

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

June 23, 2016
7:00 p.m.

Welcome to the meeting of your Fayette County Board of Commissioners. Your participation in County government is appreciated. All regularly scheduled Board meetings are open to the public and are held on the 2nd and 4th Thursday of each month at 7:00 p.m.

Call to Order
Invocation by Commissioner Charles Rousseau
Pledge of Allegiance

Acceptance of Agenda

PROCLAMATION/RECOGNITION:

PUBLIC HEARING:

1. Public Hearing of Ordinance 2016-07 to amend the Fayette County Code of Ordinances, Chapter 110., Art. I, Sec. 110-3, Art. IV., Sec. 110-145 and Sec. 110-146., Art. V., Sec. 110-169, Sec. 110-173(3), and Sec. 110-174., concerning the proposed Starr's Mill Historic Overlay District and Overlay Zone.
2. Public Hearing of the proposed Color and Brick Palette Resolution for the Starr's Mill Historic Overlay District and Overlay Zone.
3. Public Hearing of Resolution 2016-06 to amend the Land Use Element Text and Future Land Use Plan Map of the Fayette County Comprehensive Plan for the Starr's Mill Historic Overlay District in the area of the Intersection of State Route 74, State Route 85 and Padgett Road.
4. Consideration of Petition No. 1250-16, Ron Zappendorf, Owner, request to rezone 2.45 acres from C-H to M-1 to allow for an auto repair, paint and body shop located in Land Lots 200 and 201 of the 5th District and fronts on SR 85 North with one (1) Condition.
5. Consideration of Petition No. 1256-16. Claudine B. Morris, Christine B. Thornton, & Betty S. Shubert, Owners and Randy Boyd, Agent request to rezone 100.967 acres from A-R to R-50 to develop a single-family residential subdivision with 68 lots located in Land Lots 104 of the 7th District and fronts on Dogwood Trail.

CONSENT AGENDA:

6. Approval of the appointment of Peachtree City Battalion Chief Chad Matheny and re-appointment of Peachtree City Assistant Chief Kevin Baggett to the Office of Emergency Medical Services Regional 4 Council for a two (2) year term expiring on June 30, 2018.
7. Approval of staff's recommendation of the maintenance agreement between Fayette County and Motorola for the 800 MHz ASTRO Simulcast System and to authorize the Chairman to sign the renewal contract, in the amount of \$539,196.47 for the term of July 1, 2016 through June 30, 2017.
8. Approval of staff's recommendation to enter into a \$312,500 Subgrant Agreement with the Atlanta Regional Commission (ARC) for an update to the Fayette County Comprehensive Transportation Plan (CTP) and to authorize the Chairman to sign the agreement.
9. Approval of a request from Peachtree City to execute an Intergovernmental Agreement with Fayette County to share costs, not to exceed \$14,987.50, for maintenance work on the pedestrian bridge along Redwine Road near the entrance of the Preserves Subdivision and to authorize the Chairman to sign the agreement.
10. Approval of staff's recommendation to add Flowers Field subdivision to Fayette County's Street Light Program.
11. Approval of the June 7, 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 Steve Brown and Mr. Scott Wolfe to nominate Donald Sission, Taya Scott and Dr. Loida Bonney to the Fayette County Hospital Authority for appointment.
13. Consideration of a recommendation from the Selection Committee, comprised of Commissioners David Barlow and Steve Brown and Mr. Scott Wolfe to nominate Dr. Mark Morehart, Therol Brown and James Oliver, Jr. to the Fayette County Hospital Authority for appointment.
14. Consideration of a recommendation from the Selection Committee, comprised of Commissioners David Barlow and Steve Brown and Mr. Scott Wolfe to nominate Timothy Etson, Sr., Lavonia Stepherson and Charles Oddo to the Fayette County Hospital Authority for appointment.
15. Consideration of a recommendation from the Selection Committee, comprised of Chairman Charles Oddo and Commissioner Charles Rousseau to nominate Charlie Cave, Robert Johnson, Samuel Patton, Heather Cap and Donna Rosser to the Fayette County Public Arts Committee to serve a term of one (1) year beginning June 1, 2016 and expiring May 31, 2017.
16. Consideration of a recommendation from the Selection Committee, comprised of Chairman Charles Oddo and Commissioner Charles Rousseau to nominate Jeffrey Mellin, Roshier Sbaja, Tina Brown, Donna Thompson, Vicki Turner and Richard Brown to the Fayette County Public Arts Committee to serve a term of two (2) years beginning June 1, 2016 and expiring May 31, 2018.

17. Consideration of the City of Fayetteville annexation of 29.63 acres east of Price Road Estates Subdivision, and the rezoning of said property from R-40 (Single-Family residential) to RTHC-PUD (Residential Townhouse Condominium).

PUBLIC COMMENT:

ADMINISTRATOR'S REPORTS:

ATTORNEY'S REPORTS:

COMMISSIONERS' REPORTS:

EXECUTIVE SESSION:

ADJOURNMENT:

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Public Hearing of Ordinance 2016-07 to amend the Fayette County Code of Ordinances, Chapter 110., Art. I, Sec. 110-3, Art. IV., Sec. 110-145 and Sec. 110-146., Art. V., Sec. 110-169, Sec. 110-173(3), and Sec. 110-174., concerning the proposed Starr's Mill Historic Overlay District and Overlay Zone.

Background/History/Details:

This request was originally presented at the May 26, 2016 Board of Commissioners (BOC) meeting. The Board unanimously approved to bring this item back to the June 23, 2016 BOC meeting. This item is for the public hearing of Ordinance 2016-07 to amend the Fayette County Code of Ordinances, Chapter 110., Art. I – In General. Sec. 110-3. –Definitions, Art. IV. - District Use Requirements, Sec. 110-145. and Sec. 110-146., Art. V. - Conditional Uses, Non-conformances, Transportation Corridor Overlay Zone, and Commercial Development Standards, Sec. 110-169. Conditional Use Approval., Sec. 110-173. - Transportation Corridor Overlay Zone. (3) General State Route Overlay, concerning the proposed Starr's Mill Historic Overlay District and Overlay Zone.

The Staff and Planning Commission restarted this project in July of 2015 to review and recommend Land Use Plan amendments and related Zoning Ordinance amendments for the area at the intersection of State Route (SR) 74, SR 85 and Padgett Road. This project was initiated in response to a request from property owners at the intersection and the four lane widening on SR 74. Both Staff and the Planning Commission recommend approval of the proposed amendments. Please note: Planning Commission minutes provided for Resolution 2016-06 also serve as backup for this request.

What action are you seeking from the Board of Commissioners?

Approval of Ordinance 2016-07 to amend the Fayette County Code of Ordinances, Chapter 110., Art. I, Sec. 110-3, Art. IV., Sec. 110-145 and Sec. 110-146., Art. V., Sec. 110-169, Sec. 110-173(3), and Sec. 110-174., concerning the proposed Starr's Mill Historic Overlay District and Overlay Zone.

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:

Redline version
Ordinance 2016-07

COUNTY OF FAYETTE

STATE OF GEORGIA

ORDINANCE NO.

2016 - ____

AN ORDINANCE TO AMEND CHAPTER 110 OF THE CODE OF FAYETTE COUNTY PERTAINING TO THE COUNTY'S ZONING ORDINANCE; TO PROVIDE FOR ADDITIONAL DEFINITIONS; TO PROVIDE FOR ADDITIONAL ZONING DISTRICTS; TO AMEND THE CONDITIONAL USE REQUIREMENTS FOR THE LIMITED COMMERCIAL (2) ZONING DISTRICT; TO PROVIDE FOR AN HISTORIC DISTRICT OVERLAY ZONE; AND FOR OTHER PURPOSES.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF FAYETTE COUNTY, GEORGIA AND IT IS HEREBY ADOPTED PURSUANT TO THE AUTHORITY THEREOF THAT THE CODE OF FAYETTE COUNTY PERTAINING TO THE COUNTY'S ZONING ORDINANCE BE AMENDED AS FOLLOWS:

Section 1. By adding definitions to Section 110-3 of Article I of Chapter 110 which shall be inserted alphabetically within the aforementioned Section 110-3 as follows:

Art and/or crafts studio means an establishment where an artist's works are created and sold, where pieces by various artists are displayed for sale in a gallery, where customers purchase then create their own works (canvas, pottery, glass pieces, sculpture, etc.), a studio with classes and/or an art supply store.

Bakery means an establishment engaged in the preparation and production of baked goods for sale and consumption both on and off the premises.

Card, gift, and/or stationery shop means an establishment which sells products such as greeting cards, wrapping paper, photo albums, picture frames, items that are suitable gifts or souvenirs, desktop office products, paper, calendars, pencils, pens, briefcases, and art/graphic supplies.

Check cashing means an establishment that for compensation engages, in whole or in part, in the business of cashing checks, warrants, drafts, money orders, or other commercial paper serving the same purpose.

Clapboard siding means a siding with horizontal boards or the appearance of horizontal boards.

Convenience commercial establishment means an establishment that primarily stocks a range of groceries, snack foods, freshly-prepared foods for on and off-site consumption, and beverages, and may also provide household items, toiletries, tobacco products, newspapers, and the sale of fuel.

Copy and/or print shop means an establishment engaged in duplicating and printing services to individuals and businesses.

Cornice means a projecting feature surrounding the upper portion of a structure, dividing it horizontally for compositional purposes.

Drive-up facility means a structure or device designed and intended to provide service to customers who remain in their vehicles.

Mail services store means an establishment that provides packaging and mail services (both U.S. Postal and private service), provides mailboxes for lease and retail sale of office and stationery products.

Mullion means a heavy vertical or horizontal divider between windows and/or doors.

Muntin means a narrow strip that divides or gives the appearance of individual panes of glass in a traditional sash.

