

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

May 8, 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. Recognition of Fayette County 4-H's achievements at the District Project Achievement event. (page 3)
2. Recognition of National Public Works Week Proclamation. (pages 4-5)

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:

3. Approval of the re-appointment of Kevin Baggett to Position 3 of the Region 04 Emergency Medical Services Advisory Council (REMSAC) for a three-year term to expire June 30, 2028. (pages 6-8)
4. Approval of the re-appointment of Scott Roberts to Position 4 of the Region 04 Emergency Medical Services Advisory Council (REMSAC) for a three-year term to expire June 30, 2028. (pages 9-11)
5. Approval of April 22, 2025 Board of Commissioners Meeting Minutes. (pages 12-16)

OLD BUSINESS

NEW BUSINESS:

6. Request to approve Ordinance 2025-02, to revise Fayette County Code of Ordinance, Chapter 104 - Development Regulations, Article III. - Street Design Standards and Specifications; Sec. 104-58. - Utilities, to establish and adopt a Utility Permit Fee Schedule. (pages 17-20)
7. Request to approve Resolution 2025-02 to adopt a Utility Permit Fee Schedule for Utility Permits. (pages 21-27)
8. Request for approval to submit the County's 2024 Maintenance & Operations millage rate of 3.763 for the Notice of Assessment to be sent in May 2025 by the Assessor's Office. (pages 28-30)
9. Request to approve Local Road Assistance (LRA) project list for unincorporated Fayette County, authorize the Chairman to sign the application and related documents, and to accept \$1,188,974.20 in LRA funds to be received from Georgia Department of Transportation (GDOT) and allow the Finance Department to amend FY25 / FY26 revenue and expenditures budget appropriately. (pages 31-38)
10. Request to enter into an Agreement with QTS Fayetteville I LLC, related to Contract #2567-B QTS; Traffic Signal and Guardrail on Tyrone Road project. (pages 39-51)
11. Request to award Bid #2567-B to the lowest responsive, responsible bidder, NGT Group LLC, in the amount of \$145,047.59 for installation of a traffic signal, supporting equipment, and guardrail at the QTS Data Center driveway on Tyrone Road. (pages 52-54)

ADMINISTRATOR'S REPORTS:

ATTORNEY'S REPORTS:

COMMISSIONERS' REPORTS:

EXECUTIVE SESSION:

ADJOURNMENT:

COUNTY AGENDA REQUEST

Page 3 of 54

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Recognition of Fayette County 4-H's achievements at the District Project Achievement event.

Background/History/Details:

Project Achievement is the cornerstone of the 4-H program. By developing and presenting a demonstration on a topic of interest to the 4-H'er, the participants practice public speaking, writing, research, independence, responsibility, belonging, and processing information.

This program promotes all of the essential elements of youth development: belonging, mastery, independence, and generosity.

This program is offered to fifth through twelfth graders, and learning opportunities increase with age.

What action are you seeking from the Board of Commissioners?

Recognition of Fayette County 4-H's achievements at the District Project Achievement event.

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

Page 4 of 54

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Recognition of National Public Works Week Proclamation.

Background/History/Details:

National Public Works Week is May 18 - 24, 2025.

This year's theme, "People, Purpose, Presence," highlights three cornerstone ideals that motivate public works professionals to serve in their communities every day. Meeting the needs of people is what gives public works its sense of purpose. Many times, public works professionals will never meet those whose lives have been impacted because when things are going right, no one knows that public works is there. Yet, with or without fanfare, public works is ever present, working in the background to advance quality of life for all.

This includes the Fayette County Departments:

Public Works, Building and Grounds, Environmental Management, Fleet, Road, Solid Waste, and Water.

What action are you seeking from the Board of Commissioners?

Recognition of Public Works Week Proclamation.

If this item requires funding, please describe:

Not applicable.

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

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Approved by Finance

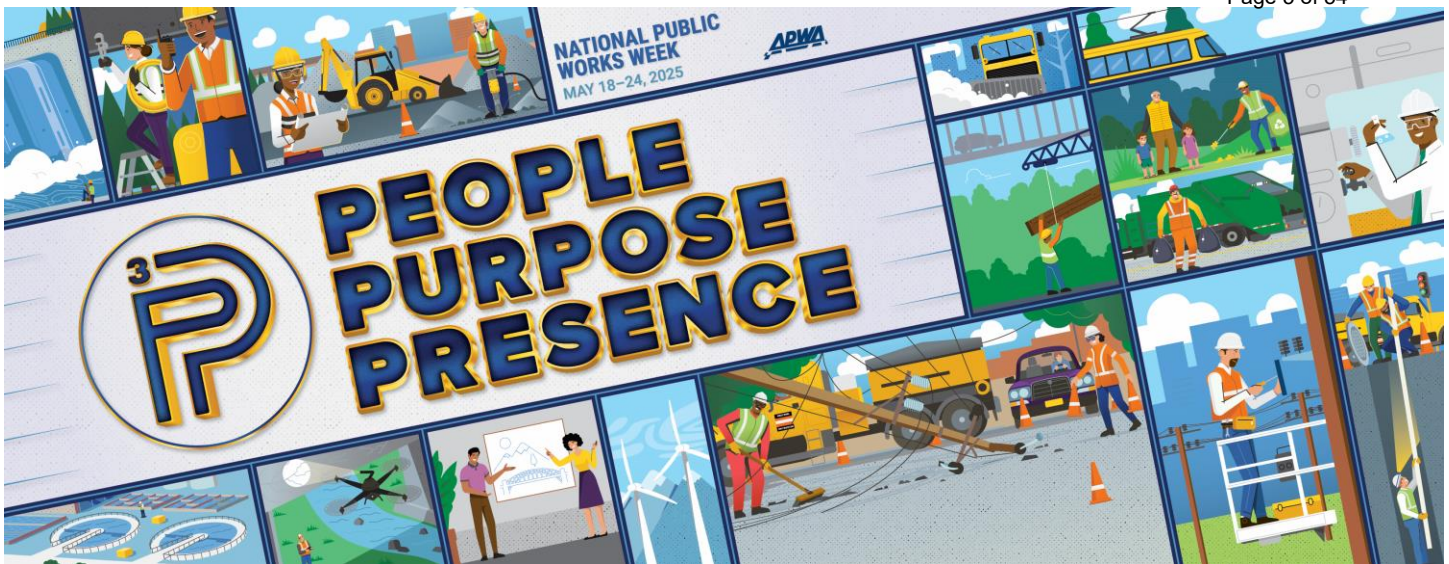
Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:



National Public Works Week Proclamation

May 18–24, 2025

“People, Purpose, Presence”

WHEREAS, public works professionals focus on infrastructure, facilities, and services that are of vital importance to sustainable and resilient communities and to public health, high quality of life, and well-being of the people of **FAYETTE COUNTY**; and,

WHEREAS, these infrastructure, facilities, and services could not be provided without the dedicated efforts of public works professionals, who are engineers, managers, and employees at all levels of government and the private sector, who are responsible for rebuilding, improving, and protecting our nation’s transportation, water supply, water treatment and solid waste systems, public buildings, and other structures and facilities essential for our citizens; and,

WHEREAS, it is in the public interest for the citizens, civic leaders, and children in **FAYETTE COUNTY** to gain knowledge of and maintain an ongoing interest and understanding of the importance of public works and public works programs in their respective communities; and,

WHEREAS, the year 2025 marks the 65th annual National Public Works Week sponsored by the American Public Works Association/Canadian Public Works Association be it now,

NOW THEREFORE, We, **THE FAYETTE COUNTY BOARD OF COMMISSIONERS**, do hereby designate the week of May 18–24, 2025, as National Public Works Week and urge all citizens to join with representatives of the American Public Works Association and government agencies in activities, events, and ceremonies designed to pay tribute to our public works professionals, engineers, managers, and employees, and to recognize the substantial contributions they make to protecting our national health, safety, and advancing quality of life for all.

So Proclaimed, this _____ day of _____ 2025.

LEE HEARN, CHAIRMAN

COUNTY AGENDA REQUEST

Page 6 of 54

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Approval of the re-appointment of Peachtree City Assistant Fire Chief Kevin Baggett to Position 3 of the Region 04 Emergency Medical Services Advisory Council (REMSAC) for a three-year term to expire June 30, 2028.

Background/History/Details:

Fayette County is designated within Region 4 (West Georgia) of the Office of Emergency Medical Services (OEMS) regional system. Region 4 is comprised of 12 counties located south of Atlanta. Each county has designed seats on the professional services council, of which Fayette County has 4 seats. This council is tasked with the oversight of the Emergency Medical Services 911 zoning systems and the regional communication plan. Appointees to the council meet quarterly to address issues regarding response systems and to disseminate region wide information.

this council seat is filled from appointees recommended by the Fire Chief's of Fayette County Fire & Emergency Services and Peachtree City Fire-Rescue.

What action are you seeking from the Board of Commissioners?

Approval of the re-appointment of Peachtree City Assistant Fire Chief Kevin Baggett to Position 3 of the Region 04 Emergency Medical Services Advisory Council (REMSAC) for a three-year term to expire June 30, 2028.

If this item requires funding, please describe:

Not applicable.

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

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Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:



Region 04 Emergency Medical Services Advisory Council

www.ems.ga.gov

404-323-4798

Sam Polk
Council Chair

April 16, 2025

Thomas Perry
Vice-Chair

Tameca Smith
Fayette County Board of Commissioners
tsmith@fayettecountyga.gov

Brian Beckworth
Secretary

Dear Mrs. Smith,

Scott Roberts
Parliamentarian

The bylaws for the Region 4 EMS (REMSAC) Council allots Fayette County four positions on the REMSAC based on your population. Position 1 will expire on June 30, 2026 and currently occupied by David Winkles. Position 2 is currently occupied by Jeff Hill and will expire on June 30, 2027. Position 3 is occupied by Kevin Baggett and will expire on June 30, 2025. Position 4 is occupied by Scott Roberts and will expire on June 30, 2025.

Region 4 EMS Council
Counties

- Butts
- Carroll
- Coweta
- Fayette
- Heard
- Henry
- Lamar
- Meriwether
- Pike
- Spalding
- Troup
- Upson

The Region 4 Council asks that the Fayette County Board of Commissioners to please send in another letter or proclamation naming an appointee to Position 3 and Position 4 with an expiration date of **June 30, 2028**. In your letter please include the position number, person being appointed, their email, phone number, and the term expiration. Please email those letters or proclamations to Vincent.harris@dph.ga.gov.

Your representative's attendance for the previous year has been as follows:

-David Winkles Position 1- present 3 out of 4 meetings, this meets the minimum requirement for attendance.

-Jeff Hill Position 2- present 3 out of 4 meetings, this meets the minimum requirement for attendance.

-Kevin Baggett Position 3- present 4 out of 4 meetings, this meets the minimum requirement for attendance.

-Scott Roberts Position 4- present 3 out of 4 meetings, this meets the minimum requirement for attendance.

Respectfully,

Vincent Harris EFO, FO, ACEM, M.S. ESM
Regional EMS Director- Region 4
Georgia Office of EMS and Trauma
Division of Health Protection
Georgia Department of Public Health

Vincent.harris@dph.ga.gov

Cell- [404-323-4798](tel:404-323-4798)

DPH EMS Online: <https://dph.georgia.gov/EMS>

COUNTY AGENDA REQUEST

Page 9 of 54

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Approval of the re-appointment of Scott Roberts to Position 4 of the Region 04 Emergency Medical Services Advisory Council (REMSAC) for a three-year term to expire June 30, 2028.

Background/History/Details:

Fayette County is designated within Region 4 (West Georgia) of the Office of Emergency Medical Services (OEMS) regional system. Region 4 is comprised of 12 counties located south of Atlanta. Each county has designed seats on the professional services council, of which Fayette County has 4 seats. This council is tasked with the oversight of the Emergency Medical Services 911 zoning systems and the regional communication plan. Appointees to the council meet quarterly to address issues regarding response systems and to disseminate region wide information.

