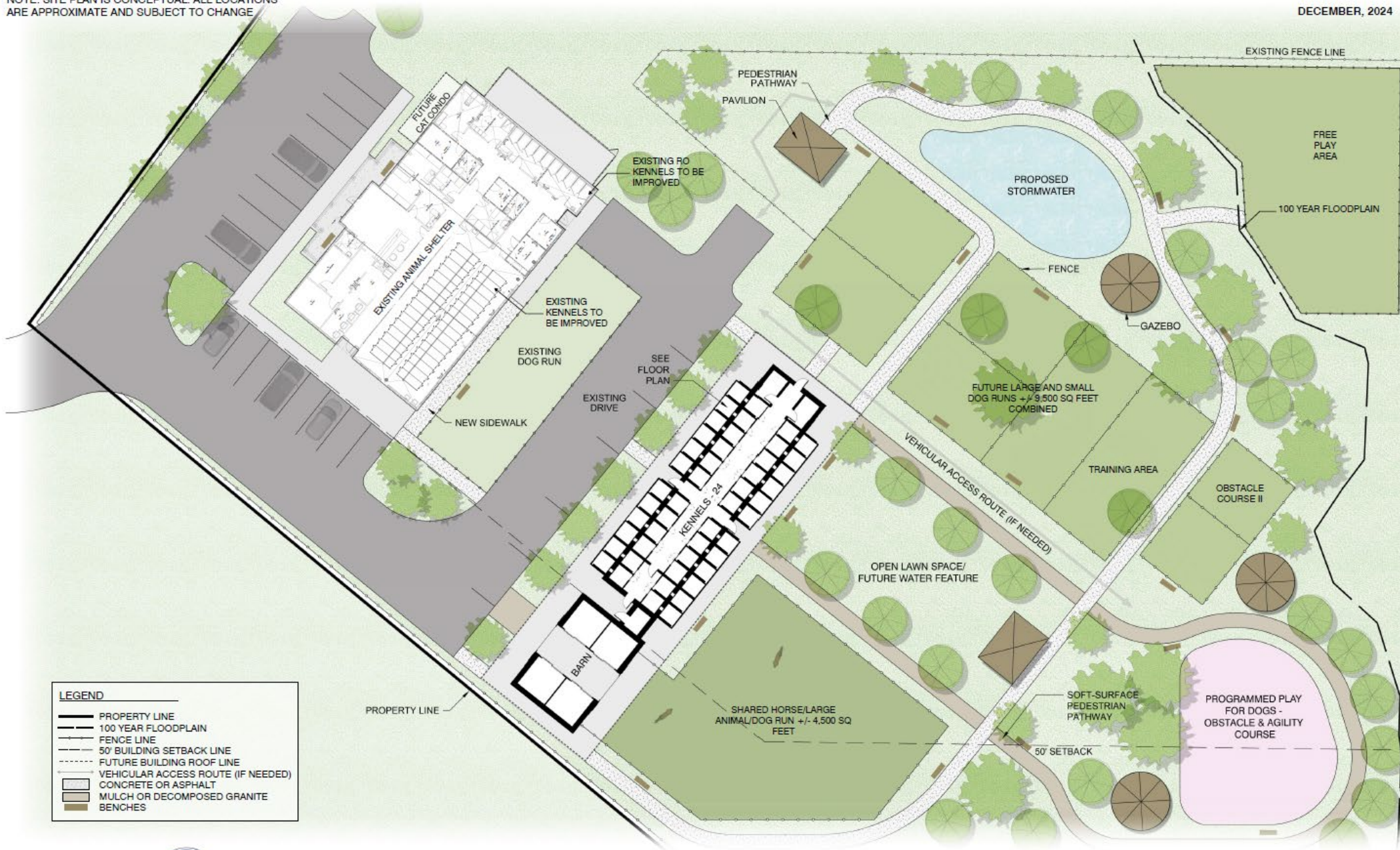
- ▶ Strong support for the additional Kennel Building with indoor/outdoor access. There was varying support regarding need for climate control; most favored ambient air with strong ventilation.
- ▶ Support for walking trails, dog runs, soft surfaces with mulch, shade structures, and a fence around the property.
- ▶ Recommendation for purchase of software to track animal intake and medical history. Comments indicated additional software could assist in optimizing chances of adoption (As of 1/24, software installation is underway).
- ▶ Questions were asked about the need/benefit of the livestock barn, pavilions, and gazebos.
- ▶ Suggestions were made for the barn to be designed to accommodate other uses when not used to house large animals.

S HIGHWAY 74

S HIGHWAY 74

**FAYETTE COUNTY
ANIMAL SHELTER**





LEGEND

- PROPERTY LINE
- 100 YEAR FLOODPLAIN
- FENCE LINE
- 50' BUILDING SETBACK LINE
- FUTURE BUILDING ROOF LINE
- VEHICULAR ACCESS ROUTE (IF NEEDED)
- CONCRETE OR ASPHALT
- MULCH OR DECOMPOSED GRANITE
- BENCHES

Fayette County Animal Shelter Conceptual Site Plan



Note: Below are precedent Images. The final building and site plan is its own design that will vary from these images.