Parapet wall means a wall at the edge of a roof.

Pay-day loan agency means an establishment providing loans to individuals in exchange for personal checks as collateral.

Pawn establishment means any business that loans money on deposit of personal property and/or title of ownership.

Transom means a horizontal opening over a door or window.

Section 2. By deleting Section 110-145 from Article I of Chapter 110 in its entirety as it pertains to the Limited Commercial zoning district and by enacting a new Section 110-145 in Article I of Chapter 110 pertaining to the Limited Commercial (1) zoning district to be numbered and to read as follows:

Sec. 110-145. L-C-1, Limited-Commercial (1) District.

(a) *Intent.* The intent of the L-C-1 zoning district is to establish small scale business areas which do not generate large amounts of traffic, noise or light. The L-C-1 zoning district includes small retail establishments, personal services, and business and professional offices. The L-C-1 zoning district will control architectural character and scale. The adaptive use of existing structures is encouraged when possible.

Deleted: and convenience commercial

Deleted: The L-C zoning district would avoid the development of strip commercial businesses.

(b) *Permitted principal uses.* The following permitted principal uses shall be allowed in the L-C-1 zoning district:

- (1) Antique shop, vintage store, thrift/second hand store, consignment store;
- (2) Art and/or crafts studio;
- (3) Bakery;

(4) Bank and/or financial institution such as brokerage firm, credit union, financial planning, or mortgage brokerage (no Pay-Day Loan, Check Cashing or Pawn Establishments);

Deleted: (5) Barbershop and/or beauty shop;

(5) Book store;

Deleted: , stationery and/or card shop

(6) Card, gift, and/or stationery shop;

(7) Cellular phone sales and service;

(8) Clothing and/or accessories such as belts and suspenders, boots and shoes, gloves, hats, jewelry, purses and handbags, ties, scarves, shawls, socks, and stockings, umbrellas, or watches;

Deleted: (9) . Dance school and/or studio;

(9) Copy and/or print shop;

(10) Educational/instructional/tutoring facilities, including, but not limited to: academic; art; computer; dance; driving and/or DUI; music; professional/business/trade; martial arts; and similar facilities;

(11) Florist shop;

Deleted: (10)

(12) Hardware store;

Deleted: (11) Gift shop;

(13) Home furnishings and accessories such as area rugs, decorative items, cutlery, disware, glassware, lamps, pictures, pillows and tablecloths;

Deleted: (12)

(14) Jewelry shop;

Deleted: (13)

(15) Mail services store;

Deleted: (14) . Laundry and/or dry clean pickup station;

~~(16)~~ Medical/dental office (human treatment);

Deleted: (15)

~~(17)~~ Office (business and/or professional);

Deleted: (16) Music teaching studio;

Deleted: (16)

~~(18)~~ Personal services, including, but not limited to: alterations; barber shop; beauty salon; clothing/costume rentals; counseling services; electrolysis and/or hair removal; fitness center; laundry drop-off/pick-up; locksmith; nail salon; photography studio; shoe repair; and tanning salon; and

Deleted: (18) . Photography studio;

~~(19)~~ Restaurant/restaurant takeout and catering.

Deleted: (18)

Deleted: ; and

Deleted: (19) Shoe repair.

(c) *Conditional uses.* The following conditional uses shall be allowed in the L-C-1 zoning district provided that all conditions specified in article V of this chapter are met:

Deleted: (1) . Convenience commercial establishment;

(1) Single-family residence and accessory structures and uses (see article III of this chapter); and

(2) Home occupation.

(d) *Regulations.* The following regulations shall apply to the L-C-1 zoning district in addition to any other applicable regulations.

(1) These structures shall maintain a residential character. Elevation drawings denoting compliance with the following requirements shall be submitted as part of the site plan. Properties within an Overlay Zone shall comply with the applicable Architectural Standards of the Overlay Zone in lieu of the architectural requirements below:

Deleted: .

a. A pitched peaked (gable or hip) roof with a minimum pitch of four and one-half (4 ½) inches in one (1) foot and shall be of a type and construction complementary to the façade. A pitched mansard roof façade with a minimum pitch of four and one-half (4 ½) inches in one (1) foot and a minimum height of eight (8) feet around the entire perimeter of the structure can be used if the structure is two stories or more or the use of a pitched peaked roof would cause the structure to not meet the applicable height limit requirements. The mansard roof façade shall be of a residential character with the appearance of shingles, slate or terra cotta;

b. All buildings shall be constructed in a residential character of fiber-cement siding (e.g., Hardiplank), wood siding, wood-textured vinyl siding, brick/brick veneer, rock, stone, cast-stone, or stucco (including synthetic stucco);

c. Framed doors and windows of a residential character. To maintain a residential character, large display windows shall give the appearance of smaller individual panes and framing consistent with the standard residential grid pattern for doors and windows;

d. Accessory structures shall maintain the same architectural character of the principal structure, including the pitched peaked (gable or hip) roof with a minimum pitch of four and one-half (4 ½) inches in one (1) foot, and shall be constructed of the same materials or materials which simulate same. An elevation drawing denoting compliance with this requirement shall be submitted as part of the site plan.

(2) No outside storage will be permitted.

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(3) The lot shall have direct access to an arterial street.

(4) No drive-through, drive-in, or drive-up facilities allowed.

(e) *Dimensional requirements.* The minimum dimensional requirements in the L-C-1 zoning district shall be as follows:

(1) Lot area:

a. Where public water is available: 43,560 square feet (one acre).

b. Where public water is not available: 65,340 square feet (1 ½ acres).

(2) Lot width: 125 feet.

(3) Front yard setback:

a. Major thoroughfare:

1. Arterial: 75 feet.

2. Collector: 60 feet.

b. Minor thoroughfare: 55 feet.

(4) Rear yard setback: 15 feet.

(5) Side yard setback: 15 feet.

(6) Height limit: 35 feet.

(7) Floor to area ratio (gross square footage of site times 0.1 equals square footage of structure): The total maximum square footage for all structures combined on the lot shall not exceed 10,000 square feet. However, to discourage the development of one linear building and to encourage the development of separate clustered buildings on the site, the square footage for the structures may be increased by fifteen (15%) percent when more than one (1) building is developed. The distance between structures shall be a

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minum of twenty-six (26) feet. In addition to the area required to facilitate vehicular access, each building wall bordering the space between structures shall have a five (5)-foot landscaped area consisting of five (5) shrubs, two (2) feet tall at planting, per twenty-five (25) linear feet of building wall.

(8) Buffer. If the rear or side yard abuts a residential or A-R zoning district, a minimum buffer of fifty (50) feet adjacent to such lot line shall be provided in addition to the required setback (the setback shall be measured from the buffer).

(9) Lot coverage limit, including structure and parking area: Sixty (60%) percent of the total lot area.

Section 3. By adding a new section to Article I of Chapter 110 pertaining to the Limited Commercial (2) zoning district to be numbered and to read as follows:

Sec. 110-145.5. L-C-2, Limited-Commercial (2) District.

(a) Intent. The intent of the L-C-2 zoning district is to establish small scale business areas which do not generate large amounts of traffic, noise or light. The L-C-2 zoning district includes small retail and convenience commercial establishments, personal services, and business and professional offices. The L-C-2 zoning district will control architectural character and scale. The adaptive use of existing structures is encouraged when possible. The L-C-2 zoning district will discourage the development of a strip commercial building.

(b) Permitted principal uses. The following permitted principal uses shall be allowed in the L-C-2 zoning district:

- (1) Antique shop, vintage store, thrift/second hand store, consignment store;
- (2) Art and/or crafts studio;
- (3) Bakery;

(4) Bank and/or financial institution such as a brokerage firm, credit union, financial planning, or mortgage brokerage (no Pay-Day Loan, Check Cashing or Pawn Establishments);

(5) Book store;

(6) Card, gift, and/or stationery shop;

(7) Cellular phone sales and service;

(8) Clothing and/or accessories such as belts and suspenders, boots and shoes, gloves, hats, jewelry, purses and handbags, ties, scarves, shawls, socks, and stockings, umbrellas, or watches;

(9) Copy and/or print shop;

(10) Educational/instructional/tutoring facilities, including, but not limited to: academic; art; computer; dance; driving and/or DUI; music; professional/business/trade; martial arts; and similar facilities;

(11) Florist shop;

(12) Hardware store;

(13) Home furnishings and accessories such as area rugs, decorative items, cutlery, dishware, glassware, lamps, pictures, pillows and tablecloths;

(14) Jewelry shop;

(15) Mail services store;

(16) Medical/dental office (human treatment);

(17) Office (business and/or professional);

(18) Personal services, including, but not limited to: alterations; barber shop; beauty salon; clothing/costume rentals; counseling services; electrolysis and/or hair

removal; fitness center; laundry drop-off/pick-up; locksmith; nail salon; photography studio; shoe repair; and tanning salon; and

(19) Restaurant/restaurant takeout and catering.

(c) Conditional uses. The following conditional uses shall be allowed in the L-C-2 zoning district provided that all conditions specified in article V of this chapter are met:

(1) Convenience commercial establishment;

(2) Single-family residence and accessory structures and uses (see article III of this chapter); and

(3) Home occupation.

(d) Regulations. The following regulations shall apply to the L-C-2 zoning district in addition to any other applicable regulations.