Appointments to the council serve three-year terms.

What action are you seeking from the Board of Commissioners?

Approval of the re-appointment of Scott Roberts to Position 4 of the Region 04 Emergency Medical Services Advisory Council (REMSAC) for a three-year term to expire June 30, 2028.

If this item requires funding, please describe:

Not applicable.

Has this request been considered within the past two years?

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Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:



Region 04 Emergency Medical Services Advisory Council

www.ems.ga.gov

404-323-4798

Sam Polk
Council Chair

April 16, 2025

Thomas Perry
Vice-Chair

Tameca Smith
Fayette County Board of Commissioners
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Dear Mrs. Smith,

Scott Roberts
Parliamentarian

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Counties

- Butts
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Respectfully,

Vincent Harris EFO, FO, ACEM, M.S. ESM
Regional EMS Director- Region 4
Georgia Office of EMS and Trauma
Division of Health Protection
Georgia Department of Public Health

Vincent.harris@dph.ga.gov

Cell- [404-323-4798](tel:404-323-4798)

DPH EMS Online: <https://dph.georgia.gov/EMS>

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**FAYETTE COUNTY, GEORGIA**

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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

April 22, 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**

Chairman Lee Hearn called the April 22, 2025 Board of Commissioners meeting to order at 5:04 p.m. A quorum of the Board was present.

Invocation and Pledge of Allegiance by Commissioner Charles Oddo

Commissioner Charles Oddo gave the Invocation and led the audience in the Pledge of Allegiance.

Acceptance of Agenda

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

PROCLAMATION/RECOGNITION: None.**PUBLIC HEARING:**

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

1. **Consideration of Petition 1361-25, Max Fuller, Applicant and Christine Flanigan, Agent, request to rezone 10.03 acres from A-R (Agricultural-Residential) to R-72 (Single-Family Residential) for the purpose of developing residential lots; property located in Land Lot 10 of the 5th District and fronts on John Street (abandoned) and Inman Road. This item was tabled at the March 27, 2025 Board of Commissioners Meeting.**

Mrs. Bell stated that Petition 1361-25 was tabled at the March 27, 2025 Board of Commissioners meeting due to the lack of a full Board. She stated that the applicant proposes to rezone 10.03 acres from A-R to R-72 for the purpose of developing residential, single-family residential lots. As defined in the Fayette County Comprehensive Plans/Future Land Use Plan, this area was designated as Rural Residential 2. The request was to rezone the lot to R-72, which required two acre lots, and was appropriate for the area. Staff recommended conditional approval as follows:

1. The owner/developer shall dedicate land to Fayette County as needed to provide a minimum 50-ft of right of way as measured from the existing centerline of Inman Road for the full width of the parcel. Submittal of all warranty deed(s) and legal descriptions for said right-of-way dedication(s) 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.

On March 6, 2025, the Planning Commission voted 5-0 to recommend conditional approval. There were no environmental factors that would have a substantial impact on the development.

Mr. Max Fuller, Applicant, stated that he was requesting that the lots be rezoned to R-72 to build four, 2 ½ acre homes and provide the County the 10 feet of right-of-way required.

No one spoke in favor or in opposition to this request.

Mr. Fuller agreed to the conditions as presented.

Commissioner Oddo moved to approve of Petition 1361-25, Max Fuller, Applicant and Christine Flanigan, Agent, request to rezone 10.03 acres from A-R (Agricultural-Residential) to R-72 (Single-Family Residential) for the purpose of developing residential lots; property located in Land Lot 10 of the 5th District and fronts on John Street (abandoned) and Inman Road with the one (1) condition. Vice Chairman Gibbons seconded. The motion passed 5-0.

2. Consideration of Petition 1362-25, Cedric Johnson and Sharai Johnson, Owners, request to rezone 16.1 acres from R-70 (Single-Family Residential) to A-R (Agricultural-Residential) for the purpose of developing small farming activities; property located in Land Lot 18 of the 9th District and fronts on Jewel Bluff.

Mrs. Bell stated that the lot was a legal lot of record and meets or exceeds all requirements of the A-R zoning district. The Future Land Use map designated this area as Rural Residential 2 with a two acre minimum. Since A-R zoning was a less intense lower density zoning the request to rezone to A-R zoning was appropriate and consistent with the Future Land Use map. Staff recommended conditional approval as follows:

1. The owner/developer shall dedicate land to Fayette County as needed to provide a minimum 30-ft of right of way as measured from the existing centerline of Jewel Bluff for the full width of the parcel. Submittal of all warranty deed(s) and legal descriptions for said right-of-way dedication(s) 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.
2. The Watershed Protection Ordinance shall apply to this property upon rezoning.

On April 3, 2025, the Planning Commission voted 5-0 to recommend conditional approval.

Mrs. Johnson stated that her husband was a third generation, and she was a first-generation farmer, and they would like to feed their community. She stated that they own chickens and would like to expand their operations for agricultural uses. She stated that it would be in a small-scale way. No commercial farming.

No one spoke in favor or opposition.

Commissioner Oddo moved to approve Petition 1362-25, Cedric Johnson and Sharai Johnson, Owners, request to rezone 16.1 acres from R-70 (Single-Family Residential) to A-R (Agricultural-Residential) for the purpose of developing small farming activities; property located in Land Lot 18 of the 9th District and fronts on Jewel Bluff with the two (2) conditions. Vice Chairman Gibbons seconded.

Commissioner Charles Rousseau commended the offer to extended services to the community. He stated that he would love to get into contact with Mr. and Mrs. Johnson in respect to the food banks to work in collaboration with them and some of the non-profits.

Mrs. Johnson stated, "Absolutely." She agreed to the two (2) conditions stated by staff.

Commissioner Oddo moved to approve Petition 1362-25, Cedric Johnson and Sharai Johnson, Owners, request to rezone 16.1 acres from R-70 (Single-Family Residential) to A-R (Agricultural-Residential) for the purpose of developing small farming activities; property located in Land Lot 18 of the 9th District and fronts on Jewel Bluff with the two (2) conditions. Vice Chairman Gibbons seconded. The motion passed 5-0.

PUBLIC COMMENT: None.

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:

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

3. **Approval to award Bid #2546-B: 2017 SPLOST; Stormwater Category II, Tier II; 21SAL North Bend Court Culvert Replacement to the lowest responsive, responsible bidder, Crawford Grading & Pipeline, Inc., in the amount of \$230,435.02 and to transfer \$94,557.00 from 17SAS Stormwater Improvement Plans CAT IV.**
4. **Approval of an agreement with Fayetteville Main Street, a domestic nonprofit corporation of the City of Fayetteville, for lighting of trees on the Old Courthouse Square, located at 200 Courthouse Square, Fayetteville, Georgia.**
5. **Approval of April 10, 2025, Board of Commissioners Meeting Minutes.**

OLD BUSINESS: None.

NEW BUSINESS:

6. **Request to approve Contract 2506-P, MEJA Construction, Inc.; Fayette County Multi-Use Recreation Building; Change Order #1, to add the construction price of \$19,592,802.00 to the initial contract amount of \$1,047,500.00 for a total Guaranteed Maximum Price of \$20,640,302.00.**

Tim Symonds, Consultant, stated that he was requesting approval of Contract 2506-P, Change Order #1. He stated that the Board approved MEJA as the Construction Manager At-Risk. He stated that this was the Guaranteed Maximum Price (GMP) presented to the Board. He stated that the GMP was a little over the budget but was within the overall project budget. He stated that he was confident that this GMP was a good price. He stated that the demolition of the existing building was not included in the original budget because County staff were going to do it, but it did not work with their schedule, so MEJA will do that. He stated that, subject to the Board's approval, the project would start in early May and be completed by August 2026.

Chairman Hearn stated that the County's experience with MEJA had been good. He stated that he liked doing business with local people who are doing a great job.

Mr. Symonds stated that this was the third project with MEJA and they have consistently delivered the projects under budget.

Members from the Parks and Recreation Commission were also present in the audience.

Commissioner Eric Maxwell moved to approve Contract 2506-P, MEJA Construction, Inc.; Fayette County Multi-Use Recreation Building; Change Order #1, to add the construction price of \$19,592,802.00 to the initial contract amount of \$1,047,500.00 for a total Guaranteed Maximum Price of \$20,640,302.00. Commissioner Rousseau seconded.

Commissioner Maxwell stated that when he heard the phrase "Guaranteed Maximum Price" and that was what he expected the County to pay. He asked if that was correct.

Mr. Symonds stated, "Not necessarily." He stated that there were contingency funds included and if not used, those funds would be given back to the County. He stated that on the Public Health project, we were able to accomplish more scope than originally identified and there were funds handed back to the County.

Commissioner Maxwell asked if it worked both ways. He asked what were some concerns that would put the project over \$20.6M.

Mr. Symonds stated that was the beauty of the Construction Manager At-Risk. The "at-risk" part was that MEJA identified this as the not-to-exceed price under the one condition that no one from the County added to the scope or threw in work that was not in the original scope. He stated that he believed the risk of a change order was very low. If there were any funds added it would be in the furniture, fixture and equipment area.

Commissioner Rousseau thanked Anita Godbee, Parks and Recreation Director, the Parks and Recreation Commission and Mr. Symonds for getting this project to this point. He stated that this was a good amenity to the community and much needed. He thanked them for the community involvement and holding charettes. He stated that those were critical pieces to getting to this point.

Commissioner Eric Maxwell moved to approve Contract 2506-P, MEJA Construction, Inc.; Fayette County Multi-Use Recreation Building; Change Order #1, to add the construction price of \$19,592,802.00 to the initial contract amount of \$1,047,500.00 for a total Guaranteed Maximum Price of \$20,640,302.00. Commissioner Rousseau seconded. The motion passed 5-0.

ADMINISTRATOR'S REPORTS:

County Administrator Steve Rapson stated that there was a temporary closing of the Transfer Station scheduled for April 23-26, 2025. Message boards have been placed on the roads and information posted to the website.

He stated that Gary Rower of the Election Board was notifying the Election Board at a meeting happening at the same time as this meeting, that he was resigning from the Board, effective May 31, 2025. He stated that a Selection Committee of the Board was needed.

Commissioner Oddo moved to approve Chairman Hearn and Vice Chairman Gibbons to the Election Selection Committee. Commissioner Maxwell seconded. The motion passed 5-0.

Mr. Rapson wanted to notify the public that the Board and staff would be attending the Association of County Commissioners of Georgia (ACCG) Conference starting April 24 in Savannah, Georgia.

ATTORNEY'S REPORTS:

Notice of Executive Session: County Dennis Davenport stated that there were three items for Executive Session. One item involving real estate acquisition, one item involving pending litigation, and the review of the April 10, 2025, Executive Session Minutes.

COMMISSIONERS' REPORTS:

Chairman Hearn shared that he and Public Works Director Phil Mallon when to Thomaston, Georgia and had a great meeting with the Georgia Department of Transportation (GDOT) district leaders. He stated that they offered to assist with some projects. He stated that one of the conversations was related to the study of Highway 54 from Coweta County to the Fisher Road area, through Fayetteville. He stated that GDOT was interested in studying that, realizing that the County had to complete the project and Hwy 74 and 54 before looking at traffic again. He thanked Mr. Mallon and stated that he was very well respected among the GDOT leaders. He stated that it did not go unnoticed from him.

EXECUTIVE SESSION:

Three items for Executive Session. One item involving real estate acquisition, one item involving pending litigation, and the review of the April 10, 2025 Executive Session Minutes. Commissioner Oddo moved to go into Executive Session. Vice Chairman Gibbons seconded. The motion passed 5-0.

The Board recessed into Executive Session at 5:26 p.m. and returned to Official Session at 6:02 p.m.

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

Approval of the April 10, 2025 Executive Session Minutes: Commissioner Oddo moved to approve April 10, 2025 Executive Session Minutes. Vice Chairman Gibbons seconded the motion. The motion passed 5-0.

