

## BOARD OF COUNTY COMMISSIONERS

Charles W. Oddo, Chairman  
Randy Ognio, Vice Chair  
David Barlow  
Steve Brown  
Charles D. Rousseau



## FAYETTE COUNTY, GEORGIA

Steve Rapson, County Administrator  
Dennis A. Davenport, County Attorney  
Floyd L. Jones, County Clerk  
Tameca P. White, Chief Deputy County Clerk

140 Stonewall Avenue West  
Public Meeting Room  
Fayetteville, GA 30214

## AGENDA

May 12, 2016  
7:00 p.m.

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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 2<sup>nd</sup> and 4<sup>th</sup> Thursday of each month at 7:00 p.m.

Call to Order  
Invocation by Commissioner David Barlow  
Pledge of Allegiance

Acceptance of Agenda

### PROCLAMATION/RECOGNITION:

1. Proclamation of May 2016 as "American Stroke Month."
2. Proclamation of May 2016 as "Mental Health Month in Fayette County."
3. Recognition of the Fayette County Water System for receiving the Gold Award for both the Crosstown Water Treatment Plant and the South Fayette Water Treatment Plant, and for receiving the Best Tasting Water Award for District 3 in Georgia from Georgia Association of Water Professionals.
4. Recognition of Information Systems Director Phil Frieder, Human Resources Director Lewis Patterson, and County Administrator Steve Rapson for completing "Core Certification" courses through the Association of County Commissioners Georgia and for being designated as "Certified County Officials."
5. Recognition of Chairman Charles W. Oddo for completing his Association of County Commissioners Georgia Specialty Track Certification with special emphasis on Economic and Community Development.

### PUBLIC HEARING:

6. Public Hearing of Petition No. 1253-16, Trademark Quality Homes, Owner, and Moore Bass Consulting, Inc., Agent, request to rezone 26.9 acres from A-R to R-50 to develop a Single-Family Residential Subdivision consisting of 20 lots with said property being located in Land Lot 59 of the 7th District and fronting on Ebenezer Road with two (2) recommended conditions.

7. Public Hearing of Petition No. RP-059-16, Revision of the Recorded Plat of Jenkins Cove Phase Two to add two (2) acres to Lot 5 with said property being located in Land Lots 42 and 55 of the 7th District and fronting on Adams Road.
8. Public Hearing of Ordinance 2016-08 amending the Fayette County Code of Ordinances, Chapter 110., Article VII. - Zoning Board of Appeals, Sec. 110-242. - Powers and Duties.

**CONSENT AGENDA:**

9. Approval of staff's request for the Board of Commissioners to revise the annual Budget Calendar for Fiscal Year 2017 which begins July 1, 2016 and ends June 30, 2017.
10. Approval of the April 22, 2016 Board of Commissioners Retreat Minutes.
11. Approval of the April 26, 2016 Board of Commissioners Meeting Minutes.

**OLD BUSINESS:**

**NEW BUSINESS:**

12. Consideration of a recommendation from the Selection Committee, comprised of Commissioners David Barlow and Charles Rousseau, to appoint Niki Knox Vanderslice to the Fayette County Development Authority to fulfill a four-year term beginning April 10, 2016 and expiring April 9, 2020.
13. Consideration of a recommendation from the Selection Committee, comprised of Commissioners David Barlow and Charles Rousseau, to appoint Dr. Luis Matta to the Fayette County Development Authority to fulfill an unexpired term beginning immediately and expiring April 9, 2018.
14. Consideration of staff's recommendation to enter into a three-year contract with Tyler Technologies as the Application Service Provider for support of Munis and other software in an aggregate amount of \$422,511.00.

**PUBLIC COMMENT:**

**ADMINISTRATOR'S REPORTS:**

**ATTORNEY'S REPORTS:**

**COMMISSIONERS' REPORTS:**

**EXECUTIVE SESSION:**

**ADJOURNMENT:**

# COUNTY AGENDA REQUEST

Page 1 of 115

Department: Board of Commissioners

Presenter(s): Chairman Charles W. Oddo

Meeting Date: Thursday, May 12, 2016

Type of Request: Proclamation/Recognition #1

## Wording for the Agenda:

Proclamation of May 2016 as "American Stroke Month."

## Background/History/Details:

Stroke is a leading cause of serious long-term disability and the fifth leading cause of death in the United States, killing about 130,000 people nationwide and over 3,000 citizens of Georgia each year. Stroke prevalence is projected to increase by 24.9% between 2010 and 2030 and the direct medical costs for treating stroke are expected to increase by 238%, from \$28.3 billion in 2010 to \$95.6 billion by 2030. New and effective treatments have been developed to treat and minimize the severity and damaging effect of strokes, but much more research is needed. Americans are more aware of the risk factors and warning signs for stroke than in the past, but according to a recent survey, one-third of adults cannot identify any symptoms.

A new study by the American Stroke Association shows that the quick actions by EMS professionals are instrumental in saving lives from stroke and producing better outcomes for stroke survivors, but more than a third of stroke patients fail to use EMS. Throughout American Stroke Month 2016, the American Stroke Association will honor those EMS professionals and stroke survivors who have acted F.A.S.T. in a stroke emergency to save lives by highlighting and sharing their stories. The American Stroke Association's Power to End Stroke will increase physical activity in at risk populations through the on-line Power Fitness challenge. The challenge will track individual's physical activity through a mobile app or device and encourage them to make exercise a daily activity through prize offerings and community support.

## What action are you seeking from the Board of Commissioners?

Proclaim May 2016 as "American Stroke Month."

## If this item requires funding, please describe:

Not Applicable.

Has this request been considered within the past two years? No

If so, when?

Is Audio-Visual Equipment Required for this Request?\* No

Backup Provided with Request? Yes

**\* 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 Not Applicable

Reviewed by Legal

Approved by Purchasing Not Applicable

County Clerk's Approval Yes

Administrator's Approval

## Staff Notes:

# COUNTY AGENDA REQUEST

Page 2 of 115

Department: Board of Commissioners

Presenter(s): Chairman Charles W. Oddo

Meeting Date: Thursday, May 12, 2016

Type of Request: Proclamation/Recognition #2

## Wording for the Agenda:

Proclamation of May 2016 as "Mental Health Month in Fayette County."

## Background/History/Details:

Mental Health is essential to everyone's health and well-being. All Americans experience times of difficulty and stress and their lives. Prevention is an effective way to reduce the burden of mental illness. There is a strong body of research that supports specific tools that all Americans can use to better handle challenges while protecting their health and well-being.

Mental illnesses are real and prevalent in the United States. With early and effective treatment, those individuals with mental illnesses can recover and lead full, productive lives. Each business, school, government agency, healthcare provider, organization, and citizen shares the burden of mental illnesses and has a responsibility to promote mental wellness and support prevention efforts.

This proclamation is a call to the citizens, government agencies, public and private institutions, businesses, and schools to recommit the Fayette community to increasing awareness and understanding of mental health, the steps citizens can take to protect their mental health, and the need for appropriate and accessible services for all people with mental illnesses at all stages.

## What action are you seeking from the Board of Commissioners?

Proclaim May 2016 as "Mental Health Month in Fayette County."

## If this item requires funding, please describe:

Not Applicable.

Has this request been considered within the past two years? No

If so, when?

Is Audio-Visual Equipment Required for this Request?\* No

Backup Provided with Request? Yes

**\* 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 Not Applicable

Reviewed by Legal

Approved by Purchasing Not Applicable

County Clerk's Approval Yes

Administrator's Approval

## Staff Notes:

# COUNTY AGENDA REQUEST

Page 3 of 115

Department:

Presenter(s):

Meeting Date:

Type of Request:

## Wording for the Agenda:

Recognition of the Fayette County Water System for receiving the Gold Award for both the Crosstown Water Treatment Plant and the South Fayette Water Treatment Plant, and for receiving the Best Tasting Water Award for District 3 in Georgia from Georgia Association of Water Professionals.

## Background/History/Details:

Every year the Georgia Association of Water Professionals (GAWP) awards the Gold Award to water plants that meet stringent guidelines in the treatment of potable drinking water. The Fayette County Water System won this prestigious award for both the Crosstown and South Fayette Water Treatment plants this year.

Fayette County Water System has also won the Best Tasting Water award for District 3 in Georgia.

## What action are you seeking from the Board of Commissioners?

Recognize the Fayette County Water System for receiving the Gold Award for both the Crosstown Water Treatment Plant and the South Fayette Water Treatment Plant, and for receiving the Best Tasting Water Award for District 3 in Georgia from Georgia Association of Water Professionals.

## 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:

## Gold and Platinum Award Winners

### **Congratulations to the following Gold or Platinum Award winning facilities!**

Gold and Platinum Awards will be announced at the Spring Conference & Expo in Columbus. After the conference all certificates will be mailed to the address provided on the application, along with information on having your award presented locally.

**If your facility is missing from this list, or the name is written incorrectly below, or you have any other questions please contact me immediately! Awards will be printed this week based on the information below!**

Thank you and congratulations again.

Susana Lanier  
Member Services Manager  
Georgia Association of Water Professionals  
1655 Enterprise Way, Marietta, GA 30067  
[slanier@gawp.org](mailto:slanier@gawp.org)  
678-540-7320

### **Drinking Water Facility Gold Awards**

Carroll County Water Authority, Snake Creek Water Treatment Plant

City of Carrollton, Carrollton Water Treatment Plant

City of Cartersville Water Department, Clarence B. Walker Water Treatment Plant

City of Commerce Water Treatment Plant, ESG Operations, Inc.

City of Cumming, City of Cumming Water Production Division

City of Flowery Branch, City of Flowery Branch Water System

City of Garden City

City of Milledgeville

City of Moultrie Spence Field Airport Water System, ESG Operations, Inc.

City of Moultrie Water System, ESG Operations, Inc.

City of Perry WTP, ESG Operations, Inc.

City of Richmond Hill Water Distribution System, Enviroworx Operations Management

City of Savannah - Georgetown Gateway

City of Savannah - Wilmington Island

City of Savannah - Whitmarsh Island

City of Savannah - Savannah Quarters

City of Savannah - I&D Water Supply

City of Savannah - Dutch Island

City of Savannah - Rockingham Farms Monessori School

City of Stockbridge, City of Stockbridge Water System

City of Thomasville

City of Winder Water Treatment Plant, ESG Operations, Inc.

Columbus Water Works, Tricolor Range well

Columbus Water Works, McKenna Mount #2 Range Well

Columbus Water Works, Malone 17 Range Well

Columbus Water Works, Leyte Range Well

Columbus Water Works, Fort Benning Water Treatment Plant

Columbus Water Works, Good Hope Range Well

DeKalb County Watershed Management, Scott Candler Water Treatment Plant

Etowah Water & Sewer Authority, Hightower Water Treatment Facility

Fayette County Water System, Crosstown Water Treatment Plant

Fayette County Water System, South Fayette Water Treatment Plant

Gwinnett County Department of Water Resources, Lanier Filter Plant

Heard County Water Authority, Steve Lipford Water Treatment Facility

Jekyll Island Authority, Jekyll Island State Park Authority

Macon Water Authority, Frank C. Amerson, Jr. Water Treatment Plant

Roswell Water System, Cecil Wood Water Treatment Plant

Tifton-Tift County Water System, ESG Operations, Inc.

**Drinking Water Facility Platinum Awards (# Platinum)**

Athens-Clarke County Government, J. G. Beacham Water Treatment Plant - 8

Atlanta Fulton County Water Resources Commission, Atlanta Fulton County Water Treatment Plant, Veolia Water/ Khafra a Joint Venture- 12

Augusta-Richmond County, N. Max Hicks Tobacco Road WTP - 10

Augusta-Richmond County, Groundwater Plants - 11

Augusta-Richmond County, Highland Avenue Filter Plant - 14

Cherokee County Water and Sewerage Authority, Etowah River, Water Treatment Plant - 1

City of Atlanta, Chattahoochee Water Treatment Facility - 9

City of Atlanta, Hemphill Water Treatment Facility - 9

City of Barnesville, City of Barnesville Water Treatment Plant, ESG Operations, Inc. - 9

City of Clarkesville, City of Clarkesville Filtration Plant - 1

City of Cornelia Water Works, City of Cornelia Water Plant - 7

City of Gainesville, Riverside Water Treatment Plant - 12

City of Gainesville Dept. of Water Resources, City of Gainesville Lakeside WTP - 12

City of Griffin, City of Griffin Simmons WTP - 9

City of Griffin, Still Branch WTP - 9

City of Rome, Bruce Hamler Water Treatment Facility – 12

Clayton County Water Authority, Terry R Hicks WPP - 15

Clayton County Water Authority, William J. Hooper WTP - 18

Clayton County Water Authority, J.W. Smith WTP - 7

Cobb County Marietta Water Authority, Hugh A. Wyckoff Water Treatment Plant - 8

Cobb County-Marietta Water Authority, James E. Quarles Water Treatment Plant - 8

Columbia County Water Utility, Clark's Hill Water Treatment Plant - 14

Columbia County Water Utility, Jim Blanchard Water Treatment Plant - 14

Columbus Water Works, Griswold Range Well - 7

Columbus Water Works, Camp Darby Range Well - 7

Columbus Water Works, Carmouchee Range Well - 7

Columbus Water Works, Hastings Range Well - 7

Columbus Water Works, McKenna Mount #1 Range Well - 7

Columbus Water Works, North Columbus Water Resource Facility - 8

Dalton Utilities, Mill Creek Membrane Filtration Plant - 17

Dalton Utilities, VD Parrott Jr Water Treatment Plant - 17

Douglasville-Douglas County Water & Sewer Authority, Bear Creek Water Treatment Plant - 18  
Forsyth County Water & Sewer, Forsyth County Water Treatment Facility, ESG Operations, Inc. - 1

Henry County Water Authority, Towilaga Water Treatment Facility - 9

Henry County Water Authority, Tussahaw WTP - 9

Oconee Co. Utility Dept., Watkinsville System - 14

Rockdale Water Resources, Big Haynes Creek Water Treatment Plant - 9

**Wastewater Facility Gold Awards**

Athens-Clarke County Public Utilities Department, North Oconee Water Reclamation Facility

Athens-Clarke County Public Utilities Department, Cedar Creek Water Reclamation Facility

Athens-Clarke County Public Utilities Department, Middle Oconee Water Reclamation Facility

Butts County, et al. Water & Sewer Authority, Bucksnot Ranch Land Application Facility

Carroll County Water Authority, Fairfield Plantation, LAS

City of Augusta Utilities James B. Messerly WWTP, ESG Operations Inc.

City of Barnesville James A King WWTP, ESG Operations, Inc.

City of Cornelia, City of Cornelia Water Pollution Control Plant

City of Flowery Branch, Flowery Branch WPCP

City of Flowery Branch, Cinnamon Cove Condominiums WPCP

City of Flowery Branch, Flowery Branch WPCP LAS

City of Garden City, Garden City WPCP

City of Hinesville Ft. Stewart Water Pollution Control Plant, CH2M Operations Management Services

City of McDonough, Walker County Wastewater Treatment Plant

City of Milledgeville, City of Milledgeville, W.P.C.P.

City of Perry Water Pollution Control Plant, ESG Operations, Inc.

City of Thomasville, City of Thomasville WWTP

City of Tybee island, City of Tybee Island Wastewater Treatment Plant

City of Villa Rica, Tallapoosa West WPCP

City of Warner Robins - Ocmulgee River WPCP, ESG Operations, Inc.

City of Winder, City of Winder Marburg Creek WWTP, ESG Operations, Inc.

City of Winder, City of Winder Marburg Creek Reuse (LAS), ESG Operations, Inc.

City of Winder, City of Winder Cedar Creek WWTP, ESG Operations, Inc.

Dalton Utilities, Mill Creek Waste Water Treatment Plant

Dalton Utilities, Loopers WWTP and Land Application System

Douglasville-Douglas County Water and Sewer Authority, Rebel Trails WPCP

Douglasville-Douglas County Water and Sewer Authority, Northside WPCP

Forsyth County Dick Creek Water Reclamation Facility, ESG Operations, Inc.

Forsyth County James Creek WRF, ESG Operations, Inc.

Fulton County Johns Creek Environmental Campus LAS, Veolia Water

Gwinnett County Department of Water Resources, F. Wayne Hill WRC

Gwinnett County DWR, Yellow River WRF

MillerCoors LLC

Newton County Water & Sewerage Authority, Yellow River Water Reclamation Facility

Rockdale Water Resources Quigg Branch WPCP, ESG Operations, Inc.

Rockdale Water Resources Snapping Shoals WPCP, ESG Operations, Inc.

Rockdale Water Resources Honey Creek WPCP, ESG Operations, Inc.

Rockdale Water Resources Scott Creek WPCP, ESG Operations, Inc.

**Wastewater Facility Platinum Awards (# Platinum)**

Cherokee County Water & Sewerage Authority, Fitzgerald Creek Water Pollution Control Facility - 6

Cherokee County Water & Sewerage Authority, Rose Creek Water Pollution Control Facility - 6

City of Carrollton, City of Carrollton Wastewater Treatment Facility - 9

City of Clarkesville Water Pollution Control Plant, City of Clarkesville Water Pollution Control Plant - 1

City of Cumming, Bethelview Road AWRF - 18

City of McDonough, Walnut Creek WPCP - 8

City of Rome, Georgia, Coosa Water Reclamation Facility - 11

City of Rome, Georgia, Rome Water Reclamation Facility - 6

City of Waycross WWTP, ESG Operations, Inc. - 6

Clayton County Water Authority, W.B. Casey Water Reclamation Facility - 11

Clayton County Water Authority, Shoal Creek Water Reclamation Facility - 19

Clayton County Water Authority, Northeast Water Reclamation Facility - 7

Cobb County Water System, Noonday Creek WRF - 11

Cobb County Water System, Northwest Cobb Water Reclamation Facility - 15

Cobb County Water System, RL Sutton Water Reclamation Facility - 6

Cobb County Water System, South Cobb Water Reclamation Facility – 8

Columbia County Water Utility, Kiokee Creek WPCP - 13

Columbia County Water Utility, Little River WPCP - 16

Columbia County Water Utility, Crawford Creek WPCP Columbia County Water Utility - 7

Dalton Utilities, Riverbend WWTP and Land Application System - 7

Dekalb County, Snapfinger Creek AWTF - 9

Etowah Water And Sewer Authority, Dawson Forest Water Reclamation Facility - 14

Forsyth County Manor Water Reuse Facility, ESG Operations, Inc. - 10

Forsyth County Parkstone at the Bridges ESG, Operations, Inc. - 6

Forsyth County Windermere Water Reuse Facility, ESG Operations, Inc. - 9

Fulton County Big Creek Water Reclamation Plant, Veolia Water - 1

Fulton County Little River Water Pollution Control Plant LAS, Veolia Water - 1

Fulton County Little River Water Pollution Control Plant, Veolia Water - 1

Fulton County Johns Creek Environmental Campus, Veolia Water - 6

Fulton County Water Resources Camp Creek Water Reclamation Facility, American Water - 11

Fulton County Water Resources Little Bear Water Reclamation, Facility American Water - 11

Gwinnett County Department of Water Resources, Crooked Creek WRF – 9

Henry County Water Authority, Walnut Creek-LAS Land Application - 7

Macon Water Authority, Rocky Creek Water Reclamation Facility - 17

Rockdale Water Resources, Almand Branch WPCP, ESG Operations, Inc. - 7

# COUNTY AGENDA REQUEST

Page 12 of 115

Department: Board of Commissioners

Presenter(s): Chairman Charles W. Oddo

Meeting Date: Thursday, May 12, 2016

Type of Request: Proclamation/Recognition #4

## Wording for the Agenda:

Recognition of Information Systems Director Phil Frieder, Human Resources Director Lewis Patterson, and County Administrator Steve Rapson for completing "Core Certification" courses through the Association of County Commissioners Georgia and for being designated as "Certified County Officials."

## Background/History/Details:

Each County Commissioner, upon his or her election, is enrolled in a series of classes through the Association of County Commissioners Georgia (ACCG). These classes, referred to as the "Core Certification" include nine courses covering sixty-six hours of required courses. These classes are specifically designed to provide instruction on the roles and responsibilities of Commissioners. The nine "Core Certification Classes" are: County Government 101, County Government Finance, County Government Law; Economic Development, Ethics, Human Resources; Leadership Institute, Property Appraisal and Taxation, and Public Safety and Public Health.

Upon completion, the Commission is recognized by the Association of County Commissioners Georgia as a "Certified County Commissioner," and, per Georgia Law, are provided with a \$100 monthly stipend from the county. Unelected county officials may also take these classes, and, upon completion, they are recognized as "Certified County Officials."

During the 2016 Annual ACCG Conference in Savannah, Georgia, Information Systems Director Phil Frieder, Human Resources Director Lewis Patterson, and County Administrator Steve Rapson were recognized for completing the "Core Certification" and each obtained the status of "Certified County Official." It is noted that Chief Financial Officer Mary Parrott was the first Fayette County employee to be recognized as "Certified County Official" by the Association of County Commissioners Georgia.

## What action are you seeking from the Board of Commissioners?

Recognize Information Systems Director Phil Frieder, Human Resources Director Lewis Patterson, and County Administrator Steve Rapson for completing "Core Certification" courses through the Association of County Commissioners Georgia and for being designated as "Certified County Officials."

## If this item requires funding, please describe:

Not Applicable.

Has this request been considered within the past two years? No

If so, when?

Is Audio-Visual Equipment Required for this Request?\* No

Backup Provided with Request? Yes

**\* 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 Not Applicable

Reviewed by Legal

Approved by Purchasing Not Applicable

County Clerk's Approval Yes

Administrator's Approval

## Staff Notes:

It is noted that in July, 2014, Chief Financial Officer Mary Parrott was the first Fayette County employee to be recognized as a "Certified County Official" by the Association of County Commissioners Georgia.

# COUNTY AGENDA REQUEST

Page 13 of 115

Department: Board of Commissioners

Presenter(s): County Administrator Steve Rapson

Meeting Date: Thursday, May 12, 2016

Type of Request: Proclamation/Recognition #5

## Wording for the Agenda:

Recognition of Chairman Charles W. Oddo for completing his Association of County Commissioners Georgia Specialty Track Certification with special emphasis on Economic and Community Development.

## Background/History/Details:

Each County Commissioner, upon his or her election, is enrolled in a series of classes through the Association of County Commissioners Georgia (ACCG). These classes, referred to as the "Core Certification" include nine courses covering sixty-six hours of required courses. These classes are specifically designed to provide instruction on the roles and responsibilities of Commissioners. Upon completion, the Commission is recognized by the Association of County Commissioners Georgia as a "Certified County Commissioner," and, per Georgia Law, are provided with a \$100 monthly stipend from the county. Commissioners then have an option to continue receiving additional education through a Specialty Track Certification.

Specialty track classes are designed to engage the learner at a much deeper level. The course topics are more refined and class participants have more opportunities to become truly immersed in the subject matter. To obtain a Specialty Track certification, a participant must complete eight courses in the track.

Chairman Oddo took the following eight courses: Global Commerce and Georgia's Targeted Industries, Land Use and Planning, Managing Growth; Regional Economic Development Training, Revitalizing Your Community, Tax Incentives and Financing for Economic Development; Understanding Local Economic Development Assets, and Work Force Development and Education.

## What action are you seeking from the Board of Commissioners?

Recognize Chairman Charles W. Oddo for completing his Association of County Commissioners Georgia Specialty Track Certification with special emphasis on Economic and Community Development.

## If this item requires funding, please describe:

Not Applicable.

Has this request been considered within the past two years? No

If so, when?

Is Audio-Visual Equipment Required for this Request?\* No

Backup Provided with Request? Yes

**\* 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 Not Applicable

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval Yes

Administrator's Approval

## Staff Notes:

# COUNTY AGENDA REQUEST

Page 14 of 115

Department:

Presenter(s):

Meeting Date:

Type of Request:

## Wording for the Agenda:

Public Hearing of Petition No. 1253-16, Trademark Quality Homes, Owner, and Moore Bass Consulting, Inc., Agent, request to rezone 26.9 acres from A-R to R-50 to develop a Single-Family Residential Subdivision consisting of 20 lots with said property being located in Land Lot 59 of the 7th District and fronting on Ebenezer Road with two (2) recommended conditions.

## Background/History/Details:

Staff recommends approval of rezoning petition 1253-16 from A-R to R-50 with two (2) Conditions.

Planning Commission Chairman Graw made a motion to recommend to the Board of Commissioners that Petition 1253-16 be R-70 with the two (2) conditions that staff have placed on the property. Brian Haren seconded the motion. Motion passed three 3-2. Al Gilbert and John Culbreth voted against the motion.

The two conditions agreed upon by both staff and the Planning Commission are:

1. The owner/developer shall provide, at no cost to Fayette County, a quit-claim deed for 50 feet of right-of-way as measured from the centerline of Ebenezer Road prior to the approval of the Final Plats and said dedication area shall be shown on the Final Plats.
2. That the owner/developer provides an Ingress-Egress Easement, described in metes and bounds with a minimum width of 20 feet, to the property owner of Tract 2. Said Ingress-Egress Easement shall be recorded with the Clerk of Superior Court.

## What action are you seeking from the Board of Commissioners?

Approval of Petition No. 1253-16, Trademark Quality Homes, Owner, and Moore Bass Consulting, Inc., Agent, request to rezone 26.9 acres from A-R to R-50 (Staff) or R-70 (PC) to develop a Single-Family Residential Subdivision consisting of 20 lots with said property being located in Land Lot 59 of the 7th District and fronting on Ebenezer Road with two (2) recommended conditions.

## 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:

Staff and the Planning Commission agree that the property can be rezoned from A-R. There is a difference between how the property should be rezoned with staff recommending rezoning to R-50 and the Planning Commission recommending rezoning to R-70. Both parties agree on the two (2) recommended conditions.

## **RECOMMENDED CONDITIONS**

1. The owner/developer shall provide, at no cost to Fayette County, a quit-claim deed for 50 feet of right-of-way as measured from the centerline of Ebenezer Road prior to the approval of the Final Plats and said dedication area shall be shown on the Preliminary Plat and Final Plats.
2. That the owner/developer provides an Ingress-Egress Easement, described in metes and bounds with a minimum width of 20 feet, to the property owner of Tract 2. Said Ingress-Egress Easement shall be recorded with the Clerk of Superior Court and shown on the Preliminary Plat and Final Plat.

PLANNING COMMISSION RECOMMENDATION

DATE: April 7, 2016

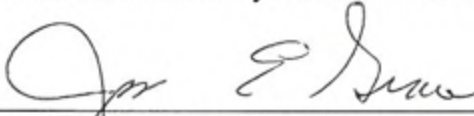
TO: Fayette County Commissioners

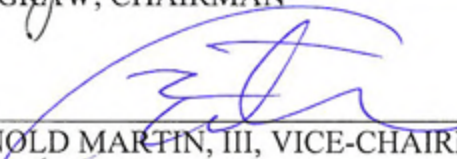
The Fayette County Planning Commission recommends that Petition No. 1253-<sup>16</sup>~~15~~, the application of Trademark Quality Homes, Inc. to rezone 26.90 from A-R to R-50, be:

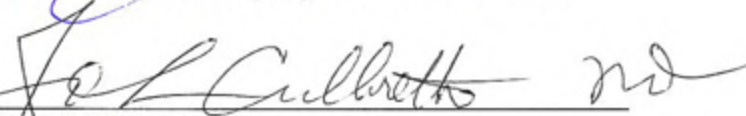
☐ Approved      ☐ Withdrawn      ☒ Disapproved

☐ Tabled until \_\_\_\_\_

This is forwarded to you for final action.