(1) These structures shall maintain a residential character. Elevation drawings denoting compliance with the following requirements shall be submitted as part of the site plan. Properties within an Overlay Zone shall comply with the applicable Architectural Standards of the Overlay Zone in lieu of the architectural requirements below:

a. A pitched peaked (gable or hip) roof with a minimum of four and one-half (4 ½) inches in one (1) foot and shall be of a type and construction complementary to the façade. A pitched mansard roof façade with a minimum pitch of four and one-half (4 ½) inches in one (1) foot and a minimum height of eight (8) feet around the entire perimeter of the structure can be used if the structure is two stories or more or the use of a pitched peaked roof would cause the structure to not meet the applicable height limit requirements. The mansard

roof façade shall be of a residential character with the appearance of shingles, slate or terra cotta;

b. All buildings shall be constructed in a residential character of fiber-cement (e.g., Hardiplank), wood siding, wood-textured vinyl siding, brick/brick veneer, rock, stone, cast-stone, or stucco (including synthetic stucco);

c. Framed doors and windows of a residential character. To maintain a residential character, large display windows shall give the appearance of smaller individual panes and framing consistent with the standard residential grid pattern for doors and windows.

d. Accessory structures shall maintain the same architectural character of the principal structure, including the pitched peaked (gable or hip) roof with a minimum pitch of four and one-half (4 ½) inches in one (1) foot, and shall be constructed of the same materials or materials which simulate same. An elevation drawing denoting compliance with this requirement shall be submitted as part of the site plan.

(2) No outside storage will be permitted.

(3) The lot shall have direct access to an arterial street.

(4) No drive-through, drive-in, or drive-up facilities allowed.

(e) Dimensional requirements. The minimum dimensional requirements in the L-C-2 zoning district shall be as follows:

(1) Lot area:

a. Where public water is available: 43,560 square feet (one acre).

b. Where public water is not available: 65,340 square feet (1 ½ acres).

(2) Lot width: 125 feet.

(3) Front yard setback:

a. Major thoroughfare:

1. Arterial: 75 feet.

2. Collector: 60 feet.

b. Minor thoroughfare: 55 feet.

(4) Rear yard setback: 15 feet.

(5) Side yard setback: 15 feet.

(6) Height limit: 35 feet.

(7) Floor to area ratio (gross square footage of site times 0.1 equals square footage of structure): The total maximum square footage for all structures combined on the lot shall not exceed 10,000 square feet. However, to discourage the development of one linear building and to encourage the development of separate clustered buildings on the site, the square footage for the structures may be increased by fifteen (15%) percent when more than one (1) building is developed. The distance between structures shall be a minimum of twenty-six (26) feet. In addition to the area required to facilitate vehicular access, each building wall bordering the space between structures shall have a five (5)-foot landscaped area consisting of five (5) shrubs, two (2) feet tall at planting, per twenty-five (25) linear feet of building wall.

(8) Buffer. If the rear or side yard abuts a residential or A-R zoning district, a minimum buffer of fifty (50) feet adjacent to such lot line shall be provided in addition to the required setback (the setback shall be measured from the buffer).

(9) Lot coverage limit, including structure and parking area: Sixty (60%) percent of the total lot area.

Section 4. By deleting paragraph (q) from Section 110-169 of Article V in Chapter 110 pertaining to the conditional use approval process for convenience commercial establishments and by enacting in lieu thereof a new paragraph (q) in Section 110-169 of Article V of Chapter 110 pertaining to the conditional use approval process for convenience commercial establishments to be numbered and to read as follows:

- q. Convenience commercial establishment. Allowed in the L-C-2 zoning district.
1. Maximum floor area: 3,500 square feet.
 2. Accessory structures, including service area canopies used in conjunction with the sale of gasoline, shall maintain the same architectural character of the principal structure including the pitched roof, and shall be constructed of the same materials or materials which simulate same. An elevation drawing denoting compliance with this requirement shall be submitted as part of the site plan. Properties within an Overlay Zone shall comply with the applicable Architectural Standards of the Overlay Zone.
 3. Motor vehicle vacuum cleaners shall be located to the side or rear of the principal structure.
 4. Underground storage tanks shall be set back at least twenty (20) feet from all property lines.

Deleted: Facility is limited to the sale of prepackaged food products, gasoline, household items, newspapers, magazines, sandwiches, and other freshly-prepared foods for off-site consumption.

5. The number of gasoline pumps shall be limited to no more than six (6)

with a total of twelve (12) pumping stations.

Deleted: or

Section 5. By deleting Section 110-174 from Article V in Chapter 110 pertaining to commercial development standards and by enacting in lieu thereof a new Section 110-174 in Article V of Chapter 110 pertaining to the historic district overlay zone to be numbered and to read as follows:

Sec. 110-174. Historic district overlay zone.

Starr's Mill Historic District Overlay Zone at the SR 74, SR 85, & Padgett Road

Intersection. All property and/or development located at this intersection with nonresidential use or zoning as depicted on the Future Land Use Map shall be subject to the following regulations, in addition to the zoning district requirements, and other development regulations as applicable. The General State Route Overlay Zone shall not apply to this area.

(1) The purpose of the Starr's Mill Historic Overlay Zone at SR 74, SR 85, and Padgett Road Intersection is to achieve the following:

a. To maintain the historic character of the area;

b. To control the intensity and aesthetic quality of development at the intersection as it is the southern gateway into Fayette County;

c. To promote and maintain orderly development for an efficient traffic flow in highway corridors; and

d. To protect existing and future residential areas outside of the intersection.

(2) Access. Access to each nonresidential property and/or development shall be from SR 74, SR 85, or Padgett Road. All access points shall be required to comply with

Georgia Department of Transportation regulations and/or Fayette County Development Regulations, as applicable.

(3) Dimensional Requirements.

a. All parking areas shall be located at least fifty (50) feet from SR 74, SR 85, or Padgett Road right-of-way.

b. Front yard setbacks on SR 74, SR 85, and Padgett Road for all structures, including gasoline canopies, shall be one hundred (100) feet.

c. Berms for nonresidential districts: Berms when required as a condition of zoning, shall be a minimum of four (4) feet in height, and shall be placed to the inside of the applicable buffer.

d. If the side yard abuts a nonresidential zoning district, all non-structural improvements, other than approved access, shall be located a minimum of ten (10) feet from the side property line.

(4) Architectural Forms and Standards. All new structures shall maintain the historical and aesthetic character of the area. Starr's Mill was built in the late 1800s and is a significant historic resource in Fayette County. Starr's Mill is indicative of turn of the century architectural character common in rural areas and is a building of influence in this area. Other architectural styles such as One-Part Commercial Block and Two-Part Commercial Block associated with this period are acceptable for this overlay zone. Architectural examples are on file in the Planning and Zoning Department.

Architectural Review. An owner/developer may obtain an administrative approval for structures by submitting elevation drawings denoting compliance with these architectural forms and standards. Staff review and approval will take place as part of the site plan approval

process. An owner/developer may exercise an architectural review option for structures within the overlay zone. The purpose of this option is to allow the owner/developer to present a creative interpretation of the architectural intent of the overlay zone. Elevation drawings, submitted as part of the site plan approval process, shall be reviewed and considered by the Board of Commissioners in a public meeting with a recommendation from the Planning Commission and staff.

a. Starr's Mill: Starr's Mill is a two-story structure with a gable roof. The roof is corrugated metal. The façade is wood clapboard siding and runs in a horizontal pattern. The structure sits on a stacked stone foundation and stacked stone pillars. Windows are wood-framed with a grid muntin pattern. Doors are also wood-framed. The structure has a covered porch with stairs and a wood picket rail banister. The building is red, the stairs, porch framing and banisters are white, the stair landings and porch decking are grey and the roof and porch covering is a grey corrugated metal.

1. Roof: Gable roof with a minimum pitch of four and one-half (4 ½) inches in one (1) foot. Roofing material shall be grey corrugated metal.

2. Façade Material: Clapboard siding running in a horizontal pattern on all walls. Acceptable sidings include wood and fiber-cement siding (e.g., Hardiplank). The foundation shall have the appearance of stacked stone. Façade colors shall match with the color palette on file in the Planning and Zoning Department.

3. Doors and Windows: Doors and windows shall have a frame and grid muntin pattern as established by Starr's Mill. Door and window frames shall be white with a minimum width of four (4) inches. Large display windows

and glass doors shall give the appearance of grid pattern muntins and framing consistent with Starr's Mill. Grid pattern muntins shall be white. Large display or storefront windows shall have a minimum two (2)-foot high bulkhead (the lower panels on which the windows rest) consistent with the Façade Materials above.

4. Covered Entrance: Covered entrances shall be in character with the Starr's Mill porch consisting of a grey corrugated metal matching the roof of the main structure. A white wood picket rail banister with a minimum height of three (3) feet shall extend the full length of the covered entrance with a maximum entrance space of three (3) feet. All support structures shall be white.

b. One-Part Commercial Block: A popular commercial design from the mid-19th to the early 20th century. The one-part commercial block is a simple, one-story box with a flat or shed roof. Common façade materials consist of brick with decorative block, stone, and concrete accents. The focal point of the front façade is the entrance and windows, consisting of a recessed doorway and display windows with a transom resting on a bulkhead (the lower panels on which the windows rest) framed by pilasters. Architectural features include a cornice, belt course and parapet wall.

1. Façade Material: Brick/brick veneer shall be utilized on all walls as the primary façade material comprising a minimum of sixty-five (65%) percent of the wall, excluding doors, windows and associated framing. The brick color shall match with one of the colors in the brick palette on file in the Planning and Zoning Department. Painted brick shall not be allowed. The remaining thirty-five (35%) percent of the wall may have the appearance of a contrasting

brick color, rough face decorative block, stone, and/or concrete accents and the colors shall match with the color palette on file in the Planning and Zoning Department.

2. Entrance Doors and Windows: The entrance door and window component shall consist of entrance door(s), display windows, door and window transoms, and bulkhead. Door and window frames may be constructed with wood, metal, or vinyl. An anodized silver finish shall not be allowed for door and window frames and all colors shall match with the color palette on file in the Planning and Zoning Department. Transoms shall be a minimum of two (2) feet high and shall be separated from the windows and door by a mullion width of four (4) inches. A minimum two (2)-foot high bulkhead (the lower panels on which the windows rest) consistent with the Façade Materials above shall be required.

