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 Breckenridge Phase I 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 Breckenridge Phase I prior to authorization from the county. As a result of this error the county sent certified letters to homeowners on March 10, 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 13 of the 19 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 Breckenridge Phase I 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	Yes	Reviewed by Legal	Yes
Approved by Purchasing	Not Applicable	Approved by County Clerk	Yes
Administrator's Approval	Yes		

Staff Notes:

FAYETTE COUNTY
PETITION FOR STREET LIGHTING

WE, THE UNDERSIGNED, ALL BEING PROPERTY OWNERS OF THE STREET LIGHT DISTRICT BRECKENRIDGE I, 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 19 NUMBER OF LOTS CURRENTLY EXISTING IN STREET LIGHT DISTRICT BRECKENRIDGE I, AND EACH OWNER AS SHOWN ON THE TAX RECORDS HAS AFFIRMATIVELY SIGNED THIS PETITION OR INDICATION FOR DISAPPROVAL IS NOTED HEREIN.

THIS PETITION REPRESENTS 13 AFFIRMATIVE VOTES, OR 68 % 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 29th day of June, 2010.

DIANNE B. CROWNOVER
MY COMMISSION EXPIRES
NOTARY PUBLIC
APRIL 15, 2012
FAYETTE COUNTY, GEORGIA

Notary Public

Fayette County, State of Georgia

Michael A. Walker

(Subscribing Witness)

FAYETTE COUNTY
STREET LIGHTING 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 County Engineer. 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.

REQUIREMENTS FOR APPROVAL OF A STREETLIGHT DISTRICT

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

1. Obtain Petition Forms from this office.

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 Engineer's Office. The purpose of the witness' signature is to verify the property owner's signature, if in question. Percentages will be calculated based on

FAYETTE COUNTY STREET LIGHTING PROGRAM
SIGNATURE SHEET

1

Lot #(s)

Billie Carter

Property Owner(s)

105 Breckenridge Way

signature) Address (Street & No.)

Yes **No** **(Check yes or no for each**

Billie Carter

Signature

☒ ☐

☐ ☐

Signature **Witness**

Lot #(s)

Property Owner(s)

signature) Address (Street & No.)

Yes **No** **(Check yes or no for each**

☐ ☐

Signature

☐ ☐

Signature **Witness**

FAYETTE COUNTY STREET LIGHTING PROGRAM
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3

Lot #(s)

Walter Shah

Property Owner(s)

125 Breckenridge Way

signature) Address (Street & No.)

Fayetteville, Ga. 30214

Yes **No** **(Check yes or no for each**

☒ ☐

Signature

☐ ☐

Signature **Witness**

Lot #(s)

Property Owner(s)

Yes **No** **(Check yes or no for each**

signature) Address (Street & No.)

☐ ☐

Signature

☐ ☐

Signature **Witness**

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 66-2/3% 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.

4. The representative of the group requesting approval of a Streetlight District and returning the petition to this office must also furnish three (3) copies of the approved final plat of the subdivision. These plats may be obtained from the Clerk of Court's Office located at One Center Dr., Fayetteville, GA 30214.

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#4
Lot #(s)

WILLIAM M & DEBORAH C WRIGHT
Property Owner(s)

135 BRECKENRIDGE WAY
signature) Address (Street & No.)

	Yes	No	(Check yes or no for each
Will M. Wright Signature	☑	☐	
Deborah C. Wright Signature	☑	☐	Witness

FAYETTE COUNTY STREET LIGHTING PROGRAM
SIGNATURE SHEET

9
Lot #(s)

CYRUS MILNER HELEN E. SIMMONS
Property Owner(s)

145 CAMDEN CT.
signature) Address (Street & No.)

Yes No (Check yes or no for each

Cyrus Milner
Signature ☑ ☐

Helen E. Simmons
Signature ☑ ☐ **Witness**

6
Lot #(s)

NOLAN & LOUISE FERRELL
Property Owner(s)

130 BRECKENRIDGE WAY
signature) Address (Street & No.)

Yes No (Check yes or no for each

Louise Ferrell
Signature ☒ ☐

Nolan Ferrell
Signature ☒ ☐ **Witness**

FAYETTE COUNTY STREET LIGHTING PROGRAM
SIGNATURE SHEET

8

Lot #(s)

Mark J. Davidson & Evelyn Byars

Property Owner(s)

125 Camden Ct Fayetteville GA 30214

Address (Street & No.)