Pavilions



Pavilion - Gable
This is an example of a pavilion style.



Gazebo
This is an example of a gazebo.

Trail



Mulch Path
A trail material option is mulch.



Slate Chip Trail
A trail material option is slate chips.

Kennels



Interior Kennel Space Material - GLAZED CMU
New kennels could be constructed using glazed CMU, which is easier to clean, resulting in a more hygienic space.



Interior + Exterior Kennels
The additional kennels will have interior and exterior access for the dogs, along with access to more greenspace.

Bioretention



Bioretention - After Rain Event
Water retention with planting.



Bioretention - Dry Condition
Attractive in both wet and dry conditions.

Horse Barn



Horse Run
This illustrates how the project would have a horse run to allow greater movement and freedom for horses.

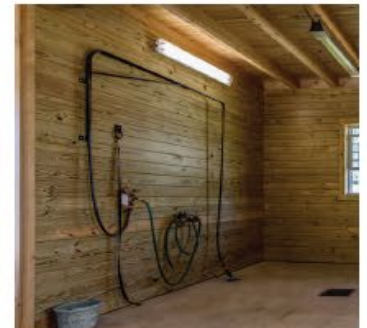


Horse Barn
This image shows how a black and white color scheme could look for the barn, and is an example of a gable roof barn.

Horse Barn



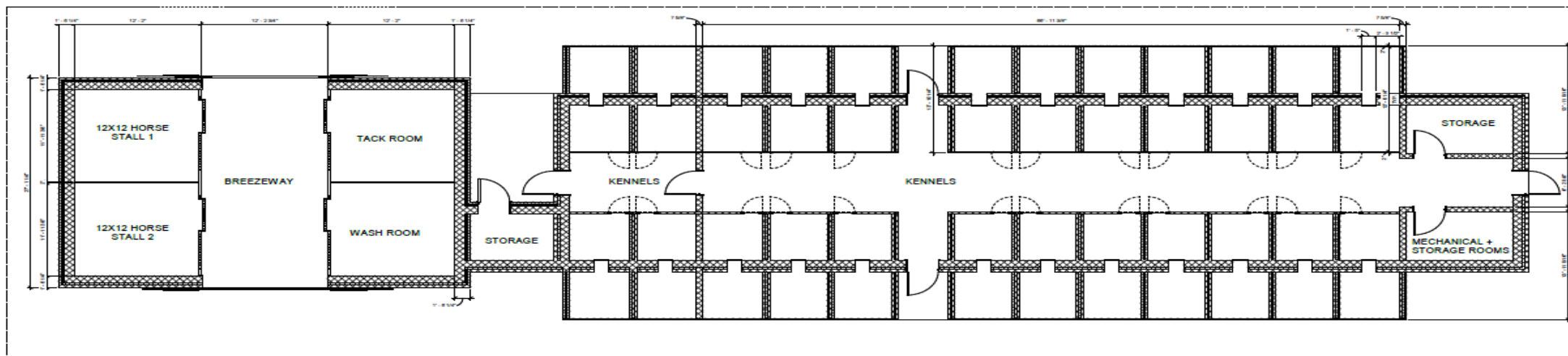
Horse Barn - Interior Sliding Doors
This illustrates a barn layout, with sliding doors and a central breezeway. Note: the interior of the barn may not feature wood.



Horse Barn Wash Room
This illustrates a wash room layout and features. Note: the interior of the barn may not feature wood.

NOTE: BUILDING PLAN IS CONCEPTUAL. DESIGN IS SUBJECT TO CHANGE.

Proposed Kennels (24) & Barn Floor Plan



1 FLOOR PLAN
SCALE: 1/4" = 1'-0"





GLAZED CMU (INTERIOR)