  
JIM GRAW, CHAIRMAN

  
ARNOLD MARTIN, III, VICE-CHAIRMAN

  
JOHN CULBRETH

  
AL GILBERT

  
BRIAN HAREN

**Remarks:**

Planning Commission voted to  
recommend R-70 with the condition  
Motion passed 3 in favor, 2 opposed

**STATE OF GEORGIA  
COUNTY OF FAYETTE**

**RESOLUTION**

**NO. 1253-15**

**WHEREAS**, Trademark Quality Homes, Inc., Owner, and Moore Bass Consulting, Inc., Agent, having come before the Fayette County Planning Commission on February 4, 2016, requesting an amendment to the Fayette County Zoning Map pursuant to "The Zoning Ordinance of Fayette County, Georgia, 2010"; and

**WHEREAS**, said request being as follows: Request to rezone 26.90 from A-R to R-50, in the area of Ebenezer Road, Land Lot 59 of the 7th District, for the purpose of developing a Single Family Residential Subdivision; and

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

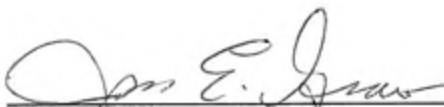
**BE IT RESOLVED** that the decision of the Fayette County Planning Commission, that said request be **APPROVED as R-70**.

This decision is based on the following reason:

Is more compatible with the surrounding area.

**PLANNING COMMISSION  
OF  
FAYETTE COUNTY**

**ATTEST:**

  
\_\_\_\_\_  
**JIM GRAW  
CHAIRMAN**

  
\_\_\_\_\_  
**CHANELLE BLAINE  
PC SECRETARY**

**2. Consideration of Petition No. 1253-16, Trademark Quality Homes, Inc., Owner, and Moore Bass Consulting, Agent, request to rezone 26.90 acres from A-R to R-50 to develop a Single-Family Residential Subdivision. This property is located in Land Lot 59 of the 7th District and fronts on Ebenezer Road.**

Chairman Graw asked for the petitioner to come forward and present to the board.

Sean Shanks with Moore Bass consulting stated that the request is to rezone 26.90 acres from A-R to R-50. He said that the proposed layout would include 20 one (1) acre lots. He added that these lots would be served by a new public road. He stated that the layout brought to them previously had some lots gaining access off of Ebenezer Road. He said that R-50 is compatible with the surrounding zoning and is consistent with the County's Comprehensive Plan. He added that the R-50 would allow for slightly larger house size (2100 square feet) than the surrounding zonings. He stated that during their review all staff departments recommended approval. He asked the Planning Commission if they had any questions.

Chairman Graw asked if anyone would like to speak in favor of this petition. Hearing none he asked if anyone would like to speak in opposition.

Mark Shames stated that he has been a resident of Fayette County for almost 29 years and that the petitioner wants to be his neighbor. He said that before Mr. Wingo was the Tax Commissioner Ms. Charlotte Griggs was the Tax Commissioner. He added that he is living on one (1) of her subdivisions. He stated that the first subdivision was Arlington Trace, the second was Hamilton Glen (his subdivision) and the last was Laura Ridge. He said that all of those subdivisions were two (2) acre lots. He asked if we were changing the plans. He stated that Turtle Cove became Longboat Subdivision it has now opened Pandora's Box. He asked if we approve the rezoning for this petitioner, can Mr. Cavender come by tomorrow and ask for 50 houses on his 35 acre lot. He said that everything up and down Ebenezer has two (2) acre lots. He added that his neighbor has a 50 acre horse farm and asked if he could turn that into a 66 lot subdivision. He asked if anyone would address his concerns.

Al Gilbert stated that the Petitioner will as soon as everybody has voiced their concerns.

Larry Dove said after looking at the overlay for the property it does allow for one (1) acre lots but it also allows for two (2) acre lots. He asked the Planning Commission to reject this application for the one (1) acre lots and instead look at the two (2) acre lot minimum zoning action for this property. He said that Fayette County prides itself on not settling for the least. He added that we demand the best from our schools and services. He said by accepting this one (1) acre minimum they are lowering their standards of the County. He added that once you open up the one (1) acre minimum on Ebenezer Road you won't be able to stop it. He said who's to stop someone else from coming to do lots smaller than one acre. He reiterated his request of asking the Planning Commission to reject the request for one (1) acre lots and instead allow for two (2) acre lots.

Chairman Graw asked if there was anyone else who wanted to speak in opposition. Hearing none the Petitioner came back up with a rebuttal.

Sean Shanks said that when the owner purchased the property he did so believing he could develop one acre lots and it is his preference at this point.

Mark Shames said if we hypothetically approve this can I sell one (1) one of my two (2) acres of land.

Chairman Graw brings the decision back to the Planning Commission for discussion.

Arnold Martin asked if there had been any traffic studies done for that area, based on the amount of lots.

Sean Shanks replied that there had not been any traffic studies done by his firm or the owner.

Arnold Martin asked Sean Shanks if there were any thoughts about the traffic impact. Sean Shanks said typically on a 20 lot subdivision there is not a massive traffic impact. He added that most municipalities don't require a traffic impact study.

Brian Haren asked if there was any allowance of right of way for that one (1) tract of land that is landlocked.

Sean Shanks replied that the land will have a dedicated easement.

Brian Haren asked if they were going to keep the detention/retention pond with the 20 lots.

Sean Shanks replied yes.

Al Gilbert asked Sean Shanks if they looked at the R-55 option.

Sean Shanks said that the owner mentioned it but would prefer to stay with the R-50 because of the one (1) acre minimum and the 2100 sq. ft. home. He said that the owner is very proud of the product he is going to put in there.

Chairman Graw stated that he is going to bring up the points he brought before the last meeting regarding this zoning. He said that he has look at the map and the different zoning categories on Ebenezer Road. He added that there was a preponderance of A-R and R-70 zoning. He stated that R-70 zoning is two (2) acre lots and that there was a small piece of R-40 which is one (1) acre lots near the southern part of Ebenezer Road. He said that he doesn't feel comfortable with the one (1) acre request whether it be R-50 or R-55. He added that the residents purchased their homes knowing that it was zoned R-70 two (2) acres and assumed that it was going to continue to be two (2) acre zoning. He stated that it is only fair to those people to continue the R-70 zoning. He said the other reason why he feels uncomfortable with the one (1) acre zoning is because it can start a precedent on Ebenezer.

Chairman Graw made a motion to the Board of Commissioners that Petitioner 1253-16 be R-70 with the two (2) conditions that staff has placed on the property. Brian Haren seconds the motion.

Chairman Graw asked if there was any further discussion.

Al Gilbert replied yes. He said that he agreed with Chairman Graw and Brian Haren when he first received his package, but he noticed that staff recommended approval. He said that when we first did a land use plan that area was land use two (2) to five (5) acres, and strangely it became two (2) to three (3) acre later on. He added that in 2004 the Planning Commission and Board of Commissioners unanimously approved a change in the land use from one (1) to two (2) acres. He stated that if the intent was for it to be two (2) acres, it would have stayed two (2) to three (3) acres, but it's one (1) to two (2) acres. He said that the Planning Commission has honored the land use 98 % of the time. He said that he asked Pete Frisina what would be a reason to turn down a rezoning if it meets the land use. He said that Pete Frisina replied environmental, engineering, or public safety. He added that for this particular rezoning request none of these departments come into play, and that's why staff recommended approval for the rezoning. He asked the Planning Commission if they remember the rezoning on Highway 74 South for O-I. He said that behind the property was A-R and estate property on all those lots. He added that across the road was A-R zoning. He stated that it is non-conforming A-R but it's A-R. He said that we voted unanimously to have O-I zoning there because of the land use said that is what is acceptable there. He stated that he doesn't see any difference between the two (2) rezonings. He said that if we don't agree with the land use then the land use needs to be changed. He reiterated that he doesn't feel comfortable voting against the land use.

Chairman Graw stated that he doesn't think an R-70 zoning violates the land use because it says one (1) to two (2) acres. He said that one (1) acres meets the land use and two (2) acres meet the land use. He added that we are not violating anything with the land use.

Al Gilbert asked why it was changed from two (2) to five (5), to one (1) to two (2) acres.

Chairman Graw stated that he doesn't know what the reason was.

Al Gilbert replied the reasoning being is because of what took place on Highway 54. He said that our opinion at the time was that those roads coming off Highway 54 were going to change, and that's why it was change to one (1) to two (2) acres. He reiterated that if the intent was to be two (2) acres it should have been left alone.

Chairman Graw stated that the property that fronts Highway 54 and the property that fronts Ebenezer are two (2) different properties. He said the property that fronts Highway 54 is one (1) acre and the property that fronts Ebenezer Road is five (5) or two (2) acre. He reiterated that both the one (1) acre and the (2) acre meet the land use plan.

Al Gilbert stated that he wasn't talking about the R-40 and R-45 but what was happening on Highway 54. He stated that the roads changed that whole area and that was why they updated the land use plan.

Chairman Graw stated again that he didn't know why we changed the land use there.

Al Gilbert said that Chairman Graw was on the Planning Commission at the time of the update.

Chairman Graw stated that he can't remember back that far. He said that he was looking at what was fair and will not set a precedent for that area. He reiterated that he was very concerned about one (1) acre lots setting a precedent for the area. He added that if you were to do an R-50 one (1) acre what's to stop someone from doing a R-40 one (1) acre, because that meets the land use also.

Al Gilbert stated that the minimum square footage for a home in the R-70 district is 1500, but the R-50 is 2100. He said that he would much rather live next door to a one (1) acre 2100 square foot home as oppose to a two (2) acre 1500 square foot home. He added that he doesn't believe that someone is going to come in and build a 1500 square foot home. He asked the Planning Commission if they had looked at the areas where subdivisions had failed this last go around. He said that banks were selling these lots at wholesale prices. He added that there is a risk in developing, and that banks don't hold property they get rid of them. He said if they are sold cheaply the developer may build houses that are 1500 square feet on R-70.

Chairman Graw said that he doesn't recall the Planning Commission recommending rezoning based on house sizes, because if that were the case you would have 2100 square foot homes over here and 1500 square foot homes over there and you would have nothing but chaos. He stated that you look at the zoning category whether it is a 40, 50, 55, or 70. He added that you don't consider house size as it is a part of the zoning category, and that's what the developer has to meet if that property is zoned a particular category. He reiterated that we don't look at house sizes because if you did we would have a mishmash of zonings all over the place.

John Culbreth said he was of the opinion if the land use permits the classification on the petition here I'm more inclined to be in favor of it. He added if they didn't vote in favor of it they had no solid grounds to stand on should it be appeal to the court.

Brian Haren stated that he was not inclined to support this. He said that he understood that there is a land use plan there and that one (1) acre lots are permitted, but he is looking at the future of Ebenezer Road. He added that he doesn't want to set a precedent there. He stated that he has looked at this County for the past two (2) years and has noticed that the land rush is back on. He said that he is extremely concerned about what the City is doing as far as high density housing. He added that he feels it is their responsibility on this to committee to defend the County and the traditional way the County has built its way out. He stated that the County is known for quality housing, good size lots, good quality of life, and good schools. He said that he really does not want to see high density development, which he considered to be one (1) acre or less unless there was no other option or the zoning ordinance says it has to be this way. He reiterated that it was their job to defend the County and did not see R-50 zoning as a good fit down Ebenezer Road. He added that it is better suited as R-70 or to keep it A-R.

Arnold Martin asked what was the thinking behind changing the land use in that area, beside the fact that Highway 54 was expanding.

Al Gilbert replied that the feelings were that Highway 54 was going to become O-I, and it was going to change those areas right of it. He added that it was a unanimous decision from the Planning Commission and the Board of Commissioners. He reiterated that the Planning Commission honors the land use 98% of the time. He added that if he was the Petitioner he would be looking at the land use and what it has historically done and one (1) acre has always been accepted where it has been one (1) to two (2) acres. He said that the only two (2) times they voted against land use was Pinewood Studios, which they quickly came back and changed land use and the veterinarian clinic on Highway 54. He reiterated that he has never seen the Planning Commission vote down a zoning that has met the land use.

Chairman Graw said that there is nothing wrong with one (1) acre zoning, but when you have an area with a preponderance of two (2) acre and where you can see that one (1) acre is inconsistent with that area you should go with the zoning that is a preponderance in that area in order to not set a precedent and that is the reason for my motion.

Al Gilbert called the question.

Chairman Graw stated that there is a motion and a second on the table to recommend to the County Commission R-70 with the two conditions. He asked Mr. Shanks if he had seen the two (2) conditions.

Sean Shanks replied yes.

Chairman Graw called for the vote. Motion passed three 3-2. He stated that the County Commission has the final say and are the ones that make the final decision. He added that the public can voice their opinions to them at the meeting.

**PLANNING COMMISSION RECOMMENDATION****DATE:** February 4, 2016**TO:** Fayette County Commissioners

The Fayette County Planning Commission recommends that Petition No. 1253-15, the application of Trademark Quality Homes, Inc. to rezone 26.90 from A-R to R-50, be:

☐ Approved      ☐ Withdrawn      ☐ Disapproved


☒ Tabled until Feb 18, 2016

This is forwarded to you for final action.

  
JIM GRAW, CHAIRMAN

ABSENT  
ARNOLD MARTIN, III, VICE-CHAIRMAN

ABSENT  
JOHN CULBRETH

  
AL GILBERT

  
BRIAN HAREN

**Remarks:**


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**(Planning Commission Minutes 2/4/16)**

**PUBLIC HEARING**

- 5. Consideration of Petition No. 1253-16, Trademark Quality Homes, Inc., Owner, and Rod Wright, Agent, request to rezone 26.90 acres from A-R to R-50 to develop a Single-Family Residential Subdivision. This property is located in Land Lot 59 of the 7th District and fronts on Ebenezer Road.**

Chairman Graw told Rod Wright that he had the right to table the petition since there were only three (3) members present. Rod Wright chose to continue with the hearing.

Rod Wright requested the approval to rezone the property off of Ebenezer Road from A-R to R-50. He said that there will be a small street in the subdivision and that no wetlands or streams will be impacted. He stated that the property abuts R-40 one (1) acre zoning. He added that he would answer any questions they might have for them.

Chairman Graw asked if anyone would like to speak in opposition of the petition.

Larry Dove, Fayette County resident, asked the Planning Commission to look at the character of the County and where we want to put more houses and where we want to keep that rural character of the County. He stated that the County has just done a survey called Fayette Visioning and there was no place in the study that said we want more residential density in parts of Fayette County. He asked that the property continue to be zoned A-R.

Chairman Graw asked if anyone else would like to speak in opposition. Hearing none he brought it back before the Planning Commission.

Rod Wright asked to rebut. He then stated that he has done nice looking neighborhoods for the County. He stated that property is in the Land Use Plan for one (1) acre zoning and that R-40 abuts it.

Chairman Graw brought it back before the Planning Commission for discussion. He stated that he has looked at the zoning proximity map and that there is a lot of A-R property in the area and R-70 property. He added that there was a small patch of R-40 property among the R-70 and A-R zoning. He said that he doesn't feel comfortable with an R-50 zoning in the area. He understood that eventually people will want to sell their large tracts of A-R property for subdivisions, but he feels that rezoning the property to R-50 will set a precedent. He stated that right across the road there is plenty of R-70 property. He then stated that R-70 property has a two (2) acre minimum and R-50 property has a one (1) acre minimum. He added that the minimum size house for an R-70 lot is 1,500 square feet and for an R-50 lot the minimum square footage for a house is 2,100 square feet.

Chairman Graw made a motion to recommend approval of Petition 1253-16 as R-70. Brian Haren seconded the motion.

Al Gilbert addressed Larry Dove's comments. He stated that the Planning Commission must adhere to the Land Use Plan. He said that he doesn't have a problem with the R-50 zoning because the value of the homes in the area will be greater than that of an R-70 zoning. Al Gilbert then called on Rod Wright to voice his opinion.

Rod Wright stated that if the property was zoned R-70 the infrastructure would not be feasible for him to carry out. He added that reason why he chose R-50 was because of the side setback lines. He said that he would be willing to put homes with higher square footages in the subdivision. He added that could be a condition the Planning Commission could set.

Al Gilbert stated that the Planning Commission can't put a condition on the square footage of a home. He added that the County is not concerned about his cost. He told Rod Wright that he believes he has said what the Planning Commission needed to hear.

Chairman Graw asked if there was any discussion for the motion to recommend approval of Petition 1253-16 as R-70.

Pete Frisina told the Planning Commission that there are three (3) conditions based on the R-50 zoning. He stated that the main condition was the dedication of 10 feet of right-of-way. He added that he doesn't know how the other two (2) conditions would be effected because the conditions are based on R-50 zoning and not R-70 zoning.

Chairman Graw then made a motion to recommend approval of Petition 1253-16 as R-70 with three (3) conditions.

Pete Frisina interjected saying that he doesn't know if condition three (3) would apply because they're moving to a different zoning district. He advised Chairman Graw to go with conditions one (1) and two (2) if he is changing to R-70 zoning.

Chairman Graw read the conditions one (1) and two (2):

1. The owner/developer shall provide, at no cost to Fayette County, a quit-claim deed for 50 feet of right-of-way as measured from the centerline of Ebenezer Road prior to the approval of the Final Plats and said dedication area shall be shown on the Final Plats.
2. That the owner/developer provides an Ingress-Egress Easement, described in metes and bounds with a minimum width of 20 feet, to the property owner of Tract 2. Said Ingress-Egress Easement shall be recorded with the Clerk of Superior Court.

Chairman Graw then made a motion to recommend approval of Petition 1253-16 as R-70 with two (2) conditions. Brian Haren seconded the motion. He asked for Rod Wright to comment to the change in request.

Patrick Stough informed the Planning Commission that the petitioner cannot make any recommendations because the vote is closed.

Chairman Graw stated that the vote is now back before the Planning Commission and no one from the public can speak in favor or against it.

Al Gilbert stated that the only reason why he asked Rod Wright to come back up was because the zoning request was changed, and he felt that he had a right to comment.

Chairman Graw called for the vote. The vote was 2(Chairman Graw and Brian Haren)-1(Al Gilbert). Arnold Martin and John Culbreth were both absent.

Al Gilbert made a motion to recommend approval of Petition 1253-16 as R-50.

Pete Frisina stated that you cannot condition a house size. He said that there was another one (1) acre zoning district with a larger zoning size.

Patrick Stough said that as long as the density is the same or less it should be okay to go with R-55.

Al Gilbert asked what the square footage for the home is.

Pete Frisina replied 2,500.

Al Gilbert made a motion to recommend approval of Petition 1253-16 as R-50. The motion died for lack of a second.

Pete Frisina stated that he doesn't know if the Planning Commission wants to consider R-55 zoning. He said that R-55 has a larger house with a one (1) acre minimum, side yard setback is 25 feet and rear setback is 50 feet. He added that the interior setback for the subdivision would be 50 feet and on Ebenezer would be 100 feet. He stated that it's pretty similar to R-50 except for the setbacks.

Charmain Graw said Brian Haren suggested that they table the Petition.

Al Gilbert made a motion to table Petition 1253-16 to February 18, 2016. Brian Haren seconded the motion. The motion passed 3-0. Arnold Martin and John Culbreth were both absent.

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**PETITION NO: 1253-15**

**REQUESTED ACTION:** A-R to R-50

**PROPOSED USE:** Single Family Residential Subdivision

**EXISTING USE:** Undeveloped Land

**LOCATION:** Ebenezer Road

**DISTRICT/LAND LOT(S):** 7th District, Land Lot(s) 59

**OWNER:** Trademark Quality Homes, Inc.

**AGENT:** Moore Bass Consulting, Inc.

**PLANNING COMMISSION PUBLIC HEARING:** April 7, 2016

**BOARD OF COMMISSIONERS PUBLIC HEARING:** May 12, 2016

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**APPLICANT'S INTENT**

Applicant proposes to develop a Single-Family Residential Subdivision consisting of 20 lots on 26.90 acres.

**STAFF RECOMMENDATION**

**APPROVAL WITH TWO (2) CONDITIONS**

1.

1253-15

## **INVESTIGATION**

### **A. PROPERTY SITE**

The subject property is a 26.90 acre tract fronting on Ebenezer Road in Land Lot(s) 59 of the 7th District. Ebenezer Road is classified as a Minor Arterial road on the Fayette County Thoroughfare Plan. The subject property is undeveloped and currently zoned A-R.

### **B. SURROUNDING ZONING AND USES**

The general situation is a 26.90 acre tract that is zoned A-R. In the vicinity of the subject property is land which is zoned R-40, A-R, and R-70. See the following table and also the attached Zoning Location Map.

The subject property is bound by the following adjacent zoning districts and uses:

<b>Direction</b>	<b>Acreage</b>	<b>Zoning</b>	<b>Use</b>	<b>Comprehensive Plan</b>
North	8.0	A-R	Church	Low Density Residential (1 Unit/1 to 2 Acres)
South	6.7	A-R	Single-Family Residence	Low Density Residential (1 Unit/1 to 2 Acres)
	22.5	A-R	Undeveloped	Low Density Residential (1 Unit/1 to 2 Acres)
East (across Ebenezer Road)	22.0	A-R	Single-Family Residence	Low Density Residential (1 Unit/1 to 2 Acres)
	2.6	R-70	Single-Family Residence	Low Density Residential (1 Unit/1 to 2 Acres)
	2.4	R-70	Undeveloped	Low Density Residential (1 Unit/1 to 2 Acres)
West	2.28	A-R	Single-Family Residence	Low Density Residential (1 Unit/1 to 2 Acres)
	29.5	R-40	Undeveloped (Longboat Subdivision Phase II)	Low Density Residential (1 Unit/1 to 2 Acres)
	1.75	R-40	Single-Family Residence (Longboat Subdivision Phase I)	Low Density Residential (1 Unit/1 to 2 Acres)
	1.0	R-40	Single-Family Residence (Longboat Subdivision Phase I)	Low Density Residential (1 Unit/1 to 2 Acres)
	1.0	R-40	Single-Family Residence (Longboat Subdivision Phase I)	Low Density Residential (1 Unit/1 to 2 Acres)
	1.1	R-40	Single-Family Residence (Longboat Subdivision Phase I)	Low Density Residential (1 Unit/1 to 2 Acres)

### **C. COMPREHENSIVE PLAN**

The subject property lies within an area designated for Low Density Residential (1 Unit/1 to 2 Acres). This request conforms to the Fayette County Comprehensive Plan.

### **D. ZONING/REGULATORY REVIEW**

The applicant seeks to rezone from A-R to R-50 for the purpose of developing a single-family residential subdivision. The subject property surrounds a 2.28 acre A-R lot identified as Tract 2 on the Concept Plan. This lot is not part of the rezoning request. The lot is a nonconforming landlocked lot platted and recorded in 1977. Tax records indicate that the house was built in 1977. Sec. 110-170. - Nonconformances. (b) states the following:

*Landlocked property.* In the event property is landlocked, as of the effective date of November 13, 1980, the property owner shall be entitled to building permits, provided the property owner has acquired a 20-foot easement to a public street, and said easement has been duly recorded and made a part of the property deed. In the event said property is divided into two or more lots, no further building permits shall be issued until each lot complies with the requirements of street frontage for access.

Tract 2 has an existing Ingress-Egress Easement (recorded in deed book 1099, page 102), as indicated on the Concept Plan. The owner/developer is proposing to relocate the Ingress-Egress Easement per the layout indicated on the Concept Plan. The relocated Ingress-Egress Easement must be described in metes and bounds with a minimum width of 20 feet. It is advised that the owner/developer obtain a Quit Claim Deed from the current property owner of Tract 2 for the existing Ingress-Egress Easement. Both the Ingress-Egress Easement and Quit Claim Deed must be recorded with the Clerk of Superior Court.

#### **Platting**

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

### **Right-of-Way Requirements**

Per Engineering/Public Works, Ebenezer Rd. near Davis Road has an 80' R/W and the Concept Plan indicates the same. As a Minor Arterial, Ebenezer Road requires 100 feet of right of way. Per Section 104.52 of the Fayette County Development Regulations, should a proposed development adjoin an existing street, the developer shall dedicate additional right-of-way to meet one-half the minimum right-of-way requirement for the applicable functional classification as indicated on the Fayette County Thoroughfare Plan of the adjoining street.

### **Access**

The Concept Plan indicates proposed internal local streets serving 16 lots, two (2) lots directly accessing Ebenezer Road and one (1) existing nonconforming landlocked property maintaining access to Ebenezer Road through an easement.

## **E. REVIEW OF CONCEPT PLAN**

The applicant is advised that the Concept Plan is for illustration purposes only. Any deficiencies must be addressed at the time of submittal of the Preliminary Plat, Final Plat, and/or Site Plan, as applicable.

Deficiencies include, but not limited to:

Lot 17 appears to have 49.31 feet of road frontage. Minimum road frontage requirement is 50 feet.

## **F. DEPARTMENTAL COMMENTS**

### **Water System**

Water available, 16" water main on Ebenezer Road. No changes to comments.

### **Engineering/Public Works**

Engineering/Public Works offers the following comments for Rezoning 1253-16 on Ebenezer Road:

- The 2nd concept is preferred to the first since it reduces the number of curb cuts on Ebenezer Road.
- The R-50 parcel would generate more traffic than if left as A-R, but the total number of curb cuts onto Ebenezer Rd from this parcel will be less under the R-50 zoning.

- Any new road shall meet minimum offset distances. For arterials, this is 500 feet (measured from existing edge of pavement to proposed right-of-way). The concept does not appear to meet this standard with respect to Willow Road, but staff can't tell for certain since the plan does not show Willow Road.
- We do not have an established level-of-service for Ebenezer Road but there are no known traffic issues with respect to congestion and capacity. Staff believes it is in free-flow condition for most, if not all, the day.
- Per GDOT, the Average Daily Traffic count is 3,280 vpd. The road saw significant growth from 1990 (1,649 vpd) to around 2000 (3,900 vpd) and then volumes slowly dropped to the current count.
- Sight distance is good along the parcel in question.

### **Environmental Management**

- Floodplain** The property **DOES NOT** contain floodplain per FEMA FIRM panel 13113C0091E dated Sept 26, 2008. The property **DOES NOT** contain additional floodplain delineated in the FC 2013 Future Conditions Flood Study. Per Fayette County Floodplain Management Ordinance the elevation of the lowest floor, including basement and building access of any development shall be a least 3 feet above the base flood elevation or one foot above the future-conditions flood elevation, whichever is higher. A Floodplain Management Plan is required if any development activities are totally or partially within an Area of Special Flood Hazard as defined by the Floodplain Management Ordinance.
- Wetlands** The property **DOES NOT** contain wetlands per the U.S. Department of the Interior, Fish and Wildlife Service 1994 National Wetland Inventory Map. Per Section 8-4 of Fayette County Development Regulations, the applicant must obtain all required permits from the U.S. Army Corps of Engineers prior to issuance of any permits from Fayette County for any phase of development affecting wetlands.
- Watershed** There is an unnamed tributary to Camp Creek and two ponds. These state waters are more than 1000 ft. upstream of the confluence with Camp Creek. Both ponds and unnamed stream **IS** subject to a 50 ft. watershed buffer measured from wrested vegetation and a 25 ft. setback as measured from the buffer.

**Groundwater** The property **IS NOT** within a groundwater recharge area.

**Stormwater** This development is subject to the Post-Development Stormwater Management Ordinance.

**Environmental Health Department**

Trademark Quality Homes Concept Plan: 152 & 183 Ebenezer Road. This department has no objections to the proposed rezoning to create a potential Single Family Residential Subdivision. Prior to this department being able to sign any final plats, the proposed subdivision must complete a required subdivision review through this department. The developer will need to submit the required information (including application, application fee, level 3 soils report and soils classifier proof of insurance) to our department to complete the subdivision review and site evaluation. Additionally, as part of the review, this department will need to confirm that a septic system on Tract 2 will be fully contained within, and no closer than 5' to the new property lines.

**Fire**

Must show hydrants on Preliminary Plat.