ADJOURNMENT:

Commissioner Oddo moved to adjourn the April 22, 2025 Board of Commissioners meeting. Vice Chairman Gibbons seconded. The motion passed 5-0.

The April 22, 2025 Board of Commissioners meeting adjourned at 6:03 p.m.

Tameca P. Smith, County Clerk

Lee Hearn, Chairman

The foregoing minutes were duly approved at an official meeting of the Board of Commissioners of Fayette County, Georgia, held on the 22nd day of April 2025. Attachments are available on request at the County Clerk's Office.

COUNTY AGENDA REQUEST

Page 17 of 54

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Request to approve Ordinance 2025- 02, to revise Fayette County Code of Ordinance, Chapter 104 - Development Regulations, Article III. - Street Design Standards and Specifications; Sec. 104-58. - Utilities, to establish and adopt a Utility Permit Fee Schedule.

Background/History/Details:

County Code Section 104-58 allows for the assessment of fees for utility installations within the right of way. The fees for utility permits was discussed at the FY2025 Retreat to allow funding for the Utility Manager position to process permits, track utility installations and restoration of the right of way.

The proposed Utility Permit Fee Schedule is proposed under a separate agenda request.

What action are you seeking from the Board of Commissioners?

Approval of Ordinance 2025- 02 to revise Fayette County Code of Ordinance, Chapter 104 - Development Regulations, Article III. - Street Design Standards and Specifications; Sec. 104-58. - Utilities, to establish and adopt a Utility Permit Fee Schedule.

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:

Sec. 104-58. Utilities.

- (a) *Locations.* In order to promote uniformity in installation and provide for more effective and less damaging maintenance, utilities shall be located per the locations specified in the ~~county~~County's typical utility locations detail, available from the ~~engineering~~Engineering ~~department~~Department. Exceptions to the designated utility location shall be made, in writing, to the ~~county~~County ~~engineer~~Engineer for consideration.
- (b) *Utility permits.* No utility work shall be performed within a county~~County~~ right-of-way without a utility permit approved by the ~~engineering~~Engineering ~~Department~~ or ~~the road~~Public Works ~~department~~Department. The utility permit fee shall be in an amount as depicted on the Fayette County Utility Permit Fee Schedule, a copy of which is maintained in the office of Environmental Management. Supporting information for the utility permit shall include a description of the proposed work, location (with starting and ending limits) and timeframe. In addition, the ~~utility~~permittee shall agree to the following conditions:
- (1) The permittee shall repair Anyany damageddamage it causedcauses to the existing pavement or to the shoulders of a County right-of-wayroad will be repaired and guaranteed, at no cost to the county, by the utility company;
 - (2) The ~~county~~County shall not be liable for any ~~unwillful~~unintentional damage by County maintenance forces to theany utility infrastructure within a County right-of-wayby ~~county maintenance forces in the future;~~ and
 - (3) The utility company shall pay all relocation costs for its utility required by future improvements to a County right-of-waybe relocated and/or adjusted by the utility company at no cost to the county if it is ever necessary or desired to rebuild, widen or improve the road in a manner that conflicts with the utility. A fee may be required for the permit.

~~(Code 1992, § 8-56; Ord. No. 2012-06, § 1, 4-12-2012)~~

STATE OF GEORGIA

FAYETTE COUNTY

ORDINANCE

NO. 2025-__

AN ORDINANCE TO AMEND THE DEVELOPMENT REGULATIONS FOR FAYETTE COUNTY, GEORGIA; TO AMEND THE STREET DESIGN STANDARDS AND SPECIFICATIONS RELATING TO PERMITS FOR UTILITIES; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROMOTE THE PUBLIC HEALTH, SAFETY AND WELFARE; AND FOR OTHER PURPOSES.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF FAYETTE COUNTY AND IT IS HEREBY ENACTED PURSUANT TO THE AUTHORITY OF THE SAME THAT THE DEVELOPMENT REGULATIONS OF FAYETTE COUNTY BE AMENDED AS FOLLOWS:

Section 1. By deleting Section 104-58 Utilities from Article III Street Design Standards and Specifications from Chapter 104 Development Regulations in its entirety and by enacting, in lieu thereof, a new Section 104-58 Utilities in Article III Street Design Standards and Specifications of Chapter 104 Development Regulations to read as follows:

Sec. 104-58. Utilities.

- (a) *Locations.* In order to promote uniformity in installation and provide for more effective and less damaging maintenance, utilities shall be located per the

locations specified in the County's typical utility locations detail, available from the Engineering Department. Exceptions to the designated utility location shall be made, in writing, to the County Engineer for consideration.

- (b) *Utility permits.* No utility work shall be performed within a County right-of-way without a utility permit approved by the Engineering Department or the Public Works Department. The utility permit fee shall be in an amount as depicted on the Fayette County Utility Permit Fee Schedule, a copy of which is maintained in the office of Environmental Management. Supporting information for the utility permit shall include a description of the proposed work, location (with starting and ending limits) and timeframe. In addition, the permittee shall agree to the following conditions:

- (1) The permittee shall repair any damage it causes to the existing pavement or to the shoulders of a County right-of-way;
- (2) The County shall not be liable for any unintentional damage by County maintenance forces to any utility infrastructure within a County right-of-way; and
- (3) The utility company shall pay all relocation costs for its utility required by future improvements to a County right-of-way.

Section 2. This ordinance shall become effective immediately upon its adoption by the Board of Commissioners of Fayette County.

Section 3. All other ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 4. In the event any section, subsection, sentence, clause or phrase of this ordinance shall be declared or adjudged invalid or unconstitutional, such adjudication shall in no manner affect other sections, subsections, sentences, clauses or phrases of this ordinance, which shall remain in full force and effect as if the section, subsection, sentence, clause or phrase so declared or adjudged invalid or unconstitutional were not a part hereof. The Board of Commissioners hereby declares that it would have passed the remaining parts of this ordinance if it had known that such part or parts hereof would be declared or adjudged invalid or unconstitutional.

SO ENACTED this ____ day of _____, 2025.

BOARD OF COMMISSIONERS OF
FAYETTE COUNTY

(SEAL)

By: _____
LEE HEARN, Chairman

ATTEST:

Tameca P. Smith, County Clerk

Approved as to form:

County Attorney

COUNTY AGENDA REQUEST

Page 21 of 54

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Request to approve Resolution 2025- 02 to adopt a Utility Permit Fee Schedule for Utility Permits.

Background/History/Details:

This follows the revision to Section 104-58 for the Board of Commissioners to adopt a Utility Permit Fee Schedule for Utility Permits. Adjusting the fees for utility permits was discussed at the 2024 (FY2025) Retreat to allow funding for the Utility Manager position to process permits, track utility installations and restoration of the right of way.

If approved, staff recommends the new fees go effective on May 1, 2025. Utility providers are aware of a pending change.

What action are you seeking from the Board of Commissioners?

Approval of Resolution 2022-02 to adopt a Utility Permit Fee Schedule for Utility Permits.

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:

Utility permit fees will be recorded appropriately once funds are collected.

STATE OF GEORGIA

FAYETTE COUNTY

RESOLUTION

NO. 2025-___

A RESOLUTION OF THE BOARD OF COMMISSIONERS FOR FAYETTE COUNTY; TO ADOPT A SCHEDULE OF FEES PERTAINING TO UTILITY PERMITS; TO PROMOTE THE PUBLIC HEALTH, SAFETY AND WELFARE, AND FOR OTHER PURPOSES.

WHEREAS, the Board of Commissioners for Fayette County (the “County”) is the duly elected governing authority for the County; and

WHEREAS, Section 104-58 of Article III of Chapter 104 of the Fayette County Code of Ordinances, provides for the imposition of fees for a utility permit for those entities performing utility work within a County right-of-way; and

WHEREAS, the Board of Commissioners has set the fees required for a utility permit on a fee schedule entitled the Fayette County Utility Permit Fee Schedule, a copy of which is maintained in the office of Environmental Management; and

WHEREAS, the Board of Commissioners desires to adopt the Fayette County Utility Permit Fee Schedule attached hereto as Exhibit “A,” and made a part hereof by this reference.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners for Fayette County that the Board hereby adopts the Fayette County Utility Permit Fee Schedule attached hereto as Exhibit “A,” with said fees to be assessed as described in Section 104-58 of Article III of Chapter 104 of the Fayette County Code of Ordinances.

RESOLVED this ____ day of _____, 2025.

BOARD OF COMMISSIONERS
OF FAYETTE COUNTY

By: _____
LEE HEARN, Chairman

(SEAL)

ATTEST:

Tameca P. Smith, County Clerk

Approved as to form:

County Attorney

EXHIBIT “A”

FAYETTE COUNTY UTILITY PERMIT FEE SCHEDULE

A Utility Permit is required for all utilities underground, above ground, or any combination thereof. The Utility Permit Fee is \$50.00 plus \$0.15 per foot for each linear foot installed.

FAYETTE COUNTY UTILITY PERMIT FEE SCHEDULE

Approved by the Board of Commissioners: 4/22/2025

Effective Date: 5/1/2025

Fayette County Utility Permit Fees	Base Fee (\$)	Unit Rate (\$/LF)
Utility Permit Underground	\$50.00	\$0.15
Utility Permit Overhead	\$50.00	\$0.15
Utility Permit Underground/Overhead Combination	\$50.00	\$0.15
Utility Permit for County Project	\$0.00	\$0.00

Notes:

1. Permit Fee = Base Fee + (Project Length)(Unit Rate)
2. Permit fees shall be waived for utility installation or relocations associated with Fayette County funded projects. This includes installation of telecommunication lines, water system infrastructure, traffic signal loops, etc., and relocations required due to a conflict with a Fayette County project.
3. An approved permit application is required on all utility projects, even if the fees are waived.

Questions?

Matt Bergen, Utility Manager

mbergen@fayettecountyga.gov

770-305-5320

COUNTY AGENDA REQUEST

Page 28 of 54

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Request for approval to submit the County's 2024 Maintenance & Operations millage rate of 3.763 for the Notice of Assessment to be sent in May 2025 by the Assessor's Office.

Background/History/Details:

Per the newly enacted HB 581 and HB 92, a new Notice of Assessment (NOA) is to be sent by the Assessor's Office to the taxpayers of Fayette County. The new NOA will include the County's Maintenance & Operations (M&O), as well as the M&O millage rates for each levying authority in Fayette County, including Fayette County, Town of Brooks, City of Fayetteville, City of Peachtree City, Town of Tyrone and the Fayette County Board of Education. There are three major changes to the NOA per HB's 581 and 92. 1) Millage rates for Fire, EMS, and 911 will not be included on the NOA. 2) Millage rates for the NOA must be provided by each municipality at least 15 days prior to mailing, if an estimated rollback rate is provided 3) The rate on the NOA can be an estimated rollback rate OR the existing millage rate for that municipality. If the existing rate is chosen, there will be a note on the NOA stating that no estimated rollback rate was provided. In either case, if the final millage calculation is higher than the rate on the NOA, there will be another note stating that the millage rate is higher than provided on the NOA.

Also, if the municipality's existing rate is on the NOA, then the NOA will reflect a dollar amount of the bill. If the municipality's estimated rollback rate is on the NOA, then only the millage rate will be reflected. Also, the NOA will not include special service districts so the NOA will not reflect a full tax bill for each. Each municipality can select the millage rate they choose to provide on the NOA.

All municipalities are using the existing millage rate on the NOA.

What action are you seeking from the Board of Commissioners?

Approval to submit the County's 2024 Maintenance & Operations millage rate of 3.763 for the Notice of Assessment to be sent in May 2025 by the Assessor's Office.

If this item requires funding, please describe:

Not applicable. However, the final millage rate will determine the property taxes to be collected by Fayette County.