3. Architectural Features: A cornice is required. The cornice shall be a minimum of one (1) foot in height with a minimum projection of four (4) inches from the main façade. The projection may be gradual. A parapet wall is required along the front and side walls of the structure and shall be a minimum of two (2) feet in height. Colors shall match with the color palette on file in the Planning and Zoning Department.

c. Two-Part Commercial Block: A popular commercial design from the mid-19th to the early 20th century. These buildings have two primary components – first floor storefronts (similar in design to a One-Part Commercial Block) and upper floors which historically were used for residential or office space. The focal point of the

first floor is the entrance and windows, consisting of a recessed doorway and display windows with a transom resting on a bulkhead (the lower panels on which the windows rest) framed by pilasters. Upper floors have one or more floors of smaller symmetrically-positioned windows. Architectural features include a cornice, belt course and parapet wall. Common façade materials consist of brick with decorative block, stone, and concrete accents.

1. Façade Materials: Brick/brick veneer shall be utilized on all walls as the primary façade material comprising a minimum of sixty-five (65%) percent of the wall, excluding doors, windows and associated framing. The brick color shall match with one of the colors in the brick palette on file in the Planning and Zoning Department. Painted brick shall not be allowed. The remaining thirty-five (35%) percent of the wall may have the appearance of a contrasting brick color, rough face decorative block, stone, and/or concrete accents and the colors shall match with the color palette on file in the Planning and Zoning Department.

2. Entrance Doors and Windows (first floor storefronts): The entrance door and window component shall consist of entrance door(s), display windows, door and window transoms, and bulkhead (the lower panels on which the windows rest). Door and window frames may be constructed with wood, metal, or vinyl. An anodized silver finish shall not be allowed for door and window frames and all colors shall match with the color palette on file in the Planning and Zoning Department. Transoms shall be a minimum of two (2) feet high and shall be separated from the windows and door by a mullion with a minimum width of

four (4) inches. A minimum two (2)-foot high bulkhead consistent with the Façade Materials above shall be required.

3. Upper Floor Windows: Upper floor windows shall be symmetrically positioned. All window frames shall match with the color palette on file in the Planning and Zoning Department.

4. Architectural Features: A cornice is required. The cornice shall be a minimum of one (1) foot in height with a minimum projection of four (4) inches from the main façade. The projection may be gradual. A belt course with a minimum projection of one (1) inch from the main façade shall be required between the first floor and the second floor. A parapet wall is required and shall be a minimum of two (2) feet in height. Colors shall match with the color palette on file in the Planning and Zoning Department.

d. Lighting:

1. All wall lighting shall consist of period lantern or goose neck pendant lighting. These restrictions shall not apply to wall lighting required by the Fire Marshal.

2. All pole lighting shall consist of period post top globe, lantern, or pendant luminaries with rapid-ship posts.

e. Within the fifty (50)-foot front landscape area, a wall or fence is required to run along a minimum of forty (40%) percent of the frontage. If a wall, the wall shall be a minimum of three (3) feet in height with the appearance of stacked stone. If a fence, the fence shall be a minimum of four (4) feet in height with the appearance of wrought

iron, picket, split rail or horse rail fence. Fence materials are limited to metal, vinyl/plastic, pre-cast concrete and masonry for columns.

f. Gasoline Canopy. Gasoline canopies shall comply with the following requirements:

1. Gasoline canopies may be attached to the principal structure as an extension of the structure/roof.

2. The vertical clearance under the gasoline canopy shall not exceed a maximum of eighteen (18) feet in height. The height of the gasoline canopy shall not be more than four (4) feet above the height of the principal structure.

3. The gasoline canopy and support structure shall match the architectural character, materials, color and roof of the principal structure.

Gasoline canopies, in conjunction with a convenience commercial establishment built in the architectural form of Starr's Mill, shall have a minimum roof pitch of three (3) inches in one (1) foot.

g. Color Palette: Only those colors indicated on the color palette on file in the Planning and Zoning Department shall be allowed for structures. Any changes to the color of structures in this overlay must be submitted to Staff for approval.

h. The desing of ancillary buildings and sign structures shall be consistent with the architectural style and color inherent in the principal structure on the property.

(5) Landscape Requirements. In addition to the standard requirements of the landscape ordinance, the following landscape requirements shall apply to the overlay zone:

a. Street Frontage: Landscape area: Fifty (50) feet along the right-of-way of SR 74, SR 85, and Padgett Road. The first twenty-five (25) feet as measured

from the right-of-way is for required landscape planting only. The remaining twenty-five (25) feet may be used for septic system placement; underground stormwater detention systems; and the following stormwater management facilities/structures if designed in full accordance with the specifications provided in the most current edition of the Georgia Stormwater Management Manual; vegetated channels, overland flow filtration/groundwater recharge zone, enhanced swales, filter strips, and grass channels. Septic systems and stormwater structures shall be exclusive of each other and the minimum distance of separation between wastewater and stormwater structures shall be established by the Environmental Health Department and the Environmental Management Department. Utilities (including underground stormwater piping) and multi-use path connections may be located anywhere within the landscape area.

b. Side Yard Landscape Area: Ten (10) feet in depth along the side property lines adjacent to a residential district where buffer requirements will apply.

(6) Use of Existing Structure: When property containing legal conforming or legal nonconforming structures, under the current zoning, is rezoned to a nonresidential zoning district the dimensional requirements shall be reduced to the extent of, but only at the location of, any encroachment by the structures and said structures shall be considered legal nonconforming structures.

(7) Lighting and shielding standards. Lighting shall be placed in a manner to direct light away from any adjacent roadways or nearby residential areas.

(8) Special Locational and Spatial Requirements.

a. No more than fifty (50%) percent of the required parking can be located in the front yard along a State Route as established by the front building line of any structure located on the site. Sites with existing parking are exempt.

b. No outside storage allowed.

c. All rooftop heating, ventilation, and air conditioning equipment and satellite/communications equipment shall be visually screened from adjacent roads and property zoned residential or A-R. The screen shall extend to the full height of the objects being screened.

Section 6. This ordinance shall become effective immediately upon its adoption by the Board of Commissioners for Fayette County.

Section 7. All other ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 8. If any event any section, subsection, sentence, clause or phrase of this Ordinance shall be declared or adjudged invalid or unconstitutional, such adjudication shall in no manner affect other sections, subsections, sentences, clauses or phrases of this Ordinance, which shall remain in full force and effect as if the section, subsection, sentence, clause or phrase so declared or adjudged invalid or unconstitutional were not a part thereof. The Board of Commissioners hereby declares that it would have passed the remaining parts of this Ordinance if it had known that such part or parts hereof would be declared or adjudged invalid or unconstitutional.

SO ENACTED this _____ day of _____, 2016.

BOARD OF COMMISSIONERS OF
FAYETTE COUNTY

(SEAL)

By: _____
Charles W. Oddo, Chairman

ATTEST:

Floyd Jones, County Clerk

Approved as to form:

County Attorney

Draft
Ordinance 2016-07

COUNTY OF FAYETTE

STATE OF GEORGIA

ORDINANCE NO.

2016 - ____

AN ORDINANCE TO AMEND CHAPTER 110 OF THE CODE OF FAYETTE COUNTY PERTAINING TO THE COUNTY’S ZONING ORDINANCE; TO PROVIDE FOR ADDITIONAL DEFINITIONS; TO PROVIDE FOR ADDITIONAL ZONING DISTRICTS; TO AMEND THE CONDITIONAL USE REQUIREMENTS FOR THE LIMITED COMMERCIAL (2) ZONING DISTRICT; TO PROVIDE FOR AN HISTORIC DISTRICT OVERLAY ZONE; AND FOR OTHER PURPOSES.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF FAYETTE COUNTY, GEORGIA AND IT IS HEREBY ADOPTED PURSUANT TO THE AUTHORITY THEREOF THAT THE CODE OF FAYETTE COUNTY PERTAINING TO THE COUNTY’S ZONING ORDINANCE BE AMENDED AS FOLLOWS:

Section 1. By adding definitions to Section 110-3 of Article I of Chapter 110 which shall be inserted alphabetically within the aforementioned Section 110-3 as follows:

Art and/or crafts studio means an establishment where an artist’s works are created and sold, where pieces by various artists are displayed for sale in a gallery, where customers purchase then create their own works (canvas, pottery, glass pieces, sculpture, etc.), a studio with classes and/or an art supply store.

Bakery means an establishment engaged in the preparation and production of baked goods for sale and consumption both on and off the premises.

Card, gift, and/or stationery shop means an establishment which sells products such as greeting cards, wrapping paper, photo albums, picture frames, items that are suitable as gifts or souvenirs, desktop office products, paper, calendars, pencils, pens, briefcases, and art/graphic supplies.

Check cashing means an establishment that for compensation engages, in whole or in part, in the business of cashing checks, warrants, drafts, money orders, or other commercial paper serving the same purpose.

Clapboard siding means a siding with horizontal boards or the appearance of horizontal boards.

Convenience commercial establishment means an establishment that primarily stocks a range of groceries, snack foods, freshly-prepared foods for on and off-site consumption, and beverages, and may also provide household items, toiletries, tobacco products, newspapers, and the sale of fuel.

Copy and/or print shop means an establishment engaged in duplicating and printing services to individuals and businesses.

Cornice means a projecting feature surrounding the upper portion of a structure, dividing it horizontally for compositional purposes.

Drive-up facility means a structure or device designed and intended to provide service to customers who remain in their vehicles.

Mail services store means an establishment that provides packaging and mail services (both U.S. Postal and private service), provides mailboxes for lease and retail sale of office and stationery products.

Mullion means a heavy vertical or horizontal divider between windows and/or doors.