Signature	Yes	No	Witness
Mark J Davidson	☑	☐	
Evelyn Byars	☐	☑	

Lot #(s)

Property Owner(s)

Address (Street & No.)

Signature	Yes	No	Witness
	☐	☐	
	☐	☐	

(Check yes or no for each signature)

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10
Lot #(s)

Antonio & Danielle Clay
Property Owner(s)

155 Camden Ct
signature) Address (Street & No.)

	Yes	No	(Check yes or no for each
Antonio Clay **Signature**	☑	☐	
Danielle Clay **Signature**	☑	☐	**Witness**

10
Lot #(s)

Property Owner(s)

signature) Address (Street & No.)

	Yes	No	(Check yes or no for each
Signature	☐	☐	
Signature	☐	☐	**Witness**

FAYETTE COUNTY STREET LIGHTING PROGRAM
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11
Lot #(s)

Herman Kitt
Property Owner(s)

150 Camden Ct
signature) Address (Street & No.)

Yes **No** **(Check yes or no for each**

Herman Kitt
Signature

☑ ☐

☐ ☐
Signature **Witness**

13
Lot #(s)

ROSCOE + MAVIS MORRISSETTE
Property Owner(s)

105 Dunhill Court
signature) Address (Street & No.)

Yes **No** **(Check yes or no for each**

Roscoe Morrissette
Signature

☑ ☐

Mavis Morrissette
Signature

☑ ☐
Witness

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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 27 TH **day of** MARCH **, 20**10**.**

(Subscribing Witness)

Notary Public

~~Fayette~~ County, State of ~~Georgia~~
SAN BERNARDINO CALIFORNIA

LOUIS J. HUBAUD
Commission # 1772641
Notary Public - California
San Bernardino County
My Comm. Expires Nov 6, 2011

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.

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13 BreckenRidge
Lot #(s)

Roscoe Morrissette & Mavis Morrissette
Property Owner(s)

105 Dunhill CT
signature) Address (Street & No.)

	Yes	No	(Check yes or no for each
Roscoe Morrissette Signature	☐	☐	
Mavis Morrissette Signature	☐	☐	Witness

FAYETTE COUNTY STREET LIGHTING PROGRAM
SIGNATURE SHEET

15

Lot #(s)

Mikal O. Rasheed

Property Owner(s)

110 Dunhill CT

signature) Address (Street & No.)

	Yes	No	(Check yes or no for each
MO Rasheed	☒	☐	
	☐	☐	

Signature

Signature **Witness**

Lot #(s)

Property Owner(s)

signature) Address (Street & No.)

	Yes	No	(Check yes or no for each
	☐	☐	
	☐	☐	

Signature

Signature **Witness**

FAYETTE COUNTY STREET LIGHTING PROGRAM
SIGNATURE SHEET

17

Lot #(s)

CAREY GEORGE

Property Owner(s)

110 CAMDEN CT

signature) Address (Street & No.)

Yes **No** **(Check yes or no for each**

C. [illegible]

Signature

☒ ☐

☐ ☐

Signature **Witness**

16

Lot #(s)

MICHAEL A. + TAMMY M WORSHAM

Property Owner(s)

100 DUNHILL COURT

signature) Address (Street & No.)

Yes **No** **(Check yes or no for each**

Michael A. Worsham

Signature

☒ ☐

Tammy M Worsham

Signature

☒ ☐

Witness

FAYETTE COUNTY STREET LIGHTING PROGRAM
SIGNATURE SHEET

18

Lot #(s) CONSTANCE C. JONES
CHARLES R JONES

Property Owner(s)

110 BRECKENRIDGE WAY

Address (Street & No.)

	Yes	No	(Check yes or no for each signature)
Charles R Jones Signature	☑	☐	
Constance C. Jones Signature	☑	☐	Witness

Lot #(s)

Property Owner(s)

Address (Street & No.)

	Yes	No	(Check yes or no for each signature)
Signature	☐	☐	
Signature	☐	☐	Witness

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SIGNATURE SHEET

19
Lot #(s)

DOWARD A. + MAXINE M THOMPSON
Property Owner(s)

100 BRECKENRIDGE WAY
Address (Street & No.)

	Yes	No	(Check yes or no for each signature)
Howard Thompson Signature	☑	☐	
Maxine Thompson Signature	☑	☐	Witness