### **STAFF ANALYSIS**

This request is based on the petitioner's intent to rezone said property from A-R to R-50 for the purpose of developing Single Family Residential Subdivision. Per Section 110-300 of the Fayette County Zoning Ordinance, Staff makes the following evaluations:

1. The subject property lies within an area designated for Low Density Residential (1 Unit/1 to 2 Acres). This request conforms to the Fayette County Comprehensive Plan.
2. The proposed rezoning will not adversely affect the existing use or usability of adjacent or nearby property.
3. The proposed rezoning will not result in a burdensome use of roads, utilities, or schools.
4. Existing conditions and the area's continuing development as a single-family residential district support this petition.

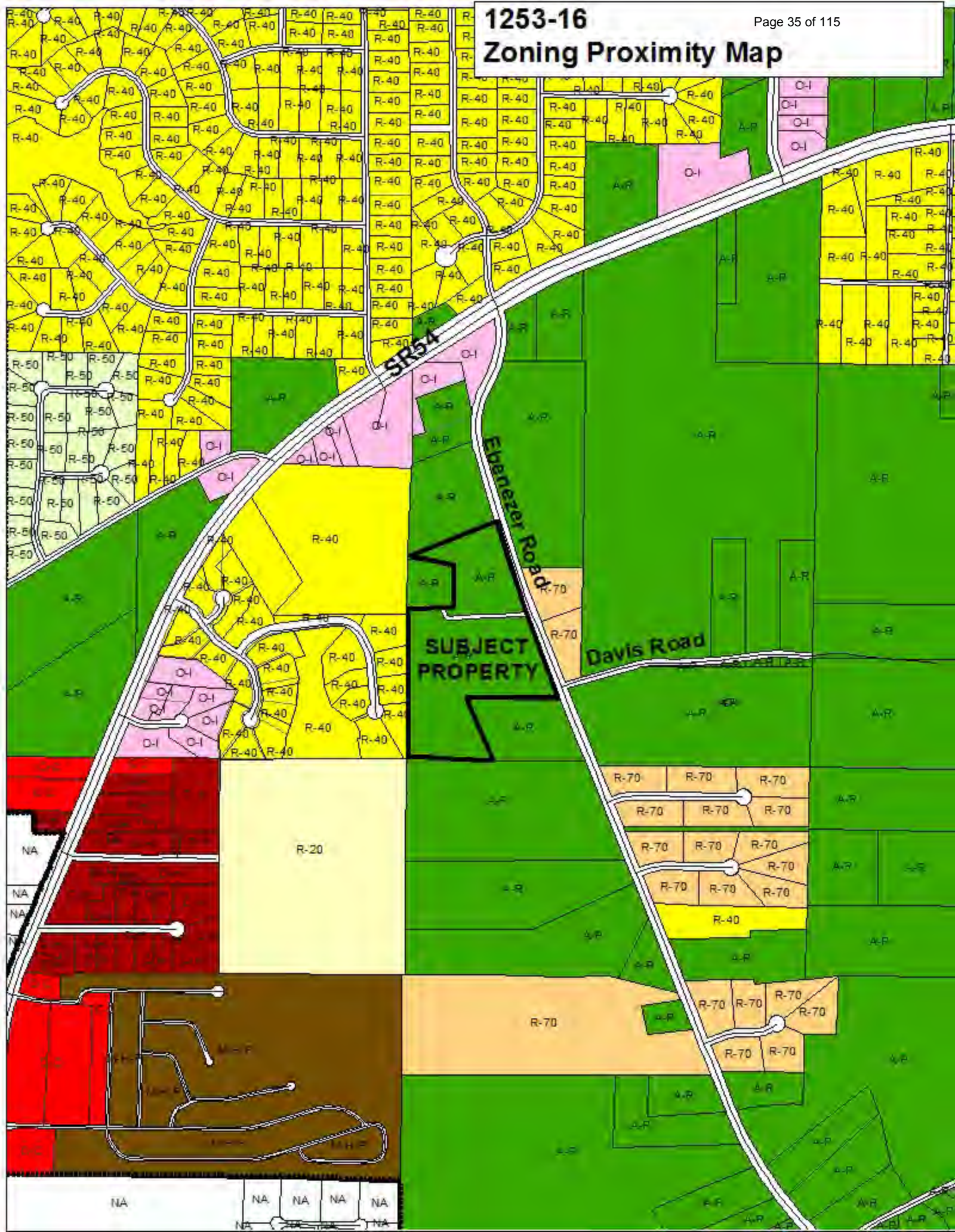
Based on the foregoing Investigation and Staff Analysis, Staff recommends **APPROVAL WITH TWO (2) CONDITIONS.**

### **RECOMMENDED CONDITIONS**

If this petition is approved by the Board of Commissioners, it should be approved R-50 **CONDITIONAL** subject to the following enumerated conditions. Where these conditions conflict with the provisions of the Zoning Ordinance, these conditions shall supersede unless otherwise specifically stipulated by the Board of Commissioners.

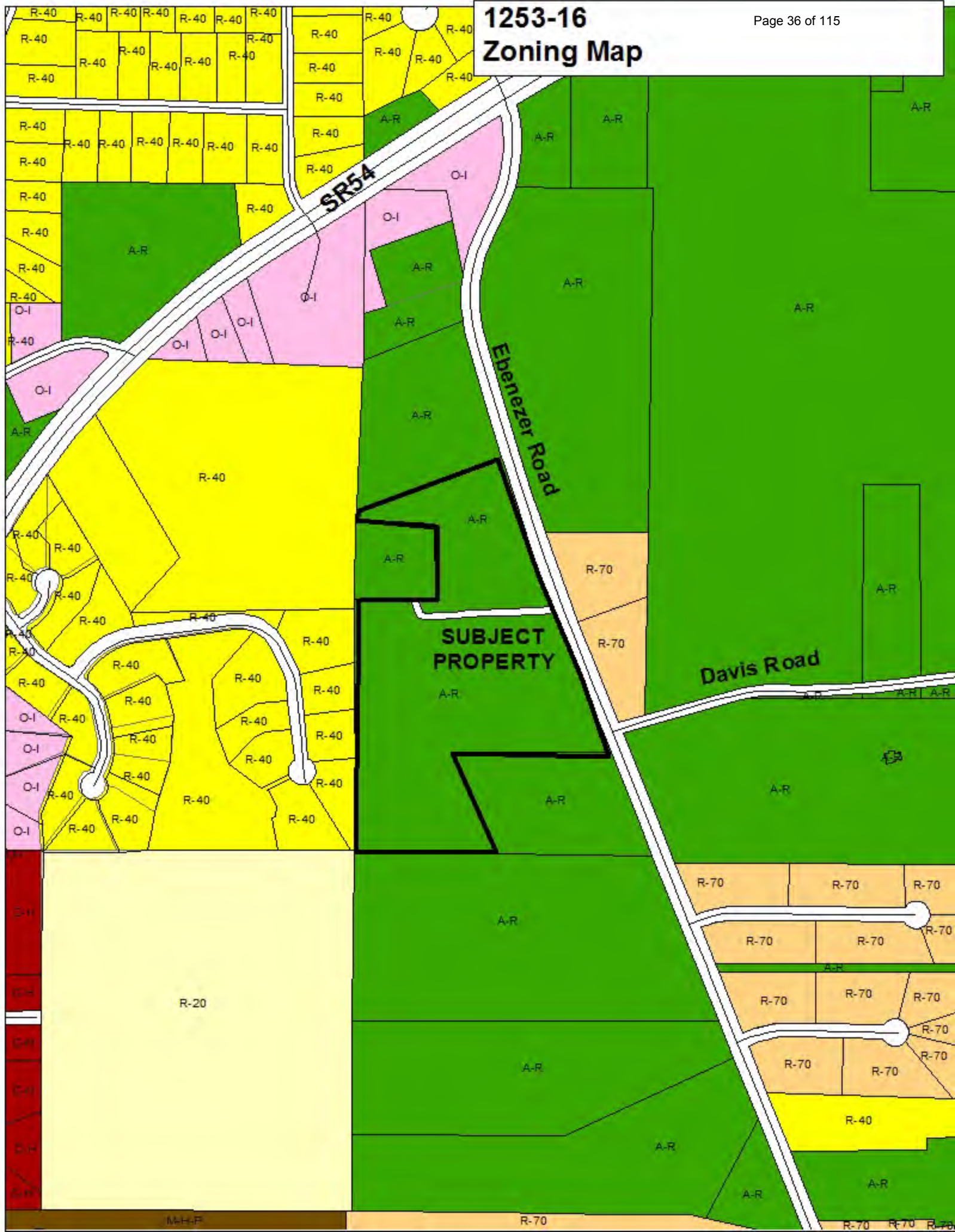
1. The owner/developer shall provide, at no cost to Fayette County, a quit-claim deed for 50 feet of right-of-way as measured from the centerline of Ebenezer Road prior to the approval of the Final Plats and said dedication area shall be shown on the Preliminary Plat and Final Plats.
2. That the owner/developer provides an Ingress-Egress Easement, described in metes and bounds with a minimum width of 20 feet, to the property owner of Tract 2. Said Ingress-Egress Easement shall be recorded with the Clerk of Superior Court and shown on the Preliminary Plat and Final Plat.

## Zoning Proximity Map

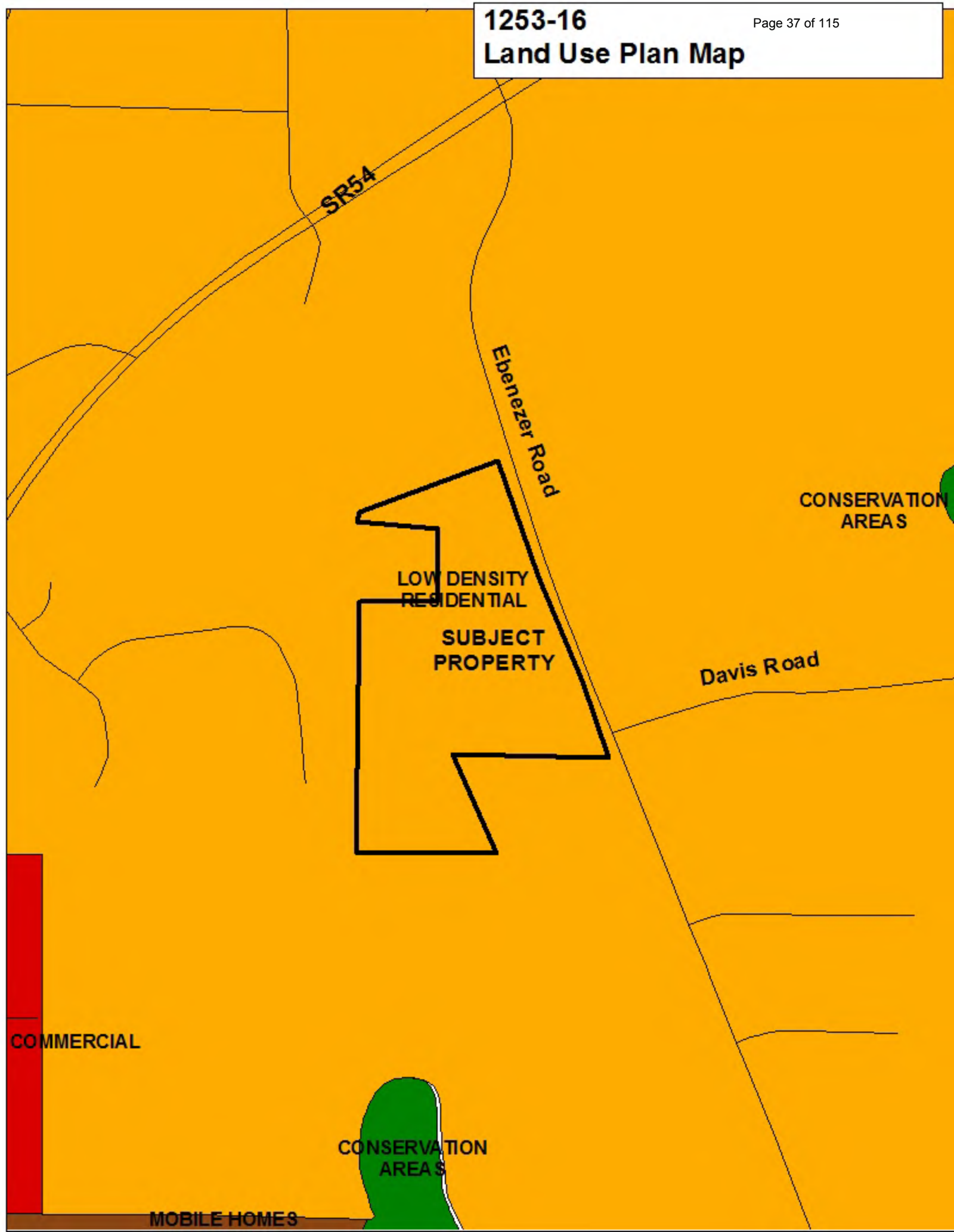


# 1253-16 Zoning Map

Page 36 of 115



## Land Use Plan Map



**1253-16**  
**Aerial Map**

Page 38 of 115



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

PROPERTY OWNERS: TRADEMARK QUARRY HOMES, Inc

MAILING ADDRESS: P.O. Box 926, GREENVILLE, GA 30222

PHONE: 706-672-4932 FAX: \_\_\_\_\_

AGENT FOR OWNERS: ~~TRADEMARK~~ RODWRIGHT CORP

MAILING ADDRESS: P.O. Box 629 Fayetteville, GA 30214

PHONE: 770-460-5606/770-294-7990 FAX: 770-460-5109

E-MAIL: the.subdividers@gmail.com.

PROPERTY LOCATION: LAND LOT 59 LAND DISTRICT 7A PARCEL 0714 016 <sup>Portion of</sup>  
LAND LOT \_\_\_\_\_ LAND DISTRICT \_\_\_\_\_ PARCEL \_\_\_\_\_

TOTAL NUMBER OF ACRES REQUESTED TO BE REZONED: 26.90

EXISTING ZONING DISTRICT: A-R PROPOSED ZONING DISTRICT: R-50

ZONING OF SURROUNDING PROPERTIES: West - (R-40) & (R-20) North - (A-R) South - (A-R)

PRESENT USE OF SUBJECT PROPERTY: Undeveloped Land WEST - (A-R) - (R-70)

PROPOSED USE OF SUBJECT PROPERTY: Residential Subdivision

LAND USE PLAN DESIGNATION: Low Density Residential

NAME AND TYPE OF ACCESS ROAD: Ebenezer Rd - Minor Arterial

LOCATION OF NEAREST WATER LINE: Ebenezer Rd - West side

(THIS AREA TO BE COMPLETED BY STAFF): PETITION NUMBER: 1253-16

☐ Application Insufficient due to lack of: \_\_\_\_\_

by Staff: \_\_\_\_\_ Date: \_\_\_\_\_

☒ Application and all required supporting documentation is Sufficient and Complete

by Staff: Pete Fivone Date: 1/4/16

DATE OF PLANNING COMMISSION HEARING: 2/4/16

DATE OF COUNTY COMMISSIONERS HEARING: 2/25/16

Received from ROD WRIGHT CORP a check in the amount of \$ 470.00 for application filing fee, and \$ 20.00 for deposit on frame for public hearing sign(s).

Date Paid: 1/4/16 Receipt Number: 5084610

PROPERTY OWNER CONSENT AND AGENT AUTHORIZATION FORM Page 40 of 115  
(Applications require authorization by ALL property owners of subject property).

Name(s) of All Property Owners of Record found on the latest recorded deed for the subject property:

Trademark Quality Homes Inc.  
Please Print Names

Property Tax Identification Number(s) of Subject Property: 0714 016

(I am) (we are) the sole owner(s) of the above-referenced property requested to be rezoned. Subject property is located in Land Lot(s) 59 of the 7th District, and (if applicable to more than one land district) Land Lot(s) \_\_\_\_\_ of the \_\_\_\_\_ District, and said property consists of a total of \_\_\_\_\_ acres (legal description corresponding to most recent recorded plat for the subject property is attached herewith).

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

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

Trademark Quality Homes Inc.  
Signature of Property Owner 1 Its President.

Po Box 926, Greenville GA 30222  
Address

Signature of Notary Public

12/23/15  
Date

Signature of Property Owner 2

Address

Signature of Notary Public

Date

Signature of Property Owner 3

Address

Signature of Notary Public

Date

Signature of Authorized Agent

P.O. Box 629 Fayetteville GA 30214  
Address

Signature of Notary Public

12/31/15  
Date



NAME: RODWEIGHT CORP PETITION NUMBER: \_\_\_\_\_ADDRESS: P.O. Box 629 Fayetteville, GA 30214

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

ROD WRIGHT affirms that he is the owner or the specifically authorized agent of the property described below. Said property is located in a(n) A-R Zoning District. He/She respectfully petitions the County to rezone the property from its present classification and tenders herewith the sum of \$ 420.00 to cover all expenses of public hearing. He/She petitions the above named to change its classification to R-50.

This property includes: (check one of the following)

☐ See attached legal description on recorded deed for subject property or

☒ Legal description for subject property is as follows:

SEE ATTACHED.

PUBLIC HEARING to be held by the Planning Commission of Fayette County on the 4th day of Feb., 20 16 at 7:00 P.M.

PUBLIC HEARING to be held by the Board of Commissioners of Fayette County on the 25th day of Feb., 20 16 at 7:00 P.M.

SWORN TO AND SUBSCRIBED BEFORE ME THIS 31st DAY OF December, 20 15,

Dicki L. Kashani

NOTARY PUBLIC

[Signature]  
APPLICANT'S SIGNATURE

# AGREEMENT TO DEDICATE PROPERTY FOR FUTURE RIGHT-OF-WAY

I/We, Trademark Quality Homes Inc., said property owner(s) of subject property requested to be rezoned, hereby agree to dedicate, at no cost to Fayette County, 50 feet of right-of-way along Ebenezer Rd. as measured from the centerline of the road.

Based on the Future Thoroughfare Plan Map streets have one of the following designations and the Fayette County Development Regulations require a minimum street width as specified below:

Local Street (Minor Thoroughfare) 60 foot right-of-way (30' measured from each side of road centerline)

Collector Street (Major Thoroughfare) 80 foot right-of-way (40' measured from each side of road centerline)

Arterial Street (Major Thoroughfare) 100 foot right-of-way (50' measured from each side of road centerline)

Sworn to and subscribed before me this 23 day of December, 2015.

John David Chapman Jr.

Trademark Quality Homes, Inc.  
Its President/CEO

SIGNATURE OF PROPERTY OWNER

[Signature]

NOTARY PUBLIC



[illegible]

DATE 03-16

FILE #

CONTRACT #

DRAWN BY \_\_\_\_\_

The Drawings, Specifications and other documents prepared by Moore Bass Consulting, Inc. (MB) for this Project are instruments of MB for use solely with respect to this Project and, unless otherwise provided, MB shall be deemed the author of these documents and shall retain all common law, statutory and other reserved rights, including the right to make copies of the documents.

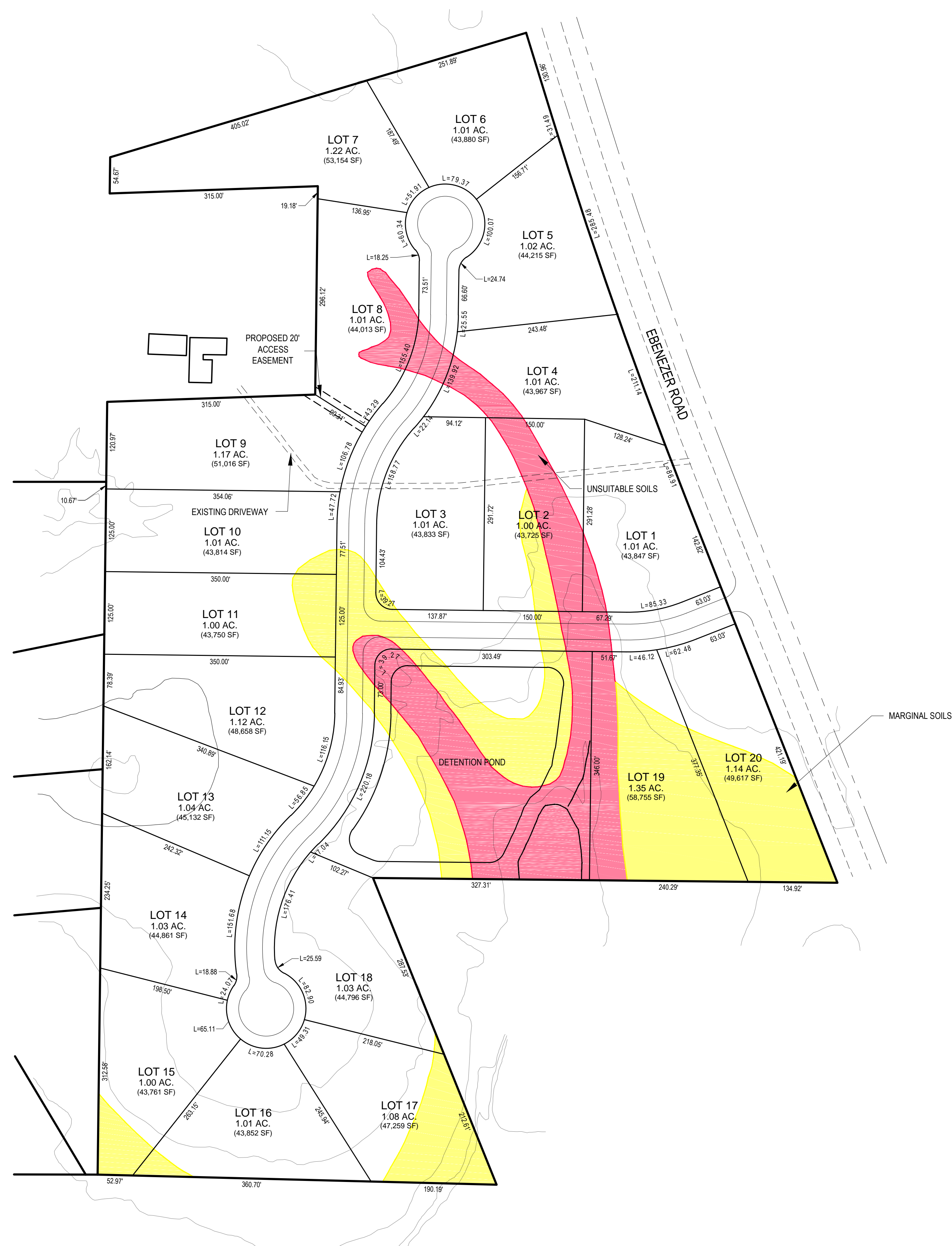
SEAL

1350 KEYS FERRY COURT  
McDONOUGH, GA 30253

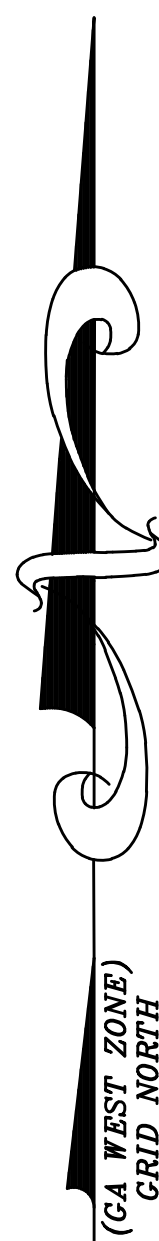
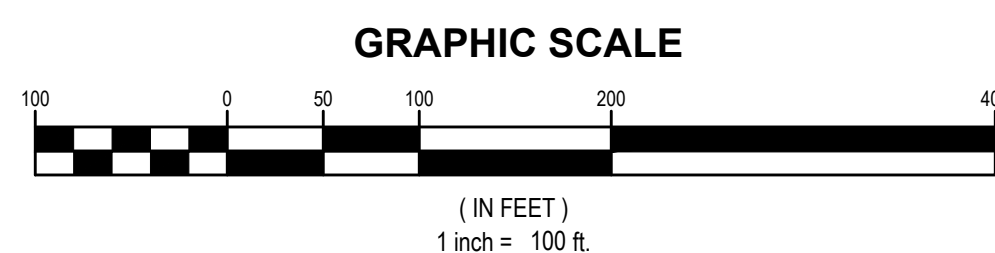
SHEET TITLE

**CONCEPTUAL  
LOT LAYOUT**

SHEET  
**1.0**



## OPTION 3



# COUNTY AGENDA REQUEST

Page 44 of 115

Department:

Presenter(s):

Meeting Date:

Type of Request:

## Wording for the Agenda:

Public Hearing of Petition No. RP-059-16, Revision of the Recorded Plat of Jenkins Cove Phase Two to add two (2) acres to Lot 5 with said property being located in Land Lots 42 and 55 of the 7th District and fronting on Adams Road.

## Background/History/Details:

Staff recommends approval of RP-059-16.

The Planning Commission recommends approval of RP-059-16.

Al Gilbert made a motion to recommend approval of Petition RP-059-16. Arnold Martin seconded the motion. The motion passed 5-0.

## What action are you seeking from the Board of Commissioners?

Public Hearing of Petition No. RP-059-16, Revision of the Recorded Plat of Jenkins Cove Phase Two to add two (2) acres to Lot 5 with said property being located in Land Lots 42 and 55 of the 7th District and fronting on Adams Road.

## 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:

**PLANNING COMMISSION RECOMMENDATION**

**DATE:** April 7, 2016

**TO:** Fayette County Commissioners

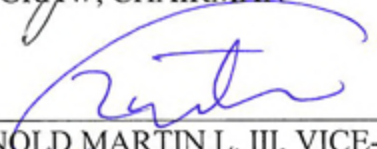
The Fayette County Planning Commission recommends that Petition No. RP-059-16 to revise the

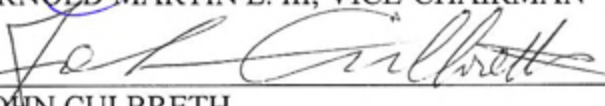
Final Plat of Jenkins Cove Phase Two to add two (2) acres to Lot 5 be:


5-0  
☒ Approved      ☐ Withdrawn      ☐ Disapproved

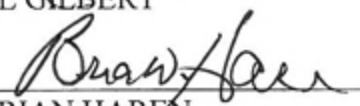
☐ Tabled until \_\_\_\_\_

  
\_\_\_\_\_  
JIM GRAW, CHAIRMAN

  
\_\_\_\_\_  
ARNOLD MARTIN L. III, VICE-CHAIRMAN

  
\_\_\_\_\_  
JOHN CULBRETH

  
\_\_\_\_\_  
AL GILBERT

  
\_\_\_\_\_  
BRIAN HAREN

**Remarks:**

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**STATE OF GEORGIA  
COUNTY OF FAYETTE**

**RESOLUTION**

**NO. RP-059-16**

**WHEREAS**, Julia P. Yokum, Owner, having come before the Fayette County Planning Commission on April 7, 2016 requesting a revision to a recorded plat as per the Fayette County Subdivision Regulations; and

**WHEREAS**, said request being as follows: Request approval to revise the Final Plat of Jenkins Cove Phase Two to add two (2) acres to Lot 5.

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

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

This decision is based on the following reasons:

Compatible with the surrounding area.

**PLANNING COMMISSION  
OF  
FAYETTE COUNTY**

**ATTEST:**

A handwritten signature in black ink, appearing to be 'C. B.', written over a horizontal line.A handwritten signature in black ink, appearing to be 'Jim E. Graw', written over a horizontal line.  
**JIM GRAW, CHAIRMAN**

**3. Consideration of Petition No. RP-059-16, Revision of the Recorded Plat of Jenkins Cove Phase Two to add two (2) acres to Lot 5. This property is located in Land Lot 42 & 55 of the 7th District and fronts on Adams Road.**

Julia Yokum stated she has two (2) acres and has a house built on two (2) and a half acres. She said that she bought the two (2) acres 21 years ago and has two (2) tax bills, and thinks it's time to put them together. She added that she would like her house to be on a combined lot of four (4) and a half acres.