Muntin means a narrow strip that divides or gives the appearance of individual panes of glass in a traditional sash.

Parapet wall means a wall at the edge of a roof.

Pay-day loan agency means an establishment providing loans to individuals in exchange for personal checks as collateral.

Pawn establishment means any business that loans money on deposit of personal property and/or a title of ownership.

Transom means a horizontal opening over a door or window.

Section 2. By deleting Section 110-145 from Article I of Chapter 110 in its entirety as it pertains to the Limited Commercial zoning district and by enacting a new Section 110-145 in Article I of Chapter 110 pertaining to the Limited Commercial (1) zoning district to be numbered and to read as follows:

Sec. 110-145. L-C-1, Limited-Commercial (1) District.

(a) *Intent.* The intent of the L-C-1 zoning district is to establish small scale business areas which do not generate large amounts of traffic, noise or light. The L-C-1 zoning district includes small retail establishments, personal services, and business and professional offices. The L-C-1 zoning district will control architectural character and scale. The adaptive use of existing structures is encouraged when possible.

(b) *Permitted principal uses.* The following permitted principal uses shall be allowed in the L-C-1 zoning district:

- (1) Antique shop, vintage store, thrift/second hand store, consignment store;
- (2) Art and/or crafts studio;
- (3) Bakery;

- (4) Bank and/or financial institution such as a brokerage firm, credit union, financial planning, or mortgage brokerage (no Pay-Day Loan, Check Cashing or Pawn Establishments);
- (5) Book store;
- (6) Card, gift, and/or stationery shop;
- (7) Cellular phone sales and service;
- (8) Clothing and/or accessories such as belts and suspenders, boots and shoes, gloves, hats, jewelry, purses and handbags, ties, scarves, shawls, socks, and stockings, umbrellas, or watches;
- (9) Copy and/or print shop;
- (10) Educational/instructional/tutoring facilities, including, but not limited to: academic; art; computer; dance; driving and/or DUI; music; professional/business/trade; martial arts; and similar facilities;
- (11) Florist shop;
- (12) Hardware store;
- (13) Home furnishings and accessories such as area rugs, decorative items, cutlery, dishware, glassware, lamps, pictures, pillows and tablecloths;
- (14) Jewelry shop;
- (15) Mail services store;
- (16) Medical/dental office (human treatment);
- (17) Office (business and/or professional);
- (18) Personal services, including, but not limited to: alterations; barber shop; beauty salon; clothing/costume rentals; counseling services; electrolysis and/or hair

removal; fitness center; laundry drop-off/pick-up; locksmith; nail salon; photography studio; shoe repair; and tanning salon; and

(19) Restaurant/restaurant takeout and catering.

(c) *Conditional uses.* The following conditional uses shall be allowed in the L-C-1 zoning district provided that all conditions specified in article V of this chapter are met:

(1) Single-family residence and accessory structures and uses (see article III of this chapter); and

(2) Home occupation.

(d) *Regulations.* The following regulations shall apply to the L-C-1 zoning district in addition to any other applicable regulations.

(1) These structures shall maintain a residential character. Elevation drawings denoting compliance with the following requirements shall be submitted as part of the site plan. Properties within an Overlay Zone shall comply with the applicable Architectural Standards of the Overlay Zone in lieu of the architectural requirements below:

a. A pitched peaked (gable or hip) roof with a minimum pitch of four and one-half (4 ½) inches in one (1) foot and shall be of a type and construction complementary to the façade. A pitched mansard roof façade with a minimum pitch of four and one-half (4 ½) inches in one (1) foot and a minimum height of eight (8) feet around the entire perimeter of the structure can be used if the structure is two stories or more or the use of a pitched peaked roof would cause the structure to not meet the applicable height limit requirements. The mansard

roof façade shall be of a residential character with the appearance of shingles, slate or terra cotta;

b. All buildings shall be constructed in a residential character of fiber-cement siding (e.g., Hardiplank), wood siding, wood-textured vinyl siding, brick/brick veneer, rock, stone, cast-stone, or stucco (including synthetic stucco);

c. Framed doors and windows of a residential character. To maintain a residential character, large display windows shall give the appearance of smaller individual panes and framing consistent with the standard residential grid pattern for doors and windows;

d. Accessory structures shall maintain the same architectural character of the principal structure, including the pitched peaked (gable or hip) roof with a minimum pitch of four and one-half (4 ½) inches in one (1) foot, and shall be constructed of the same materials or materials which simulate same. An elevation drawing denoting compliance with this requirement shall be submitted as part of the site plan.

(2) No outside storage will be permitted.

(3) The lot shall have direct access to an arterial street.

(4) No drive-through, drive-in, or drive-up facilities allowed.

(e) *Dimensional requirements.* The minimum dimensional requirements in the L-C-1 zoning district shall be as follows:

(1) Lot area:

a. Where public water is available: 43,560 square feet (one acre).

b. Where public water is not available: 65,340 square feet (1 ½ acres).

(2) Lot width: 125 feet.

(3) Front yard setback:

a. Major thoroughfare:

1. Arterial: 75 feet.

2. Collector: 60 feet.

b. Minor thoroughfare: 55 feet.

(4) Rear yard setback: 15 feet.

(5) Side yard setback: 15 feet.

(6) Height limit: 35 feet.

(7) Floor to area ratio (gross square footage of site times 0.1 equals square footage of structure): The total maximum square footage for all structures combined on the lot shall not exceed 10,000 square feet. However, to discourage the development of one linear building and to encourage the development of separate clustered buildings on the site, the square footage for the structures may be increased by fifteen (15%) percent when more than one (1) building is developed. The distance between structures shall be a minimum of twenty-six (26) feet. In addition to the area required to facilitate vehicular access, each building wall bordering the space between structures shall have a five (5)-foot landscaped area consisting of five (5) shrubs, two (2) feet tall at planting, per twenty-five (25) linear feet of building wall.

(8) Buffer. If the rear or side yard abuts a residential or A-R zoning district, a minimum buffer of fifty (50) feet adjacent to such lot line shall be provided in addition to the required setback (the setback shall be measured from the buffer).

(9) Lot coverage limit, including structure and parking area: Sixty (60%) percent of the total lot area.

Section 3. By adding a new section to Article I of Chapter 110 pertaining to the Limited Commercial (2) zoning district to be numbered and to read as follows:

Sec. 110-145.5. L-C-2, Limited-Commercial (2) District.

(a) *Intent.* The intent of the L-C-2 zoning district is to establish small scale business areas which do not generate large amounts of traffic, noise or light. The L-C-2 zoning district includes small retail and convenience commercial establishments, personal services, and business and professional offices. The L-C-2 zoning district will control architectural character and scale. The adaptive use of existing structures is encouraged when possible. The L-C-2 zoning district will discourage the development of a strip commercial building.

(b) *Permitted principal uses.* The following permitted principal uses shall be allowed in the L-C-2 zoning district:

- (1) Antique shop, vintage store, thrift/second hand store, consignment store;
- (2) Art and/or crafts studio;
- (3) Bakery;
- (4) Bank and/or financial institution such as a brokerage firm, credit union, financial planning, or mortgage brokerage (no Pay Day Loan, Check Cashing or Pawn Establishments);
- (5) Book store;

- (6) Card, gift, and/or stationery shop;
- (7) Cellular phone sales and service;
- (8) Clothing and/or accessories such as belts and suspenders, boots and shoes, gloves, hats, jewelry, purses and handbags, ties, scarves, shawls, socks, and stockings, umbrellas, or watches;
- (9) Copy and/or print shop;
- (10) Educational/instructional/tutoring facilities, including, but not limited to: academic; art; computer; dance; driving and/or DUI; music; professional/business/trade; martial arts; and similar facilities;
- (11) Florist shop;
- (12) Hardware store;
- (13) Home furnishings and accessories such as area rugs, decorative items, cutlery, dishware, glassware, lamps, pictures, pillows and tablecloths;
- (14) Jewelry shop;
- (15) Mail services store;
- (16) Medical/dental office (human treatment);
- (17) Office (business and/or professional);
- (18) Personal services, including, but not limited to: alterations; barber shop; beauty salon; clothing/costume rentals; counseling services; electrolysis and/or hair removal; fitness center; laundry drop-off/pick-up; locksmith; nail salon; photography studio; shoe repair; and tanning salon; and
- (19) Restaurant/restaurant takeout and catering.

(c) *Conditional uses.* The following conditional uses shall be allowed in the L-C-2 zoning district provided that all conditions specified in article V of this chapter are met:

- (1) Convenience commercial establishment;
- (2) Single-family residence and accessory structures and uses (see article III of this chapter); and
- (3) Home occupation.

(d) *Regulations.* The following regulations shall apply to the L-C-2 zoning district in addition to any other applicable regulations.

(1) These structures shall maintain a residential character. Elevation drawings denoting compliance with the following requirements shall be submitted as part of the site plan. Properties within an Overlay Zone shall comply with the applicable Architectural Standards of the Overlay Zone in lieu of the architectural requirements below:

- a. A pitched peaked (gable or hip) roof with a minimum pitch of four and one-half (4 ½) inches in one (1) foot and shall be of a type and construction complementary to the façade. A pitched mansard roof façade with a minimum pitch of four and one-half (4 ½) inches in one (1) foot and a minimum height of eight (8) feet around the entire perimeter of the structure can be used if the structure is two stories or more or the use of a pitched peaked roof would cause the structure to not meet the applicable height limit requirements. The mansard roof façade shall be of a residential character with the appearance of shingles, slate or terra cotta;

b. All buildings shall be constructed in a residential character of fiber-cement siding (e.g., Hardiplank), wood siding, wood-textured vinyl siding, brick/brick veneer, rock, stone, cast-stone, or stucco (including synthetic stucco);

c. Framed doors and windows of a residential character. To maintain a residential character, large display windows shall give the appearance of smaller individual panes and framing consistent with the standard residential grid pattern for doors and windows;

d. Accessory structures shall maintain the same architectural character of the principal structure, including the pitched peaked (gable or hip) roof with a minimum pitch of four and one-half (4 ½) inches in one (1) foot, and shall be constructed of the same materials or materials which simulate same. An elevation drawing denoting compliance with this requirement shall be submitted as part of the site plan.