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

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

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:

STATE OF GEORGIA

COUNTY OF FAYETTE

**RESOLUTION LEVYING COUNTY TAX
FOR YEAR 2024
No. 2024 - 11**

Upon motion duly made and unanimously passed, it is hereby ordered by the Board of Commissioners of Fayette County, Georgia, duly convened this 24th day of October 2024, that upon \$3,871,707,604 the value of all property taxable for County purposes in Fayette County, Georgia, as appears upon the digest thereof, and upon all other taxable property in unincorporated Fayette County, Georgia, there be levied and collected for County general maintenance and operations purposes as set forth in the Official Code of Georgia Annotated, Section 48-5-220, and as hereinafter amended and as otherwise authorized by law, a tax, ad valorem, for the year 2024, for all such purposes of \$3.763 per \$1,000.00 of assessed valuation, constituting a tax levy for County general maintenance and operations purposes of 3.763 mills.

Upon motion duly made and unanimously passed, it is hereby 24th day of October 2024, that upon \$6,373,776,851 the value of all property taxable for County purposes in Fayette County, Georgia, as appears upon the digest thereof, and upon all other taxable property in incorporated Fayette County, Georgia, there be levied and collected for County general maintenance and operation purposes, as set forth in the Official Code of Georgia Annotated, Section 48-5-220, as hereinafter amended and as otherwise authorized by law, ad valorem, for the year 2024, at the aggregated rate for all such purposes to be levied as follows:

1. All property located within the City of Fayetteville will be assessed at \$3.763 per \$1000.00 of assessed valuation, constituting an ad valorem tax levy for County general maintenance and operations purposes in Fayetteville of 3.763 mills;
2. All property located within the City of Peachtree City will be assessed at \$3.763 per \$1000.00 of assessed valuation, constituting an ad valorem tax levy for County general maintenance and operations purposes in Peachtree City of 3.763 mills;
3. All property located within the Town of Tyrone will be assessed at \$3.763 per \$1000.00 of assessed valuation, constituting an ad valorem tax levy for County general maintenance and operations purposes in Tyrone of 3.763 mills;
4. All property located within the Town of Brooks will be assessed at \$3.763 per \$1000.00 of assessed valuation, constituting an ad valorem tax levy for County general maintenance and operations purposes in Brooks of 3.763 mills;
5. All property located within the Town of Woolsey will be assessed at \$3.763 per \$1000.00 of assessed valuation, constituting an ad valorem tax levy for County general maintenance and operations purposes in Woolsey of 3.763 mills.

In accordance with provisions within the Constitution of the State of Georgia and the Official Code of Georgia, Fayette County has created a special tax district for the purpose of providing Fire Protection Services to its citizens, said special tax district encompassing all of Fayette County with the exception of that portion of Fayette County which constitutes the City of Peachtree City and the City of Fayetteville. Upon \$4,613,060,143 the value of all property taxable within the Special Fire District, as appears on the digest thereof, there shall be levied and collected a tax of \$3.070 per \$1,000.00 of assessed valuation, constituting a total tax levy for the Special Fire Tax District of 3.070 mills.

In accordance with provisions within Constitution of the State of Georgia and the Official Code of Georgia, Fayette County has created a special tax district for the purpose of providing Emergency Medical Services to its citizens, said special tax district encompassing all of Fayette County with exception of that portion of Fayette County which constitutes the City of Peachtree City. Upon \$6,343,240,541 the value of all property taxable within the Special EMS Tax District, as appears upon the digest thereof, there shall be levied and collected a tax of \$0.500 per \$1,000.00 of assessed valuation, constituting a total tax levy for the Special EMS Tax District of 0.500 mills.

In accordance with provisions within the Constitution of the State of Georgia and the Official Code of Georgia, Fayette County has created a special tax district for the purpose of providing 911 Communication Services to its citizens, said tax district encompassing all of Fayette County. Upon \$10,245,484,455 the value of all property within the Special 911 Tax District, as appears upon the digest thereof, there shall be levied and collected a tax of \$0.210 per \$1,000.00 of assessed valuation, constituting a total tax levy of the Special 911 Tax District of 0.210 mills.

Upon recommendation of the Fayette County Board of Education, it is ordered that upon \$7,172,988,872 the value of all property taxable for educational purposes in Fayette County as appears upon the digest thereof, and upon all other property in Fayette County, both real and personal, there be levied a tax, ad valorem, for the year 2024, for educational purposes in the amount of \$19.60 per \$1,000.00 of the assessed valuation on the digest as aforesaid, constituting a total tax levy for educational purposes of 19.600 mills.

It is further ordered that upon \$8,484,960,607 the value of all taxable property in said County as appears upon the digest thereof, computed by deducting only the special homestead exemption for certain persons 65 years of age and over, and upon all other taxable property in said County, both real and personal, there be levied and collected a tax, ad valorem, for the year 2024, for the purpose of providing a sinking fund for retiring bonded indebtedness and discharging interest thereof, of the Fayette County School District, in the amount of \$0.000 per \$1,000.00 of assessed valuation, constituting a total tax levy of 0.000 mills.

It is hereby ordered by the Board of Commissioners of Fayette County, Georgia, this 24th day of October 2024, that all taxes, as described and as levied by the adoption of this Resolution, shall be due and collected by the Tax Commissioner of Fayette County, by the close of the business day on January 15, 2025.

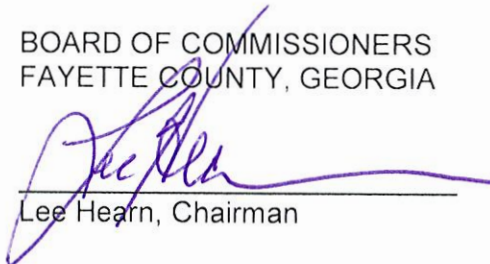
So, resolved this, the 24th day of October 2024, by the



Attest:


Clerk/Deputy Clerk

BOARD OF COMMISSIONERS
FAYETTE COUNTY, GEORGIA


Lee Hearn, Chairman

COUNTY AGENDA REQUEST

Page 31 of 54

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Request to approve Local Road Assistance (LRA) project list for unincorporated Fayette County, authorize the Chairman to sign the application and related documents, and to accept \$1,188,974.20 in LRA funds to be received from Georgia Department of Transportation (GDOT) and allow the Finance Department to amend FY25 / FY26 revenue and expenditures budget appropriately.

Background/History/Details:

In March the Governor and Legislature have amended the state budget for Fayette County to receive an additional \$1,188,974.20 in CY 2025 for roadway maintenance. These funds will require no local match.

In accordance with LMIG program guidelines, County staff has prepared a project list in excess of this amount. The continued focus of the 2025 list is on roadway pavement maintenance; including asphalt resurfacing, milling, patching, micro surfacing and striping.

Fayette County LRA application and project list must be submitted to GDOT by June 15, 2025. A check for the grant funds up to \$1,188,974.20 will then be sent to Fayette County.

What action are you seeking from the Board of Commissioners?

Approval of Local Road Assistance (LRA) project list for unincorporated Fayette County, authorize the Chairman to sign the application and related documents, and to accept \$1,188,974.20 in LAR funds to be received from Georgia Department of Transportation (GDOT) and allow the Finance Department to amend FY25 / FY26 revenue and expenditures budget appropriately.

If this item requires funding, please describe:

No local match is required for this grant. Adjustments will be made in the budget, once funds are received.

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:



Public Works Department

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

May 8, 2025

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

RE: Fayette County – 2025 LRA request and status update of LMIG Projects

Dear Ms. Spiller,

Enclosed is Fayette County's Local Road Assistance Grant (LRA) application package for 2025. Our project list (attached) includes asphalt resurfacing, full depth reclamation and pavement markings.

2024 LMIG Status Update – Fayette County has completed 100% of the 2024 LMIG and the *Statement of Final Expenditures* was sent to your attention on July 30th, 2024.

2024 SUPPLEMENTAL LMIG Update – Fayette County is currently in the process of expending these funds on the approved project list submitted April 11, 2024 and is currently expected to have this grant closed out by June 30th, 2025.

2025 LMIG Status Update - Fayette County is currently in the process of expending these funds on the approved project list submitted September 17, 2024 and is currently expected to have this grant closed out by June 30th, 2025.

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

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

Sincerely,

Lee Hearn, Chairman
Fayette County Board of Commissioners

Enclosures

2025 LAR PROJECT REPORT
COUNTY/CITY: FAYETTE COUNTY

ROAD NAME	BEGINNING	ENDING	LENGTH (Miles)	DESCRIPTION OF WORK	CONTRACTOR PROJECT COST
Tyrone Road	SR 54	City Limits of Tyrone	3.46	OGI and Resurfacing	\$1,310,000.00
Grant Road	Brook Woolsey Road	McIntosh Road	4.05	Patching, Micro Surfacing and Striping	\$405,000.00
Kenwood Road	New Hope Road	SR 279	2.71	Cracksealing and RPM's	\$27,100.00
Cornith Road	SR 54	SR 85	1.75	Striping and RPM's	\$17,500.00
McDonough Road	SR 54	County Limits	2.14	RPM's	\$5,350.00
Arnold Road	Ebenezer Church Rd	Dead End	0.76	Cracksealing	\$4,560.00
Flat Creek Road	SR 54	Tyrone Road	1.00	FDR and Paving	\$500,000.00
2025 Formula Amount	\$1,188,974.20		15.87	ESTIMATED TOTAL	\$2,269,510.00
2025 County Match	\$0.00				
2025 TOTAL	\$1,188,974.20				

SIGNATURE PAGE INSTRUCTIONS

1. For a Fiscal Year 2025 LRA Application, please sign and attach the Signature Page on Page 2 below, that has Fiscal Year 2025 LRA Supplemental in the title. Also sign and attach page 3, titled "Certification of Compliance with Annual Immigration Reporting Requirements/No Sanctuary Policy/Federal Law Enforcement Cooperation".
2. For a Fiscal Year 2025 LMIG Application, please sign and attach the Signature Page on Page 4 below, that has Fiscal Year 2025 in the title. Also sign and attach page 5, titled "Certification of Compliance with Annual Immigration Reporting Requirements/No Sanctuary Policy/Federal Law Enforcement Cooperation".

**GEORGIA DEPARTMENT OF TRANSPORTATION LOCAL MAINTENANCE & IMPROVEMENT
GRANT (LMIG) APPLICATION FOR FISCAL YEAR 2025 LRA Supplemental
TYPE OR PRINT LEGIBLY. ALL SECTIONS MUST BE COMPLETED.**

LOCAL GOVERNMENT AFFIDAVIT AND CERTIFICATION

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

Local government further swears and certifies that it has read and understands the regulations for the Georgia Planning Act (O.C.G.A. § 45-12-200, et seq.), Service Delivery Strategy Act (O.C.G.A. § 36-70-20, et seq.), Immigration Sanctuary Policies; prohibition; penalties (O.C.G.A. § 36-80-23), and the Local Government Budgets and Audits Act (O.C.G.A. § 36-81-7 et seq.) and will comply in full with said provisions. Local government further swears and certifies that the roads or sections of roads described and shown on the local government's Project List are dedicated public roads and are part of the Public Road System in said county/city. Local government further swears and certifies that it complied with federal and/or state environmental protection laws and at the completion of the project(s), it met the match requirements as stated in the Transportation Investment Act (TIA) (O.C.G.A. § 48-8-240).

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

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

Local Government:

_____ (Signature)

_____ (Print)

Mayor / Commission Chairperson

_____ (Date)

LOCAL GOVERNMENT SEAL (required):

E-Verify Number

Sworn to and subscribed before me,

This ____ day of _____, 20 ____.