Chairman Graw asked if anyone would like to speak in favor of the petition. Hearing none, he asked is there anyone who would like to speak in opposition. Hearing none, he brought it back before the Planning Commission.

Al Gilbert made a motion to recommend approval of Petition RP-059-16. Arnold Martin seconded the motion. The motion passed 5-0.

**PETITION NUMBER:** RP-059-16

**REQUESTED ACTION:** Request approval of the Revision of the Recorded Final Plat of Jenkins Cove Phase Two to add two (2) acres to Lot 5.

**EXISTING USE:** Single-Family Residential

**ZONING DISTRICT:** R-70

**LOCATION:** Adams Road

**LAND LOT/DISTRICT:** Land Lot(s) 42 & 55 of the 7th District

**OWNER/APPLICANT:** Julia P. Yokum

### **INVESTIGATION**

The Final Plat for Jenkins Cove Subdivision Phase Two consists of a total of six (6) single-family dwelling lots and was recorded in 1992. The request is to add two (2) acres to Lot 5.

#### **Subdivision Regulations**

**Sec. 104-595. - Approval of subdivisions.**

(2) **Final plat or minor subdivision plat**

j. **Revision to a recorded final plat.**

*Revision to a recorded final plat.* A revision to a recorded final plat shall show the name, phase (if any), date of the recorded subdivision plat being revised, and the exact citation with regard to the clerk of superior court records and the book and page number wherein said plat is recorded. See [section 104-596](#) for requirements to be indicated on the revised final plat, as applicable. In addition, proposed revisions to a recorded final plat that substantially changes the street and/or utility layout, unless initiated by the county, shall require a revised preliminary plat in accordance with this section. Proposed revisions to a recorded final plat of any existing residential or agricultural-residential subdivisions which add property to, increases the number of platted lots, or changes the principal use on a lot will be considered in public hearings before the planning commission and the board of commissioners. The legal notice shall be advertised at least seven calendar days prior to the public hearing before the planning commission, but not more than 45 calendar days, nor less than 15 calendar days prior to the public hearing before the board of commissioners. In the event that the timeframes above cannot be met with one advertisement, the notice shall be published twice. As applicable, a revised final plat shall comply with the revised preliminary plat and shall be approved by the planning commission.

**Final Plat**

Should this request be approved, a Revised Final Plat for Lot 5 must be submitted, approved, and recorded.

**Department Comments**

**Water System:** .

**Environmental Management:**

**Environmental Health Dept.:**

**Sheriff:**

**Fire Marshal:**

**County Engineer/Public Works Director:**

**STAFF ANALYSIS**

Per the Fayette County Subdivision Regulations, changing the use of a lot in an existing platted residential subdivision requires public hearing approval prior to the submittal of a Revised Final Plat. The desires of surrounding property owners should be considered. Staff recommends **APPROVAL** of the request.

APPLICATION TO REVISE A RECORDED PLAT  
(PUBLIC HEARING)

Page 50 of 115

PETITION NO: RP- 159 - 16

NAME OF RECORDED PLAT: JENKINS COVE PHASE TWO

OWNER OF PROPERTY: JULIA P. YOKUM

MAILING ADDRESS: 317 ADAMS ROAD, Fayetteville, GA 30214

PHONE: 404-630-4368

E-MAIL: [REDACTED]

AGENT FOR OWNER: —

MAILING ADDRESS: —

PHONE: —

E-MAIL: —

LOCATION: LAND LOT(S) 42 DISTRICT 7<sup>th</sup> ROAD Adams Road

LEGAL DESCRIPTION ATTACHED: YES ZONING: R-70

FIFTEEN COPIES OF CONCEPT PLAN ATTACHED: —

TOTAL NUMBER OF LOTS: 1 TOTAL NUMBER OF ACRES: 4.50

DATE OF PLANNING COMMISSION HEARING: April 7, 2016

DATE OF COUNTY COMMISSIONERS HEARING: April 28, 2016

REASON FOR REVISION: —

ADD ADDITIONAL PROPERTY TO LOT FIVE (5)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I respectfully submit this application and certify that the above information is correct and true to the best of my knowledge. I further certify that I am the owner or the specifically authorized agent of the above-referenced property.

February 3, 2016

February 3, 2016

Julia P. Yokum  
OWNER/AGENT'S SIGNATURE

Sharon E Batte  
NOTARY PUBLIC

### SIGN FEE

Received from Julia Yokum the amount of \$ 20<sup>00</sup>/<sub>100</sub> to cover the cost of the sign deposit. Applicant will be billed later for the cost of advertising. - \$ 20<sup>00</sup>/<sub>100</sub>

Date Paid: 2/10/16

Receipt No. 5133470

Cash: \$ 40.00

Check No. 6824

Total \$ 40<sup>00</sup>/<sub>100</sub>

2008 22 118

# FINAL PLAT OF JENKINS COVE PHASE TWO

Restrictions Recorded  
Book 696 PB 49-

Approved by Fayette County Zoning Administrator

Date 1/30/92 Signed John Venice

Approved by Department of Public Health,  
Fayette County, Georgia

Date 1/30/92 Signed County Secretary, Engineer

Final plat approved by County Engineer of Fayette  
County. All as-built construction plans have been  
approved.

Date 1/30/92 Signed Chris O. Johnston  
County Engineer

(Amended 8/27/87)

Approved by the Fayetteville-Fayette County Planning  
Commission.

Date 1-30-92 Signed Reuben S. Moore  
Secretary

## SEPTIC SYSTEMS/USE MODEL

The percolation tests shown on this plat  
have been performed at results analyzed by  
using guidelines of 11 State of Georgia  
publication, "Rules and Regulations for  
Individual Sewage Disposal Systems, Chapter  
270-5-25." The intent is for each lot to  
have a standard distribution box or septic  
distribution type with sufficient field line.  
Due to the natural size of the ground,  
varying soil types, and the possibility of  
underground rock or limestone clay streaks,  
each lot will be inspected by a representative  
of the Fayette County Health Department to  
determine the best location of the residence,  
septic tank, absorption field lines, and the  
required materials as hardware to be used in  
the septic system construction. Adams, Wood,  
Moore, & Shishick, P.C. does not warrant,  
guarantee, nor imply that a traditional  
percolation field design will be approved on  
a particular lot.

THIS PLAT HAS BEEN REVIEWED BY A  
REPRESENTATIVE OF THE FAYETTE  
COUNTY HEALTH DEPARTMENT AND  
BASED ON PERCOLATION TEST RESULTS,  
LAY OF THE LAND, SOIL INFORMATION,  
ETC. THIS LAND APPEARS SUITABLE FOR  
THE INSTALLATION OF SEPTIC TANKS  
AND DRAIN FIELDS. HOWEVER, EACH  
LOT WILL HAVE TO BE INSPECTED TO  
DETERMINE STYLE OF HOME, LOCATION  
OF HOUSE, ETC. BEFORE A FINAL  
PERMIT CAN BE ISSUED.

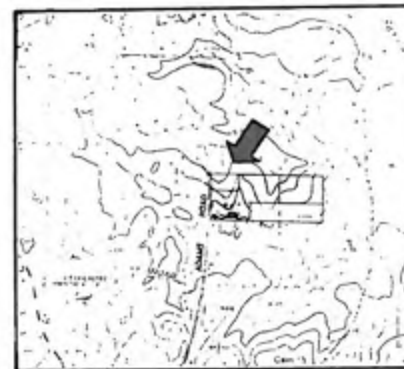
"ENVIRONMENTAL READY SPECIALIST"

**jefferson  
consultants, inc.**

consulting engineers • surveyors • planners

PO BOX 2821 PEACHTREE CITY  
487 8805 GEORGIA 30089 487 9270

Fayette County does not accept the ownership,  
maintenance or responsibility for any drainage  
essence or overall drainage plan, or the lack  
of one, indicated on this plan.



VICINITY MAP

BUILDING SETBACKS  
FRONT - 7'  
REAR - 5'  
SIDE - 0' ZONE R-70

TOTAL NUMBER OF LOTS: 2  
TOTAL AREA: 4.07 ACRES

GEORGIA FAYETTE COUNTY  
Filing Record Book  
of 2008 118 118  
Book 696 PB 49-



I certify that all measurements are  
correct and were prepared from an actual  
survey of the property made under my  
supervision, that monument locations  
are correctly shown, and, that the property  
will exist as shown.

Platements as shown by John Venice Signed

(Seal) Date 1-30-92

John Venice (Surveyor)

Ge. Regist. No. 2343

We, the undersigned owner(s) and/or mortgagee(s)  
of the Jenkins Cove Subdivision, hereby offer  
to dedicate and/or reserve for public use the  
rights-of-way, easements and other ground shown  
on this plat.

Owner Date Mortgage Date

John Venice 1-28-92

The field data upon which this survey  
is based have been computed for closure by  
latitudes as departures and has a closure  
precision error of 1/100,000 ft. and an  
angular error of 1/100,000 per angle point, and  
the 1/100,000 rule was used for adjustment.  
A 1/100,000 was used to obtain linear measurements  
and a 1/100,000 was used to obtain angular  
measurements.

It is my opinion, that this plat is a  
true and correct representation of the land  
platted, has been prepared in meet the  
minimum standards and requirements of law,  
and has been computed for closure and has  
been found to be accurate within one foot  
on 1/100,000.

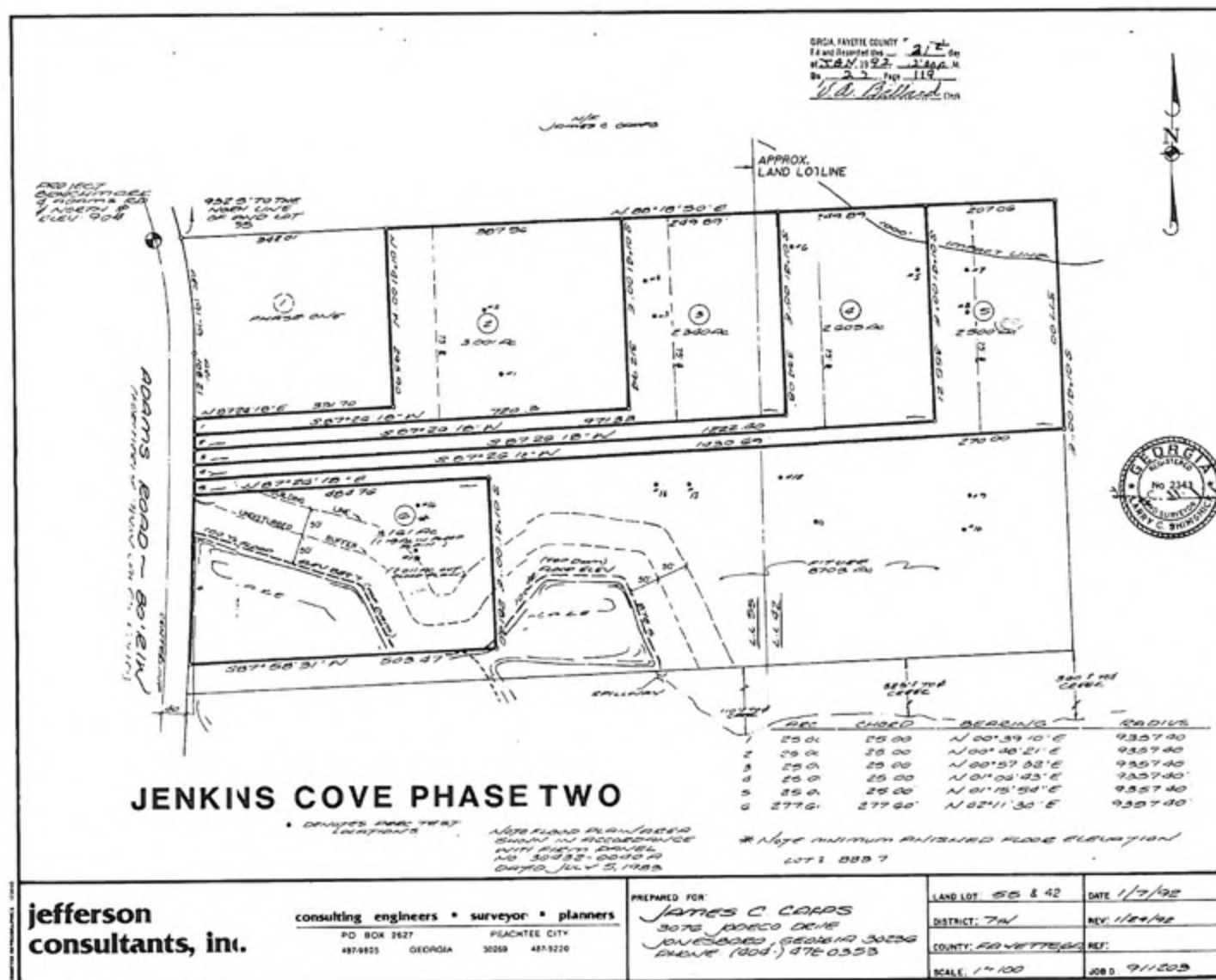
John Venice  
LARY C. SHISHICK, P.E.S.  
NO. 2343

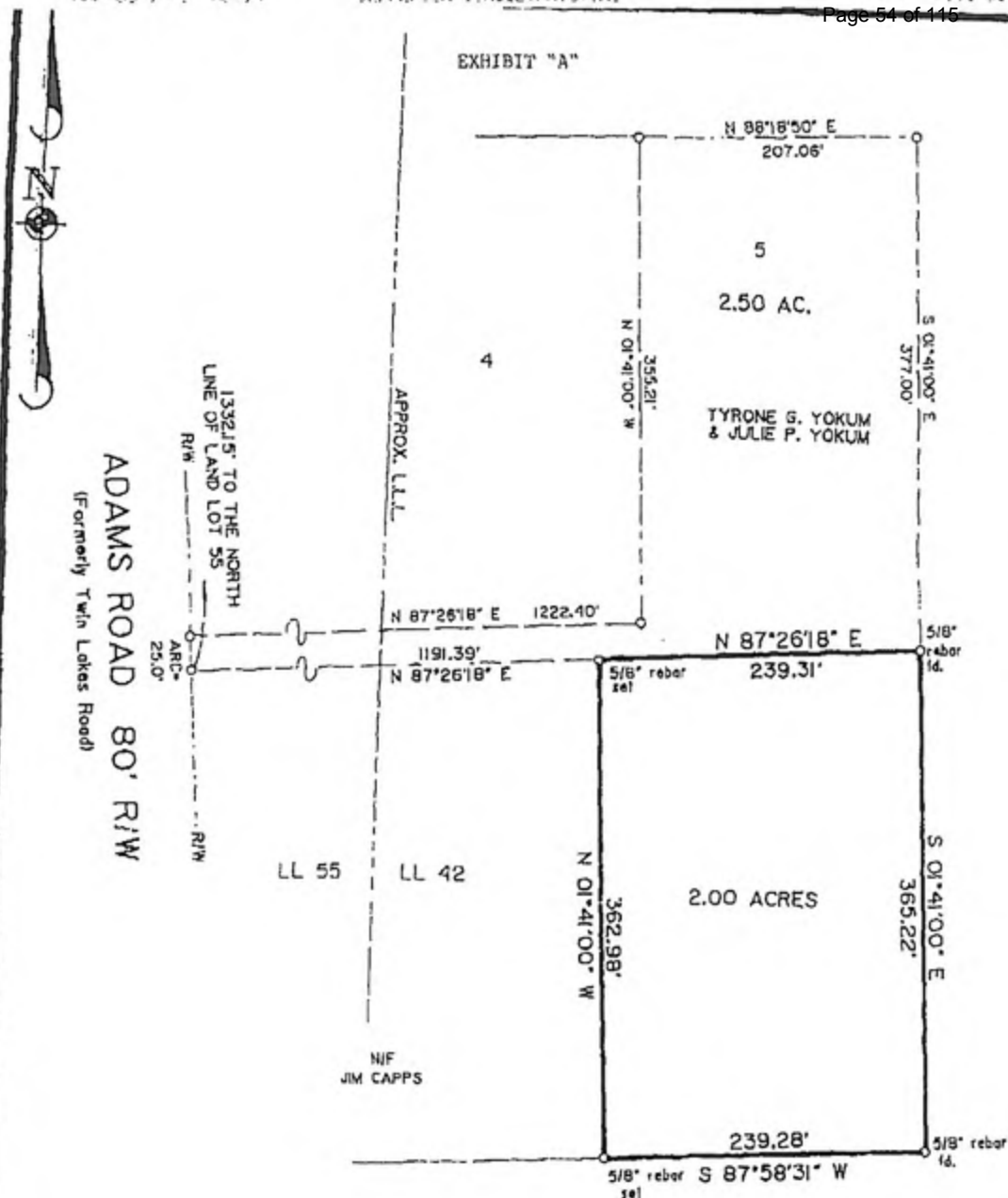
PREPARED FOR

**JAMES C. CAPPS**  
3076 JODECO Dr.  
JONESBORO, GA. 30236  
PHONE (404) 478-0353

LAND LOT	5 & 42	DATE	JANUARY 7, 1992
DISTRICT	"In	REV	1/20/1992
COUNTY	FAYETTE, GA	REV	
SCALE	1" = 60'	JOB NO	911203

SHEET 1 OF 2





In my opinion, this property does not  
lie within the 100 year flood plain  
according to the HUD Flood Plain  
Map No. 130432 0040A  
Dated JULY 5, 1983

In my opinion, this plot is a correct  
representation of the land plotted and  
has been prepared in conformity with  
the minimum standards and require-  
ments by law.

*Larry C. Shimshick*  
Larry C. Shimshick, R.L.S.



PREPARED FOR:

TYRONE G. YOKUM & JULIE P. YOKUM

BOOK 972 PAGE 119

SUBDIVISION: JENKINS COVE

LOT:	LAND LOT: 42	DATE: 1-31-95
BLOCK:	DISTRICT: 7TH	REV:
SCALE: 1"=100'	COUNTY: FAYETTE	JOB NO: 920341

**jefferson**  
**consultants**

consulting engineers • surveyors • planners

P.O. Box 4187 Page 54 of 145 Seq: 2

# COUNTY AGENDA REQUEST

Page 55 of 115

Department:

Presenter(s):

Meeting Date:

Type of Request:

## Wording for the Agenda:

Public Hearing of Ordinance 2016-08 amending the Fayette County Code of Ordinances, Chapter 110., Article VII. - Zoning Board of Appeals, Sec. 110-242. - Powers and Duties.

## Background/History/Details:

Staff Recommends approval to the amendments. The amendments allow the Zoning Board of Appeals (ZBA) to place conditions on all requests and limits the reapplication of a request to no sooner than six (6) months from the date of denial.

The Planning Commission recommended approval of the amendments.

Brian Haren made a motion to recommend approval of the proposed amendments. John Culbreth seconded the motion. The motion passed 5-0.

## What action are you seeking from the Board of Commissioners?

Approval of Ordinance 2016-08 and in so doing amending the Fayette County Code of Ordinances, Chapter 110., Article VII. - Zoning Board of Appeals, Sec. 110-242. - Powers and Duties.

## 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:

**4. Consideration of amendments to the Fayette County Code of Ordinances, Chapter 110., Article VII. - Zoning Board of Appeals, Sec. 110-242. - Powers and Duties.**

Chairman Graw stated that the Planning Commission discussed the amendment at the last meeting. He said that currently there is a paragraph that allows them to establish conditions on a vote, but where the paragraph is placed in the Procedures Section only allows for them apply conditions in a specific case. He said that the Planning Commission is planning to take the paragraph and make it a separate standalone paragraph. He added that by moving it, it will allow for the ZBA to place conditions generally and not in specific sections.

Patrick Stough stated that there was one (1) more change and that was to reinstate the limitation on reapplying after the denial of a variance or any other action by the ZBA.

Brian Haren reiterated Patrick Stough saying that it reinstates a limitation on reapplying.

Al Gilbert stated that it was the same as the Planning Commission.

Chairman Graw said that they didn't have it before.

Al Gilbert said that makes for consistency.

Chairman Graw asked if there was any discussion.

Arnold Martin asked if this was going to be an enhancement to allow you to put such conditions. He added it would be a little bit more specific instead of a yes or no.

Al Gilbert said that Mr. Beckwith could answer this. He said that that sometimes the ZBA has to turn down a variance, but if they could put conditions on it they could approve it.

Bill Beckwith asked Mr. Stough if the minimum time was six (6) months.

Patrick Stough replied that it is six (6) months.

Bill Beckwith asked if they could have a longer time limit.

Patrick Stough replied he doesn't think it would allow for that.

Bill Beckwith reiterated that six (6) months is the time.

Patrick Stough said that it is six (6) months and yes it is the minimum.

Chairman Graw asked Bill Beckwith if he had a problem with what has been composed.

Bill Beckwith replied no, and said that the ZBA had an issue at their last meeting and if they would have had the opportunity to establish a condition it would have helped the proponents and

opponents to the property. He said that this was definitely an enhancement to the ZBA procedures.

Chairman Graw stated that it gives the ZBA a lot more flexibility. He said that on their last ZBA meeting they wanted to apply conditions but you were not able to.

Bill Beckwith stated that their hands were tied. He said this is an enhancement and allows them to do a better job. He said that the ZBA is in favor of this recommendation.

Chairman Graw asked if there was anyone who would like to speak in opposition. Hearing none, he brought it back before the Planning Commission.

Brian Haren made a motion to recommend approval of the proposed amendments. John Culbreth seconded the motion. The motion passed 5-0.

**ORDINANCE 2016-08**

**RED-LINED VERSION**

- **ARTICLE VII. - ZONING BOARD OF APPEALS<sup>[2]</sup>**

- **Sec. 110-238. - Membership.**

- (a) *Membership and appointments.* The zoning board of appeals shall consist of five members residing within the county and shall be appointed by the board of commissioners. None of the board members shall hold any other public office, except that one member may also be a member of the planning commission. The zoning board of appeals members shall be removed by the board of commissioners for cause, upon written charges, and after public hearing. Any member of the zoning board of appeals shall be disqualified to act upon a matter before the zoning board of appeals with respect to property in which the member has an interest. It may be deemed cause for removal should any zoning board of appeals member fail, without proper reason, to attend three consecutive meetings.
- (b) *Term of office.* The term of office for each member of the zoning board of appeals shall be for three years and the member shall remain on the board until reappointed or a successor is appointed. It is the intent of this section that their terms be staggered with no term limitation.
- (c) *Compensation.* The zoning board of appeals members shall receive compensation for their service as determined by the board of commissioners.

(Ord. No. 2015-06, § 1, 3-26-2015)

- **Sec. 110-239. - Rules and procedures.**

The zoning board of appeals shall elect one of its members as chairperson and another as vice-chairperson, each serving for one year, or until re-elected, or a successor is elected. The vice-chairperson shall have the authority to act as chairperson in the chairperson's absence. The zoning board of appeals shall appoint a secretary who shall be an employee of the county. The zoning board of appeals shall have authority to adopt rules of procedure. Meetings of the zoning board of appeals may be held at the call of the chairperson. The chairperson may administer oaths and compel the attendance of witnesses by subpoena. The zoning board of appeals shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the planning and zoning department and shall be public record. The decisions of the zoning board of appeals shall contain a statement of the subject matter being considered by the zoning board of appeals, and the grounds for its decision reduced to written form. The full text shall be sent to the appellant/petitioner.

(Ord. No. 2015-06, § 1, 3-26-2015)

- **Sec. 110-240. - Administrative assistance.**

The planning and zoning department shall provide such technical, administrative, clerical assistance, and office space as is required by the zoning board of appeals to carry out its function under the provisions herein.

(Ord. No. 2015-06, § 1, 3-26-2015)

- **Sec. 110-241. - Public hearing.**

- (a) *Place, time, and date.* The public hearings shall be conducted as follows:

- (1) Place: the county administrative complex.
- (2) Time and Date: Fourth Monday, 7:00 p.m.

Any changes from the standard schedule for public hearings will be published in the newspaper which carries legal advertisements for the county in compliance with the requirements for public notification as provided herein.

- (b) *Conduct of hearing.* Public hearings shall be conducted with 20 minutes provided for the appellant/petitioner and proponents and 20 minutes provided for the opponents of an appeal/petition. An appellant/petitioner may reserve part of the allotted time for rebuttal.
- (c) *Notice of hearing shall be given.* Before making its decision on an appeal, a request for a variance, or any other matter within the zoning board of appeals' purview, the zoning board of appeals shall hold a public hearing thereon. A notice of the date, time and place of such hearing shall be sent to the appellant/petitioner by certified U.S. mail to the appellant/petitioner's last known address.
- (d) *Public notice in newspaper.* The zoning board of appeals shall cause public notice of the hearing to be published in the legal organ of the county, at least 15 calendar days but not more than 45 calendar days, prior to the date of the public hearing.
- (e) *Posting of signs.*
  - (1) A sign shall be posted on property. One sign is required for each street frontage of said property. The sign shall be posted consistent with the requirements for newspaper notification.
  - (2) Signs used for posting property shall be a minimum of 18 inches by 18 inches and shall indicate the appeal/petition number, the time, date, and place of the hearing.
  - (3) A refundable sign deposit shall be required for each sign at the time of filing the appeal/petition.
- (f) *Who may appear.* Any party may appear at the public hearing in person or by agent or attorney.
- (g) *Zoning board of appeals' decision.* The zoning board of appeals shall approve, deny, or table each appeal/petition by a public vote. An action to table shall include justification of such action and a specific meeting date at which the appeal/petition is to be reconsidered. If there is not a full zoning board of appeals board present at the public hearing, the appellant/petitioner may request to table the appeal/petition to the next zoning board of appeals public hearing, provided the appellant/petitioner requests to table the agenda item prior to the presentation. A new legal advertisement will be required with an announcement to a specific meeting date if an appeal/petition is tabled. The property shall be reposted with new signage indicating the new public hearing dates.
- (h) *Time limit on zoning board of appeals decision.* The zoning board of appeals shall reach a decision following a public hearing within 45 calendar days or the appeal/petition shall be deemed approved.
- (i) *"Writ of certiorari" (appeal).* An appellant/petitioner has 30 calendar days from the date of the zoning board of appeals' decision to seek a "writ of certiorari" (appeal) with the superior court of the county.

(Ord. No. 2015-06, § 1, 3-26-2015)

• **Sec. 110-242. - Powers and duties.**

- (a) *Appeals from actions of the zoning administrator.* The zoning board of appeals shall hear and decide upon appeals where it is alleged there is error in any order, requirement, decision, or determination made by the zoning administrator in the enforcement of these regulations.
  - (1) *Who may appeal.* Appeals to the zoning board of appeals may be taken by any person aggrieved by any decision of the zoning administrator. Such appeals, specifying the grounds thereof shall be filed with the planning and zoning department no later than 30 calendar days after the date of notification of the zoning administrator's decision. The zoning administrator shall forthwith transmit to the zoning board of appeals all the papers constituting the record upon which the action appealed from was taken.
  - (2) *Legal proceedings stayed.* An appeal stays all legal proceedings in furtherance of the action appealed from, unless the zoning administrator certifies to the zoning board of appeals that by reason of facts stated in the certificate a stay would, in the zoning administrator's opinion, cause

imminent peril to life and property. In such a case, proceedings shall not be stayed otherwise than by a restraining order from a court of competent jurisdiction.