(2) No outside storage will be permitted.

(3) The lot shall have direct access to an arterial street.

(4) No drive-through, drive-in, or drive-up facilities allowed.

(e) *Dimensional requirements.* The minimum dimensional requirements in the L-C-2 zoning district shall be as follows:

(1) Lot area:

a. Where public water is available: 43,560 square feet (one acre).

b. Where public water is not available: 65,340 square feet (1 ½ acres).

(2) Lot width: 125 feet.

(3) Front yard setback:

a. Major thoroughfare:

1. Arterial: 75 feet.

2. Collector: 60 feet.

b. Minor thoroughfare: 55 feet.

(4) Rear yard setback: 15 feet.

(5) Side yard setback: 15 feet.

(6) Height limit: 35 feet.

(7) Floor to area ratio (gross square footage of site times 0.1 equals square footage of structure): The total maximum square footage for all structures combined on the lot shall not exceed 10,000 square feet. However, to discourage the development of one linear building and to encourage the development of separate clustered buildings on the site, the square footage for the structures may be increased by fifteen (15%) percent when more than one (1) building is developed. The distance between structures shall be a minimum of twenty-six (26) feet. In addition to the area required to facilitate vehicular access, each building wall bordering the space between structures shall have a five (5)-foot landscaped area consisting of five (5) shrubs, two (2) feet tall at planting, per twenty-five (25) linear feet of building wall.

(8) Buffer. If the rear or side yard abuts a residential or A-R zoning district, a minimum buffer of fifty (50) feet adjacent to such lot line shall be provided in addition to the required setback (the setback shall be measured from the buffer).

(9) Lot coverage limit, including structure and parking area: Sixty (60%) percent of the total lot area.

Section 4. By deleting paragraph (q) from Section 110-169 of Article V in Chapter 110 pertaining to the conditional use approval process for convenience commercial establishments and by enacting in lieu thereof a new paragraph (q) in Section 110-169 of Article V of Chapter 110 pertaining to the conditional use approval process for convenience commercial establishments to be numbered and to read as follows:

- q. Convenience commercial establishment. Allowed in the L-C-2 zoning district.
 - 1. Maximum floor area: 3,500 square feet.
 - 2. Accessory structures, including service area canopies used in conjunction with the sale of gasoline, shall maintain the same architectural character of the principal structure including the pitched roof, and shall be constructed of the same materials or materials which simulate same. An elevation drawing denoting compliance with this requirement shall be submitted as part of the site plan. Properties within an Overlay Zone shall comply with the applicable Architectural Standards of the Overlay Zone.
 - 3. Motor vehicle vacuum cleaners shall be located to the side or rear of the principal structure.
 - 4. Underground storage tanks shall be set back at least twenty (20) feet from all property lines.
 - 5. The number of gasoline pumps shall be limited to no more than six (6) with a total of twelve (12) pumping stations.

Section 5. By deleting Section 110-174 from Article V in Chapter 110 pertaining to commercial development standards and by enacting in lieu thereof a new Section

110-174 in Article V of Chapter 110 pertaining to the historic district overlay zone to be numbered and to read as follows:

Sec. 110-174. Historic district overlay zone.

Starr's Mill Historic District Overlay Zone at the SR 74, SR 85, & Padgett Road

Intersection. All property and/or development located at this intersection with nonresidential use or zoning as depicted on the Future Land Use Map shall be subject to the following regulations, in addition to the zoning district requirements, and other development regulations as applicable. The General State Route Overlay Zone shall not apply to this area.

(1) The purpose of the Starr's Mill Historic Overlay Zone at the SR 74, SR 85, and Padgett Road Intersection is to achieve the following:

- a. To maintain the historic character of the area;
- b. To control the intensity and aesthetic quality of development at the intersection as it is the southern gateway into Fayette County;
- c. To promote and maintain orderly development for an efficient traffic flow in highway corridors; and
- d. To protect existing and future residential areas outside of the intersection.

(2) *Access.* Access to each nonresidential property and/or development shall be from SR 74, SR 85, or Padgett Road. All access points shall be required to comply with Georgia Department of Transportation regulations and/or Fayette County Development Regulations, as applicable.

(3) *Dimensional Requirements.*

- a. All parking areas shall be located at least fifty (50) feet from SR 74, SR 85, or Padgett Road right-of-way.

b. Front yard setbacks on SR 74, SR 85, and Padgett Road for all structures, including gasoline canopies, shall be one hundred (100) feet.

c. Berms for nonresidential zoning districts: Berms when required as a condition of zoning, shall be a minimum of four (4) feet in height, and shall be placed to the inside of the applicable buffer.

d. If the side yard abuts a nonresidential zoning district, all non-structural improvements, other than approved access, shall be located a minimum of ten (10) feet from the side property line.

(4) *Architectural Forms and Standards.* All new structures shall maintain the historical and aesthetic character of the area. Starr's Mill was built in the late 1800s and is a significant historic resource in Fayette County. Starr's Mill is indicative of turn of the century architectural character common in rural areas and is a building of influence in this area. Other architectural styles such as One-Part Commercial Block and Two-Part Commercial Block associated with this period are acceptable for this overlay zone. Architectural examples are on file in the Planning and Zoning Department.

Architectural Review. An owner/developer may obtain an administrative staff approval for structures by submitting elevation drawings denoting compliance with these architectural forms and standards. Staff review and approval will take place as part of the site plan approval process. An owner/developer may exercise an architectural review option for structures within the overlay zone. The purpose of this option is to allow the owner/developer to present a creative interpretation of the architectural intent of the overlay zone. Elevation drawings, submitted as part of the site plan approval process, shall be reviewed and considered

by the Board of Commissioners in a public meeting with a recommendation from the Planning Commission and Staff.

a. Starr's Mill: Starr's Mill is a two-story structure with a gable roof. The roof is corrugated metal. The façade is wood clapboard siding and runs in a horizontal pattern. The structure sits on a stacked stone foundation and stacked stone pillars. Windows are wood-framed with a grid muntin pattern. Doors are also wood-framed. The structure has a covered porch with stairs and a wood picket rail banister. The building is red, the stairs, porch framing and banisters are white, the stair landings and porch decking are grey and the roof and porch covering is a grey corrugated metal.

1. Roof: Gable roof with a minimum pitch of four and one-half (4 ½) inches in one (1) foot. Roofing material shall be grey corrugated metal.

2. Façade Material: Clapboard siding running in a horizontal pattern on all walls. Acceptable sidings include wood and fiber-cement siding (e.g., Hardiplank). The foundation shall have the appearance of stacked stone. Façade colors shall match with the color palette on file in the Planning and Zoning Department.

3. Doors and Windows: Doors and windows shall have a frame and grid muntin pattern as established by Starr's Mill. Door and window frames shall be white with a minimum width of four (4) inches. Large display windows and glass doors shall give the appearance of grid pattern muntins and framing consistent with Starr's Mill. Grid pattern muntins shall be white. Large display or storefront windows shall have a minimum two (2)-foot high bulkhead (the

lower panels on which the windows rest) consistent with the Façade Materials above.

4. Covered Entrance: Covered entrances shall be in character with the Starr's Mill porch consisting of a grey corrugated metal matching the roof of the main structure. A white wood picket rail banister with a minimum height of three (3) feet shall extend the full length of the covered entrance with a maximum entrance space of three (3) feet. All support structures shall be white.

b. One-Part Commercial Block: A popular commercial design from the mid-19th to the early 20th century. The one-part commercial block is a simple, one-story box with a flat or shed roof. Common façade materials consist of brick with decorative block, stone, and concrete accents. The focal point of the front façade is the entrance and windows, consisting of a recessed doorway and display windows with a transom resting on a bulkhead (the lower panels on which the windows rest) framed by pilasters.

Architectural features include a cornice, belt course and parapet wall.

1. Façade Material: Brick/brick veneer shall be utilized on all walls as the primary façade material comprising a minimum of sixty-five (65%) percent of the wall, excluding doors, windows and associated framing. The brick color shall match with one of the colors in the brick palette on file in the Planning and Zoning Department. Painted brick shall not be allowed. The remaining thirty-five (35%) percent of the wall may have the appearance of a contrasting brick color, rough face decorative block, stone, and/or concrete accents and the colors shall match with the color palette on file in the Planning and Zoning Department.

2. Entrance Doors and Windows: The entrance door and window component shall consist of entrance door(s), display windows, door and window transoms, and bulkhead. Door and window frames may be constructed with wood, metal, or vinyl. An anodized silver finish shall not be allowed for door and window frames and all colors shall match with the color palette on file in the Planning and Zoning Department. Transoms shall be a minimum of two (2) feet high and shall be separated from the windows and door by a mullion width of four (4) inches. A minimum two (2)-foot high bulkhead (the lower panels on which the windows rest) consistent with the Façade Materials above shall be required.

3. Architectural Features: A cornice is required. The cornice shall be a minimum of one (1) foot in height with a minimum projection of four (4) inches from the main façade. The projection may be gradual. A parapet wall is required along the front and side walls of the structure and shall be a minimum of two (2) feet in height. Colors shall match with the color palette on file in the Planning and Zoning Department.

c. Two-Part Commercial Block: A popular commercial design from the mid-19th to the early 20th century. These buildings have two primary components – first floor storefronts (similar in design to a One-Part Commercial Block) and upper floors which historically were used for residential or office space. The focal point of the first floor is the entrance and windows, consisting of a recessed doorway and display windows with a transom resting on a bulkhead (the lower panels on which the windows rest) framed by pilasters. Upper floors have one or more floors of smaller symmetrically-

positioned windows. Architectural features include a cornice, belt course and parapet wall. Common façade materials consist of brick with decorative block, stone, and concrete accents.