In the presence of:

NOTARY PUBLIC

My Commission Expires:

NOTARY PUBLIC SEAL (required):

**CERTIFICATION OF COMPLIANCE WITH
ANNUAL IMMIGRATION REPORTING REQUIREMENTS/
NO SANCTUARY POLICY/FEDERAL LAW ENFORCEMENT COOPERATION**

By executing this document, the undersigned duly authorized representative of the Local Governing Body, certifies that the Local Governing Authority:

- 1) has filed a compliant Annual Immigration Compliance Report with the Georgia Department of Audits & Accounts ("GDA&A") for the preceding calendar year required by O.C.G.A. § 50-36-4(b), or has been issued a written exemption from GDA&A from doing so;
- 2) has not enacted a "Sanctuary Policy" in violation of O.C.G.A. § 36-80-23(b); and,
- 3) is in compliance with O.C.G.A. §§ 35-1-17 et seq. regarding its obligation to cooperate with federal immigration enforcement authorities to deter the presence of criminal illegal aliens.

As an ongoing condition to receiving funding from the Georgia Department of Transportation, the Local Governing Body shall continue to remain fully compliant with O.C.G.A. §§ 50-36-4, 36-80-23 and 35-1-17 et seq. for the duration of time the subject agreement is in effect.

Signature of Authorized Officer or Agent

Printed Name of Authorized Officer or Agent

Title of Authorized Officer or Agent

Date

Form Date - May 10, 2024

**GEORGIA DEPARTMENT OF TRANSPORTATION LOCAL MAINTENANCE & IMPROVEMENT
GRANT (LMIG) APPLICATION FOR FISCAL YEAR 2025
TYPE OR PRINT LEGIBLY. ALL SECTIONS MUST BE COMPLETED.**

LOCAL GOVERNMENT AFFIDAVIT AND CERTIFICATION

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

Local government further swears and certifies that it has read and understands the regulations for the Georgia Planning Act (O.C.G.A. § 45-12-200, et seq.), Service Delivery Strategy Act (O.C.G.A. § 36-70-20, et seq.), Immigration Sanctuary Policies; prohibition; penalties (O.C.G.A. § 36-80-23), and the Local Government Budgets and Audits Act (O.C.G.A. § 36-81-7 et seq.) and will comply in full with said provisions. Local government further swears and certifies that the roads or sections of roads described and shown on the local government's Project List are dedicated public roads and are part of the Public Road System in said county/city. Local government further swears and certifies that it complied with federal and/or state environmental protection laws and at the completion of the project(s), it met the match requirements as stated in the Transportation Investment Act (TIA) (O.C.G.A. § 48-8-240).

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

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

Local Government:

E-Verify Number

(Signature)

Sworn to and subscribed before me,

(Print)

This ____ day of _____, 20____.

Mayor / Commission Chairperson

In the presence of:

(Date)

NOTARY PUBLIC

LOCAL GOVERNMENT SEAL:

My Commission Expires:

NOTARY PUBLIC SEAL:

Revised 3/17/2025

**CERTIFICATION OF COMPLIANCE WITH
ANNUAL IMMIGRATION REPORTING REQUIREMENTS/
NO SANCTUARY POLICY/FEDERAL LAW ENFORCEMENT COOPERATION**

By executing this document, the undersigned duly authorized representative of the Local Governing Body, certifies that the Local Governing Authority:

- 1) has filed a compliant Annual Immigration Compliance Report with the Georgia Department of Audits & Accounts ("GDA&A") for the preceding calendar year required by O.C.G.A. § 50-36-4(b), or has been issued a written exemption from GDA&A from doing so;
- 2) has not enacted a "Sanctuary Policy" in violation of O.C.G.A. § 36-80-23(b); and,
- 3) is in compliance with O.C.G.A. §§ 35-1-17 et seq. regarding its obligation to cooperate with federal immigration enforcement authorities to deter the presence of criminal illegal aliens.

As an ongoing condition to receiving funding from the Georgia Department of Transportation, the Local Governing Body shall continue to remain fully compliant with O.C.G.A. §§ 50-36-4, 36-80-23 and 35-1-17 et seq. for the duration of time the subject agreement is in effect.

Signature of Authorized Officer or Agent

Printed Name of Authorized Officer or Agent

Title of Authorized Officer or Agent

Date

Form Date - May 10, 2024

COUNTY AGENDA REQUEST

Page 39 of 54

Department:

Presenter(s):

Meeting Date:

Type of Request: #10

Wording for the Agenda:

Request to enter into an Agreement with QTS Fayetteville I LLC, related to Contract #2567-B QTS; Traffic Signal and Guardrail on Tyrone Road project.

Background/History/Details:

Per the scope of Contract #2567-B QTS; Traffic Signal and Guardrail on Tyrone Road, Staff respectfully requests Board approval to enter into an agreement with QTS Fayetteville I LLC ("QTS") for the installation and ongoing maintenance of a traffic signal at the QTS Data Center driveway located approximately 1,200 feet north of SR 54 on Tyrone Road. The terms of the Agreement ensure compliance with all local and State regulations and establish a clear framework for service expectations and performance standards from the County. Approval of the Agreement will facilitate the timely implementation of the traffic signal, contributing to improved traffic management at this location.

Following a thorough review, the legal instrument in question has been deemed acceptable and confirms that the document meets all necessary standards and requirements associated with construction and maintenance associated with the Contract #2567-B QTS; Traffic Signal and Guardrail on Tyrone Road project.

What action are you seeking from the Board of Commissioners?

Request to enter into an Agreement with QTS Fayetteville I LLC, related to Contract #2567-B QTS; Traffic Signal and Guardrail on Tyrone Road project.

If this item requires funding, please describe:

All costs for the installation will be reimbursed by QTS, per the Agreement.

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

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

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:

STATE OF GEORGIA**COUNTY OF FAYETTE****TYRONE ROAD & QTS TRAFFIC SIGNAL AGREEMENT**

This Agreement entered into this _____ day of _____, 20____ between QTS FAYETTEVILLE I, LLC, a Delaware limited liability company and owner of real property within Fayette County, Georgia, hereinafter referred to as “QTS”, and FAYETTE COUNTY, GEORGIA, a political subdivision of the State of Georgia, acting by and through its Board of Commissioners, hereinafter referred to as “the County” to provide for certain traffic control improvements at the intersection of the access driveway for QTS and Tyrone Road within unincorporated County, hereinafter referred to as the “Agreement.”

WITNESSETH:

WHEREAS, the County and QTS desire a safe, efficient, and reliable means to control traffic at the intersection of the QTS driveway and Tyrone Road, hereinafter referred to as the “Intersection”; and

WHEREAS a third-party engineering study has determined that due to the current volume of traffic in the area, Placement of a traffic signal at the Intersection is necessary for the public safety and well-being for the foreseeable future; and

WHEREAS, the County and QTS desire to coordinate their efforts, as hereinafter provided, for the installation of said traffic signal in accordance with the provisions listed hereafter and the “ATL2 AT TYRONE RD SIGNAL PERMIT” dated 01/09/2025, prepared by Kimley Horn, and attached to this Agreement as Exhibit “A” and hereby incorporated herein.

NOW THEREFORE, for and in consideration of the promises contained herein, the receipt and sufficiency of which are hereby acknowledged by QTS and the County, QTS and the County hereby agree as follows:

1.

The County agrees to install, maintain and operate a traffic signal at the Intersection, located at the QTS driveway on Tyrone Road (approximately 1,200 feet north of State Route 54) and Tyrone Road.

2.

Fayette County shall engage an experienced and qualified contractor, identified through a competitive bid process, to install the signal at the Intersection. The Contractor shall be GDOT prequalified in Work Classes 150 – Traffic Control and 647 – Traffic Signal Installation. Immediately following selection of the contractor and award of the bid, the County will share that information with QTS.

Upon installation of the traffic signal at the Intersection and completion of all work, the County will invoice QTS for 100 percent reimbursement of all costs incurred by Contractor including but not limited to labor, materials, equipment, supplies, supervision and administration to complete signal installation at the Intersection. QTS shall submit the payment due within thirty (30) days of receipt of the invoice from the County.

3.

Once the traffic signal is installed and operational, the timing of the signal shall be periodically reviewed by Fayette County to ensure it is working at optimal efficiency to balance the flow of traffic on Tyrone Road and vehicles entering and leaving the QTS facility. Review of signal operation shall include impacts to and coordination with the existing traffic signals at SR 54 and

Tyrone Road and at Tyrone Road and Flat Creek Trail. Any changes to signal operation shall be discussed with QTS prior to implementation by the County. Physical changes to the signal and supporting equipment shall be made exclusively by Fayette County or a Contractor employed by the County.

4.

Upon Substantial Completion of construction activities at the QTS Fayetteville campus, QTS shall provide an updated traffic study, prepared by a professional engineer, of the intersection to determine if the signal is still warranted or if other intersection control measures should be installed. Fayette County may waive this requirement if it is determined, at the time, to be unnecessary. "Substantial Completion" means the stage in the progress of construction activities at the QTS Fayetteville campus are sufficiently complete so that QTS can occupy or utilize all buildings at the QTS Fayetteville campus for their intended use and a Certificate of Occupancy has been issued for the last building under construction. If construction activities extend beyond five years from the date of this Agreement, then an updated study shall be prepared by QTS at least every five years until Substantial Completion is achieved.

5.

Fayette County shall bear the costs of all power necessary for operation of the traffic signal.

6.

All signal equipment, poles, wire, guardrail, etc. utilized for signal installation and operation at the Intersection shall be the property of Fayette County and may be repurposed by the County if the signal is ever removed in part or in whole. Fayette County shall be responsible

for repairing and/or replacing the traffic signal equipment at the Intersection, as needed. QTS shall reimburse the County for routine maintenance, as needed, until Substantial Completion.

7.

Unless noted otherwise above, all costs associated with timing and operational studies, warrant analyses, maintenance, signal and intersection upgrades, signal removal, etc. required from the time of signal installation at the Intersection through Substantial Completion of construction within the QTS campus shall be borne by QTS.

8.

To the fullest extent permitted by law, the County agrees to and hereby does defend, hold harmless and indemnify QTS and its officers, directors, employees, agents and representatives from and against any and all claims, damages, demands, actions, judgments, losses, costs, penalties, liabilities, assessments and expenses including, but not limited to, attorney's fees incurred or suffered by QTS that arise out of, or result from, the traffic signal installation or subsequent operation, which are not incurred or suffered due to the negligence of QTS.

Likewise, QTS shall indemnify, defend, and hold harmless the County and its officers, employees, and agents from any claims, liabilities, or damages arising from the actions or omissions of QTS, which are not incurred or suffered due to the negligence of the County.

9.

Any additional terms and conditions which may exist between the parties may be found in Exhibit A.

10.

This Agreement is a full and complete statement of the agreement of the parties as to the subject matter hereof and has been authorized by proper action of the respective parties.

11.

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

12.

Choice of Law. The parties agree that this Agreement shall be governed in accordance with the laws of the State of Georgia. In the event of any litigation between them, such proceeding shall be brought exclusively within the courts of Fayette County, Georgia.

IN WITNESS WHEREOF, the parties herein have set their hands and seals on the date first above written.