STANDING SEAM METAL ROOF



BLACK METALLIC FINISHES

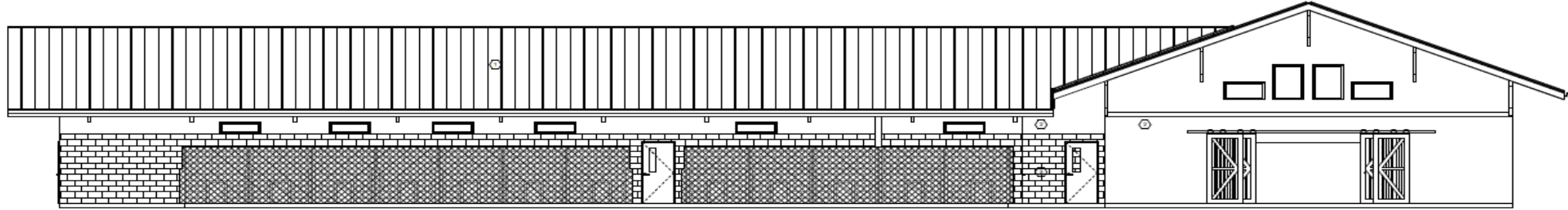


METAL WALL PANEL

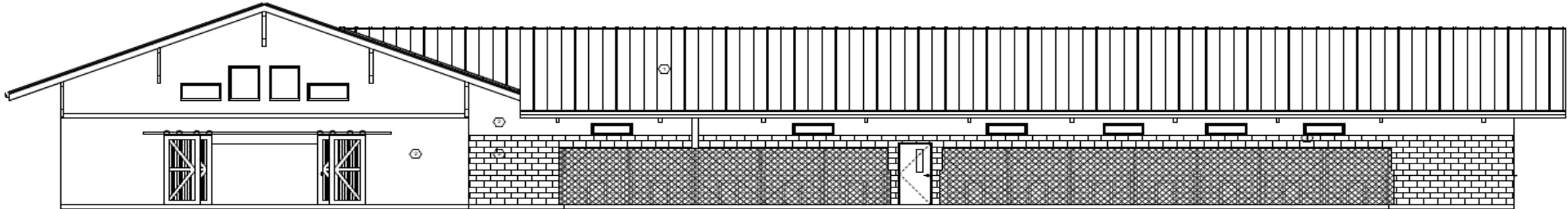


WHITE MASONRY

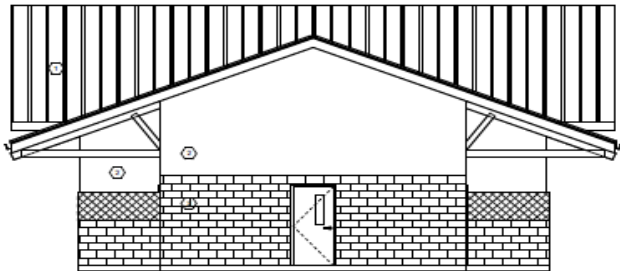
Fayette County Animal Shelter Phase II Building - Elevations



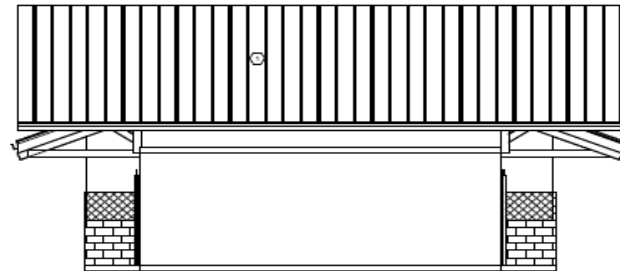
1 NORTH ELEVATION
SCALE 1/8"=1'-0"



2 SOUTH ELEVATION
SCALE 1/8"=1'-0"



3 EAST ELEVATION
SCALE 1/8"=1'-0"



4 WEST ELEVATION
SCALE 1/8"=1'-0"



① 3D View
NTR

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Request to award Contract #2506-P in the amount of \$1,047,500.00 to MEJA Construction as the Fayette County Multi-Use Recreational Building Construction Manager at Risk.

Background/History/Details:

The proposed Multi-Use Recreational Building project located at Kiwanis Park will be delivered through Construction Management at Risk (CMAR). The CMAR provides professional services and design advice as part of the project during the design and development of the project. The CMAR develops a Guaranteed Maximum Price (GMP) for the project and this will be brought back to the Commissioners for approval at a later stage.

The CMAR appointment process was managed through the County Purchasing department. A RFP was issued and eight (8) qualifying returns were received. The proposals were scored for Technical Merit by the selection committee made up of Anita Godbee, Phil Mallon, Bryan Keller, Courtney Hassenzahl and Tim Symonds. After these scored were aggregated the financial part of the proposals were opened. MEJA Construction received the highest score. Given the recent performance of MEJA on two recent County projects and the same project team being proposed it was felt that it was unnecessary to have an additional interview stage.

What action are you seeking from the Board of Commissioners?

Approval to award Contract #2506-P in the amount of \$1,047,500.00 to MEJA Construction as the Fayette County Multi-Use Recreational Building Construction Manager at Risk.

If this item requires funding, please describe:

Funds for this project are available under the 2023 SPLOST R23AA in the sum of \$23,789,216.

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: Michelle A. Sampson *MAS*

Date: February 13, 2025

Subject: Contract #2506-P: Fayette County Multi-Use Recreation Building - CMAR

The Fayette County Parks and Recreation Department is in the final development phase for the construction of the new Fayette County Multi-Use Recreation Building. This project consists of a 45,645sqft building with sports courts, a walking /jogging track, a community kitchen, community meeting rooms, multipurpose rooms, offices, changing rooms, and support spaces. The new construction will be located at 980 Redwine Road, Fayetteville, GA and will replace the existing Kiwanis Park facility. The demolition and removal of the existing Recreation Building will be carried out by the County prior to the start of the project.

The project delivery method will be through the appointment of a Construction Manager at Risk (CMAR). The CMAR provides construction advice during the pre-construction and design phase and develops a Guaranteed Maximum Price (GMP). The CMAR engages and manages the sub-contractors during construction to deliver the project for the agreed GMP. The CMAR will work closely with the Project Manager, Tim Symonds, to develop construction documents and bid packages for sub-contractors.