1. Façade Materials: Brick/brick veneer shall be utilized on all walls as the primary façade material comprising a minimum of sixty-five (65%) percent of the wall, excluding doors, windows and associated framing. The brick color shall match with one of the colors in the brick palette on file in the Planning and Zoning Department. Painted brick shall not be allowed. The remaining thirty-five (35%) percent of the wall may have the appearance of a contrasting brick color, rough face decorative block, stone, and/or concrete accents and the colors shall match with the color palette on file in the Planning and Zoning Department.

2. Entrance Doors and Windows (first floor storefronts): The entrance door and window component shall consist of entrance door(s), display windows, door and window transoms, and bulkhead (the lower panels on which the windows rest). Door and window frames may be constructed with wood, metal, or vinyl. An anodized silver finish shall not be allowed for door and window frames and all colors shall match with the color palette on file in the Planning and Zoning Department. Transoms shall be a minimum of two (2) feet high and shall be separated from the windows and door by a mullion with a minimum width of four (4) inches. A minimum two (2)-foot high bulkhead consistent with the Façade Materials above shall be required.

3. Upper Floor Windows: Upper floor windows shall be symmetrically positioned. All window frames shall match with the color palette on file in the Planning and Zoning Department.

4. Architectural Features: A cornice is required. The cornice shall be a minimum of one (1) foot in height with a minimum projection of four (4) inches from the main façade. The projection may be gradual. A belt course with a minimum projection of one (1) inch from the main façade shall be required between the first floor and the second floor. A parapet wall is required and shall be a minimum of two (2) feet in height. Colors shall match with the color palette on file in the Planning and Zoning Department.

d. Lighting:

1. All wall lighting shall consist of period lantern or goose neck pendant lighting. These restrictions shall not apply to wall lighting required by the Fire Marshal.

2. All pole lighting shall consist of period post top globe, lantern, or pendant luminaries with rapid-ship posts.

e. Within the fifty (50)-foot front landscape area, a wall or fence is required to run along a minimum of forty (40%) percent of the frontage. If a wall, the wall shall be a minimum of three (3) feet in height with the appearance of stacked stone. If a fence, the fence shall be a minimum of four (4) feet in height with the appearance of wrought iron, picket, split rail or horse rail fence. Fence materials are limited to metal, vinyl/plastic, pre-cast concrete and masonry for columns.

f. Gasoline Canopy. Gasoline canopies shall comply with the following requirements:

1. Gasoline canopies may be attached to the principal structure as an extension of the structure/roof.

2. The vertical clearance under the gasoline canopy shall not exceed a maximum of eighteen (18) feet in height. The height of the gasoline canopy shall not be more than four (4) feet above the height of the principal structure.

3. The gasoline canopy and support structure shall match the architectural character, materials, color and roof of the principal structure.

Gasoline canopies, in conjunction with a convenience commercial establishment built in the architectural form of Starr's Mill, shall have a minimum roof pitch of three (3) inches in one (1) foot.

g. Color Palette: Only those colors indicated on the color palette on file in the Planning and Zoning Department shall be allowed for structures. Any changes to the color of structures in this overlay must be submitted to Staff for approval.

h. The design of ancillary buildings and sign structures shall be consistent with the architectural style and color inherent in the principal structure on the property.

(5) *Landscape Requirements.* In addition to the standard requirements of the landscape ordinance, the following landscape requirements shall apply to the overlay zone:

a. Street Frontage: Landscape area: Fifty (50) feet along the right-of-way of SR 74, SR 85, and Padgett Road. The first twenty-five (25) feet as measured from the right-of-way is for required landscape planting only. The remaining twenty-five (25) feet may be used for septic system placement; underground stormwater detention

systems; and the following stormwater management facilities/structures if designed in full accordance with the specifications provided in the most current edition of the Georgia Stormwater Management Manual; vegetated channels, overland flow filtration/groundwater recharge zone, enhanced swales, filter strips, and grass channels. Septic systems and stormwater structures shall be exclusive of each other and the minimum distance of separation between wastewater and stormwater structures shall be established by the Environmental Health Department and the Environmental Management Department. Utilities (including underground stormwater piping) and multi-use path connections may be located anywhere within the landscape area.

b. Side Yard Landscape Area: Ten (10) feet in depth along the side property lines unless adjacent to a residential district where buffer requirements will apply.

(6) *Use of Existing Structure:* When property containing legal conforming or legal nonconforming structures, under the current zoning, is rezoned to a nonresidential zoning district the dimensional requirements shall be reduced to the extent of, but only at the location of, any encroachment by the structures and said structures shall be considered legal nonconforming structures.

(7) *Lighting and shielding standards.* Lighting shall be placed in a manner to direct light away from any adjacent roadways or nearby residential areas.

(8) *Special Locational and Spatial Requirements.*

a. No more than fifty (50%) percent of the required parking can be located in the front yard along a State Route as established by the front building line of any structure located on the site. Sites with existing parking are exempt.

- b. No outside storage allowed.
- c. All rooftop heating, ventilation, and air conditioning equipment and satellite/communications equipment shall be visually screened from adjacent roads and property zoned residential or A-R. The screen shall extend to the full height of the objects being screened.

Section 6. This ordinance shall become effective immediately upon its adoption by the Board of Commissioners for Fayette County.

Section 7. All other ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 8. If any event any section, subsection, sentence, clause or phrase of this Ordinance shall be declared or adjudged invalid or unconstitutional, such adjudication shall in no manner affect other sections, subsections, sentences, clauses or phrases of this Ordinance, which shall remain in full force and effect as if the section, subsection, sentence, clause or phrase so declared or adjudged invalid or unconstitutional were not a part thereof. The Board of Commissioners hereby declares that it would have passed the remaining parts of this Ordinance if it had known that such part or parts hereof would be declared or adjudged invalid or unconstitutional.

SO ENACTED this _____ day of _____, 2016.

BOARD OF COMMISSIONERS OF
FAYETTE COUNTY

(SEAL)

By: _____
Charles W. Oddo, Chairman

ATTEST:

Floyd Jones, County Clerk

Approved as to form:

County Attorney

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Public Hearing of Resolution 2016-09 for the purpose of approving the proposed Color and Brick Palette for the Starr's Mill Historic Overlay District and Overlay Zone.

Background/History/Details:

Both Staff and the Planning Commission recommend approval of the proposed Color and Brick Palette for the Starr's Mill Historic Overlay District and Overlay Zone.

PLEASE NOTE: Planning Commission Minutes in the backup for Resolution 2016-06 applies to this Item as well.

What action are you seeking from the Board of Commissioners?

Approval of Resolution 2016-09 for the purpose of approving the proposed Color and Brick Palette for the Starr's Mill Historic Overlay District and Overlay Zone.

If this item requires funding, please describe:

Not applicable.

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

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

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:

COUNTY OF FAYETTE

STATE OF GEORGIA

RESOLUTION NO.

2016 - ____

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF FAYETTE
COUNTY FOR THE PURPOSE OF APPROVING A COLOR AND BRICK PALETTE
FOR THE STARR'S MILL HISTORIC OVERLAY DISTRICT AND OVERLAY ZONE;
AND FOR OTHER PURPOSES.**

**BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF FAYETTE
COUNTY, GEORGIA, AND IT IS HEREBY ENACTED PURSUANT TO THE
AUTHORITY OF THE SAME THAT THE COLOR AND BRICK PALETTE FOR THE
STARR'S MILL HISTORIC OVERLAY DISTRICT AND OVERLAY ZONE IS
HEREBY ADOPTED AS FOLLOWS:**

W I T N E S S E T H:

WHEREAS, the Board of Commissioners of Fayette County is the duly enacted governing authority for Fayette County, Georgia; and

WHEREAS, the Board of Commissioners of Fayette County adopted the Starr's Mill Historic Overlay District and Overlay Zone on or about June 23, 2016; and

WHEREAS, the Starr's Mill Historic Overlay District and Overlay Zone refers to a color and brick palette which is on file in the Planning and Zoning Department of Fayette County; and

WHEREAS, it is the responsibility of the Board of Commissioners of Fayette County to approve the color and brick palette to be on file in the Planning and Zoning Department and to be used with the Starr's Mill Historic Overlay District and Overlay Zone.

NOW, THEREFORE BE IT RESOLVED that the Board of Commissioners of Fayette County has reviewed the Color and Brick Palette which is attached to this Resolution as Exhibit “A” with said Exhibit “A” being incorporated into this Resolution by this reference thereto.

BE IT FURTHER RESOLVED that upon consideration of the Color and Brick Palette attached as Exhibit “A”, the Board of Commissioners of Fayette County hereby and does so approve the Color and Brick Palette attached as Exhibit “A” to be used in conjunction with the development of property within the Starr’s Mill Historic Overlay District and Overlay Zone.

BE IT FURTHER RESOLVED that the Planning and Zoning Department is directed to keep this Color and Brick Palette on file upon its approval.

SO RESOLVED this _____ day of _____, 2016.