- (3) *Extent of the zoning board of appeals' power.* The zoning board of appeals may, in conformity with the provisions of these regulations, reverse or affirm the order, requirement, decision, or determination of the zoning administrator. The zoning board of appeals may direct the issuance of a permit. It shall be the duty of the zoning administrator to carry out the decisions of the zoning board of appeals.
- (b) *Request for a variance.* The zoning board of appeals may authorize, upon appeal in specific cases, a variance from the terms of these regulations as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of these regulations will, in an individual case, result in practical difficulty or unnecessary hardship, so that the spirit of these regulations shall be observed, public safety and welfare secured, and substantial justice done. However, no lot is eligible for a variance for reduction in lot size, lot width, or road frontage, unless the variance request is for an improved illegal lot. A variance shall not be granted for any requirements of a conditional use with the exception of a legal nonconforming conditional use (see article V of this chapter), or a use of land, building, or structure that is prohibited in the zoning district at issue, except as otherwise provided herein. In exercising the powers described in this subsection, the zoning board of appeals shall not consider any nonconforming use of neighboring lands, structures or buildings in the same zoning district, and no permitted use of lands, structures, or buildings in other zoning districts as grounds for the issuance of a variance. A variance may be granted in an individual case upon a finding by the zoning board of appeals that all of the following criteria exist:
  - (1) There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography; and
  - (2) The application of these regulations to this particular piece of property would create a practical difficulty or unnecessary hardship; and
  - (3) Such conditions are peculiar to the particular piece of property involved; and
  - (4) Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of these regulations; provided, however, no variance may be granted for a use of land, building, or structure that is prohibited herein; and
  - (5) A literal interpretation of this chapter would deprive the applicant of any rights that others in the same zoning district are allowed.

~~The zoning board of appeals may impose or require conditions, as may be necessary, to protect the health and safety of workers and residents in the community; to protect the value and use of property in the general neighborhoods; and provided that wherever the board shall find, in the case of any approval granted pursuant to the provisions of these regulations, that any of the conditions upon which such approval was granted are not being complied with, said zoning board of appeals shall rescind and revoke such approval after giving due notice to all parties concerned and granting full opportunity for a hearing.~~

In addition to the above factors, if the variance being sought is for an improved lot which is smaller than the minimum lot size for its zoning district, more narrow than the minimum lot width required for its zoning district, or has less road frontage than is required for its zoning district and the lot is an illegal lot as opposed to a nonconforming lot, the zoning board of appeals may consider such a lot for a variance. Should the appellant/petitioner be successful in obtaining a variance, the resulting lot would, for the purposes of this chapter, be deemed to be a nonconforming lot. If the appellant/petitioner successfully passes the above enumerated factors, the zoning board of appeals shall also employ the following factors for an illegal lot seeking to be deemed a nonconforming lot:

- (1) The transaction giving the appellant/petitioner ownership in the subject property was more than five years from the date of the appeal/petition or if the period of ownership is less than five years the subject property was made illegal more than ten years from the date of the appeal/petition;
- (2) The appellant/petitioner is not the person, or an immediate family member of the person, who caused the subject property to be an illegal lot. For purposes of these procedures, "immediate

family" is defined as the spouse, child, sibling, parent, step-child, step-sibling, step-parent, grandparent, grandchild, aunt, uncle, niece or nephew of the person who caused the subject property to be an illegal lot; and

- (3) No adjacent property is available to add to the subject property to allow the subject property to meet the minimum requirements for its zoning district. In determining whether adjacent property is available, if adding any adjacent property to the subject property would no longer allow the adjacent property to meet the minimum requirements of the adjacent property's zoning district, then the adjacent property is not available. Additionally, any adjacent property which is part of an illegal lot shall not be deemed available for purposes of these variance procedures, unless the adjacent illegal lot is unimproved and the entirety of the adjacent illegal lot is combined with the subject property. If adjacent property is available, the cost of acquiring the adjacent property shall not be a factor in determining the availability of the adjacent property.
- (c) *Compliance with standards.* Where an appeal/petition to the board is initiated due to an existing violation of this chapter and said appeal/petition is denied, the violation shall be required to be corrected within ten calendar days of such denial, or as specified by the board, if a greater time period is necessary. The maximum extension of the time shall not exceed 30 calendar days.
- (d) *Forms.* Appeals, requests for variances, or any other matter within the zoning board of appeals' purview shall be made on forms, as applicable, provided by the planning and zoning department; and all information requested on the forms shall be provided by the appellant/petitioner. Forms shall be filed with the planning and zoning department along with the necessary fees. No form shall be accepted by the planning and zoning department unless it contains all pertinent information and is accompanied by the required fee.
- (e) *Request for change of the legal nonconforming use of a structure.* The zoning board of appeals may authorize, upon appeal in specific cases, a change in the legal nonconforming use of a structure in accordance with the provisions herein.
- (f) *Request for extension or enlargement of the legal nonconforming use of a structure.* The zoning board of appeals may authorize upon appeal in specific cases an extension or enlargement of an existing legal nonconforming use which the board is specifically authorized to consider under the terms herein. Said extensions may be granted in an individual case upon a finding by the board that all of the following criteria are present:
  - (1) The use is a legal nonconforming use as defined in these regulations; and
  - (2) The legal nonconforming use is in full compliance with all requirements of these regulations applicable to nonconformances; and
  - (3) The extension of said legal nonconforming use will not further injure a permitted use on adjacent property.
- (g) *Continuance of a legal nonconforming use.* The zoning board of appeals may allow a legal nonconforming use to be re-established after discontinuance for six consecutive months where it is deemed by the zoning board of appeals that all of the following criteria are present:
  - (1) The design, construction, and character of the land, building, or structure is not suitable for uses permitted in the zoning district in which the legal nonconforming use is situated; and
  - (2) Undue hardship to the property owner would result in not allowing the continuance of a legal nonconforming use; and
  - (3) Adjacent property would not be unduly damaged-by such continuance; and
  - (4) The use is to be identical to the prior legal nonconforming use.
- (h) *Conditions of approval.* The zoning board of appeals may impose or require conditions, as may be necessary, to protect the health and safety of workers and residents in the community; to protect the value and use of property in the general neighborhoods; and provided that wherever the board shall find, in the case of any approval, and that any of the conditions upon which such approval was granted are not being complied with, said zoning board of appeals shall rescind and revoke such approval after giving due notice to all parties concerned and granting full opportunity for a hearing.

- (i) *Limitation on re-applying.* If the decision of the Zoning Board of Appeals is to deny, an application which seeks the same relief in regard to the same property shall not be accepted for a period of six months following the date of the decision from the Zoning Board of Appeals.

(Ord. No. 2015-06, § 1, 3-26-2015)

**ORDINANCE 2016-08**

**FINAL VERSION**

**STATE OF GEORGIA  
COUNTY OF FAYETTE**

**ORDINANCE NO. 2016-08**

AN ORDINANCE TO AMEND THE FAYETTE COUNTY CODE OF ORDINANCES, CHAPTER 110. ZONING ORDINANCE, AS AMENDED, SPECIFICALLY ARTICLE VII. – ZONING BOARD OF APPEALS

**WHEREAS**, the duly elected governing authority of Fayette County is the Board of Commissioners thereof;

**WHEREAS**, the governing authority desires to amend the provision that provides for the regulation of land development as allowed by the State of Georgia;

**WHEREAS**, the health, safety, and welfare of the citizens of Fayette County, Georgia shall be improved and protected by adoption and implementation of this Ordinance.

**BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF FAYETTE COUNTY AND IT IS HEREBY ORDAINED BY AUTHORITY THEREOF:**

**Section 1.** The Fayette County Code of Ordinances, Chapter 110. Zoning Ordinance, as amended, is hereby further amended by deleting in its entirety Sec. 110-242 – Powers and Duties, (b) Request for a variance, and replacing in its entirety with the following:

- (b) *Request for a variance.* The zoning board of appeals may authorize, upon appeal in specific cases, a variance from the terms of these regulations as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of these regulations will, in an individual case, result in practical difficulty or unnecessary hardship, so that the spirit of these regulations shall be observed, public safety and welfare secured, and substantial justice done. However, no lot is eligible for a variance for reduction in lot size, lot width, or road frontage, unless the variance request is for an improved illegal lot. A variance shall not be granted for any requirements of a conditional use with the exception of a legal nonconforming conditional use (see article V of this chapter), or a use of land, building, or structure that is prohibited in the zoning district at issue, except as otherwise provided herein. In exercising the powers described in this subsection, the zoning board of appeals shall not consider any nonconforming use of neighboring lands, structures or buildings in the same zoning district, and no permitted use of lands, structures, or buildings in other zoning districts as grounds for the issuance of a variance. A variance may be granted in an individual case upon a finding by the zoning board of appeals that all of the following criteria exist:
- (1) There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography; and
  - (2) The application of these regulations to this particular piece of property would create a practical difficulty or unnecessary hardship; and
  - (3) Such conditions are peculiar to the particular piece of property involved; and
  - (4) Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of these regulations; provided, however, no variance may be granted for a use of land, building, or structure that is prohibited herein; and
  - (5) A literal interpretation of this chapter would deprive the applicant of any rights that others in the same zoning district are allowed.

In addition to the above factors, if the variance being sought is for an improved lot which is smaller than the minimum lot size for its zoning district, more narrow than the minimum lot width required for

its zoning district, or has less road frontage than is required for its zoning district and the lot is an illegal lot as opposed to a nonconforming lot, the zoning board of appeals may consider such a lot for a variance. Should the appellant/petitioner be successful in obtaining a variance, the resulting lot would, for the purposes of this chapter, be deemed to be a nonconforming lot. If the appellant/petitioner successfully passes the above enumerated factors, the zoning board of appeals shall also employ the following factors for an illegal lot seeking to be deemed a nonconforming lot:

- (1) The transaction giving the appellant/petitioner ownership in the subject property was more than five years from the date of the appeal/petition or if the period of ownership is less than five years the subject property was made illegal more than ten years from the date of the appeal/petition;
- (2) The appellant/petitioner is not the person, or an immediate family member of the person, who caused the subject property to be an illegal lot. For purposes of these procedures, "immediate family" is defined as the spouse, child, sibling, parent, step-child, step-sibling, step-parent, grandparent, grandchild, aunt, uncle, niece or nephew of the person who caused the subject property to be an illegal lot; and
- (3) No adjacent property is available to add to the subject property to allow the subject property to meet the minimum requirements for its zoning district. In determining whether adjacent property is available, if adding any adjacent property to the subject property would no longer allow the adjacent property to meet the minimum requirements of the adjacent property's zoning district, then the adjacent property is not available. Additionally, any adjacent property which is part of an illegal lot shall not be deemed available for purposes of these variance procedures, unless the adjacent illegal lot is unimproved and the entirety of the adjacent illegal lot is combined with the subject property. If adjacent property is available, the cost of acquiring the adjacent property shall not be a factor in determining the availability of the adjacent property.

**Section 2.** The Fayette County Code of Ordinances, Chapter 110. Zoning Ordinance, as amended, is hereby further amended by adding the following in its entirety to Sec. 110-242 – Powers and Duties:

- (h) *Conditions of approval.* The zoning board of appeals may impose or require conditions, as may be necessary, to protect the health and safety of workers and residents in the community; to protect the value and use of property in the general neighborhoods; and provided that wherever the board shall find, in the case of any approval, and that any of the conditions upon which such approval was granted are not being complied with, said zoning board of appeals shall rescind and revoke such approval after giving due notice to all parties concerned and granting full opportunity for a hearing.
- (i) *Limitation on re-applying.* If the decision of the Zoning Board of Appeals is to deny, an application which seeks the same relief in regard to the same property shall not be accepted for a period of six months following the date of the decision from the Zoning Board of Appeals.

**Section 3.** That the preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

**Section 4. a.** It is hereby declared to be the intention of the Board of Commissioners that all Sections, paragraphs, sentences, clauses and phrases of this Article are and were, upon their enactment, believed by the Board of Commissioners to be fully valid, enforceable and constitutional.

**b.** It is hereby declared to be the intention of the Board of Commissioners that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this

Ordinance. It is hereby further declared to be the intention of the Board of Commissioners that, to the greatest extent allowed by law, no Section, paragraph, sentence, clause or phrase of this Article is mutually dependent upon any other Section, paragraph, sentence, clause or phrase of this Article.

c. In the event that any phrase, clause, sentence, paragraph or section of this Article shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Board of Commissioners that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or Sections of the Article and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and Sections of the Article shall remain valid, constitutional, enforceable, and of full force and effect.

**Section 5.** All ordinances or resolutions and parts of ordinances or resolutions in conflict herewith are hereby expressly repealed except those provided for herein.

**Section 6.** The effective date of this Ordinance shall be the date of adoption unless otherwise specified herein.

So ordained this 12th day of May, 2016, by the

**BOARD OF COMMISSIONERS  
FAYETTE COUNTY, GEORGIA**

\_\_\_\_\_  
**CHARLES W. ODDO, CHAIRMAN**

**ATTEST:**

\_\_\_\_\_  
**CLERK/DEPUTY CLERK**

# COUNTY AGENDA REQUEST

Consent Agenda #9  
Page 68 of 115

Department:

Presenter(s):

Meeting Date:

Type of Request:

## Wording for the Agenda:

Approval of staff's request for the Board of Commissioners to revise the annual Budget Calendar for Fiscal Year 2017 which begins July 1, 2016 and ends June 30, 2017.

## Background/History/Details:

Annually, the county conducts a budget process for the purpose of developing a balanced budget to present to the Board of Commissioners for their consideration regarding the upcoming fiscal year. A recommended budget calendar for Fiscal Year 2017 was adopted by the Board of Commissioners on February 11, 2016.

Staff recommends for the Board to revise the annual Budget Calendar for Fiscal Year 2017. A copy of the revised Budget Calendar is provided as support to this request.

It is noted that the Tuesday, June 7, 2016 Meeting Date was already approved by the Board of Commissioners at the beginning of 2016.

If this request is approved by the Board, then a Special Called Meeting will be held on Thursday, June 30, 2016 at 7:00 p.m. for the second public hearing on the Fiscal Year 2017 budget.

## What action are you seeking from the Board of Commissioners?

Approval of staff's request for the Board of Commissioners to revise the annual Budget Calendar for Fiscal Year 2017 which begins July 1, 2016 and ends June 30, 2017.

## If this item requires funding, please describe:

Not Applicable.

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?\*

Backup Provided with Request?

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

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

## Staff Notes:

# FY 2017 Budget Calendar

2016 DATE		RESPONSIBLE PARTY	BUDGET ACTIVITY TO OCCUR
March 7, 2016	Mon	Finance/Departments Outside Agencies	Provide county Departments/Outside Agencies budget forms, budget calendar, budget entry instructions.
March 21, 2016	Mon	Finance	Open budget projection to allow next year budget entry.
March 22, 2016	Tue	Finance	Next Year Budget Entry Training - New personnel.
March 25, 2016	Fri	Outside Agencies Finance	Budget submissions due from Outside Agencies.
April 1, 2016	Fri	Departments Finance	Budget submissions due from County Departments.
April 1, 2016	Fri	Human Resources Finance	Human Resources - Post Salary/Benefits projection to budget projection.
April 15, 2016	Fri	Finance County Administrator	Submit budget requests to the County Administrator.
April 22, 2016	Fri	All	Board of Commissioners Retreat
April 25- April 28, 2016	Mon- Thu	Departments Administrator/Finance	Budget workshops AS NECESSARY between Departments, County Administrator, and Finance.
<del>May 11, 2016</del>	<del>Mon</del> <del>Wed</del>	Finance Local Newspaper	Provide to the newspaper the announcement of the FY 2017 proposed budget and public hearings on the proposed budget.
<del>May 12, 2016</del>	<del>Mon</del> <del>Thu</del>	Administrator/ Finance Commissioners	Provide the FY 2017 proposed budget binders <del>and presentation of the FY 2017 proposed budget</del> to the Board of Commissioners.
<del>May 13-14, 2016</del>	<del>Wed</del> <del>Fri-Sat</del>	Local newspaper	Publish announcement of the FY 2017 proposed budget and public hearings on the proposed budget - Fayette County News/Today in Peachtree City.
May 26, 2016	Thu	Administrator/ Finance Commissioners	Presentation of the FY 2017 proposed budget to the Board of Commissioners.
<del>June 7, 2016</del> May 26, 2016	<del>Tue</del> <del>Thu</del>	Commissioners Staff	Hold first Public Hearing on the FY 2017 budget.
<del>June 30, 2016</del> June 7, 2016	<del>Thu</del> <del>Tue</del>	Commissioners Staff	Special called meeting - Hold second Public Hearing on the FY 2017 budget (Adopt the FY 2017 Budget).

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**2016 RETREAT MINUTES**  
**Friday, April 22, 2016**  
**Historic County Courthouse**  
**200 Courthouse Square- Third Floor**  
**Fayetteville, Georgia 30214**

**COMMISSIONERS PRESENT:**

Charles W. Oddo, Chairman  
Randy Ognio, Vice Chair  
David Barlow  
Steve Brown  
Charles Rousseau

**STAFF PRESENT:**

Steve Rapson, County Administrator  
Floyd Jones, County Clerk  
Tameca P. White, Chief Deputy Clerk  
Dennis Davenport, County Attorney

**DEPARTMENT HEADS:**

Vanessa Birrell, Environmental Management  
Bernard "Buster" Brown, 911 Director  
Ted Burgess, Purchasing Director  
Carlos Christian, Building and Grounds Director  
Phil Frieder, Information Technology Director  
Anita Godbee, Parks and Recreation Director  
Steve Hoffman, Roads Director  
Phil Mallon, Public Works Division Director  
Harold Myers, Chief Marshal  
Mary Parrott, Chief Financial Officer  
Lee Pope, Water System Director  
Thomas Sawyer, Elections Director  
David Scarbrough, Fire Chief  
Rani Rathburn, Animal Control Director

**STAFF PRESENT:**

Lee Ann Bartlett, Senior Financial Analyst  
Tom Bartlett, Deputy Fire Chief  
Leslie Hancock, Stormwater Utility Technician  
Bonnie Jones, Senior Financial Analyst  
Bryan Keller, Environmental Engineer  
Bradley Klinger, Assistant Road Director  
Rob McCool, Lead Network Administrator  
Deborah Sims, Environmental Management Specialist  
Sheryl Weinmann, Assistant Chief Financial Officer

**OTHERS PRESENT:**

Dan Gibbs, Director, Fayette Senior Services  
Darryl Hicks, Chairman, Development Authority  
Jason Nord, Representative, Filter Magic  
Emily Poole, Vice-President, Development Authority  
Carlotta Ungaro, President, Chamber of Commerce  
Joan Young, President, Development Authority

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**Breakfast (7:30am – 8:20am) – 50 minutes**

County Administrator Steve Rapson gave opening remarks at 8:01 a.m.

**FY2016 FINANCIAL REVIEW**

**Financial Overview/Forecast**

**1. Governmental Funds:**

- a. General Fund
  - i. Property Tax
  - ii. LOST/TAVT/Auto
- b. E-911 Operations Fund
- c. Fire Fund
- d. EMS Fund
- e. Surcharge Funds
  - i. Jail Surcharge
  - ii. Victim's Assistance

**2. Proprietary Funds/CIP:**

- a. Water System Fund
- b. Solid Waste Fund
- c. Stormwater Fund

**3. Internal Revenue Funds:**

- a. Workers Compensation
- b. Employee insurance

**4. Tax Digest/Millage Rate History**

**5. Capital/CIP/SPLOST Projects**

Chief Financial Officer Mary Parrott and County Administrator Steve Rapson updated the Board on Fayette County's Governmental Funds by giving a high-level review of Governmental and Proprietary Funds, General Fund Revenues and Expenditures, and General Fund- Fund Balance Trends for the last five years. Updates were also provided concerning Real Property Tax Collections, Motor Vehicle and Personal Property Collections, LOST / Auto / and TAVT by Sales Month. The Board was briefed on the 911 Special Revenue Fund, the Fire Service Special Revenue Fund, and the EMS Special Revenue Fund. The Board was further briefed on the County's Jail Surcharge Fund and the Victim's Assistance Surcharge Fund. Mrs. Parrott and Mr. Rapson updated the Board on the County's Propriety Funds, Internal Service Funds, the current Tax Digest / Millage Rates Statistics, and the County's Capital / CIP Projects.

During the review, the following points were emphasized:

- a) Fiscal Year 2017 will be a tough budget year for the General Fund based on the projected 8% increase being primarily reassessments (6.3%) instead of new growth development (1.3%). This may require positions needing to be eliminated to balance the budget and a hiring freeze may need to be put into place in the General Fund until it is determined if the budget can be balanced without a property tax increase. The other funds would not need a hiring freeze since the millage rates would be maintained as we have done in the past. The Board suggested that Capital Improvement Projects be listed on the Trend Analysis Charts for future budget presentations.
- b) The Capital Improvement Projects and contingency accounts need to be realigned in order to balance the Fiscal Year 2017 budget.

This presentation and discussion began at 8:03 a.m. and concluded at 9:04 a.m. A copy of the Financial Overview presentation materials, identified as "Attachment 1," follows these minutes and is made an official part hereof.

### **SPLOST Proposal – 30 minutes**

County Administrator Steve Rapson briefed the Board on Fayette County's Proposed Special Purpose Local Option Sales Tax (SPLOST) Program. He pointed out that the County's Proposal was a tentative project list that included Stormwater Projects, the 911 Radio System Project, and a Fire Burn Training Facility Project. The proposed, aggregate cost for these projects was estimated to be \$44,903,177. Mr. Rapson briefed the Board on the three projects and answered questions from the Board.

The Board recommended that all the county's municipalities are aware of the need to replace existing 911 radios with P-25 compliant radios.

Extensive discussion occurred pertaining to whether the Fire Burn Training Facility, instead of Fire Station #4, should be constructed and the pros and cons of each facility. Commissioner Rousseau asked Fire Chief David Scarbrough which of the two facilities he prefers. Chief Scarbrough replied that he would rather have Fire Station #4 with a new Fire Engine. The Board agreed to exchange the Fire and Emergency Services Medical Training Center with Fire Station #4 and a Fire Pumper. The Board further agreed to phase-in the training center projects.

Mr. Rapson stated that the county would present its projects to the municipalities and he would ask the city managers for a deadline of when they would present their projects.

The discussion on the SPLOST proposal began at 9:10 a.m. and concluded at 9:59 a.m. A copy of the SPLOST proposal material, identified as "Attachment 2," follows these minutes and is made an official part hereof.

### **Break (10:00am – 10:20am) – 20 minutes**

The Board and those in attendance took a break from 10:00 a.m. until 10:15 a.m.

## **Stormwater Billing Collection- Update**

Environmental Management Director Vanessa Birrell introduced Environmental Management Specialist Deborah Sims and Stormwater Utility Technician Leslie Hancock who briefed the Board on Stormwater Billing Collections. Staff spoke about the measure Environmental Management has taken to bring efficiency to the billing collection and future steps to collect past due fees. The Board made the following recommendations:

- a) Staff was asked to consider funding Leslie Hancock's position from the Stormwater Utility Fund instead of from the General Fund.
- b) The Board asked staff to consider not eliminating Stormwater Utility even if the Special Purpose Local Option Sales Tax (SPLOST) is approved.
- c) The Board asked staff to consider placing the Stormwater Utility Fee on the Property Tax Bill.

This discussion began at 10:16 a.m. and ended at 10:36 a.m. A copy of the Stormwater Billing Collection Report, identified as "Attachment 3," follows these minutes and is made an official part hereof.

## **ITEMS FOR CONSIDERATION/DISCUSSION**

### **FCDA Overview and Abatement TIER Proposal (10:30am-11:15pm) – 45 minutes**

Chairman Darryl Hicks, President Joan Young, and Vice President Emily Poole, each representing the Fayette County Development Authority, provided an overview concerning economic development, the purpose and work of the Development Authority, the financial needs of the authority, and the authority's anticipated future goals. The Fayette County Development Authority asked the Board to consider the following recommendations:

- a) Consider budgeting \$4.25 per capita based on 2015 Atlanta Regional Commission population estimates.
- b) Consider entering into a five-year multi-year funding contract.
- c) Consider funding to be set aside for property option/purchase, sewer allocation, grant applications/management, etc.
- d) Consider adopting a Resolution detailing an approved tax incentive plan for new businesses and expanding facilities.
- e) Evaluate the possibility of entering into a Joint Metropolitan Development Authority.
- f) Consider an effort to revitalize Fayette County's public image by working to establish a holistic Fayette County Brand.

The Board discussed the recommendations with the members of the Development Authority. The discussion began at 10:38 a.m. and concluded at 11:38 a.m. A copy of the Fayette County Development Authority's presentation, identified as "Attachment 4," follows these minutes and is made an official part hereof.

### **Lunch (11:30pm – 12:30pm) – 1 hour**

The Board and all attendees took lunch from 11:39 a.m. until 12:31 p.m.

## **Future Consideration & Direction (12:45pm-4:00pm) – 15 minutes/per**

### **1. Water Department Reorganization**

Water System Director Lee Pope briefed the Board on the proposed Fiscal Year 2017 Organizational Improvements for the Water System, and he answered questions from the Board.

The discussion began at 12:32 p.m. and concluded at 12:40 p.m. A copy of Proposed Fiscal Year 2017 Organizational Improvements document, identified as “Attachment 5,” follows these minutes and is made an official part hereof.

### **2. Cyber Crime Update**

Information Technology Director Phil Frieder updated the Board on the current challenges presented by Cyber Crime.

The discussion began at 12:41 p.m. and concluded at 1:01 p.m. A copy of the Cyber Crime Update presentation, identified as “Attachment 6,” follows these minutes and is made an official part hereof.

### **3. Address Assignment Recommendation**

Fire Chief David Scarbrough briefed the Board on the need to create Address Assignment Procedures and on staff’s recommendation on how to implement the initiative. He stressed that this effort was under consideration in order to improve public safety responses, and he emphasized that this effort would have to take place in coordination with the U.S. Postal Service as well as the county’s municipalities.

The Board agreed that staff should develop a formal, county-wide management policy and ordinance as recommended by staff.

The discussion began at 1:02 p.m. and concluded at 1:14 p.m. A copy of the Address Assignment presentation material, identified as “Attachment 7,” follows these minutes and is made an official part hereof.

### **4. Signature Capital Project overview**

#### **a. Links Master Plan – Training Facility**

Buildings and Grounds Director Carlos Christian updated the Board on the Links Master Plan, and he explained where the various buildings and components of the site would be located. Commissioner Ognio asked staff to look into how much fencing it would take to fence the perimeter of the Sheriff’s facilities including the shooting range. He stated he was concerned with safety and he suggested a fence would help enhance safety in the

area. The Board also asked staff to consider selling 57.5 acres of land that is currently shown as greenspace adjacent to the neighborhoods  
The discussion of the Links Master Plan began at 1:15 p.m. and concluded at 1:27 p.m.

**b. West & East Fayette Bypass Projects**

Public Works Director briefed the Board on the progress of the West and East Bypass Projects. He stated that plans for the West Fayetteville Bypass were recently provided to the Georgia Department of Transportation and the plans were returned with minor comments. He stated that the right-of-way plans have been developed and are going through an internal quality control check. He stated that once the control check is completed is completed and once the final approval from GDOT, the Right-of-Way Acquisition Team comprised of County Attorney Dennis Davenport and Mr. Anthony Stanley would proceed with obtaining the needed right-of-way to complete the West Fayetteville Bypass. He suggested that this effort to complete the West Fayetteville Bypass was contingent on several factors, but there was anticipation that the road could be completed by December. Discussion followed on whether the county or GDOT would pay for and be responsible for a traffic light at the intersection of the West Fayetteville Bypass and State Route 92. Commissioner Rousseau suggested that the county could lobby the local delegation in order to get the state to pay for the traffic signal, and the Board agreed with his suggestion. Mr. Mallon stated that the next steps would include relocating the utilities in the area, to acquire the right-of-way, and to put together a bid package in order to have a contractor available to do the work. Mr. Mallon also gave a brief update on the progress of the East Fayetteville Bypass while answering questions from the Board. He also spoke about challenges presented the historic Jackson House with respect to the East Fayetteville Bypass.

The discussion of the West Fayetteville Bypass and the East Fayetteville Bypass began at 1:28 p.m. and concluded at 1:47 p.m.

**c. SR 74 Corridor Study Project**

Public Works Director Phil Mallon briefed the Board on the State Route 74 Project. Discussion followed concerning how complicated the project was based on the City of Fairburn's allowance of fast food restaurants on State Route 74. There was other discussion about why Sandy Creek Road does not have a traffic light. The Board did not provide direction on this matter.