The Purchasing Department issued Request for Proposals #2506-P to secure a CMAR for the construction of the Fayette County Multi-Use Recreation Building. Notice of this opportunity was emailed to 146 companies. Another 922 were contacted through the web-based Georgia Procurement Registry, who had registered under the following commodity codes:

- #90921 Building Construction, Industrial, Warehouse, etc.
- #90922 Building Construction, Non-Residential, Office Bldg., etc.
- #90924 Building Construction, Commercial and Institutional
- #90927 Building Construction, Educational
- #90928 Building Construction, Medical

The offer was also advertised through the Fayette County News and the Fayette County website.

Eight proposals were submitted to Fayette County. The Evaluation Committee, comprised of members from Environmental Management, Parks and Recreation, the County Engineer, and the Project Manager scored the proposals based on the Technical Merit criteria documented in the Request for Proposals. The criteria included (1) firm history & capability, (2) relevant experience, (3) project personnel, (4) financial information, and (5) project approach. The prices were then scored and added to the Technical Merit scores (Attachment 1).

The Evaluation Committee recommends award of the contract to MEJA Construction, Inc. A Contractor Performance Evaluation for MEJA's work on the Public Health Building renovation is attached (Attachment 2).

MEJA's offered price of \$1,047,500.00 includes their Construction Management fee, pre-construction fee, and anticipated General Conditions and General Requirements Costs. These were calculated based on an estimated construction cost of \$20,500,000.00. The CMAR will competitively select construction subcontractors and suppliers, and then negotiate a Guaranteed Maximum Price with the County. At that point, the Board of Commissioners will be requested to approve the additional amounts, which will be added to the CMAR contract by change order.

Specifics of the proposed contract are as follows:

Contract Name	#2506-P: Fayette County Multi-Use Recreation Building - CMAR	
Contractor	MEJA Construction, Inc.	
Contract Amount	\$1,047,500.00 excluding actual construction costs, which will be added by change order	
Budget:		
Fund	327	SPLOST
Org Code	32760110	Parks & Recreation
Object	541320	Buildings & Structures
Project	R23AA	Recreational Multi-Purpose Bldg.
Available	\$23,789,216.45	As of 01/23/2025

Attachment 1

PROPOSAL #2506-P: Fayette County Multi-Use Recreation Building - CMAR
EVALUATION SCORING SHEET

RESPONDER NAME TECHNICAL MERIT	Max Points	Sheridan Construction	J&R Construction	Southtree Commercial	Hogan Construction Group	Reeves Young LLC	Barnsley Construction Group	MEJA Construction	Manhattan Construction
1. Firm History & Capability	10	5.8	4.4	5	8.2	5.2	7.8	8.8	6.8
2. Relevant Experience	20	9.6	10.6	10	15.2	16.2	13.6	17	13.6
3. Project Personnel	20	11.8	10.8	10.2	16	16.6	10	15.4	14.8
4. Financial Information	5	3.4	3.4	2.8	4.2	4.6	3.6	4.6	4.6
5. Project Approach	15	10.2	8.2	7.6	12.6	14.6	7.2	10.8	11.6
Technical Merit Score	70	40.8	37.4	35.6	56.2	57.2	42.2	56.6	51.4

Proposed Price	\$2,029,355.00	\$1,078,357.00	\$2,690,962.00	\$1,121,641.00	\$2,287,312.00	\$2,106,391.00	\$1,047,500.00	\$2,902,128.00	
Technical Merit Score	70	40.8	37.4	33.6	56.2	57.2	42.2	56.6	51.4
Proposed Price Score	30	2	29	0	28	0	0	30	0
Total Score	100	42.8	66.4	35.6	84.2	57.2	42.2	86.6	51.4

Rater #1-VG	Max Points	Sheridan Construction	J&R Construction	Southtree Commercial	Hogan Construction Group	Reeves Young LLC	Barnsley Construction Group	MEJA Construction	Manhattan Construction
1. Firm History & Capability	10	8	3	5	10	4	7	9	6
2. Relevant Experience	20	12	6	8	16	14	10	18	20
3. Project Personnel	20	18	8	10	16	12	2	14	20
4. Financial Information	5	3	2	1	3	4	1	5	4
5. Project Approach	15	9	5	3	11	15	1	7	13
Total Score	70	50	24	27	56	49	21	53	63

Rater #2-CH	Max Points	Sheridan Construction	J&R Construction	Southtree Commercial	Hogan Construction Group	Reeves Young LLC	Barnsley Construction Group	MEJA Construction	Manhattan Construction
1. Firm History & Capability	10	9	7	8	10	8	9	9	8
2. Relevant Experience	20	14	11	19	17	20	13	20	16
3. Project Personnel	20	17	12	19	19	20	12	19	19
4. Financial Information	5	5	5	4	5	5	5	5	5
5. Project Approach	15	13	7	12	12	15	8	14	14
Total Score	70	58	42	62	63	68	47	67	62

Rater #3-TS	Max Points	Sheridan Construction	J&R Construction	Southtree Commercial	Hogan Construction Group	Reeves Young LLC	Barnsley Construction Group	MEJA Construction	Manhattan Construction
1. Firm History & Capability	10	1	4	3	6	2	8	10	6
2. Relevant Experience	20	4	15	6	16	14	18	20	14