[SIGNATURES TO FOLLOW ON NEXT PAGE]

FAYETTE COUNTY, GEORGIA

(SEAL)

By: _____
Lee Hearn, Chairman

Attest:

(SEAL)

By: _____
Tameca P. Smith, County Clerk

QTS FAYETTEVILLE I, LLC, a Delaware limited liability company

By: _____
Name: _____
Title: _____

Attest:

By: _____
Name: _____
Title: _____

Drawing name: \\armp01\iso_armp\ALP_P\PJ01482801_Project\Excalibur\CADD\Plansheets\ATL2-Tyrone-SignalDesign\ATL2-Tyrone_Sig000.dwg 27-0000 Jan 09, 2025 10:44am by danielle.kronowski

SIGNAL NOTES

Exhibit “A”
Tyrone Road & QTS Traffic Signal Agreement

1. THE COMPLETE SIGNAL INSTALLATION SHALL CONFORM TO ALL APPROPRIATE PARTS OF THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES CURRENT EDITION, INCLUDING SUBSEQUENT PUBLISHED RULINGS AND SPECIFICATIONS.
2. SIGNAL HEADS SHALL BE ERECTED TO PROVIDE AT LEAST 17 FEET BUT NO MORE THAN 19 FEET CLEARANCE FROM BOTTOM OF SIGNAL HEADS TO TOP OF ROAD SURFACE AND A MINIMUM OF 8 FEET MEASURED HORIZONTALLY BETWEEN CENTERS OF SIGNAL FACES.
3. SHIELDED CABLE WILL BE USED FOR DETECTOR RUNS AS SHOWN ON THE DETAIL SHEET. DETECTORS SHALL HAVE SEPARATE LEAD-INS TO THE CONTROL CABINET.
4. THE CONTRACTOR SHALL LOCATE UNDERGROUND UTILITIES IN VICINITY OF NEW TRAFFIC SIGNAL POLES BEFORE INSTALLATION. MINOR SHIFTS (UP TO A MAXIMUM OF 5 FEET) IN LOCATION OF NEW SIGNAL POLES, AT THE DISCRETION OF THE ENGINEER, ARE ACCEPTABLE TO AVOID UNDERGROUND AND OVERHEAD UTILITIES. MINIMUM CLEARANCES FROM EDGE OF PAVEMENT AND UTILITIES SHALL BE MAINTAINED. PLACEMENT OF THE SIGNAL HEADS MUST BE RETAINED AS SHOWN ON THE PLANS.
5. THE CONTRACTOR SHALL MAINTAIN EXISTING TRAFFIC SIGNALS DURING CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL TRAFFIC SIGNAL AND/OR CONTROL SYSTEM ADJUSTMENTS, INCLUDING TEMPORARY SUPPORT POLE LOCATION(S) REQUIRED BY THE PROJECT DURING THE INTERIM PERIOD THROUGH INSTALLATION OF NEW SIGNAL EQUIPMENT. AT NO TIME SHALL THE CONTRACTOR CAUSE ANY PART OF THE SIGNAL OPERATION TO BE INOPERABLE.
6. NEW SIGNAL POLES AND MAST ARMS SHALL MEET REQUIRED FAYETTE COUNTY AND GEORGIA DEPARTMENT OF TRANSPORTATION SPECIFICATIONS.
7. INSTALLATION IS TO BE CHECKED AND ACCEPTED BY THE COUNTY TRAFFIC ENGINEER PRIOR TO FINAL ACCEPTANCE. A COMPLETE SET OF WIRING DIAGRAMS SHALL BE FURNISHED TO THE FAYETTE COUNTY DEPARTMENT OF PUBLIC WORKS AT 115 MCDONOUGH RD, FAYETTEVILLE, GA 30214 BY THE CONTRACTOR PRIOR TO FINAL ACCEPTANCE.
8. WHEN REMOVED, EXISTING EQUIPMENT SHALL BE DELIVERED BY THE CONTRACTOR TO THE FAYETTE COUNTY DEPARTMENT OF PUBLIC WORKS AS DIRECTED BY THE COUNTY TRAFFIC ENGINEER. DELIVERY OF EQUIPMENT SHALL BE COORDINATED WITH COUNTY STAFF.

CONTACT INFORMATION (NOVEMBER 2024)
PHIL MALLON (770) 320-6010 PMALLON@FAYETTECOUNTYGA.GOV

9. THE CONTRACTOR IS RESPONSIBLE FOR PROVIDING POLE FOUNDATION DESIGNS TO THE COUNTY TRAFFIC ENGINEER FOR REVIEW AND APPROVAL PRIOR TO INSTALLATION.
10. MATERIAL CERTIFICATION IS REQUIRED PRIOR TO BEGINNING ANY SIGNAL INSTALLATION WORK. THE CONTRACTOR SHALL FOLLOW PROCEDURES OUTLINED IN THE SPECIFICATION. ALL MATERIALS MUST BE REVIEWED AND APPROVED BY FAYETTE COUNTY PRIOR TO THE ORDERING OF MATERIALS.
11. THE CONTRACTOR SHALL OBTAIN ALL REQUIRED PERMITS FROM FAYETTE COUNTY PRIOR TO START OF CONSTRUCTION.
12. THE CONTRACTOR IS TO COORDINATE WITH POWER COMPANY FOR SERVICE FEED FOR TRAFFIC SIGNALS.
13. THE CONTRACTOR WILL BE RESPONSIBLE FOR ALL FEES ASSOCIATED WITH MODIFYING EXISTING AND ESTABLISHING NEW POWER AND COMMUNICATIONS SERVICES FOR TRAFFIC SIGNAL. IF A UTILITY TRANSFORMER IS REQUIRED FOR TRAFFIC SIGNAL EQUIPMENT, IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO INCLUDE AS PART OF THEIR BID PRICE, FOR THAT TRAFFIC SIGNAL INSTALLATION IF THE RESPECTIVE UTILITY REQUIRES PAYMENT FOR INSTALLATION.
14. RADAR AND VIDEO DETECTOR UNIT LOCATIONS SHOWN ARE APPROXIMATE AND MAY REQUIRE FIELD ADJUSTMENT BY CONTRACTOR WITH MANUFACTURER’S GUIDANCE.
15. THE CONTRACTOR WILL BE RESPONSIBLE FOR ALL MONTHLY POWER AND COMMUNICATION SERVICE TO THE TRAFFIC SIGNAL INSTALLATION AND SUPPORT DEVICES, UNTIL THE NEW TRAFFIC SIGNAL INSTALLATION HAS SATISFACTORILY COMPLETED A TEST PERIOD OF UNINTERRUPTED OPERATION, FOR 30 DAYS. UPON COMPLETION OF THE TEST PERIOD, THE CONTRACTOR WILL COMPLETE A TRANSFER OF UTILITY COST TO FAYETTE COUNTY.
16. THE CONTRACTOR SHALL REPLACE IN KIND AND SIZE, AT NO SEPARATE EXPENSE TO THE COUNTY, ANY BARRIER WALL, FENCE, DITCH PAVING, CURBING, SIDEWALK, GUTTER, SLOPE PAVEMENT, SIGNS, GUARDRAILS, LANDSCAPING, GRASSINGS, UTILITY SERVICE LINES, STORM DRAIN PIPES, MASONRY WALLS AND PAVING THAT IS REMOVED, DAMAGED OR DESTROYED, DUE TO CONTRACTOR’S ACTIVITY.
17. THE CONTRACTOR WILL BE RESPONSIBLE FOR ALL NEW GUYS ON EXISTING UTILITY TIMBER POLES WHEN ATTACHING SPAN WIRE OR INTERCONNECT CABLE TO THE POLES UNLESS OTHERWISE DIRECTED BY THE ENGINEER.
18. THE INSTALLATIONS SHALL BE CAPABLE OF MONITORING OVER ETHERNET NETWORKS FROM EXISTING CENTRAL COMPUTERS OR VIA "CLOSED LOOP" MONITORING, PER THE COUNTY SIGNAL ENGINEER. NETWORK ABILITIES DEMONSTRATION IS REQUIRED AT CENTRAL SITES PRIOR TO FINAL ACCEPTANCE.
19. ALL EXISTING STOP BARS, WORDS, ARROWS, AND CROSSWALKS THAT ARE NOT REMOVED OR RELOCATED SHALL BE REPLACED IN ACCORDANCE WITH CURRENT GDOT STANDARDS.

20. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL EROSION CONTROL MEASURES TO ENSURE COMPLIANCE TO ALL STATE AND FEDERAL LAWS AND GUIDANCE. THE COST SHALL BE CONSIDERED INCIDENTAL AND BE INCLUDED IN THE OVERALL BID PRICE. NO ADDITIONAL PAYMENTS SHALL BE MADE TO THE CONTRACTOR FOR EROSION CONTROL.
21. ALL EXISTING STRIPING IN CONFLICT WITH PROPOSED STRIPING SHALL BE REMOVED, EVEN IF NOT CALLED OUT ON THE PLANS.
22. CONTRACTOR SHALL COORDINATE WITH THE COUNTY FOR ACTIVATION AND ACCOUNT SETUP FOR WIRELESS COMMUNICATIONS.
23. A NEW 7-CONDUCTOR SIGNAL CABLE SHALL BE RUN TO ALL NEW FYA SIGNAL HEADS. AT NO TIME SHALL THE SIGNAL CABLE RUN TO A FYA SIGNAL HEAD BE RUN/JUMPED TO ANY OTHER PHASE SIGNAL HEADS.
24. CONTRACTOR TO BE RESPONSIBLE FOR TRAFFIC CONTROL COMPLIANCE WITH MUTCD DURING CONSTRUCTION. CONTRACTOR TO CONFIRM HOURS OF ALLOWABLE CONSTRUCTION ACTIVITY WITH PROPERTY OWNER (QUALITY TECHNOLOGY SERVICES) PRIOR TO COMMENCING CONSTRUCTION ACTIVITY IN AREA. CONTRACTOR TO COORDINATE AND COMPLY WITH COUNTY PREFERENCES RELATED TO ADVANCE NOTICE PRIOR TO TRAFFIC PATTERNS CHANGING.
25. SIGNAL TIMING AND DATABASE DEVELOPMENT WILL BE COMPLETED BY OTHERS (NOT INCLUDED IN CURRENT BID).

TRAFFIC SIGNAL LEGEND	
EXISTING SIGNAL	PROPOSED SIGNAL
CONTROLLER CABINET	CONTROLLER CABINET
STRAIN POLE	STRAIN POLE
TIMBER POLE	TIMBER POLE
DOWN GUY	DOWN GUY
MAST ARM	MAST ARM
STREET LIGHT	STREET LIGHT
3 SECTION HEAD	3 SECTION HEAD W/ BACKPLATE
4 SECTION HEAD	4 SECTION HEAD W/ BACKPLATE
5 SECTION HEAD	5 SECTION/T-SHAPED HEAD W/ BACKPLATE
OVERHEAD SIGN	OVERHEAD SIGN
PEDESTAL POLE	PEDESTAL POLE
PED SIGNAL HEAD	PED SIGNAL HEAD
CURB CUT RAMP	CURB CUT RAMP - (See ADA Detail)
PULLBOX, TP 1	PULLBOX, TP 2
PULLBOX, TP 2	PULLBOX, TP 3
PULLBOX, TP 4	PULLBOX, TP 4As
PULLBOX, TP 5	PULLBOX, TP 5Vs
6x6 PULSE LOOP	6x6 PULSE LOOP
6x18 CALL LOOP	6x18 CALL LOOP
6x40 PRESENCE LOOP (DIPOLE)	6x40 PRESENCE LOOP (DIPOLE)
6x40 PRESENCE LOOP (QUADRUPOLE)	6x40 PRESENCE LOOP (QUADRUPOLE)
6x40 PRESENCE LOOP (VIDEO/RADAR)	6x40 PRESENCE LOOP (VIDEO/RADAR)
CONDUIT	CONDUIT
DIRECTIONAL BORE CONDUIT	DIRECTIONAL BORE CONDUIT
RIGID CONDUIT	RIGID CONDUIT
RAILROAD CONTROLLER	RAILROAD CONTROLLER
SIGN POST	SIGN POST
RADAR UNIT	RADAR UNIT
CCTV CAMERA	CCTV CAMERA



PREPARED BY

© 2023 KIMLEY-HORN AND ASSOCIATES, INC.
1200 PEACHTREE STREET, N.E., SUITE 600
ATLANTA, GA 30309
PHONE (404) 519-8700
WWW.KIMLEY-HORN.COM

PROJECT

ATL2 AT TYRONE RD
SIGNAL PERMIT
ATL2 DRIVEWAY AND TYRONE ROAD
FAYETTE COUNTY, GA

01/09/2025

GSWCC NO.
(LEVEL II)

-

DRAWN BY

DBK

DESIGNED BY

DBK

REVIEWED BY

WLG

DATE

01/09/2025

PROJECT NO.