This discussion began at 1:48 p.m. and concluded at 1:55 p.m.

**d. Kenwood Park Master Plan Amendment**

Buildings and Grounds Director Carlos Christian briefed the Board on the Kenwood Park Master Plan Amendment for Phases 1, 2, and 3. He stated that staff was anticipating releasing bids for the Pavilion and Restroom in May and that the Board of Commissioners may expect to have the bids before them for awarding around June or

July. He stated that in the meanwhile staff could begin grading the area in preparation of the pavilion and restroom.

The discussion began at 1:55 p.m. and concluded at 2:06 p.m.

**e. Filter Control System – Zero Waste**

Water System Director Lee Pope and Mr. Jason Nord, who represented Filter Magic, briefed the Board on Filter Magic's Zero2Waste (Z2W) Technology. He explained that every water plant has filters that have to be washed, however, there is no technology that tells operators when the filters need to be washed. He said that lack of technology results in filters being constantly washed wasting water, energy, and operator's time. He stated that the recommended technology would reduce the waste while increasing efficiency and the water treatment plant's capacity. He concluded that by embracing this technology the county would have a return on its investment.

The Board agreed that staff should implement the water treatment plant enhancement, as recommended by staff, and to do so as a Water Capital Improvement Project.

The discussion began at 2:06 p.m. and concluded at 2:20 p.m.

A copy of the Signature Capital Project overview presentations, identified as "Attachment 8," follows these minutes and is made an official part hereof.

**5. Recreation Fee Proposal**

Parks and Recreation Director Anita Godbee briefed the Board on staff's recommendation to adjust the fees at Fayette County's Parks. She showed that the current fees for pavilion reservations were \$25 per hour, \$5 each for each additional hour with a 2-hour minimum for Fayette County citizens and with a 50% surcharge for non-residents. She recommended the fees be increased to \$30 per hour with a 2-hour minimum for county residents and \$60 per hour with a 2-hour minimum for non-residents. The Board agreed to the proposed recreational fee increase.

The discussion began at 2:20 p.m. and concluded at 2:28 p.m.

A copy of the Recreation Fee Proposal, identified as "Attachment 9," follows these minutes and is made an official part hereof.

**6. Out of County Park Access**

Parks and Recreation Director Anita Godbee briefed the Board on the issues concerning out-of-county access to the county's parks, and she answered questions from the Board.

The discussion began at 2:28 p.m. and concluded at 2:36 p.m. A copy of the Out of County Park Access material, identified as "Attachment 10," follows these minutes and is made an official part hereof.

## **7. Small Cell Technology**

Community Development Director Pete Frisina briefed the Board on the topic of Small Cell Technology. He concluded that there is uncertainty what legal rights companies have to locate small cell telecommunication towers in the county's right-of-way and he pointed out that the county does not have policies or guidelines to control their height, location, or distribution. County Attorney Dennis Davenport added that the small cells technically meet the requirements of cell towers, however, the Zoning Ordinance does not allow cell towers in the right-of-way. He suggested that if the Board wanted to allow this technology to be implemented in the county then it would have to change the Zoning Ordinance.

The discussion began at 2:40 p.m. and concluded at 2:43 p.m. A copy of the Small Cell Technology presentation material, identified as "Attachment 11," follows these minutes and is made an official part hereof.

## **8. Open Meetings/Records/Parliamentary Procedures Overview**

County Attorney Dennis Davenport quickly briefed the Board on the nuances of the Parliamentary Rules of Procedure. He stated that the current County Code, as it relates to the Rules of Procedure, is not very easy to understand and he asked the Board if he could review the procedures and bring back recommendations at a future date. The Board agreed to consider implementing aspects of the Parliamentary Rules of Procedure.

The discussion began at 2:43 p.m. and concluded at 2:51 p.m. A copy of the Parliamentary Rules of Procedure, identified as "Attachment 12," follows these minutes and is made an official part hereof.

## **Chairman & Commissioner Topics (4:15pm-Done) – 20 minutes/per**

### **1. Discussion of Campaign Speeches During Public Comment (Vice-Chairman Ognio)**

County Administrator Dennis Davenport asked what options are available with regard to campaign speeches during Public Comment. Commissioner Rousseau replied that the issues involved equal time and establishing a time limit. Commissioner Brown stated that, in general, most of the people are observant of the people's time and he did not want to punish the majority of the people by limiting their ability to speak at the public podium. He suggested that there could be a comment directed to the speakers to be mindful of the time and if someone was campaigning to perhaps hold their speech to no more than five minutes. Commissioner Barlow suggested that someone running for office needed to be able to tell their name and what office they are running for, but nothing else.

County Administrator Steve Rapson stated that Policy 110.11 limits political campaigns and rallies, and he suggested that the policy would have to be changed if the Board allowed for political campaigning at the public comment podium.

Mr. Davenport stated that campaigning was not allowed when his firm served as the County Attorney during the 1990s and early 2000s. He also spoke about the nuances of campaigning. He agreed with Mr. Rapson that the policy would have to be amended if campaigning is allowed.

Commissioner Barlow moved to adhere to the policy already in place meaning they are not allowed to come to the microphone at all. Discussion followed.

Commissioner Barlow amended his motion to allow candidates to introduce themselves and announce their candidacy for office but to have no other discussion. Chairman Oddo seconded the motion.

Commissioner Barlow mentioned that staff is in the audience and they do not need to be compelled to sit through campaign speeches. Commissioner Rousseau stated there is already a policy in place. He also asked if there were rules requiring members to remove themselves from county boards and authorities if they announce for office. County Clerk Floyd Jones replied that the rules were inconsistent from board to board on that matter. Commissioner Rousseau stated there needed to be consistency so candidates would not have a platform via boards or committees. Mr. Davenport stated that the suggestion, taken to the extreme, would not work. Commissioner Ognio and Commissioner Brown indicated that the policy was too restrictive since it disallowed any kind of campaigning even on public property outside of the Historic County Courthouse. Chief Deputy Clerk Tameca White indicated that if a person has a campaign sticker on his car would that be a violation.

The Board agreed to allow the County Attorney to review and revise Policy 100.11- Use of Public Buildings and Grounds and Policy 448.09- Political Activity.

Commissioner Rousseau provided anticipated arguments that would be leveraged against the Board if the motion on the floor was favorably approved.

The motion to allow candidates to introduce themselves and announce their candidacy for office but to have no other discussion passed 3-2 with Commissioners Brown and Rousseau voting in opposition.

The discussion began at 2:52 p.m. and concluded at 3:17 p.m. A copy of Policy 100.11, identified as "Attachment 13," follows these minutes and is made an official part hereof.

## **2. Fayette County Public Art Committee Review (Commissioner Brown)**

Commissioner Brown provided a high-level overview of Fayette County's Public Arts Committee, and he provided various examples of the types of art the committee was considering. He asked the Board members to provide any other ideas that they may have for consideration.

The presentation began at 3:18 p.m. and concluded at 3:41 p.m. A copy of the Fayette County Public Art Committee presentation material, identified as "Attachment 14," follows these minutes and is made an official part hereof.

### **3. Mowing State Route Corridors**

Commissioner Rousseau asked what was the county's plan to take care of the "gateways," namely, State Routes 314 and 85. He explained that the grass on the State Routes are already overgrown and full of trash. County Administrator Steve Rapson replied that staff was currently reviewing the situation and that the Georgia Department of Transportation (DGOT) was entering into an agreement with their "folks to beef up what they are doing."

Road Director Steve Hoffman stated that the low-bidder for the state was contracted to cut the entire state. He did not anticipate GDOT doing much with their contractor this year and he pointed out that GDOT was already behind schedule.

Commissioner Rousseau stated that State Route 314 was unacceptable. He realized that while the county was a little hamstrung due to SR 314 being a state highway, but he pointed out that State Route 74 was well maintained on a regular basis. He stated that if the gateway to Fayette County looks like the people do not care to live in the county, then there would be little chance of attracting quality businesses. He said he had heard reasons on why the corridor could not be maintained, but he insisted that the gateways could be addressed.

County Administrator Steve Rapson stated that staff had a \$500,000 solution. Mr. Hoffman replied that it would require to maintain about 48 additional miles but it could be done with more people and equipment. Mr. Rapson stated the real cost to the County was \$585,000 in house for staff and equipment. Discussion followed about how to lower the cost or entering into a contract with a private service. Commissioner Ognio pointed out that the state will not reimburse the county for the costs while not cutting the roads on a regular basis.

Commissioner Rousseau moved to tell the local delegation, whoever it may be after the upcoming elections, that more emphasis needs to be placed on the regular maintenance of the state's corridors coming into Fayette County with an understanding that the corridors be cut and the trimmings be removed. Commissioner Barlow seconded the motion.

Commissioner Ognio suggested that the message would be better received in the form of a resolution to the local delegation.

Commissioner Rousseau amended his motion to notify the local delegation via resolution. Commissioner Barlow seconded the amended motion.

The motion to tell the local delegation, whoever it may be after the upcoming elections, by means of a resolution, that more emphasis needs to be placed on the regular maintenance of the state's corridors coming into Fayette County with an understanding that the corridors be cut and the trimmings be removed passed 5-0.

The discussion began at 3:41 p.m. and concluded at 3:55 p.m.

**ADJOURNMENT:**

No further business came before the Board.

Commissioner Barlow moved to adjourn the April 22 Board of Commissioners Retreat.  
Commissioner Brown seconded the motion. The motion passed 5-0.

The Board adjourned the April 22, 2016 Retreat at 3:56 p.m.

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**Floyd L. Jones, County Clerk**

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**Charles W. Oddo, Chairman**

The foregoing minutes were duly approved at an official meeting of the Board of Commissioners of Fayette County, Georgia, held on the 12th day of May 2016.

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**Floyd L. Jones, County Clerk**

## BOARD OF COUNTY COMMISSIONERS

Charles W. Oddo, Chairman  
Randy Ognio, Vice Chair  
David Barlow  
Steve Brown  
Charles D. Rousseau

## FAYETTE COUNTY, GEORGIA

Steve Rapson, County Administrator  
Dennis A. Davenport, County Attorney  
Floyd L. Jones, County Clerk  
Tameca P. White, Chief Deputy County Clerk



140 Stonewall Avenue West  
Public Meeting Room  
Fayetteville, GA 30214

# MINUTES

April 26, 2016  
7:00 p.m.

Consent Agenda #11

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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 2<sup>nd</sup> and 4<sup>th</sup> Thursday of each month at 7:00 p.m.

### Call to Order

Chairman Oddo called the April 26, 2016 Board of Commissioners meeting to order at 7:04 p.m.

### Invocation by Commissioner Charles D. Rousseau

Commissioner Brown offered the Invocation.

### Pledge of Allegiance

Chairman Oddo led the Board and the audience in the Pledge of Allegiance.

### Acceptance of Agenda

Commissioner Barlow moved to approve the Agenda as published. Commissioner Rousseau seconded the motion. The motion passed 5-0.

### PROCLAMATION/RECOGNITION:

#### 1. Presentation to the parents of Elizabeth Houlihan in memory of her volunteer work at the Fayette County Library.

Chairman Oddo asked Library Director Christeen Snell and the family of Elizabeth Houlihan to come forward. Mrs. Snell introduced Charlotte Stargell, Library Assistant in the Children's Department. Ms. Stargell spoke of her relationship with Elizabeth and the contributions Elizabeth made as a volunteer to the public library. Mrs. Snell informed the family and the audience that the library will place a memorial bench near the "Storyteller" statue in the lawn of the library. A small quote from Winnie the Pooh will be placed on the bench that reads: "Here together, friends forever. Some things were just meant to be, and that's you and me." Mr. Houlihan thanked the library and the Commissioners for the honor. A copy of the request, identified as "Attachment 1," follows these minutes and is made an official part hereof.

**2. Presentation of Government Finance Officers Association Certificates of Achievement for Excellence in Financial Reporting for Fayette County's Comprehensive Annual Financial Reports (CAFR) for the fiscal year ended June 30, 2015.**

County Administrator Steve Rapson, Chief Financial Officer Mary Parrot, and Assistant Chief Financial Officer Sheryl Weinmann presented the Government Finance Officers Association Certificates of Achievement for Excellence in Financial Reporting for Fayette County's Comprehensive Annual Financial Reports for the fiscal year ended June 30, 2015. It was noted that this is the twenty-third consecutive year that Fayette County has received the certificate. Mrs. Parrott thanked Ms. Weinmann and the Finance staff for doing an awesome job. A copy of the request, identified as "Attachment 2," follows these minutes and is made an official part hereof.

**3. Presentation from the Atlanta Regional Commission (ARC) concerning the benefits Fayette County receives from the ARC.**

Chairman Oddo introduced Mr. Doug Hooker, Executive Director of the Atlanta Regional Commission (ARC). Mr. Hooker spoke regarding the roles and responsibilities of ARC and how the ARC relates to Fayette County.

Commissioner Brown stated that he had some concerns. He stated that Fayette County is different from the other nine counties. He stated that he talks to constituents regarding the transit initiatives. He stated that the 2012 T-SPLOST was an eye-opener for all of metropolitan Atlanta. He wondered why there is support for these types of initiatives as a region when there are issues with maintenance cost for MARTA that have been deferred. He stated that he is concerned about ARC's stance in terms of transportation planning. He stated that Fayette County does not have transit and that many Fayette citizens are concerned they will pay for transportation planning with no plan for how to sustain it. He believed the street car was a disaster given a 45% decline in ridership at \$35 million a mile. He stated that some of the people of Fayette County are wondering why their tax dollars are being used for projects like that one. He hoped that the ARC would seriously look at how to maintain and sustain the projects. He suggested that with the potential for autonomous vehicles in the future, transit may fade away. He mentioned that if the state will fund these projects then the state needs to say that even though he has a problem with the state funding it as well. He asked, given high unemployment, low-waged jobs, and poor educational opportunities, who is paying for the transit with the Georgia Regional Transportation Authority (GRTA) Xpress bus. He mentioned that the average GRTA Xpress bus rider makes \$75,000 to \$80,000 a year and state tax payers are subsidizing the rides. He asked if ARC would continue to support these things. He also asked if the maintenance and operations costs would be in the plan and factored out so that it can be explained to citizens so that, if they vote for the transportation projects, they would understand that the mechanism to fund the projects into perpetuity are in place.

Mr. Hooker stated that ARC does not tell communities to take MARTA or to take transit of any sort. He stated that communities have to decide if and when they want to have transit and, if they do want transit, then they have choose what type of transit they want. He stated that as elected leaders, if that time ever comes, it will be based upon what the citizens are asking of the leaders. He stated that if transit is not what Fayette wants right now that is fair and appropriate, however, there are communities that do want transit for whatever reasons they deem important, whether it be economic development or access to jobs. He stated that there are many regions that are low on the wage scale that reside south of the metro area, but the larger job pools are north of the region. He stated that is where transit and transit type of transportation options can afford citizens the opportunity to access jobs that they otherwise would not be able to afford. He agreed that MARTA's deferred maintenance has certainly been an issue for many years, but he added that the situation has improved dramatically under the leadership of General Manager Keith Parker who has put more attention to the finances and put MARTA back into the black for the last three years. He stated that the larger burden for MARTA is born by the tax payers of Atlanta, Fulton County, DeKalb County and, recently, Clayton County. He stated that the question about autonomous cars is actually a question that many transportation experts "don't know where it is going to go yet." He stated that even now UBER and Lyft, who are the premiere private sector ride sharing services are partnering with transit companies because they see the transit spine as a way to extend service to others who may not

be able to make use of it. He stated that ARC's duty of care is to continue to look, explore, and research the issues, to talk to experts in the field, to try to stay aware of the issues, and to be "more rapid in the way things are accessed."

Commissioner Brown stated that he understood that the county has to agree to be part of a physical transit system, but that it does not have to be part of the funding mechanism and that is where the major shift is going. He stated that citizens are saying that they do not want to pay for a system that is mismanaged and not well orchestrated. He stated that Fayette County will not be accepting transit any time soon and the county does not want to pay for it either. He stated that there is gradual letting go and the citizens feel they are getting pulled into it.

Mr. Hooker stated that the money that MARTA gets from the state is "meniscal" relative to MARTA's overall revenue, and he did not suspect that will change since state has given local governments the option to ask citizens to be taxed more to pay more for improvements or expanding services. He stated that in regards to taxes that go to the federal government that come back to pay for transit, which it pays for transit all over the country and not just in Georgia, to the extent that federal funds are available to support transit services throughout the whole country, He stated that the ARC wants to be sure that some portion of the federal taxes are returning to the communities that helped generate them in an effort to support those communities that want or need transit.

Commissioner Rousseau thanked Mr. Hooker for visiting. He stated that some of the things discussed will be data driven and the county has to look at the alternative measures to be good stewards. He stated that he relies on ARC to give some of that data driven information.

Mr. Hooker stated he would provide Commissioner Rousseau with whatever information he needs, and if he does not have it he will find out how to get it. He thanked the Board for its leadership in Fayette County. He reminded everyone that Fayette is a critical part of the region and he stated that the ARC does not look for harmonization as a region. He stated that the region is better and more beautiful and more attractive because of the diversity of its communities, places, people and that the ARC wants to support that diversity.

Commissioner Barlow stated that he and his wife deliver Meals-on-Wheels every Tuesday and when he is there he thinks about the ARC's participation. He stated that there is a group of senior citizens throughout Fayette County that dearly love having Meals-on-Wheels, and that it is a ministry that he and his wife look forward to doing each week. He thanked Mr. Hooker and the ARC for the work that is done for senior services. A copy of the request, identified as "Attachment 3," follows these minutes and is made an official part hereof.

#### **Chairman's Statement on Campaigning during Public Comments:**

Chairman Oddo stated that the subject came up regarding campaigning from the podium at the previous meeting, and that the Board discussed this subject more during the retreat. He explained that the Board will use the current policy voted in by the previous Board meaning any candidate that would like to speak during public comment can briefly announce who they are and for what position they are running. He stated that the audience, including the candidate, will be invited to speak on any item on the agenda as usual.

#### **PUBLIC HEARING:**

There was no Public Hearing item on the Agenda.

#### **CONSENT AGENDA:**

Commissioner Barlow asked to remove Consent Agenda Item #6 and Commissioner Brown asked to remove Consent Agenda Item #7 for discussion.

Commissioner Brown moved to approve the Consent Agenda excluding Consent Agenda Item #6 and #7. Commissioner Ognio seconded the motion. No discussion followed. The motion passed 5-0.

4. **Approval of Staff's recommendation to create a capital project to repair/re-stripe the Senior Center parking lot utilizing funding of \$12,645 from the General Fund project contingency. A copy of the request, identified as "Attachment 4," follows these minutes and is made an official part hereof.**
5. **Approval of the request from Fayette County Juvenile Court for authorization to file a grant application on behalf of the Fayette County Board of Commissioners and authorization for the Chairman to execute said application. A copy of the request, identified as "Attachment 5," follows these minutes and is made an official part hereof.**
6. **Approval of staff's request to enter into a Memorandum of Understanding (MOU) between the Environmental Protection Division of the Georgia Department of Natural Resources (EPD); and the Permits & Inspections Department of Fayette County, Georgia (Fayette County) for a pilot program of a two year period.**

Commissioner Barlow asked Permits and Inspections Director Joe Scarborough to discuss this agenda item, and he stated that in the background information for this request read: "this [agreement] will be the first in the state's [state of Georgia] history." Mr. Scarborough introduced Assistant Director of Permits and Inspections Steve Tafoya and he asked Mr. Tafoya to speak regarding this item.

Mr. Tafoya stated that this initiative started from some of the processes in the department to make sure that the correct procedures are being followed with the EPD. He stated that a representative from the EPD spoke to the department regarding lead-based paint and asbestos and invited them to a seminar that was being held at the airport. He stated he met Jennifer Bogle at that seminar where they discussed how more information could be provided to the community. He stated that the discussion was the basis on how the MOU eventually came about. He stated that most of the things in the MOU provide information to the citizens and the general public. He stated that Ms. Bogle and her team teach a course at the library for the general public and also has a course at a homeowner's association meeting. He stated that the MOU also includes certification classes for inspectors and staff. He stated that it is part of the safety focus and he is happy that Fayette County will be one of the first to have this in place with the Environmental Protection Division.

Commissioner Barlow stated that he noticed under "Responsibility of Fayette County", that it says, "...providing application to become a Georgia certified renovation firm". He asked for explanation regarding this statement.

Mr. Tafoya replied that certification training will take place next Thursday. He stated that there are six slots and different departments have people scheduled to attend.

Commissioner Barlow asked how many permits are issued to residence that might be effected by lead-based paint, and he asked when lead-based paint was abolished. Mr. Tafoya replied that lead-based paint was discontinued in 1978.

Commissioner Barlow asked how much of an issue is anticipated in Fayette County, if any. Mr. Tafoya stated that it might be small issue in Fayette County.

Mr. Tafoya introduced Ms. Jennifer Bogle, who is the program manager for the Lead- Based Paint and Asbestos program. Ms. Bogle read a prepared statement regarding this matter to the Board.

Commissioner Barlow moved to enter into a Memorandum of Understanding (MOU) between the Environmental Protection Division of the Georgia Department of Natural Resources (EPD); and the Permits & Inspections Department of Fayette County, Georgia (Fayette County) for a pilot program of a two year period. Vice Chairman Ognio seconded the motion. No discussion followed. The motion passed 5-0. A copy of the request, identified as "Attachment 6," follows these minutes and is made an official part hereof.

**7. Approval of staff's request to issue payment to Georgia Department of Transportation (GDOT) for \$639,831.67 to cover the local match for construction of the McIntosh Road Bridge Replacement Project (SPLOST Project B-6; GDOT PI# 331650).**

Commissioner Brown stated that he had worked on this project for a while. He stated that it came to a point that he met with all the Spalding County Commissioners individually and informed them that this bridge rates a nine out of one hundred. He stated that it was in serious need of repair but that Spalding County had been reluctant to do anything with the bridge. He stated that finally the Spalding County Commissioners agreed to repair the bridge, and he mentioned that the delays from Spalding County may have been "a blessing in disguise". He stated that House Bill 170 (HB170) was created for the purpose of the collection of taxes to pay for transportation projects; specifically roads and bridges that are in dire need of repair. He stated that the money is available and that the Georgia Department of Transportation (GDOT) is getting almost an extra billion dollars a year from HB170. He stated that he would like for the Board to entertain his request to hold this agenda item request and to send official correspondence to the Department of Transportation asking it to take care of the payment through HB170 funding. He stated that if Spalding County is willing the request could be made as a joint request.

County Administrator Steve Rapson stated that this project impacts the General Fund by \$1,000 since it is all being funded from the Special Purpose Local Options Sales Tax (SPLOST) program. He agreed that a letter could be sent to see if the GDOT would be willing to pay since that would free up more money in the SPLOST fund for the county.

Chairman Oddo asked about the timing of this project.

Public Works Director Phil Mallon stated that there are three things he wanted the Board to consider. He stated that because this is a federally-funded project, he is not certain in terms of the local, state and FHWA, if the state would ever pay for this. He stated that the second point is that the construction cost for this project came in higher than original projections. He stated that under the current agreement the county signed a Project Framework Agreement (PFA) that states that any construction costs above the original budget was supposed to be the responsibility of the local government. He stated that in this case the GDOT voluntarily increased its contribution to maintain the 80/20 match for the overage. He stated that the third item is that the federal funding is complex and is on a cycle. He stated that there is money programmed in this fiscal year, but this request might push the project into the next fiscal year. He cautioned that with projects like this if the money is not used there is the potential to lose the money.

Commissioner Brown replied that he knows GDOT is doing bridges on federal highways with HB170 funding.

Mr. Mallon agreed. He stated that the main point he wanted to make to the Board is that this does have the potential of delaying the project.

Commissioner Brown replied that the intent was not to have a prolonged disagreement with the GDOT, but to ask the department because the county is paying into the HB170 tax. He stated Fayette County should ask and if the department says "no" the county would move forward with approving the \$500,000.

Chairman Oddo asked how quickly the county could receive an answer. Commissioner Rousseau asked Mr. Mallon how to make sure that dollars and safety are not put into jeopardy if the project is delayed. Mr. Mallon stated that time is very critical right now to the extent that he has an agreement with the Finance Department, if this is approved, to have the check printed special order so that he could drive it to GDOT. He stated that he could make a phone call, but that it would probably take more than a phone call from him.

Commissioner Brown stated that the county needs to contact the regional commissioner and let him know the situation and let him say, "yes" or "no". He stated that the call should not come from the staff but from the chairman.

Commissioner Rousseau asked Mr. Mallon if this request was realistic in his estimation, or if it was dangerous. Mr. Mallon replied that it would be unlikely that the GDOT would agree to the request. He explained that his response was based on how complex it is to fund the project. He stated to get the money, the GDOT would have to take it from somewhere else.

Commissioner Brown mentioned that not all of the HB170 funds are apportioned yet. Mr. Mallon stated that he would think that any funds for this fiscal year have been apportioned. Commissioner Brown agreed. Mr. Mallon stated that he does not know if the bids would stay valid or if they would have to be re-bided. Commissioner Brown asked if Mr. Mallon could reach out and ask the question about using HB170 for this project. Mr. Mallon stated that he could.

Mr. Mallon asked, should the GDOT said "no" to this request would the Board grant a contingency approval to avoid delaying the process. Commissioner Brown replied that the Board would grant contingency approval should the GDOT give a negative reply. Mr. Mallon stated that he would reach out to his counterparts at Spalding County and present this as a joint effort from the elected officials.

Mr. Rapson suggested doing a tentative approval with a date certain for the answer. He stated that the problem is even once Mr. Mallon reaches out to everyone, there are Boards that the GDOT will have to go through to get approvals. He requested that the Board give an approval on the check being released if the County does not have a reply from the GDOT by a certain date. He suggested that the contingency be to have a response from the GDOT by May 4 and if there is no answer by May 4 the county would release the check to the GDOT on May 5, 2016. Commissioner Brown stated that this will need to be expedited to the GDOT. Mr. Rapson confirmed that Mr. Mallon would contact the GDOT tomorrow.

Commissioner Rousseau asked for a timeline of this project. He stated that the GDOT is requesting the money and the bid has been let. Mr. Mallon stated that GDOT has advertised and is ready to award the contract. He stated the only thing left is to receive the money from the County.

Commissioner Brown moved to issue payment to Georgia Department of Transportation (GDOT) for \$639,831.67 to cover the local match for construction of the McIntosh Road Bridge Replacement Project (SPLOST Project B-6; GDOT PI# 331650) on May 5, 2016; contingent that the county does not receive a response from Georgia Department of Transportation by May 4, 2016 to agree to pay the local match for construction from House Bill 170. Vice Chairman Ognio seconded. Discussion followed.

Mr. Mallon asked for point of clarification. He stated that the change might require an amendment to the ARC's Transportation Improvement Program (TIP) which is typically done four times a year. He stated that if the GDOT agrees to the County's request, but it delays the project for construction until next spring, would that be an agreed upon compromise for the Board. The Board agreed that situation would be acceptable

Commissioner Rousseau pointed out that in the document it stated that the totals have changed. Mr. Mallon stated that this project has been on since 2009 and the amounts have changed. Mr. Rapson stated that if the project is delayed until next spring the County will be looking at a different amount. Commissioner Brown stated that if GDOT agrees to pay then it will not matter what the number is.

Chairman Oddo stated that safety is a concern. He asked, since the bridge is a nine out of one hundred, could it wait for repairs. Mr. Rapson stated that if staff gets a response that means waiting until next spring or getting a reimbursement from GDOT, then staff will bring it back to the Board.

Commissioner Rousseau stated that he is not opposed to making this request.