3. Project Personnel	20	2	10	4	15	20	15	17	8
4. Financial Information	5	2	3	2	4	5	4	5	5
5. Project Approach	15	8	10	6	14	15	12	10	10
Total Score	70	17	42	21	55	56	57	62	43

Rater #4-BK	Max Points	Sheridan Construction	J&R Construction	Southtree Commercial	Hogan Construction Group	Reeves Young LLC	Barnsley Construction Group	MEJA Construction	Manhattan Construction
1. Firm History & Capability	10	6	5	6	7	6	8	8	7
2. Relevant Experience	20	12	15	12	14	15	15	17	10
3. Project Personnel	20	12	14	10	15	16	13	15	15
4. Financial Information	5	4	4	4	5	4	4	4	4
5. Project Approach	15	12	12	12	13	15	7	13	10
Total Score	70	46	50	44	54	56	47	57	46

Rater #S-PM	Max Points	Sheridan Construction	J&R Construction	Southtree Commercial	Hogan Construction Group	Reeves Young LLC	Barnsley Construction Group	MEJA Construction	Manhattan Construction
1. Firm History & Capability	10	5	3	3	8	6	7	8	7
2. Relevant Experience	20	6	6	5	13	18	12	10	8
3. Project Personnel	20	10	10	8	15	15	8	12	12
4. Financial Information	5	3	3	3	4	5	4	4	5
5. Project Approach	15	9	7	5	13	13	8	10	11
Total Score	70	33	29	24	53	57	39	44	43

Attachment 2

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: MEJA Construction, Inc.	Contract Number: 2226-P
Mailing Address: 107 Guthrie Way	Contract Description or Title: Public Health Building – CMAR with Design
City, St, Zip Code: Peachtree City, GA 30269	Contract Term (Dates) From: May 2023 - Present
Phone Number: 770-775-1700	Task Order Number: n/a
Cell Number: N/A	Other Reference:
E-Mail Address: jasonrogers@meja.us	

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>T. Symonds</i>	Date of Evaluation: January 9 th 2024
Print Name: Tim Symonds	Department/Division:
Title: Consultant Project Manager	Telephone No: 404-392-5791

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request: #8

Wording for the Agenda:

Request to accept the FEMA/GEMA (Federal Emergency Management Agency/Georgia Emergency Management Agency) Hazard Mitigation Grant to replace the emergency generator for the Crosstown Water Treatment Plant with a total project cost of \$ 4,156,907.26.

Background/History/Details:

The Fayette County Crosstown and South Fayette Water Treatment plants provide drinking water to approximately 30,000 customers in Tyrone, Peachtree City, Woolsey, Brooks, parts of Fayetteville and the unincorporated County. The Crosstown Water Treatment Plant operates continuously producing approximately 6 million gallons per day.

To maintain continuous production, the Crosstown facility must have a reliable source of emergency power to supply potable water to its customers. This plant is vulnerable to all types of weather and technical events that cause power outages, sometimes for extended periods. The current generator is undersized. Additionally, the County must now incur costs to install underground fuel storage tank leak protection to adhere to Georgia EPD requirements.

Project HMGP4501-0089 has been awarded by FEMA to Fayette County.

FEMA share: \$ 3,741,216.53

State Share: \$ 166,276.29

Local Share: \$ 249,414.44

Total Project Cost: \$ 4,156,907.26

What action are you seeking from the Board of Commissioners?

Approval to accept the FEMA/GEMA (Federal Emergency Management Agency/Georgia Emergency Management Agency) Hazard Mitigation Grant to replace the emergency generator for the Crosstown Water Treatment Plant with a total project cost of \$ 4,156,907.26.

If this item requires funding, please describe:

Local share (match) funding is available in CIP 507-40400-542540-22WSC. The available balance is \$415,700.

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:

Upon approval, Finance will establish accounts for the FEMA and State share of this grant.

BRIAN P. KEMP
GOVERNOR



JAMES C. STALLINGS
DIRECTOR

January 9, 2025

Mr. Steve Rapson
County Administrator
Fayette County
140 Stonewall Ave.
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 4501-0089, will be used to purchase and install two (2) fixed generator to ensure continuity of critical services to the community. The total approved cost is \$4,156,907.26 with a federal share of \$3,741,216.53, state share of \$166,276.29 and a local share of \$249,414.44.