014828023

TITLE

SIGNAL NOTES & LEGEND
TYRONE ROAD AT ATL2 QTS
DRIVEWAY
FAYETTE COUNTY

SHEET NUMBER

27-0000

This document, together with the concepts and designs presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.

PHASING DIAGRAM

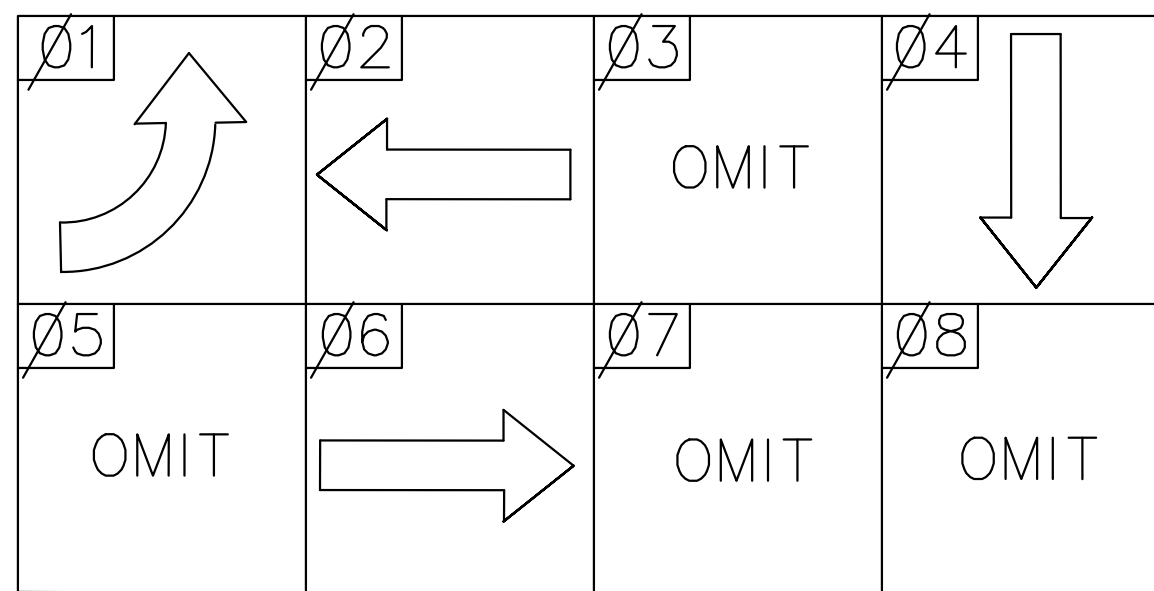
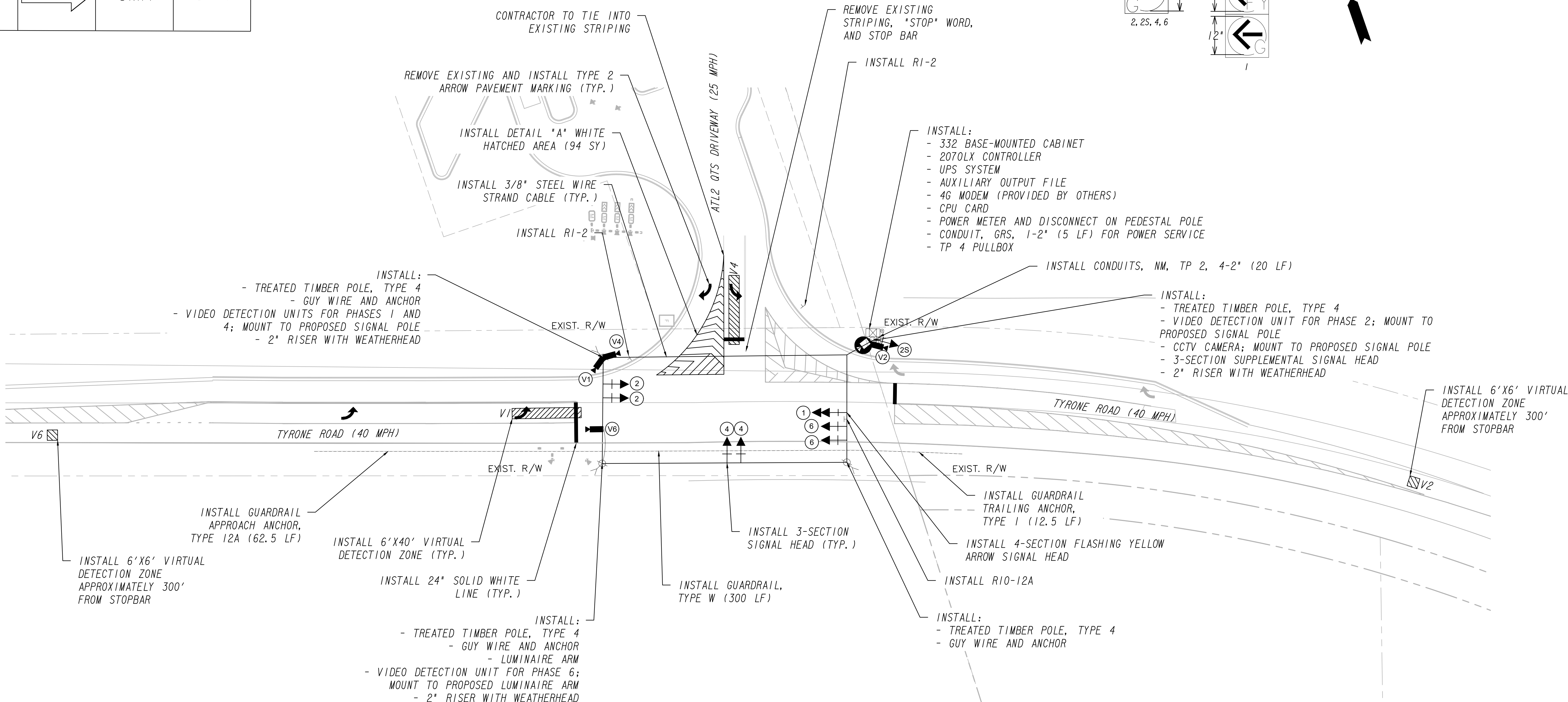
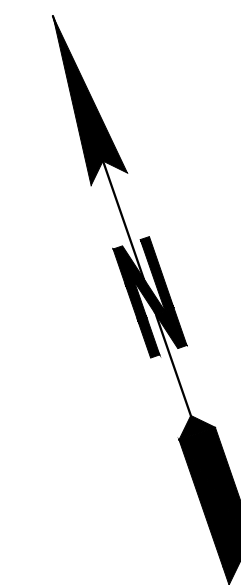
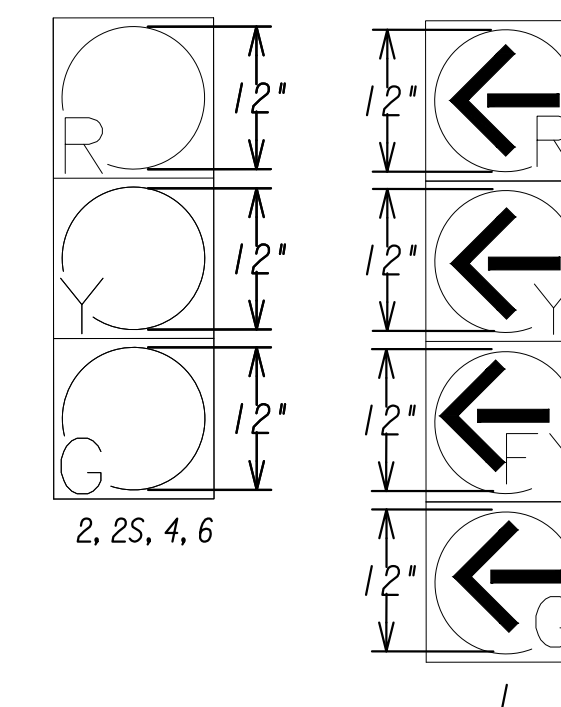


Exhibit "A"

Tyrone Road & QTS Traffic Signal Agreement

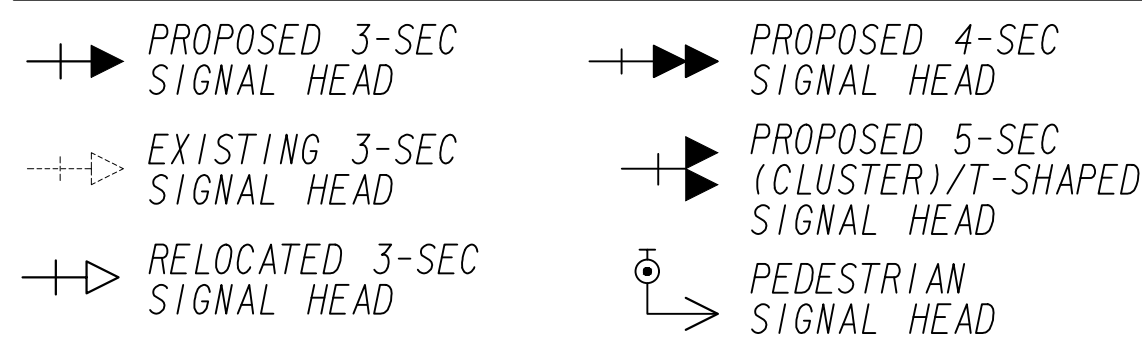
LED INCANDESCENT LOOK SIGNAL HEADS
WITH TP 1X RETROREFLECTIVE TAPE ON
BACKPLATES



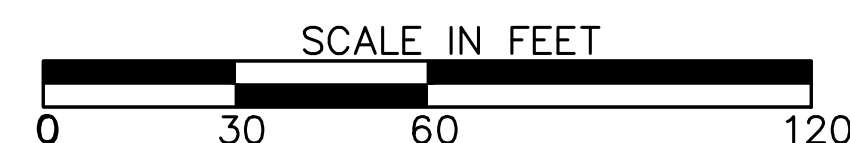
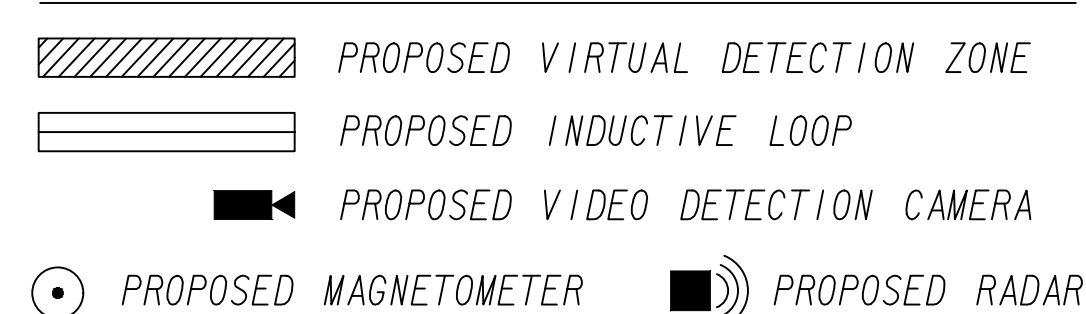
NOTES:

1. CONTRACTOR TO COORDINATE WITH FAYETTE COUNTY FOR TRAFFIC SIGNAL TIMING.
2. CONTRACTOR TO FIELD=VERIFY EXISTING UTILITY LOCATIONS PRIOR TO CONSTRUCTION.
3. CONTRACTOR TO CONNECT TO EXISTING POWER POLE APPROXIMATELY LOCATED IN NORTHEAST CORNER OF INTERSECTION.