Commissioner Ognio stated that it may be outside the norm, but maybe if the GDOT said they would fund the project but that it will take a long time to get it approved, then maybe the County could pay the money and have the GDOT reimburse the County. Commissioner Brown stated that would work. Mr. Rapson responded that staff would structure whatever deal the Board would approve.

Commissioner Brown moved to issue payment to Georgia Department of Transportation (GDOT) for \$639,831.67 to cover the local match for construction of the McIntosh Road Bridge Replacement Project (SPLOST Project B-6; GDOT PI# 331650) on May 5, 2016; contingent that the county does not receive a response from Georgia Department of Transportation by May 4, 2016 to agree to pay the local match for construction from House Bill 170. Vice Chairman Ognio seconded. The motion passed 5-0. A copy of the request, identified as "Attachment 7," follows these minutes and is made an official part hereof.

8. **Approval of staff's recommendation to award Contract #949-A, Amendment 1: Road Stabilization / Dust Control to South Eastern Road Treatment in an amount not-to-exceed \$76,000; to apply a road stabilizing and dust control agent to select county unpaved roads. A copy of the request, identified as "Attachment 8," follows these minutes and is made an official part hereof.**
9. **Approval staff's recommendation to award purchase of Cisco Server & Storage System to CDW Government, Inc. for the discounted price of \$167,287.53. A copy of the request, identified as "Attachment 9," follows these minutes and is made an official part hereof.**
10. **Approval of the April 14, 2016 Board of Commissioners Meeting Minutes.**

#### **OLD BUSINESS:**

11. **Consideration of staff's recommendation to adopt the Series 2016 Bond Resolution authorizing the issuance of approximately \$16,650,000 Fayette County, Georgia Water Revenue Refunding Bonds, Series 2016, bearing interest at not more than 2.18% per annum, for the purpose of refunding a portion of the Fayette County, Georgia Water Revenue Bonds, Series 2009 in order to achieve gross debt service savings of not less than \$788,000 over the remaining life of the bonds.**

Chief Financial Officer Mary Parrott stated that a recap of the refund savings was provided on the dais. She stated that in February 2016, the Board approved to move forward with refunding a portion of the 2009 Water System bonds. She stated that of the five proposals the recommendation is to move forward with JP Morgan, who is offering the best interest rate of 2.08% with an overall gross savings of \$979,629. She stated that the request is for the Board to pass the bond resolution so staff can move forward with the closing.

Mr. Rapson stated that there is some risk associated with not closing the bonds because it has to be validated through the judicial system, so if it is not adjudicated there is a risk that the county would have to pay around \$13,000 to \$14,000. He stated that it could be as much as \$136,000 if the rates change, but staff does not think that will happen. Mrs. Parrott added that if that happens, the second bidder's savings were still not enough to cover that amount. Commissioner Rousseau asked what was the window before that could happen and Mrs. Parrott replied that the county has a month to close. County Attorney Dennis Davenport added that there is a proposed closing date of May 24, 2016 and the deadline that Mrs. Parrott is referring to is June 15, 2016.

Commissioner Brown moved to approve to adopt the Series 2016 Bond Resolution authorizing the issuance of approximately \$16,650,000 Fayette County, Georgia Water Revenue Refunding Bonds, Series 2016, bearing interest at not more than 2.18% per annum, for the purpose of refunding a portion of the Fayette County, Georgia Water Revenue Bonds, Series 2009 in order to achieve gross debt service savings of not less than \$788,000 over the remaining life of the bonds. Vice Chairman Ognio seconded. Further discussion followed.

Mrs. Parrott asked that the Board make the motion to include the updated figures of 2.08% per annum and the debt service savings of not less than \$861,641.

Commissioner Brown amended his motion to approve to adopt the Series 2016 Bond Resolution authorizing the issuance of approximately \$16,650,000 Fayette County, Georgia Water Revenue Refunding Bonds, Series 2016, bearing interest at not more than 2.08% per annum, for the purpose of refunding a portion of the Fayette County, Georgia Water Revenue Bonds, Series 2009 in order to achieve gross debt service savings of not less than \$861,641 over the remaining life of the bonds. Vice Chairman Ognio seconded the amendment. No discussion followed. The motion passed 5-0. A copy of the request, identified as "Attachment 10," follows these minutes and is made an official part hereof.

#### **NEW BUSINESS:**

#### **12. Consideration of staff's recommendation to adopt Ordinance 2016-09 Discharging Firearms by deleting Section 16-4 pertaining to "Discharging firearms," of Article I of Chapter 16, in its entirety, and by replacing it with a new Section 16-4 of Article I of Chapter 16.**

Vice Chairman Ognio stated that this issue was brought to him by a citizen who has a lot that is less than 25 acres but is more than 10 acres. He said the citizen would like to target practice on his property. He believed this request was just as safe as the allowance to shoot on twenty-five acres. He added that this would not change the zoning so the property owner could not set up a shooting range.

Commissioner Brown stated his recommendation that the backstops would require permitting and inspection by building code enforcement so that there will be a log of everyone who has a backstop and that those who are participating in this program are using safe methods. He stated that he would remove "planned unit developments" often referred to as "PUD" out of Section 16-4, Subsection (b), #1, where it states, "within any residential zone, A-R (agricultural-residential) zone or any planned unit development..." He stated that planned unit developments could be a number of things and is vague.

Mr. Davenport replied that the planned unit development did not refer to the entire set of planned unit development but only to the planned unit developments specifically approved as a "planned retreat or lodge" with this type of activity. Commissioner Brown agreed and withdrew that suggested change.

Commissioner Brown stated that he gets concerned with PUDs. Mr. Davenport stated that the 10 acre deduction, the way it is written in the proposed document, does not apply to the PUD language. He stated that the PUD as a planned retreat or lodge would still be a 25-acre minimum as oppose to a 10-acre minimum where an A-R would be changed if approved. Commissioner Brown asked Mr. Davenport if he was comfortable with the way it is written. Mr. Davenport stated that it is not a question of whether he is comfortable. He stated that is the original language that is not being changed and if the Board thinks the activity is not consistent with what should be under planned retreat or lodge then the Board can remove that particular section.

Commissioner Rousseau asked what was the benefit the Board hopes to achieve in an A-R setting. Commissioner Brown stated that in 2014 there were some builders that had a lot of professional athletes that want to build a nice house and want a gymnasium behind the house. He stated that the County codes did not allow for that. He stated that the

County would have lost those potential homeowners because they wanted that amenity with the house. He stated that the County changed the codes and modified it to allow something was not traditional in the ordinance. He felt this was the same thing.

Chairman Oddo that he had the same question as Commissioner Rousseau. He asked why what is already in place did not work. Vice Chairman Ognio stated that Code Enforcement was called on the gentleman when he fired his pistol. He stated that Code Enforcement informed him that he could only shoot a shotgun. He stated that this is way to allow the gentleman to do what he wants on his property if he sets it up correctly and safely.

Commissioner Rousseau asked for confirmation that this was not a request from a number of citizens but a single individual. Vice Chairman answered that only citizen had approached him about this matter, but he was sure there are others shooting their weapons even though the neighbors have not complained.

Commissioner Rousseau stated that the permit process that is being requesting would generate revenue. He stated that it concerns him that this would be in A-R residential. Vice Chairman Ognio replied that the current ordinance was more dangerous than the proposed ordinance since the current ordinance does not require a backstop even on 25-acres. Commissioner Rousseau asked if that has presented a problem in the past. Vice Chairman said it had not.

Commissioner Barlow stated that he was president of Gun Sight Security in the early nineties and there was a permitted gun range. He stated that he required his staff to stay permitted and the city of Brandon, Mississippi kept allowing buildings within sight of where the range was located. He stated that he could sit on the berms and see those houses. He stated that the range was owned by the former governor of Mississippi and he told him that he did not feel comfortable having a range because he knew he could shoot a pistol and hit the houses. He explained that for that reason he closed the range. He stated that he is opposed to anyone having a gun range that would be just a berm on the property. He stated that a berm would not do a lot for anyone that have a discharge go off accidentally. He stated that he would oppose it because he has extensive knowledge of dealing with a gun range.

Commissioner Brown asked Commissioner Barlow if he would approve if the property owner had to follow a national standard and it had to be permitted and inspected. Commissioner Barlow stated that he does not feel that 10 acres is sufficient. He stated that if it is approved for one 10 acre lot there are almost 1,000 10 acres lots that would be able to set up a range and he would be opposed to that.

Chairman Oddo asked Mr. Davenport would it be an issue for the County if the Board started to amend the ordinance and requiring permits. Mr. Davenport stated that with no change of the 25 acres there is some exposure because if someone is injured that person who is injured will look to the person who fired the weapon and to the County because the County allowed the weapon to be discharged. He stated that it not a great risk because the acreage is larger. He stated that as the acreage is decreased the risk goes up. Commissioner Brown stated that one caveat is that on the larger lot a person can move about on the lot and in the 10 acre lot there would be a specific range and a specific set of standards and the person is firing in a certain area instead of free ranging on a 25 acre lot.

Mr. Davenport stated that since a lot of additions have been made to the proposed document he would be reluctant to say how the outcome would be. He stated that if the County is going to say that the berms have to be a certain standard then the County now has a responsibility to inspect it and the liability exposure increases because the County is now a guarantor and insurer as opposed to just someone who says a person can shoot on a large piece of property just do not endanger someone's life or property.

Commissioner Brown stated that the County requires the same thing with houses and structures every day. Mr. Davenport stated that houses are not guns as far as shooting at other properties. He stated that this involves an instrument that has the capability of injuring someone severely to the point of being fatal.

Commissioner Rousseau stated that this would also add an additional load on staff to do the inspections. He stated that he will make this comment with caution, but he did not want to be in the business of the County being responsible for providing a target area for another Columbine situation.

Chairman Oddo asked if there was anyone from the public who would like to speak on this item.

**Delvannie Burgess:** Mrs. Burgess spoke in opposition of this item. She stated that safety is most important and she would not feel safe with decreasing or increasing the acreage in reference to discharging firearms. She stated that this will open up the doors for other entities in the county to apply for firearms all because one person wanted to expand their own agenda and infringe this on other citizens. She asked the Board not to support this item.

**Noreen Taylor:** Ms. Tayler spoke in opposition of this item. She stated that she has the property that backs up to the property that started the inquiry for changing the ordinance. She suggested other areas could be considered that would discourage the adoption of the ordinance including the time of day that the firearms are being fired, the value of her property decreasing, and the safety of those in the neighborhood. She requested that there be more citizens allowed to come forth and speak regarding this item.

Commissioner Rousseau asked if there is a limit to the number of people that can be on the property at any time. Mr. Davenport stated not according to the language in the ordinance.

Commissioner Rousseau stated that it is those type variables that make him uneasy and that he was not in favor of this item at all.

Commissioner Brown moved to adopt Ordinance 2016-09 Discharging Firearms by deleting Section 16-4 pertaining to "Discharging firearms," of Article I of Chapter 16, in its entirety, and by replacing it with a new Section 16-4 of Article I of Chapter 16 and to use the national standard for backstops required for permitting and to require that the design be stamped by an engineer with inspections every two years at a fee designed by the county. Vice Chairman Ognio seconded. Discussion followed. The motion failed 3-2, with Chairman Oddo, Commissioner Barlow and Commissioner Rousseau voting in opposition. A copy of the request, identified as "Attachment 11," follows these minutes and is made an official part hereof.

#### **PUBLIC COMMENT:**

**Dennis Chase:** Mr. Chase spoke regarding the Oak Street stormwater drain and how it relates to SPLOST projects. Mr. Chase stated that the Oak Street stormwater drain issue was one of the projects that was listed on the 100-plus project list and he addressed the Board of Commissioners because he had some concerns. He stated that after repeated attempts with staff he was not able to learn exactly what would be done. He stated that before the meeting it took Mr. Mallon less than five minutes to explain this project to him. He stated that he would have loved to have had that explanation when it was up for a SPLOST along with some of the other projects. He expressed that he had two concerns at the time. One of the concerns was that it was unclear where the water was going to be directed which was explained by Mr. Mallon. He stated that his primary concern was that at 330 Oak Street where the culvert is going to be replaced, the property will be the recipient of a runoff of about 16 to 18 acres. He stated that the issue would occur if Fayetteville or Fayette County were to have the area developed significantly. He mentioned that the people who live at 330 Oak Street would have problems because the stream runs close to the house. He continued that he cannot determine if there is adequate consideration taken for the runoff that could come onto that property. He stated that he will assume Mr. Mallon's staff has put together some ideas of how to something better than a 15" culvert. He stated that if there are 18 acres and an intense development is placed there then there may not be in place a project that can handle that runoff. He wished the Board would look at these issues for any proposed for new SPLOST issues. He stated that this was his argument all along. He stated that this could have been a perfect example of how it could have been done on the original SPLOST projects. He stated that he is not objecting to what is being proposed but he is saying that this is what is needed for any SPLOST projects similar to this one.

There were no further comments. Chairman Oddo closed public comments.

### **ADMINISTRATOR'S REPORTS:**

A. **Notice to Proceed for Contract #1062-A (Oak Street Storm Drain Improvements):** County Administrator Steve Rapson used this opportunity to address Mr. Chase's comments. He asked Mr. Chase to call him if a staff member is not returning his calls or meeting with him. He stated that there will be a 36" diameter pipe as well as a 19" pipe installed. He asked Mr. Chase not to leave so that he can speak with him after the meeting. A copy of the request, identified as "Attachment 12," follows these minutes and is made an official part hereof.

**Update on Paving the Fayette Senior Services Parking Lot:** County Administrator Rapson mentioned the paving of the Senior Center which was part of the Consent Agenda that was approved tonight. He stated that work began on the patching and the paving and striping will take place next.

**Fire Department Graduation:** County Administrator Rapson reported that the Fire Department will have a graduation Thursday at 10 a.m. for six recruits.

### **ATTORNEY'S REPORTS:**

**Notice of Executive Session:** County Attorney Dennis Davenport reported that he had one item of Pending Litigation and review of the April 14, 2016 Executive Session Minutes for consideration in Executive Session.

### **COMMISSIONERS' REPORTS:**

#### **Commissioner Brown:**

**Water Guardians Event:** Commissioner Brown stated that, as part of the Earth Day celebration, the county initiated a new program called Water Guardians. He stated that Saturday was the first event at Lake Kedron in Peachtree City. He showed a slide with pictures of the event. He stated that there was enough trash to fill up a 16-foot jon boat that was about two feet high. He stated that they are considering Lake Horton for the next project and they are working on potential dates. He thanked all the kayakers, canoers and those who donated the big jon boats.

#### **Vice Chairman Ognio:**

**Earth Day:** Vice Chairman Ognio stated that he went to Earth Day and the attendance was good. He stated that he spoke with the School Board while he was at Earth Day and they are having problems securing bus drivers and substitute bus drivers. He explained that if anyone is willing to become a driver to visit [www.fcboe.org](http://www.fcboe.org) and sign up. He stated that training is included.

**Early Voting:** Vice Chairman Ognio stated that early voting begins on May 2. He stated that there is a laundry list of candidates and citizens can go on the Fayette County website to the Elections page and view the sample ballots. He encouraged citizens to take a look at the ballots and "look into" the candidates to determine who to vote for.

#### **Commissioner Rousseau:**

**Earth Day:** Commissioner Rousseau stated that he also attended Earth Day. He hoped the students that did their science projects in Houston, Texas did a good job while there and he hoped they did not have to deal with the flooding. He also thanked the staff for an excellent job sharing with the public how the county conducts business during the Face-to-Face event.

#### **Commissioner Barlow:**

**Wounded Warriors:** Commissioner Barlow thanked everyone for attending the meeting. He stated that he had the pleasure of participating with the Wounded Warriors Ride through Tyrone, Georgia and that it was a wonderful event. He stated that he met the ride director who was bragging on Fayette County. He shared that he spoke with Tyrone Town Manager Kyle Hood who was going to Marietta to participate in a food judging contest with over 300 samples. He spoke about the event and what a wonderful organization Wounded Warriors was for hosting this event.

**Chairman Oddo:**

**Face-to-Face:** Chairman Oddo stated that the Face-to-Face was excellent. He stated that staff did a great job. He stated it was nice to see the staff mixed in with Earth Day.

**Early voting:** Chairman Oddo reminded everyone of early voting.

**Water Guardians:** Chairman Oddo commended the Water Guardians project and stated that it is a good way for people to get involved in the community. He thanked his neighbors, John and Patricia for always picking up trash in their neighborhood.

**EXECUTIVE SESSION:**

**Pending Litigation and Review of the April 14, 2016 Executive Session Minutes:** Commissioner Brown moved to go into Executive Session. Commissioner Barlow seconded the motion. The motion passed 5-0.

The Board recessed into Executive Session at 9:10 p.m. and returned to Official Session at 9:31 p.m.

**Return to Official Session and Executive Session Affidavit:** Commissioner Ognio moved to return to Official Session and to authorize the Chairman to sign the Executive Session Affidavit. Commissioner Barlow seconded the motion. The motion passed 5-0. A copy of the Executive Session Affidavit, identified as "Attachment 13" follows these minutes and is made an official part hereof.

**Approval of April 14, 2016 Executive Session Minutes:** Commissioner Ognio moved to approve the April 14, 2016 Executive Session Minutes. Commissioner Barlow seconded the motion. The motion passed 5-0.

**ADJOURNMENT:**

Commissioner Ognio moved to adjourn the April 26, 2016 Board of Commissioners meeting. Commissioners Barlow seconded the motion. The motion passed 5-0.

The April 26, 2016 Board of Commissioners meeting was adjourned at 9:31 p.m.

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Tameca P. White, Chief Deputy County Clerk

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Charles W. Oddo, Chairman

The foregoing minutes were duly approved at an official meeting of the Board of Commissioners of Fayette County, Georgia, held on the 26<sup>th</sup> day of April 2016. Referenced attachments are available upon request at the County Clerk's Office.

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Tameca P. White, Chief Deputy County Clerk

# COUNTY AGENDA REQUEST

Page 93 of 115

Department:

Presenter(s):

Meeting Date:

Type of Request:

## Wording for the Agenda:

Consideration of a recommendation from the Selection Committee, comprised of Commissioners David Barlow and Charles Rousseau, to appoint Niki Knox Vanderslice to the Fayette County Development Authority to fulfill a four-year term beginning April 10, 2016 and expiring April 9, 2020.

## Background/History/Details:

The Fayette County Development Authority is comprised of nine members. Five of the members are appointed to at-large positions by the Fayette County Board of Commissioners for four-year terms. Three members are appointed by the City of Fayetteville, the City of Peachtree City, and the Town of Tyrone, respectively. The remaining position is a member of the Peachtree City Airport Authority.

Fayette County's Development Authority sets policy, determines annual goals and serves as a liaison between the business community and local government. This board utilizes individual talents and experiences in building consensus in an effort to facilitate an improved business climate, diversified economic base, and a steady economy that results in benefits for every citizen, business owner, and government in Fayette County.

The term for this appointment begins April 10, 2016 and expires April 9, 2020.

## What action are you seeking from the Board of Commissioners?

Consideration of a recommendation from the Selection Committee, comprised of Commissioners David Barlow and Charles Rousseau, to appoint Niki Knox Vanderslice to the Fayette County Development Authority to fulfill a four-year term beginning April 10, 2016 and expiring April 9, 2020.

## 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

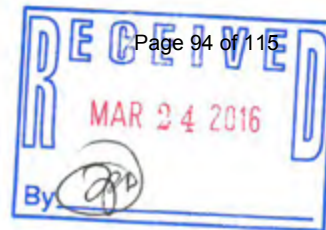
## Staff Notes:

This recommended appointment replaces Mr. Dennis Dorsey position on the Development Authority.

10am

## APPLICATION FOR APPOINTMENT

### Fayette County Development Authority



Thank you for your interest in being considered for appointment to the Fayette County Development Authority.

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

The Fayette County Development Authority is comprised of nine members. Five of the members are appointed to at-large positions by the Fayette County Board of Commissioners for four-year terms. Meetings are typically held on the third Thursday of each month at 11:30 a.m. at the Historic County Courthouse, which located in the center of Fayetteville. Please do not apply if you will be unable to attend a minimum of eighty percent (80%) of all meetings.

**Applicants are encouraged to attend as many Fayette County Development Authority meetings as possible in an effort to become familiar with the responsibilities of the post.**

Please take a few minutes to complete the form and answer the questions on the reverse side of this form and return it with a resume, if available, to Floyd Jones, County Clerk, 140 Stonewall Avenue, West, Suite 100, Fayetteville, GA 30214 no later than 5:00 p.m. on March 25, 2016.

If you have any questions, please call (770) 305-5102.

*NOTE: Information provided on this form is subject to disclosure as a public record under Georgia Open Records Law.*

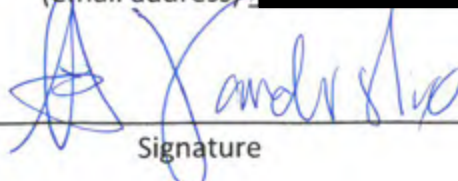
NAME Niki Knox Vanderslice

ADDRESS [REDACTED]

TELEPHONE (day) [REDACTED]

(evening) \_\_\_\_\_

(email address) [REDACTED]

  
Signature

March 18, 2016

Date

1. How long have you been a resident of Fayette County?  
5.5 years
2. Why are you interested in serving on the Fayette County Development Authority?  
Serving on the FCDA is an opportunity to bring my professional experience home to benefit my local community. The FCDA has long held a reputation for being a leader in economic development and the ability to contribute to that effort is worthy of my time and energy.
3. What qualifications and experience do you possess that should be considered for appointment to the Fayette County Development Authority?  
I have spent the last 15 years as an economic developer on the local, regional and state level for both public and private sectors. Over that time I have been afforded the opportunity to see the best of the best in economic development and can bring those resources to the FCDA.
4. List your recent employment experiences to include name of company and position.  
Technical College System of Georgia – Exec. Dir. of Georgia Quick Start -2015-16  
Department of Community Affairs – Dir. of Governmental Relations 2013-2015  
Georgia EMC – Sr. Community Development Consultant 2008-2013
5. Do you have any past experience related to this position? If so, please describe.  
Please see attached bio.
6. Are you currently serving on a commission/board/authority or in an elected capacity with any government?  
No
7. Have you attended any Fayette County Development Authority meetings in the past two years and, if so, how many?  
Yes, 1. For several years I facilitated the FCDA planning retreats as a service of Georgia EMC and am familiar with the FCDA's role and responsibilities.
8. Are you willing to attend seminars or continuing education classes at county expense?  
Yes
9. What is your vision of the county's future related to the duties of the Fayette County Development Authority?  
Economic Development is a long-term planned process for a community. The FCDA is charged with the marketing and recruitment of industry to Fayette County. As well as working to grow our existing industry base. I think that the board of the FCDA should guide the authority fostering the growth of both existing and new industries that are compatible with the vision of Fayette County.
10. Would there be any possible conflict of interest between your employment or your family and you serving on the Fayette County Development Authority?

No

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

No

12. Describe your current community involvement.

Because of my current job responsibilities, I have been limited in the involvement I am able to give to our community. My husband and I are active members of Southside Church and participate in a Small Group on a weekly basis.

13. Have you been given a copy of Fayette County's Ethics Ordinance?

Yes

14. Is there any reason why you would not be able to comply with the County's Ethics Ordinance?

No

## Biographical Profile



### Niki Knox Vanderslice

*Executive Director, Business Development/External Affairs*

Niki Knox Vanderslice is the Executive Director of Business Development and External Affairs for the Technical College System of Georgia's Quick Start program. In this role, Niki will liaise with external local, regional and state economic development entities in business recruitment efforts, and will support continuous improvement initiatives to maximize the professional effectiveness of the statewide technical college vice presidents of economic development in serving new, expanding and existing companies in their service delivery areas.



Niki holds an Associate of Arts degree from ABAC, a B.A. in Business Administration from Georgia Southwestern State University and a Master's in Organizational Development and Leadership from Saint Joseph's University. Prior to joining the Technical College System of Georgia, Niki served as Director of Governmental Relations for the Georgia Department of Community Affairs.

Niki began her 15-year-long career in economic development working with local communities, including serving as the Department of Community Affairs' Office of Downtown Development Regional Representative for regions 1, 2 and 4, and also as the Downtown Development Director for Valdosta and Douglas. Niki has also served as Senior Community Development Consultant for Georgia EMC, where she was responsible for providing economic development assistance to communities across Georgia on behalf of the 42 Electric Membership Corporations (EMCs). Her responsibilities included leading and facilitating various projects, including adult and youth leadership programs, team building, and motivational training. She also organized retreats and strategic planning sessions for chambers of commerce, statewide associations and development authority boards.

A Georgia native, Niki is a member of the Abraham Baldwin Agricultural College (ABAC) Foundation Board and Alumni Association, chair of the Public Policy committee for the Georgia Economic Developers Association, and past president of the Georgia Downtown Association. She is also a 2010 graduate of Leadership Georgia and graduate of Leadership Lowndes and New Century Leaders (Coffee County). She and her husband, Ed, reside in Fayette County.

Quick Start's success with company partnerships has made it a national model for delivering customized workforce training to support job creation and retention. For the past two decades, Quick Start has consistently ranked #1 in all published surveys of site selection professionals, and has received accolades from diverse organizations ranging from The Nelson Rockefeller Institute of Government and the Boston Consulting Group, to CNBC and The CBS Evening News. Over the past five years, Area Development magazine has surveyed site location professionals, and in all five surveys Quick Start was voted the #1 workforce training program in the U.S.

