COUNTY DEPARTMENT AGENDA REQUEST

Department:	Street Lights	Presenter(s):	Tony Parrott
Meeting Date:	Wednesday, July 7, 2010	Type of Request:	Consent

Wording for the Agenda:

Approval of staff's recommendation that Jefferson Woods VI be designated as a Street Light District in Fayette County.

Background/History/Details:

Staff auditing of recent Coweta-Fayette EMC bills indicated that Coweta-Fayette EMC mistakenly installed and billed Fayette County for street lights in Jefferson Woods VI prior to authorization from the county. As a result of this error the county sent certified letters to homeowners on June 18, 2010 stating the subdivision would need to petition to become a street-light district if the homeowners wished to continue having the county administer the street light assessment on the homeowners tax bill. A petition was presented to county staff indicating 3 of the 3 homeowners are in favor of becoming a street-light district. This percentage exceeds the minimum requirements of 66.66 % in developments of ten or more lots to become a street-light district.

Acceptance of this street-light district will be reflected on the 2010 tax bill.

What action are you seeking from the Board of Commissioners?

Approval of Jefferson Woods VI Subdivision as a Street Light District in Fayette County.

If this item requires funding, please describe:

No funding required. Residents who participate in the street light program are billed annually on the tax bills for incurred electric expenses associated with their street light district.

Has this issue come before the Commissioners in the past?	No	If so, when?	
Do you need audio-visual for the presentation?	No	Back-up Material Submitted?	Yes

STAFF USE ONLY

Approved by Finance		Reviewed by Legal	Yes
Approved by Purchasing	Not Applicable	Approved by County Clerk	Yes
Administrator's Approval	Yes		

Staff Notes:

FAYETTE COUNTY STREET LIGHTING PROGRAM

PETITION

WE, THE UNDERSIGNED, ALL BEING PROPERTY OWNERS OF THE STREET LIGHT DISTRICT JEFFERSON WOODS VI, DO HEREBY PETITION THE FAYETTE COUNTY BOARD OF COMMISSIONERS FOR THE PLACEMENT OF STREET LIGHTS THROUGH OUR SUBDIVISION OR STREET(S).

EACH OF US DOES HEREBY PLEDGE AND CONSENT TO THE LEVYING OF A LIEN BY FAYETTE COUNTY AGAINST PROPERTY WE OWN FOR THE PURPOSE OF PAYMENT OF THE COST OF AND OPERATING THE STREET LIGHTS. THERE ARE 3 LOTS CURRENTLY EXISTING IN STREET LIGHT DISTRICT JEFFERSON WOODS VI, AND EACH OWNER AS SHOWN ON THE TAX RECORDS HAS AFFIRMATIVELY SIGNED THIS PETITION OR INDICATION FOR DISAPPROVAL IS NOTED HEREIN.

THIS PETITION REPRESENTS THREE AFFIRMATIVE VOTES, OR 100 % OF THIS DISTRICT TO BE EFFECTED IN THIS REQUEST. YOUR SIGNATURE ON THIS PETITION INDICATED THAT YOU HAVE READ AND FULLY UNDERSTAND ALL INFORMATION ON THE REVERSE SIDE OF THIS FORM.

Personally appeared before me, a Notary Public, the undersigned affiant, who says on oath that he, she is one of the subscribing witnesses to the within instrument; that each of said witnesses say the execution and delivery of the same by each grantor therein for the purpose set forth; and that each of said witnesses signed the same as purported.

Sworn to and subscribed before me,

this _____ day of _____, 20_____.

(Subscribing Witness)

Notary Public

Fayette County, State of Georgia

FAYETTE COUNTY STREET LIGHTING PROGRAM

INFORMATION

The objective of the Fayette County Street Lighting Program is to illuminate the streets of participating subdivisions in accordance with standards of the American National Standard Practice for Roadway Lighting, 1973. It is not the objective of this program to illuminate private property.

The Fayette County Street Lighting Program will be administered by the County Stormwater Management's Office, 140 Stonewall Avenue West, Suite 203, Fayetteville, GA 30214. Telephone: (770)305-5410.

There are two power companies serving Fayette County: Georgia Power Company and Coweta-Fayette EMC. Their rates vary slightly. Georgia Power installs the high pressure "yellow glow" light (14,500 lumen); Coweta-Fayette uses the 175 watt mercury vapor lamp (700 lumen). The design will utilize existing poles as much as possible. Spacing between lights will vary from 350 feet to 500 feet, or approximately every other utility pole. Where there are underground utilities, the resident/developer will be responsible for the cost of the poles.

Property owners within a street light district will be billed annually on their County Tax Bill for the previous year's use of lights. Cost for street lighting shall be set by the Board of Commissioners in consultation with the Director of Utility Services. In all cases, the rates for a street light district shall be sufficient to cover the expenses and costs associated with the lights for that district. The charges shall be levied on a "per lot" basis.

In order for a Developer to have a proposed subdivision approved as a Streetlight District, the plat for such subdivision must be approved and made a part of the County's Official Tax Records as of January 1, of each calendar year.

FAYETTE COUNTY STREET LIGHTING PROGRAM

REQUIREMENTS FOR APPROVAL OF A STREETLIGHT DISTRICT

In order for a Streetlight District to be formed, the following steps are necessary:

1. All property owners in the subdivision must be contacted and they must sign "Yes" or "No" concerning the installation of street lighting and billing by Fayette County upon their tax bills. Only the property owner's signature will be accepted. If both husband and wife are joint legal owners, both signatures will be required - a "Mr. & Mrs." signature is not acceptable. Each owner must sign individually. In the event that a property owner cannot be personally contacted, the receipt from a registered letter will be accepted. No signature may be withdrawn from the Petition after it is filed with the County Stormwater Management Office. The purpose of the witness' signature is to verify the property owner's signature, if in question. Percentages will be calculated based on individual lots whose owners sign affirmatively, divided by the total number of platted lots in the district.

2. The petition must contain not less than ten (10) property owners representing not less than sixty-six and two-thirds percent (66-2/3%) affirmative signatures of the property owners within the district to be established. A petition may however, be brought by less than ten (10) property owners where such represents one hundred percent (100%) affirmative signatures of the property owners within the district to be established.

3. The completed Petition is returned to this office where it is checked to ensure requirement compliance. It will be returned to the sender if it does not meet such requirements of a 100% affirmative vote. Petitions meeting requirements will be presented to the Board of Commissioners at an official Bi-Monthly Meeting for approval or disapproval. Deadline for approval is January 1, of each calendar year.

FAYETTE COUNTY STREET LIGHTING PROGRAM

SIGNATURE SHEET

Albert J. & Margaret S. Doeve
105 Monarch Drive, Lot 167

	Yes	No	
			(Check yes or no for each signature)
Margaret S. Doeve Signature	☑	☐	
Albert J. Doeve Signature	☑	☐	Katherine A. Robison Witness

Katherine Robison
110 Monarch Drive, Lot 168

	Yes	No	
Katherine A. Robison Signature	☑	☐	Sandra Dean Witness

David B. & Sandra L. Dean
100 Monarch Drive, Lot 169

	Yes	No	
			(Check yes or no for each signature)
Sandra L. Dean Signature	☑	☐	
David B. Dean Signature	☑	☐	Margaret S. Doeve Witness