These funds are subject to the execution of the enclosed Recipient-Subrecipient Agreement. Please sign and return 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

vl/rl

Enclosures

cc: Vanessa Tigent, PG Director
Fayette County Water Systems
Mike Singleton, 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 March 29, 2020, the President declared that a major disaster exists in the State of Georgia. This declaration was based on damage resulting from Covid19 Pandemic. This document is the Recipient-Subrecipient Hazard Mitigation Assistance Agreement for the major disaster, designated FEMA-4501-0089 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. The interests and responsibilities of the Subrecipient will be executed by the Fayette County's 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 90 percent federal cost share and 4 percent state cost share basis for the hazard mitigation project(s) described in Exhibit "E". The Subrecipient shall be responsible for the remaining 6 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. Required documentation must be maintained for a minimum of three years beyond the date of the final closeout request letter to FEMA. Minimum documentation shall include, but not be limited to the following:

- Summaries of Documentation,
 - Activity Reports for labor, equipment, and materials,
 - Proof of payment such as copies of checks or vouchers for material purchased and for contract work (if any),
 - Contracts awarded (if any),
 - Invoices or other billing documents,
 - Bid advertisements (if any),
 - List of bidders and amounts for each project (if any),
 - Statement of why the low bid was not accepted (if appropriate),
 - Progress Reports,
 - Labor/Equipment Costs
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 December 31, 2025. 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 <div style="border: 1px solid black; height: 40px; width: 100%; background-color: yellow;"></div>	TITLE <div style="border: 1px solid black; height: 20px; width: 100%; background-color: yellow;"></div>
APPLICANT ORGANIZATION <div style="border: 1px solid black; height: 20px; width: 100%; background-color: yellow;"></div>	DATE SUBMITTED <div style="border: 1px solid black; height: 20px; width: 100%; background-color: yellow;"></div>

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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 4501-0089 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 90% federal, 4% state, and 6% 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 December 3, 2025, 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 December 31, 2025 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 March 31, 2025 and must be submitted no later than April 15, 2025..
 - 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**

Fayette County will purchase, install, and maintain Two (2) Fixed Generators

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.

Generator	Address	Shipping and Installation	Generator	Fuel Tank and Fuel line	Concrete Pad for Generator/E-House Pad & support	Fuel for Initial Testing/Electrical Start up	Facility Transfer Switch and Connections	Engineering (Electrical commissioning, mobilization, demo/relocation, design, construction, permitting)	Total Project Costs	FEMA 90%	State 4%	Local 6%
1	3500 TDK Boulevard, Peachtree City, Ga. 30269 Fayette County	\$ 292,295.34	\$ 647,800.00	\$ 114,720.00	\$ 13,677.76	\$ 31,500.00	\$ 304,082.85	\$ 674,377.68	\$ 2,078,453.63	\$ 1,870,608.27	\$ 83,138.15	\$ 124,707.22
2	3500 TDK Boulevard, Peachtree City, Ga. 30269 Fayette County	\$ 292,295.34	\$ 647,800.00	\$ 114,720.00	\$ 13,677.76	\$ 31,500.00	\$ 304,082.85	\$ 674,377.68	\$ 2,078,453.63	\$ 1,870,608.27	\$ 83,138.15	\$ 124,707.22
Total		\$ 584,590.68	\$ 1,295,600.00	\$ 229,440.00	\$ 27,355.52	\$ 63,000.00	\$ 608,165.70	\$ 1,348,755.36	\$ 4,156,907.26	\$ 3,741,216.53	\$ 166,276.29	\$ 249,414.44

Generator Size and Location Lat/Long:

(33.3652, -84.5754)

**1000KW Fixed Generator
Crosstown Water Treatment Plant
3500 TDK Boulevard
Peachtree City, GA 30269**

**1000KW Fixed Generator
Crosstown water Treatment Plant
3500 TDK Boulevard
Peachtree City, GA 30269**

(33.3653, -84.5754)

The following conditions apply:

Special and Standard Conditions are required for the implementation of the Project.

Please refer to the attached Record of Environmental Considerations (REC) dated 12/29/2023. The State HMGP Administrative Plan defines the procedure whereby the Governor’s Authorized Representative (GAR) may advance portions of the approved Federal share to the subrecipient. If project costs exceed the amount originally funded and additional federal funds are needed, the subrecipient must contact the Governor’s Authorized Representative (GAR). The GAR will evaluate requests for cost overruns and submit to the Regional Administrator written documentation of cost overrun eligibility. Cost overruns shall meet Federal regulations set forth in 44 CFR 206.438(b).

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-4501-0089

FEMA Project Number: HMGP-4501-0089

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 (6%)		
		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.