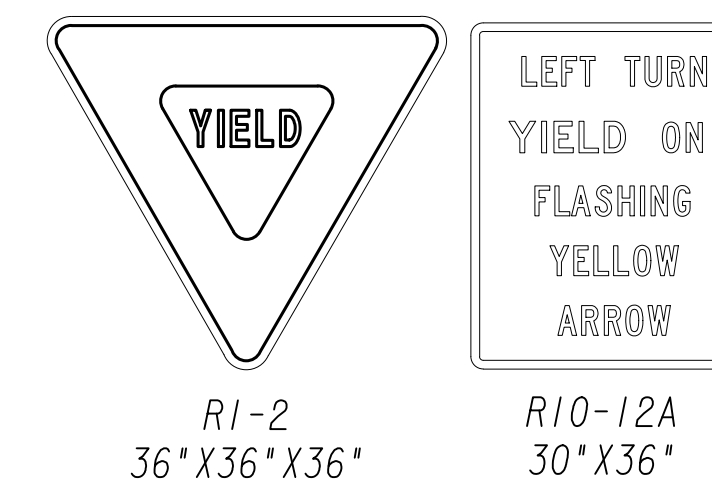
SIGNAL LEGEND



DETECTION LEGEND



PROPOSED REGULATORY SIGNS



PREPARED FOR

Kimley»Horn
© 2023 KIMLEY-HORN AND ASSOCIATES, INC.
1200 PEYTON ROAD, SUITE 800
ATLANTA, GEORGIA 30309
PHONE (404) 419-9700
WWW.KIMLEY-HORN.COM

PROJECT

ATL2 AT TYRONE RD
SIGNAL PERMIT
ATL2 DRIVEWAY AND TYRONE ROAD
FAYETTE COUNTY, GA

DATE

ISSUANCE AND REVISION DESCRIPTIONS

BY

1435 HIGHWAY 54 W, FAYETTEVILLE, GA 30214

No.

1

DATE

01/09/2025

BY

DBK

DATE

01/09/2025

PROJECT NO.

014828023

TITLE

SIGNAL PLANS
TYRONE ROAD AT ATL2 QTS
DRIVEWAY
FAYETTE COUNTY

SHEET NUMBER

27-0001

LIST OF MATERIALS FOR TRAFFIC SIGNAL INSTALLATION - NO. 1
LOCATION: TYRONE ROAD AT ATL2 QTS DRIVEWAY
FAYETTE COUNTY
QUANTITIES ARE FOR INFORMATION ONLY
CONTRACTOR SHOULD FIELD VERIFY PRIOR TO ORDERING MATERIALS

<u>LIST OF MATERIALS</u>	<u>UNIT</u>	<u>QUANTITY</u>
--------------------------	-------------	-----------------

<u>NO.</u>	<u>LIST OF PAY ITEMS</u>	<u>UNIT</u>	<u>QUANTITY</u>
------------	--------------------------	-------------	-----------------

1000 EST



01/09/2025

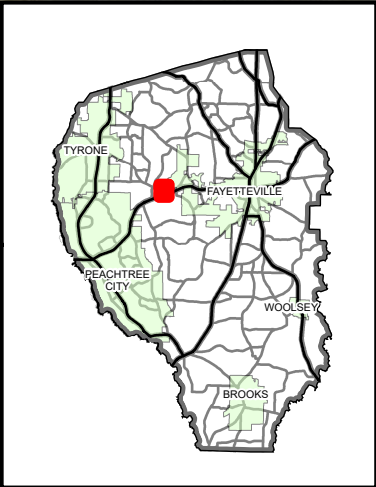
GSWCC NO. (LEVEL II)	-
DRAWN BY	DBK
DESIGNED BY	DBK
REVIEWED BY	WLG
DATE	01/09/2025
PROJECT NO.	014828023

TITLE
SIGNAL QUANTITIES
TYRONE ROAD AT ATL2 QTS
DRIVEWAY
FAYETTE COUNTY

SHEET NUMBER

27-0002

QTS Entrance on Tyrone Road



★ QTS Entrance on Tyrone Road

VICINITY MAP OF QTS ON TYRONE ROAD AND SR 54

Page 50 of 54





FLAT CREEK RD

TYRONE ROAD

QTS

OVERLAY, STRIPING AND RPMs
(COMPLETED)

TURN LANES
(COMPLETED)

NEW TRAFFIC SIGNAL AREA

GORE AREA FOR
INTERSECTION
COMPLETE

SR 54

COUNTY AGENDA REQUEST

Page 52 of 54

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Request to award Bid #2567-B to the lowest responsive, responsible bidder, NGT Group LLC, in the amount of \$145,047.59 for installation of a traffic signal, supporting equipment, and guardrail at the QTS Data Center driveway on Tyrone Road.

Background/History/Details:

Previously, a third-party engineering study determined that due to the current volume of traffic in the area, placement of a traffic signal at the QTS driveway is necessary for public safety and well-being for the foreseeable future. The proposed signal installation is a critical component in improving traffic control at this location. Board previously granted approval for installation of the traffic signal and Fayette County Procurement Department received bids on April 23, 2025. The scope of this project includes installation of a traffic signal, supporting equipment, and guardrail at the QTS Data Center driveway on Tyrone Road. The drive is located approximately 1,200 feet north of SR 54. After careful review by County staff, NGT Group LLC was identified as the lowest responsive, responsible bidder, meeting all specifications and requirements set forth in the solicitation.

Confirmed through staff conducted reference checks, NGT Group LLC has demonstrated the technical capacity, relevant experience, and commitment to quality necessary to execute this project efficiently and effectively.

What action are you seeking from the Board of Commissioners?

Approval to award Bid #2567-B to the lowest responsive, responsible bidder, NGT Group LLC, in the amount of \$145,047.59 for installation of a traffic signal, supporting equipment, and guardrail at the QTS Data Center driveway on Tyrone Road.

If this item requires funding, please describe:

All costs for contract shall be reimbursed to Fayette County by QTS, per the Agreement presented to the Board in the previous agenda item.

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:

Revenue and Expense budget will be adjusted once the project is approved.



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

To: Steve Rapson

Through: Ted L. Burgess 

From: Sherry White 

Date: May 8, 2025

Subject: Contract 2567-B: Traffic Signal - QTS @ Tyrone Road Construction

The Purchasing Department issued Invitation to Bid 2567-B to secure a contractor to install a traffic signal, supporting equipment and a guardrail at the entrance of QTS Data Center driveway on Tyrone Road. Notice of the opportunity was emailed to 27 companies. Another 78 were contacted through the web-based Georgia Procurement Registry. The offer was also advertised through Georgia Local Government Access Marketplace, the Fayette County News, and the County website.

The contract is accompanied by an agreement with QTS to reimburse all costs associated with the project once completed.

Four companies submitted bids (Attachment 1). Public Works recommends awarding to NGT Group LLC. This company has not contracted with the county in the past, so a Contractor Performance Evaluation is not available. A positive response from all their references was received.

Specifics of the proposed contract are as follows:

Contract Name	2567-B: Traffic Signal - QTS @ Tyrone Road Construction		
Contractor	NGT Group LLC		
Contract Amount	\$145,047.59		
Budget:			
Fund	100	General Fund	
Org Code	40220	Road Department	
Object	521316	Technical Services	
Project	n/a		
Available	\$210,531.75	As of 4/29/2025	

Tally Sheet

ITB #2567-B: QTS Traffic Signal and Guardrail on Tyrone Road

Wednesday, April 23, 2025

				Brooks Berry Haynie & Ass.		Reedwick LLC		GTG Traffic Signals		NGT Group LLC	
PAY ITEM	ITEM DESCRIPTION	ESTIMATED QUANTITY	UNIT	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE
150-1000	TRAFFIC CONTROL	1	LS	\$37,455.05	\$37,455.05	\$16,325.00	\$16,325.00	\$15,000.00	\$15,000.00	\$5,843.39	\$5,843.39
151-1000	MOBILIZATION	1	LS	\$10,549.30	\$10,549.30	\$3,500.00	\$3,500.00	\$10,000.00	\$10,000.00	\$2,903.28	\$2,903.28
636-1036	HIGHWAY SIGNS, TP 1 MATL, REFL SHEETING, TP 11	8	SF	\$89.55	\$716.40	\$65.00	\$520.00	\$25.00	\$200.00	\$73.85	\$590.80
639-1430	TREATED TIMBER POLE, TYPE 4, 30 FT	4	EA	\$2,771.70	\$11,086.80	\$1,200.00	\$4,800.00	\$2,500.00	\$10,000.00	\$1,931.94	\$7,727.76
636-2070	GALV STEEL POST, TP 7	20	LF	\$18.25	\$365.00	\$14.00	\$280.00	\$15.00	\$300.00	\$43.32	\$866.40
639-1600	GUY AND ANCHOR ASSEMBLY	4	EA	\$571.15	\$2,284.60	\$975.00	\$3,900.00	\$500.00	\$2,000.00	\$440.65	\$1,762.60
641-1200	GUARDRAIL, TP W	300	LF	\$53.05	\$15,915.00	\$46.00	\$13,800.00	\$30.00	\$9,000.00	\$38.11	\$11,433.00
641-5001	GUARDRAL ANCHORAGE, TP 1	1	EA	\$4,121.60	\$4,121.60	\$2,875.00	\$2,875.00	\$2,191.00	\$2,191.00	\$2,783.23	\$2,783.23
641-5012	GUARDRAL ANCHORAGE, TP 12	1	EA	\$1,803.20	-		-		-		-
641-5015	GUARDRAIL TERMINAL, TP 12A, 31 IN, TANGENT, ENERGY-ABSORBING	1	EA	\$7,921.20	\$7,921.20	\$8,775.00	\$8,775.00	\$3,400.00	\$3,400.00	\$4,319.03	\$4,319.03
647-1000	TRAFFIC SIGNAL INSTALLATION	1	LS	\$76,453.65	\$76,453.65	\$68,245.00	\$68,245.00	\$97,375.00	\$97,375.00	\$53,338.63	\$53,338.63
653-0120	THERMOPLASTIC PVMT MARKING, ARROW, TP 2	4	EA	\$128.80	\$515.20	\$328.00	\$1,312.00	\$100.00	\$400.00	\$158.79	\$635.16
653-1704	THERMOPLASTIC SOLID TRAF STRIPE, 24 IN, WHITE	47.5	LF	\$12.25	\$581.88	\$14.00	\$665.00	\$9.50	\$451.25	\$8.26	\$392.35
653-6004	THERMOPLASTIC TRAF STRIPING, WHITE (DETAIL "A" HATCHED AREA)	94	SY	\$7.75	\$728.50	\$9.00	\$846.00	\$6.00	\$564.00	\$7.62	\$716.28
656-4001	REMOVE EXIST TRAF MARKINGS, THERMOPLASTIC	31	SY	\$25.80	\$799.80	\$289.00	\$8,959.00	\$20.00	\$620.00	\$6.35	\$196.85
681-5112	LUMINAIRE BRACKET ARM, 10 FT ARM	1	EA	\$1,077.35	\$1,077.35	\$975.00	\$975.00	\$1,250.00	\$1,250.00	\$821.25	\$821.25
682-6120	CONDUIT, RIGID, 2 IN	90	LF	\$34.95	\$3,145.50	\$30.00	\$2,700.00	\$25.00	\$2,250.00	\$19.55	\$1,759.50
936-1010	CCTV SYSTEM, TYPE H (INLCUDING 300' CAT-6 CABLE)	1	EA	\$5,941.60	\$5,941.60	\$5,500.00	\$5,500.00	\$4,500.00	\$4,500.00	\$5,700.70	\$5,700.70
937-6040	VIDEO DETECTION SYSTEM	1	LS	\$1,298.55	\$1,298.55	\$1,200.00	\$1,200.00	\$500.00	\$500.00	\$1,270.30	\$1,270.30
938-1100	INTERSECTION VIDEO DETECTION SYSTEM ASSEMBLY, TYPE A	4	EA	\$6,932.75	\$27,731.00	\$6,485.00	\$25,940.00	\$4,000.00	\$16,000.00	\$10,496.77	\$41,987.08
Total Project Price				\$208,687.98		\$171,117.00		\$176,001.25		\$145,047.59	

*Total price was updated to reflect Addendum #1.