## NIKI KNOX VANDERSLICE



<b>OBJECTIVE</b>	Seeking a position that will benefit from my 15+ years of experience in community and economic development. This position would utilize my skills in building community collaboration, project management, communication, administration, development of leadership presentations and educational material. This position would provide the opportunity to utilize my educational background in political science, marketing, leadership and organizational development.
<b>EXPERIENCE</b>	<p><b>EXECUTIVE DIRECTOR OF BUSINESS DEVELOPMENT/EXTERNAL AFFAIRS, GEORGIA QUICK START, TECHNICAL COLLEGE SYSTEM OF GEORGIA (TCSG)</b> 2015-2016 Atlanta, GA</p> <ul style="list-style-type: none"> <li>• Serve as appropriate on external economic development associations and represent TCSG as needed (i.e. Georgia Economic Developer's Association, Georgia Academy for Economic Development, etc.)</li> <li>• Liaison for economic development units within the technical college system and assist as appropriate to support TCSG's legislative initiatives</li> <li>• Consult with vice president of economic development to provide assistance in developing marketing plans which better integrate local business and industry training needs</li> <li>• Facilitate communication and collaboration between technical college vice presidents of economic development and GDEcD regional project managers.</li> <li>• Serve as a partner/point of contact to GDEcD and USG for the Governor's High Demand Career Initiative.</li> <li>• Serve as the point of contact for the Georgia Film Academy within TCSG</li> <li>• Assist with local/regional economic development partnership opportunities between TCSG/local College and community economic development entities.</li> </ul> <p><b>DIRECTOR OF GOVERNMENTAL RELATIONS, GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS (DCA)</b> 2013- 2015 Atlanta, GA</p> <ul style="list-style-type: none"> <li>• Serve as the Departments liaison to Statewide Elected Officials</li> <li>• Identifies and advises the DCA Commissioner and Senior Staff on proposed legislative opportunities and/or challenges of interest to DCA and their customers</li> </ul> <p><b>SENIOR COMMUNITY ECONOMIC DEVELOPMENT CONSULTANT, GEORGIA EMC</b> 2008- 2013 Atlanta, GA</p> <ul style="list-style-type: none"> <li>• Facilitate community planning, board, association retreats and town hall meetings</li> <li>• Lead local and regional adult and youth leadership development programs</li> <li>• Develop relevant educational modules for community leadership groups</li> <li>• Conduct economic development training, strategic planning and team consensus building sessions</li> <li>• Serve as liaison to statewide economic development partners</li> <li>• Served as advocate for Georgia business community in support of HB 872 Secondary Metal Recyclers Bill</li> </ul>

- Served as Team Member of the EMC Internal Community Development Services Retention Initiative to secure continued membership and financial support from local EMC Members during recession

**OFFICE OF DOWNTOWN DEVELOPMENT FIELD SERVICES REPRESENTATIVE, GEORGIA  
DEPARTMENT OF COMMUNITY AFFAIRS**

2007-2008

Service Delivery Regions 1, 2 & 4

- Facilitated board and staff training, planning retreats, town hall discussions
- Performed Annual Assessment to evaluate program's progress
- Worked with communities to institute downtown revitalization programs
- Measured economic impact of revitalization program in 37 North Georgia counties
- Conducted Regional Downtown Managers Training Meetings
- Worked with elected city and county officials to identify effective strategies based on their communities goals, objectives, priorities and available resources

**MAIN STREET DIRECTOR, CITY OF VALDOSTA**

2005-2007

Valdosta, GA

- Assisted in development of long-term planning for the CVDA and tracked annual progress
- Marketed available property, assisted owner/potential owners with incentive packages through creation and maintenance of a website and database of available downtown properties
- Oversaw day to day operation of the Main Street Program including budget preparation and expense management, hiring and supervision of staff and interns
- Spearheaded business recruitment and expansion within the Main Street District
- Coordinated State and Regional training efforts to be hosted in downtown Valdosta
- Supervised annual and monthly events
- Facilitated private investment of \$4.5 Million

**MAIN STREET MANAGER, CITY OF DOUGLAS**

2002-2005

Douglas, GA

- Attained 98% occupancy rate through Douglas Main Street Program
- Supported business growth through existing business expansion, prospect development and new business recruitment
- Partnered with Economic Development Committee for entrepreneurship development through preparation of annual plan of work, including monitoring progress and implementation
- Developed "Starting a Business" package and maintained a query bank of prospects  
Served as Owner's Representative for vacant properties responsible for managing and promoting properties to prospects
- Promoted historic preservation with local, state and federal incentive programs
- Utilized local and state business incentives as vehicles for job growth
- Promoted Main Street District through special events and marketing
- Served as team member of interdisciplinary Chamber staff

**EDUCATION**

**MASTERS OF ORGANIZATIONAL DEVELOPMENT AND LEADERSHIP**  
SAINT JOSEPH'S UNIVERSITY, PHILADELPHIA, PA (IN-PROGRESS)

AUGUST 2013

**BACHELOR OF BUSINESS ADMINISTRATION IN MARKETING**  
GEORGIA SOUTHWESTERN STATE UNIVERSITY, AMERICUS, GA

MAY 2002

**ASSOCIATES OF SCIENCE IN POLITICAL SCIENCE**  
ABRAHAM BALDWIN AGRICULTURAL COLLEGE, TIFTON, GA

DECEMBER 2001

**LEADERSHIP**

Board Member Georgia Academy for Economic Development (2015-16)  
Board Member Abraham Baldwin Agricultural College Foundation Board of Trustees (2013-16)  
Vice President Abraham Baldwin Agricultural College Alumni Association (2014-16)  
Board Member Abraham Baldwin Agricultural College Alumni Association (2012-16)

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Georgia Department of Transportation TE Panel Review Committee Member (2011-13)  
 Member of the Georgia Academy for Economic Development Curriculum Committee (2008-13)  
 Member Community Developers Forum (2008-13)  
 Member Georgia Association of Chamber of Commerce Executives (GACCE) (2008-13)  
 Member Georgia Economic Development Association (GEDA) (2008-13)  
     Chairperson of the Membership Services Committee (2010-11)  
     Chairperson of the GEDA Non-Traditional Economic Development SIG (2012)  
 Vice-President of Membership for the Southeastern Association of Facilitators (SEAF) (2011-2012)  
 Commencement Speaker Abraham Baldwin Agricultural College (2012)  
 Center for Communities of the Future – Fayette County, GA(2009)  
 Past President of the Georgia Downtown Association (GDA)(2006-07)  
     Instructor Georgia Downtown Development Authority Board Training (2005-07)  
 Graduate of Leadership Georgia (2010)  
 Graduate of Leadership Lowndes (2006)  
 Graduate of New Century Leaders (Coffee County) (2003)  
 Member Georgia Southwestern University Students In Free Enterprise (SIFE) Team (2001)  
 Vice President Georgia College Republicans (2001)  
 Student Judicial Panel and Director of Student Activities ABAC (2000)  
 President ABAC College Republicans (2000)  
 Page Republican National Convention, Philadelphia, PA (2000)  
 Corresponding Secretary Second Congressional District Republican Party (1999)

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**REFERENCES**

 AVAILABLE UPON REQUEST
 

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# COUNTY AGENDA REQUEST

Page 101 of 115

Department:

Presenter(s):

Meeting Date:

Type of Request:

## Wording for the Agenda:

Consideration of a recommendation from the Selection Committee, comprised of Commissioners David Barlow and Charles Rousseau, to appoint Dr. Luis Matta to the Fayette County Development Authority to fulfill an unexpired term beginning immediately and expiring April 9, 2018.

## Background/History/Details:

The Fayette County Development Authority is comprised of nine members. Five of the members are appointed to at-large positions by the Fayette County Board of Commissioners for four-year terms. Three members are appointed by the City of Fayetteville, the City of Peachtree City, and the Town of Tyrone, respectively. The remaining position is a member of the Peachtree City Airport Authority.

Fayette County's Development Authority sets policy, determines annual goals and serves as a liaison between the business community and local government. This board utilizes individual talents and experiences in building consensus in an effort to facilitate an improved business climate, diversified economic base, and a steady economy that results in benefits for every citizen, business owner, and government in Fayette County.

The term for this appointment begins immediately and expires April 9, 2018.

## What action are you seeking from the Board of Commissioners?

Approval of a recommendation from the Selection Committee, comprised of Commissioners David Barlow and Charles Rousseau, to appoint Dr. Luis Matta to the Fayette County Development Authority to fulfill an unexpired term beginning immediately and expiring April 9, 2018.

## 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:

This appointment fills the unexpired position left vacant after Margaret "Maggie" Laton resigned her position in order to run for county office.

APPLICATION FOR APPOINTMENT  
Fayette County Development Authority

Thank you for your interest in being considered for appointment to the Fayette County Development Authority.

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

The Fayette County Development Authority is comprised of nine members. Five of the members are appointed to at-large positions by the Fayette County Board of Commissioners for four-year terms. Meetings are typically held on the third Thursday of each month at 11:30 a.m. at the Historic County Courthouse, which located in the center of Fayetteville. Please do not apply if you will be unable to attend a minimum of eighty percent (80%) of all meetings.

**Applicants are encouraged to attend as many Fayette County Development Authority meetings as possible in an effort to become familiar with the responsibilities of the post.**

Please take a few minutes to complete the form and answer the questions on the reverse side of this form and return it with a resume, if available, to Floyd Jones, County Clerk, 140 Stonewall Avenue, West, Suite 100, Fayetteville, GA 30214 no later than 5:00 p.m. on March 25, 2016.

If you have any questions, please call (770) 305-5102.

*NOTE: Information provided on this form is subject to disclosure as a public record under Georgia Open Records Law.*

NAME: Dr. Luis Matta

ADDRESS: [REDACTED]

TELEPHONE [REDACTED]

(evening) [REDACTED]

(email address) [REDACTED]

  
\_\_\_\_\_  
Signature

  
\_\_\_\_\_  
Date

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

10 Years

2. Why are you interested in serving on the Fayette County Development Authority?

I am interested in serving on the Fayette County Development Authority to further my involvement in helping to shape my community. I realize that in order for the county to grow, we need to attract multinationals for job creation. It is important that we create an attractive tax structure for our county so that businesses would seek to expand their offices in the area. While I do not have all of the answers to boost our economy, I do have some ideas I feel are viable solutions that could foster growth.

I'd leverage the states' leadership programs, such as Leadership Atlanta, to extend an invitation to our county economic growth forums. Additionally, I'd seek out local business owners, church pastors, and community leaders to brainstorm ways to increase gross domestic capital.

Further, I'd help establish youth leadership programs by partnering with local junior high and high schools to provide teens and pre-teens opportunities to engage in cooperative education programs and internships with local businesses.

As a technologist, I'd accelerate technological progress within Fayette County by providing input for the establishment of computer training programs for youth, adults, elderly, and disabled citizens. By forming small groups of technology experts, I'd enhance the county's infrastructure and create a platform that attracts partners, such as Microsoft and Apple, to provide computers in every home within Fayette County to enhance learning, small business start-ups, and global communications.

As a Latino, I desire to attract a diverse group of volunteers to join in Fayette Development Authority's efforts to boost the economy. Through diversity, I believe more ideas could be brought forth that would benefit a greater population within the county.

While my ideas may be optimistic, I am hopeful that they grow into better ideas when combined with others to create a world-class county.

3. What qualifications and experience do you possess that should be considered for appointment to the Fayette County Development Authority?

By obtaining a Doctorate in Business Administration with a concentration in International Business, I have generated knowledge through literature and experiences of others to help solve problems at local government, business, and educational levels.

My dissertation research focused on Government and Technology Adoption. My research yielded a technology adoption framework that has been copyrighted and adopted by various businesses across the world. I also serve as a spokesperson to Georgia College and State University J. Whitney Bunting College of Business (<https://www.youtube.com/watch?v=YBS86wY39O4>), where I mentor incoming and existing MBA students on how to finish the program successfully and network for future career opportunities.

I have 12 years of experience working with Government organizations (Metropolitan Rapid Transit Authority, The City of Atlanta, and Federal Government).

I have worked with the Hispanic and Minority Community in NYC, NY; Buffalo, NY; Erie, PA; Fayetteville, GA and Sharpsburg, GA on initiatives to help bring benefit to the community.

As a Principal consultant I have either led, coordinated, or played a significant role in projects in the following industries: Government, Financial Services, Health Care, Housing and Real Estate, Manufacturing, Printing and Publishing, telecommunications and Media, Transportation and Logistics and Construction.

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

**Founder and President**

**The Matta Group Inc., Peachtree City GA**

**June 2005- Present**

- Responsible for the acquisition and ongoing compliance of Georgia Department of Transportation minority certification.
- Provide long-term investment strategies for sustainability of operations.
- Analysis of clients' technology investments and formulated roadmaps in line with business strategy.
- Provide financial consulting services to clients on business structure, tax liability reduction, insurance and risk aversion.
- Conceptualization and delivery of technology roadmaps and recommendations to government organizations.
- Provide project management services and project resources for clients.

**Senior Technical Consultant**

**Storage Engine Inc. Atlanta, GA**

**March 2011- Present**

- Led the strategic and operational planning of infrastructure projects leading to \$2.5 Million annual cost savings.
- Recommended and directed the implementation and adoption of enterprise architectures that resulted in significant reduction of outages and increase of system availability.
- Appointed as team lead on all infrastructure projects; provide leadership and mentorship training for engineers and management team.
- Chaired the interview committee for the acquisition of new architects, engineers, and administrators for the technology infrastructure team. (100+ interviews).

- Lead technical consultant on the implementation of a private cloud-computing infrastructure spanning several datacenters and servicing all critical systems within the enterprise using EMC, NetApp, Citrix, VMware, Symantec, and Falconstor technologies.
- Facilitate business case justification; project planning; and requirements gathering for infrastructure projects.

**Manager of Client Technologies**

**MARTA Atlanta, GA**

**May 2010- March 2011**

- Responsible for the strategic and capital oversight of Service Desk, and Network Operations Center to include 43 engineers/technicians comprised of contractors, represented and non-represented employees.
- Developed and implemented a business process improvement strategy that resulted in the reduction of call wait time by 38% and mean time to resolution by 43%.
- Organizational redesign leading to a 25% increase in customer satisfaction in 60 days through the implementation of a comprehensive training program.
- Oversight of 2 datacenters comprised of 500 servers, 2 petabytes of storage, and 200 network devices.
- Successfully managed \$22 million budget to facilitate several capital projects to include desktop deployment, business continuity initiatives, and mainframe migration to an ERP system.

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

I was a board member for Fayette Family Church for several years. I am on the board of several organizations. This experience helps me to understand how to translate the organizational goals to stakeholders of the organization (members, families, Central leadership offices, and the community). I currently own and operate my own consulting company that is certified as a Disadvantaged Business Enterprise with the Georgia Department of Transportation. I have successfully been certified the last three years. This has helped me to understand what I value as a business owner.

While working in this capacity, I have had the opportunity to speak with competitors and hear their business concerns. Hiring, tax laws, and lack of incentives were key concerns. Other challenges were lack of transportation for employees and low wages. Knowing these concerns and experiencing them myself equip me to adequately address core issues and generate plausible alternatives for solving them.

6. Are you currently serving on a commission/board/authority or in an elected capacity with any government?
- No

7. Have you attended any Fayette County Development Authority meetings in the past two years and, if so, how many?

No

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

Yes

9. What is your vision of the county's future related to the duties of the Fayette County Development Authority?

I picture Fayette County as a county that continues to attract Business partners in multiple industries. Partners that will be focused on making a positive impact to the economy and that will reflect everything that Fayette County has to offer. These companies will help to fulfill Fayette County's goal of creating a diversified economic base.

The Fayette County Development Authority is the catalyst for this change through a strategic approach to company recruitment; retention of industries; and human capital challenges. The Fayette County Development Authority must help to address these areas by connecting government community and businesses together here in our county.

10. Would there be any possible conflict of interest between your employment or your family and you serving on the Fayette County Development Authority?

No

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

No

12. Describe your current community involvement.

I work with my local church providing training and education to youth. I have and will continue to contribute financially to assisting several local families through some hardships. I donate to local charities annually. I also participate in career day at area high schools by enabling kids to explore technology through my experiences. I volunteer as an assistant coach on an Upward Bound Basketball team. I volunteer for the MARTA Law Enforcement agency by providing technological support for their Mobile Command Bus. I also volunteer at the emergency operations center during major holidays. I serve as a research assistant to doctoral students. I volunteer as a guest lecturer at area colleges. I support March of Dimes, Relay for Life and MARTA's annual toy giveaway. I support area cheerleading squads through fundraising to assist with cheer camps and field trips.

13. Have you been given a copy of Fayette County's Ethics Ordinance?

Yes

14. Is there any reason why you would not be able to comply with the County's Ethics Ordinance?

No

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## **Principal Consultant**

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### **Professional Profile**

- Executive technology professional with 20 years of international experience and proven track record of applying appropriate, practical technology/mix of technologies that meet business needs while minimizing risks.
- Bilingual Spanish/English business professional with international experience
- Strong leader with a motivational management style and reputation for building and retaining highly motivated teams.
- Strong interpersonal, written, and verbal communicator who can deliver effective presentations, consult on technology projects, and maintain collaborative relationships.
- Versatile and seasoned professional who adapts well to rapidly changing environments.
- Strong team player/leader who excels in mediating among multiple divisions of large organizations and maintains productive relationships with staff, peers, and management.
- Results-oriented achiever with excellent track record for identifying opportunities for added business value.
- Skilled in all phases of project lifecycle management.

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### **Areas of Expertise**

- |   |   |
|---|---|
| • Systems integration to leverage technology and reduce data redundancy   | • Certified Financial Planning              |
| • Multiple platforms – (Microsoft, HP, IBM, EMC, NetApp, Brocade, VMware, Cisco, Symantec, Falconstor, Linux, and Citrix) | • Change management                         |
| • Business process improvement  | • Negotiation, persuasion and communication |
| • Strategic planning and leadership   | • Technology implementation/adoption        |
| • Financial forecasting & statistical analysis  | • Infrastructure deployments                |
|   | • Decision making and problem solving       |

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### **Education**

**Doctor in Business Administration** International Business Concentration,  
*Dissertation: Cloud Computing Adoption in Government Organizations*  
*Argosy University*

**Master of Science in Business Administration**  
*Georgia College & State University*

**Master of Management Information Systems**  
*Georgia College & State University - 2017*

## **Professional Experience**

### **Adjunct Instructor – Business**

**Strayer University, Columbus GA**

**August 2014- Present**

- Facilitate Graduate Business course in Operations Management
- Use Blackboard LMS to facilitate classes and student interaction
- Grade student assignments and provide mentorship

### **Founder and President**

**The Matta Group Inc., Peachtree City GA**

**June 2005- Present**

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- Successfully managed \$22 million budget to facilitate several capital projects to include desktop deployment, business continuity initiatives, and mainframe migration to an ERP system.

#### **Senior Technical Services Engineer/Team Lead**

**MARTA ATLANTA, GA,**

**October 2004- May 2010**

- Create business cases, project plans and change management documents for the deployment of infrastructure projects.
- Responsible for the operations of the infrastructure environment to include Storage Area Network, Microsoft Exchange, Symantec NetBackup, Citrix XenApp and VMware virtualization technologies.
- Developed enterprise architectures in line with organizational strategic goals to include business continuity, remote access, application portability, and continuous data protection.
- Management of 2 petabytes of NetApp, EMC, Hitachi, Falconstor, NEC storage systems.
- Designed a highly available application portability solution using Citrix for the enterprise and public safety business unit saving the organization on software, maintenance and support costs.
- Upgraded the enterprise active directory environment from Windows 2000 – Windows 2008.
- Designed and implemented Windows 2008 server upgrade project focusing on the lifecycle management of hardware resources.

#### **President, Managing Partner**

**INTERNETSTEP, Peachtree City, GA**

**October 2006- 2010**

- Negotiated partnerships with Cisco, VMware, and VizionCore to increase revenue for federal government division.
- Conceptualized and architected technical roadmaps for clients.
- Provided consulting services to clients concentrated on business structure, grant writing, financial management, and government bidding process.
- Oversaw and steered project teams to meet customer deliverables.

#### **Technical Project Lead**

**City of Atlanta, Atlanta, GA**

**February 2005- May 2008**

- Designed and implemented a data protection strategy across all critical systems for the enterprise.
- Managed the organizations storage, backup, and server environments to include: EMC, IBM, and HP environments.
- Created infrastructure architectural diagrams, implementation plans and documented all environments within the enterprise.
- Developed a training plan for engineers and technicians for all infrastructure solutions.
- Re-engineered the enterprise-messaging environment creating a highly available and portable solution using Microsoft products.
- Devised a server consolidation strategy maximizing the investment into virtualization technologies from EMC, IBM, VMware, Citrix, and Symantec.

#### **International Technical Consultant**

**Dolex Inc. Lawrenceville, GA**

**March 2008 – July 2012**

- Successfully relocated all datacenter operations to a globally hosted environment within a tier1 partner datacenter.
- Supported Cisco network devices, including switches, routers, and firewalls across a geographically dispersed environment (US, Mexico, Caribbean, Colombia, Dominican Republic)

- Analyzed the technical environment and recommended designed and implemented infrastructure solutions to include Cloud storage, Oracle database cluster and Windows clustered systems.
- Created a training plan for engineers for support of NetApp, Exchange, Brocade, and Cisco equipment. Facilitated this plan in both Spanish and English.
- Designed a highly available global messaging environment servicing customers across the United States, Mexico, Dominican Republic, Columbia and Brazil.
- Consolidated infrastructure resources from Colombia and Dominican Republic on a virtualized platform servicing 2000+ customer locations across North and South America.

#### **Technical Consultant**

**The Forquer Group, Erie, PA**

**December 2001- August 2004**

- Conceptualized designed and implemented infrastructure solutions for clients to include security, messaging, remote access, networking equipment, and users desktop equipment.
- Migrated customers infrastructure equipment from 4 datacenters to one, reducing maintenance and support costs.
- Provided oversight of all technology issues and investment recommendations for 20 Small and Medium business accounts across the states of Pennsylvania and Ohio. Led the team in timely issue resolution.
- Successful implementation and support of NetApp, SQL, Exchange, Active Directory, financial applications, and wide area networks to support customer operations.
- Documented and designed all customer solutions to include business continuity across multiple datacenters.
- Responsible for security, compliance, and vulnerability assessments of clients in the Healthcare, Financial, Manufacturing, and Technology industries.

#### **Systems Engineer**

**Atlantic Express, Staten Island, NY**

**1999- 2001**

- Managed all helpdesk operations for 200 users and 10 remote locations.
- Support of Cisco switches, routers and firewalls.
- Technical lead on pc refresh project.
- Supported Novell enterprise domain environment.
- Supported print servers, file servers and e-mail system across a geographically dispersed enterprise.

#### **Desktop Support**

**Marsh, INC. New York, NY**

**1998- 1999**

- Facilitated expert desktop support of Windows 2000 issues for the enterprise.
- Managed and supported the Novell enterprise domain.
- Administered Microsoft Systems Management Server and, Windows network environment.
- Owned and resolved user network issues.

#### **International Customer Support Technician**

**Ingram Micro Buffalo, NY**

**1995- 1998**

- Served as team lead for international customer service desk.
  - Appointed as liaison with the sales and logistics department on customer issue resolution.
  - Specialized in the bilingual technical support of customers in Central and South America via phone e-mail and fax.
  - Researched international customer order issues by working with freight forwarders and customs to facilitate customer shipments.
  - Acted as customer advocate for clients in Central and South America by interacting with various internal and external contacts to facilitate customer problem resolution.
-

- **ITIL v3-** Foundation Certification
- **PMP-** Expected Date 12/15/16
- **Project+:** Certified IT Project Manager
- **VCP4 – VMware** Certified Professional in VSphere 4
- **MCTS:** Microsoft Project Server
- **MCSE Messaging:** Microsoft Certified System Engineer on Exchange
- **MCSE:** Microsoft Certified Systems Engineer on Windows Server 2003
- **Security+:** CompTIA Certified Security Professional
- **Cisco Unity:** Certified Unity Administrator
- **Falconstor CDP/NSS Deployment Training-Certified**
- **Falconstor VTL/FDS Deployment Training-Certified**
- **Falconstor Version 7 Upgrade Training-Certified**

## Publications - Media

**The Experience of Managers and Staff of a Local Government Organization When Adopting a Cloud Computing Strategy.** Dissertation, College of Business, Argosy University. (pp. 201) Atlanta, GA

**A comparative analysis of transactional and transformational leadership approach to innovation adoption** *The Refractive Thinker: Effective Business Practices in Leadership & Emerging Technologies* (pp. 15).

**Georgia College and State University MBA program Promotional Video.**

<https://www.youtube.com/watch?v=YBS86wY39O4&feature=youtu.be>

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## Board Memberships

<b>Jacobs Well Community Center Inc.</b> Executive Director	January 1999 – August 2001
<b>Fayette Family Church</b> Board Member	2010 – 2013
<b>Global Business Collective</b> Board Member	2011 – Present
<b>Aggregate Solutions LLC</b> Board Member	2013- Present

# COUNTY AGENDA REQUEST

Page 113 of 115

Department:

Presenter(s):

Meeting Date:

Type of Request:

## Wording for the Agenda:

Consideration of staff's recommendation to enter into a three-year contract with Tyler Technologies as the Application Service Provider for support of Munis and other software in an aggregate amount of \$422,511.00.

## Background/History/Details:

The county uses software applications from Tyler Technologies, Inc. to perform a number of processes. This includes such software modules such as utility billing, accounts receivable, accounts payable, general ledger, budget, payroll, timekeeping, requisitions and purchase orders, and others. Tyler Technologies provides application maintenance and support services through three-year Application Service Provider (ASP) agreements. The county's agreement with Tyler Technologies covers a total of 21 application modules, plus licenses for 45 concurrent users, as shown in the backup information attached.

The current three-year agreement will expire on June 30, 2016. There needs to be a new agreement in place on July 1, 2016 in order to continue support services and avoid the possibility of unnecessary downtime.

The cost of the proposed agreement is \$140,837 per year, for a total of \$422,511 for the three years. This is an overall 3.3% increase over the previous agreement.

Staff's request is to enter into another three-year contract (Contract #1113-S) with Tyler Technologies as the Application Service Provider for support of Munis and other software in an aggregate amount of \$422,511.00.

## What action are you seeking from the Board of Commissioners?

Approval of staff's recommendation to enter into a three-year contract #1113-S with Tyler Technologies as the Application Service Provider for support of Munis and other software in an aggregate amount of \$422,511.00.

## If this item requires funding, please describe:

Funds in the amount of \$140,837.00 are requested in the Fiscal Year 2017 budget.

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?\*

Backup Provided with Request?

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

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

## Staff Notes:



*Fayette*  
COUNTY

"WHERE QUALITY  
IS A LIFESTYLE"

**PURCHASING DEPARTMENT**  
140 STONEWALL AVENUE WEST, STE 204  
FAYETTEVILLE, GEORGIA 30214  
PHONE: 770-305-5420  
[www.fayettecountyga.gov](http://www.fayettecountyga.gov)

To: Steve Rapson

From: Ted L. Burgess

Date: May 12, 2016

Subject: Contract #1113-S: Tyler Application Service Provider

County departments use computer software applications owned by Tyler Technologies, Inc. for a number of operations. Examples include the Water System (utility billing modules), Finance (accounting, fixed assets, business licenses, & other modules), Human Resources (payroll, applicant tracking, timekeeping, & Human Resources modules), and Purchasing (requisitions, purchase orders, & vendor self-service modules). Tyler licenses the county to use the software modules through three-year agreements. As with other applications, the software requires annual maintenance and support. Tyler provides these services. Tyler makes modifications or enhancements available to the county, and works with us to identify the cause of any downtime and resume normal operations. It is important to keep the support services in force, in order to avoid disruptions in key administrative processes.

The previous three-year service agreement cost \$136,273 each year for the services we currently use (Attachment). The price of the new three-year agreement will be \$140,837 per year, for a total three-year commitment of \$422,511. The proposed agreement will begin on July 1, 2016 and end on June 30, 2019.

Specifics of the proposed contract are as follows:

Contract Name:	Tyler Application Service Provider
Type of Contract	Support Services
Vendor:	Tyler Technologies, Inc.
Contract Amount	\$140,837 per year; \$422,511 three-year total
Budget:	
Organization Code	Various
Object Code	522236 Software Maintenance
Project Code	N/A
Budget Amount	\$140,837 Requested in Fiscal Year 2017 budget

**Tyler Technologies, Inc. - Application Service Provider  
Modules and Prices**

<u>Module</u>	<b>Annual Amounts</b>		
	<u>Fiscal Years 2014-2016</u>	<u>Fiscal Years 2017-2019</u>	<u>Change</u>
General Ledger, AP, Budget	\$17,955.00	\$18,853.00	5.0%
Project Accounting	3,402.00	3,572.00	5.0%
Fixed Assets	4,158.00	4,366.00	5.0%
Accounts Receivable	3,780.00	3,969.00	5.0%
Business Licenses	3,402.00	3,572.00	5.0%
Treasury Management	3,600.00	3,780.00	5.0%
BMI Asset Tracker Interface	1,323.00	1,389.00	5.0%
Payroll	5,670.00	5,954.00	5.0%
Human Resources	3,969.00	4,167.00	5.0%
Applicant Tracking	1,890.00	1,984.00	5.0%
Timekeeping Interface	1,134.00	1,191.00	5.0%
Employee Self Service	3,060.00	3,213.00	5.0%
Purchase Order	4,158.00	4,366.00	5.0%
Requisitions	3,402.00	3,572.00	5.0%
Business & Vendor Self Service	3,600.00	3,780.00	5.0%
Utility Billing CIS	7,938.00	8,335.00	5.0%
Utility Billing Interface	2,835.00	2,977.00	5.0%
Citizen Self Service	3,960.00	4,158.00	5.0%
Crystal Reports	3,213.00	3,374.00	5.0%
MUNIS Office	3,024.00	3,175.00	5.0%
Tyler Forms Processing	5,800.00	6,090.00	5.0%
Concurrent Users	45,000.00	45,000.00	0.0%
Total Annual Amount	<u>\$136,273.00</u>	<u>\$140,837.00</u>	3.3%
Three-Year Total		<u>\$422,511.00</u>	