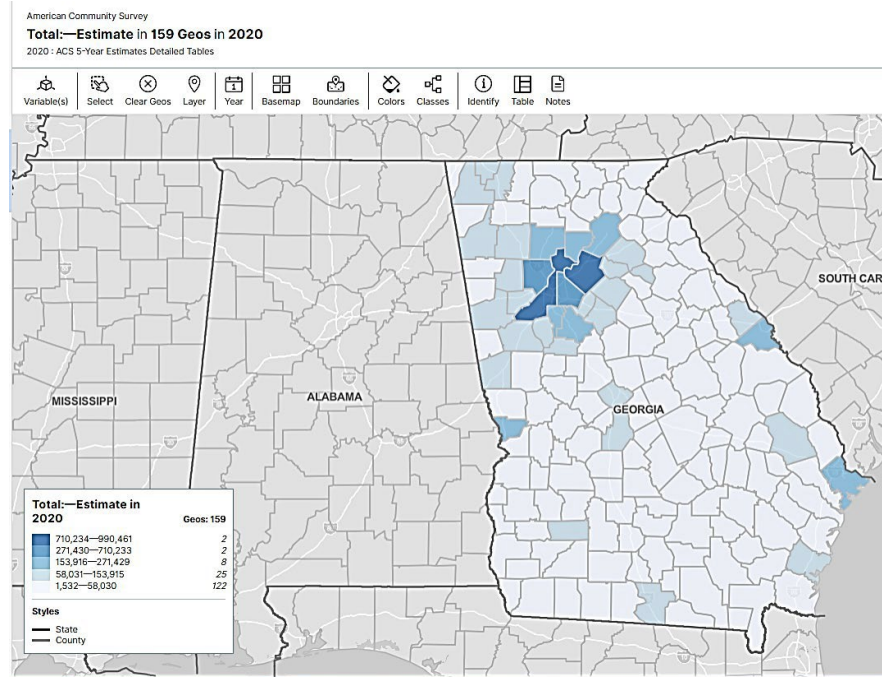
MOST COMMON LANGUAGES SPOKEN AT HOME

	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 undeserved 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 ምናገረው.

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 ငြိန်မာလို ဗိုဗိုတင်တင် ပြောမိ

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
Fuhun 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 हिंदी बोलता हूँ।

Hmong
Kiv has lug Moob

Hungarian
Beszélék magyarul

I

Icelandic
Ég tala íslensku

Incano
Agszonak ti Ilokanon

Indonesian
saya bisa berbahasa Indonesia

Italian
Parlo italiano

J

Japanese
私は日本語を話す

K

Kacchiquel
Qim ch'ag'ñic ká ch'abal' ruim' n'

Korean
한국어 합니다

Kurdish
min Kurdiî zanim

Kurmanji
min Kurmanjî zanim

L

Laotian
ຂ້ອຍປາກົດພາສາລາວ

Latvian
Es runāju latviski

Lithuanian
Aš kalbu lietuviškai

Q

Qanjobal
Ayin ti chi wal q' anjob' al

Quiche
In k'iche' aw' k'utin ch'e quiche

R

Romanian
Vorbesc românește

Russian
Я говорю по-русски

S

Serbian
Ja govorim srpski

Sign Language


Slovak
Hovorim po slovensky

Slovenian
Govorim slovensko

Somali
Waxaan ku hadlaa af Soomaali

Spanish
Yo hablo español

Swahili
Ninaongea Kiswahili

Swedish
Jag talar svenska

T

Tagalog
Mumunong abang 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
Ngiyawikhuluma isiZulu

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





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 |
| Arabic العربية <input type="checkbox"/> | <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 4501-0089

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 Generator Application

1. Sub-awardee DUNS Number _____
2. Sub-awardee Name _____
3. Sub-awardee DBA Name _____
4. Sub-awardee Address _____
5. If DBA, Sub-awardee Parent DUNS Number _____
6. Sub-award Principle Place of Project Performance _____
7. 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.
8. 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.
9. 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 _____
If **Yes**, continue to question 9. If **No**, questionnaire is complete.

10. 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: #9

Wording for the Agenda:

Request to approve the Planning Commission Selection Committee's recommendation to reappoint James Oliver to fill an open term expiring December 31, 2027.

Background/History/Details:

The Planning Commission consists of a body of members appointed by the Board of Commissioners to carry out the directives of the County ordinances and to carry out any other duties which may from time to time be assigned to the Planning Commission by the Board of Commissioners.

The Planning Commission consists of five (5) members residing within the County who shall be appointed by the Board of Commissioners. The Selection Committee recommends that Mr. James Oliver be appointed for the Planning Commission term beginning January 1, 2025 and expiring December 31, 2027.

The Selection Committee consisted of Mr. John Culbreth, 2024 Chairman of the Planning Commission, Deborah Bell, Director of Planning and Zoning, and Deborah Sims, Zoning Administrator.

Mr. Oliver is the incumbent for this position.

What action are you seeking from the Board of Commissioners?

Approval to reappoint James Oliver to the Planning Commission to fill an open term expiring December 31, 2027.

If this item requires funding, please describe:

No funding is required for this request.

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 Planning Commission



Thank you for your interest in being considered for appointment to the Fayette County Planning Commission.

Applicants must be a legal resident of the State of Georgia and have been a resident of Fayette County prior to the date an application is submitted.

The Planning Commission is comprised of five members appointed to three-year terms. Meetings are scheduled to be held twice monthly. Commission members are compensated \$75.00 per meeting but no more than \$150 per month. Said meetings take place at the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia.

Please do not apply if you will be unable to attend a minimum of eighty percent (80%) of all meetings. **Applicants are encouraged to attend as many Planning Commission meetings as possible in an effort to become familiar with the responsibilities of the post.**

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, November 15, 2024.**

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 JAMES T. OLIVER JR.

ADDRESS 115 ARDEN CT.
PEACHTREE CITY, GA 30269

TELEPHONE (cell) [REDACTED] (home) _____

(email address) [REDACTED]

[Signature]
Signature

Nov. 8, 2024
Date

APPLICATION FOR APPOINTMENT
Fayette County Planning Commission

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

THIRTY YEARS.

2. Why are you interested in serving on the Planning Commission?

TO SERVE MY COMMUNITY.

3. What qualifications and experience do you possess that should be considered for appointment to the Planning Commission?

I PRESENTLY SERVE ON THIS COMMISSION.

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

RETIRED.

5. Do you have any past experience related to this position? If so, please describe.

I PRESENTLY SERVE ON THIS COMMISSION.

6. Are you currently serving on a commission/board/authority or in an elected capacity with any government?

I SERVE ON THIS COMMISSION AND THE PIEDMONT FAYETTE BONDING AUTHORITY.

7. Have you attended any Planning Commission meetings in the past two years and, if so, how many?

YES MORE THAN TWO DOZEN IN THE PAST TWO YEARS - MORE THAN FIFTY IN FOUR YEARS.

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

YES.

9. Would there be any possible conflict of interest between your employment or your family and you serving on the Planning Commission?

NO.

10. Are you in any way related to a County Elected Official or County employee? If so, please describe.

NO.

11. Describe your current community involvement.

I PRESENTLY SERVE ON THIS COMMISSION.

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

YES.

13. Is there any reason you would not be able to comply with the ordinance?

NO.

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Request to approve the Zoning Board of Appeals Selection Committee's recommendation to appoint Kyle McCormick to fill an open term expiring December 31, 2027.

Background/History/Details:

The Zoning Board of Appeals consists of a body of members appointed by the Board of Commissioners to hear and rule on requests for variances to certain county ordinances and to hear appeals from the decision of the Zoning Administrator and to carry out any other duties which may from time to time be assigned to the ZBA by the Board of Commissioners.

The Zoning Board of Appeals consists of five (5) members residing within the County who shall be appointed by the Board of Commissioners. The Selection Committee recommends that Mr. Kyle McCormick be appointed for the Zoning Board of Appeals for a 3-year term beginning January 1, 2025 and expiring December 31, 2027. This is to fill the position previously held by Mrs. Anita Davis, who was did not reapply for the position.

The Selection Committee consisted of Mr. William Beckwith, 2024 Chairman of the Zoning Board of Appeals, Deborah Bell, Director of Planning and Zoning, and Deborah Sims, Zoning Administrator.

What action are you seeking from the Board of Commissioners?

Approval to appoint the Zoning Board of Appeals Selection Committee's recommendation to appoint Kyle McCormick to fill an open term expiring December 31, 2027.

If this item requires funding, please describe:

No funding is required for this request.

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 Planning Commission



Thank you for your interest in being considered for appointment to the Fayette County Planning Commission.

Applicants must be a legal resident of the State of Georgia and have been a resident of Fayette County prior to the date an application is submitted.

The Planning Commission is comprised of five members appointed to three-year terms. Meetings are scheduled to be held twice monthly. Commission members are compensated \$75.00 per meeting but no more than \$150 per month. Said meetings take place at the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia.

Please do not apply if you will be unable to attend a minimum of eighty percent (80%) of all meetings. **Applicants are encouraged to attend as many Planning Commission meetings as possible in an effort to become familiar with the responsibilities of the post.**

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, November 15, 2024.**

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 Kyle McCormick

ADDRESS 120 County Line Rd

Fayetteville, Ga 30215

TELEPHONE (cell) [REDACTED] (home) _____

(email address) [REDACTED]

Kyle McCormick
Signature

11/8/2024
Date



APPLICATION FOR APPOINTMENT
Fayette County Planning Commission

1. How long have you been a resident of Fayette County?
Going into 4 years
2. Why are you interested in serving on the Planning Commission?
I am a local (unlicensed) architect (PBK in Griffin) who is always interested in new development within the area. If possible, I would like to be more involved within the community.
3. What qualifications and experience do you possess that should be considered for appointment to the Planning Commission?
I believe my developing experience in the architectural role coincides perfectly with this position. As I work around architectural drawings and have basic knowledge of zoning and building codes.
4. List your recent employment experiences to include name of company and position.
Covetool - Zoning Data Researcher, Phillips - Project Coordinator, PBK - Technical Designer
5. Do you have any past experience related to this position? If so, please describe.
With my architectural career, I have worked on several projects that required close coordination with local planning and zoning authorities. This includes projects within Georgia and some in nearby states.
6. Are you currently serving on a commission/board/authority or in an elected capacity with any government?
No
7. Have you attended any Planning Commission meetings in the past two years and, if so, how many?
No
8. Are you willing to attend seminars or continuing education classes at county expense?
Yes
9. Would there be any possible conflict of interest between your employment or your family and you serving on the Planning Commission?
No, as my current projects are state funded, there would be no conflict within employment. There would be no conflict with family as well.
10. Are you in any way related to a County Elected Official or County employee? If so, please describe.
No
11. Describe your current community involvement.
I attend local events held within the square or at Mccury park.
12. Have you been given a copy of the county's Ethics Ordinance?
Yes
13. Is there any reason you would not be able to comply with the ordinance?
No