BOARD OF COMMISSIONERS OF
FAYETTE COUNTY

(SEAL)

By: _____
Charles W. Oddo, Chairman

ATTEST:

Floyd Jones, County Clerk

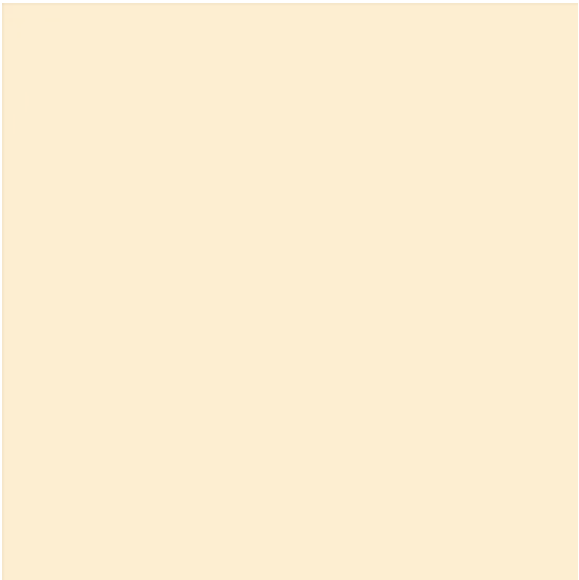
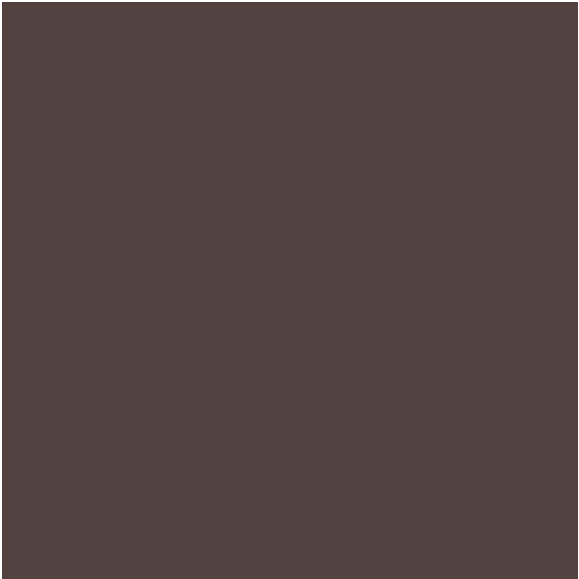
Approved as to form:

County Attorney

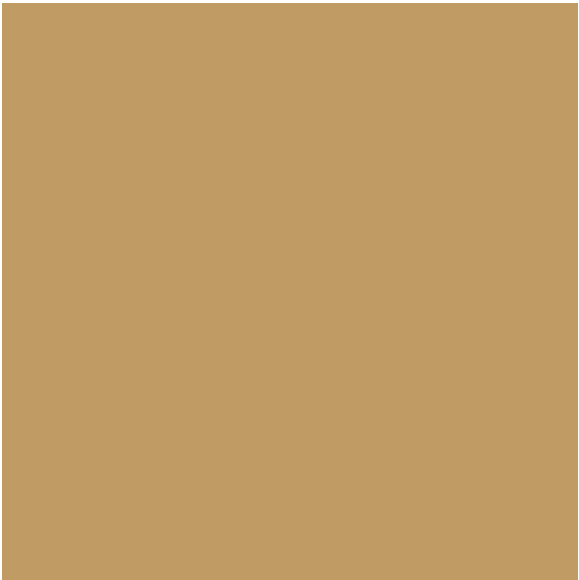
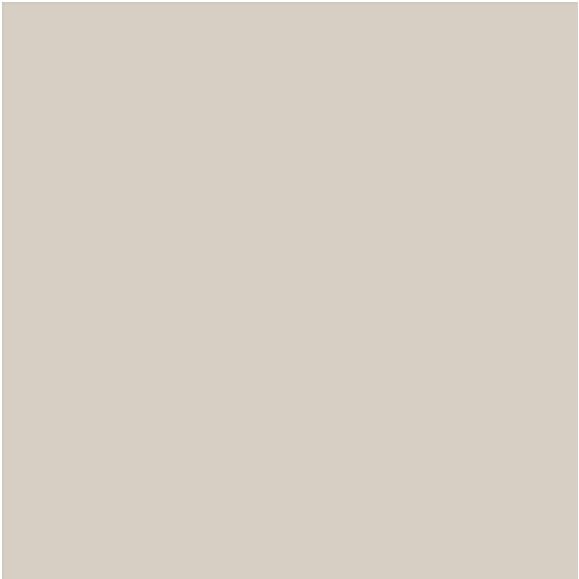
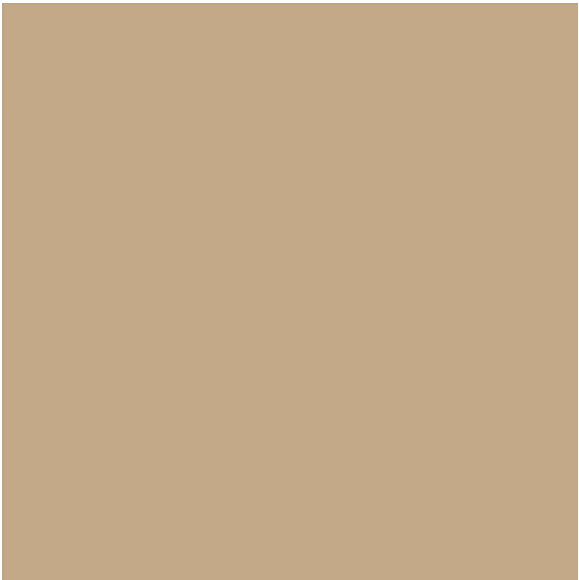
Starr’s Mill Historic Overlay Color Palette



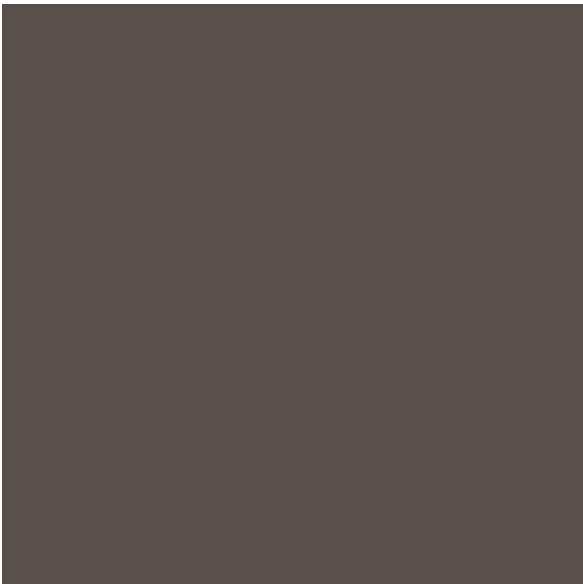
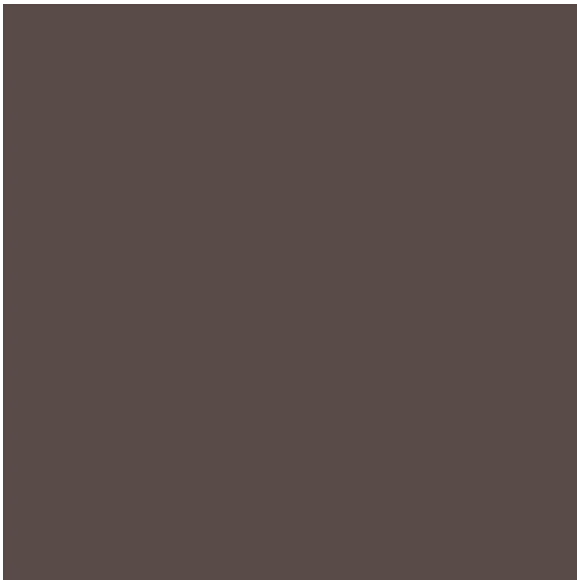
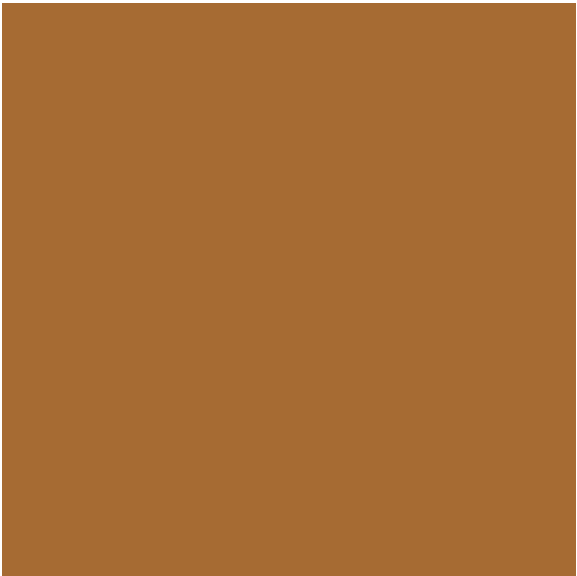
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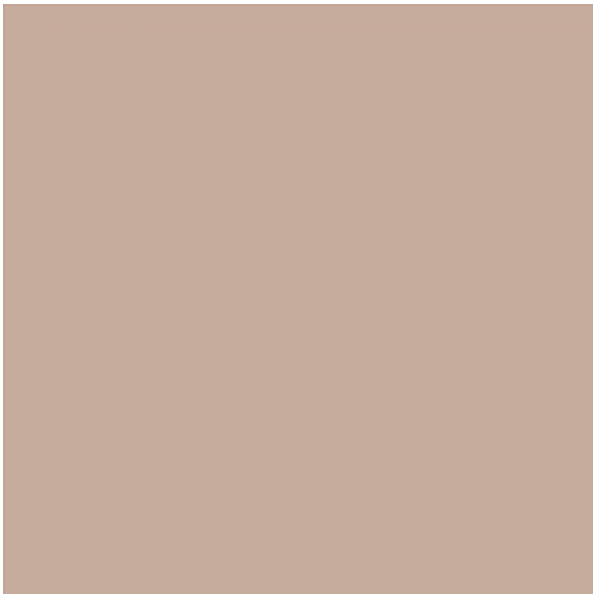
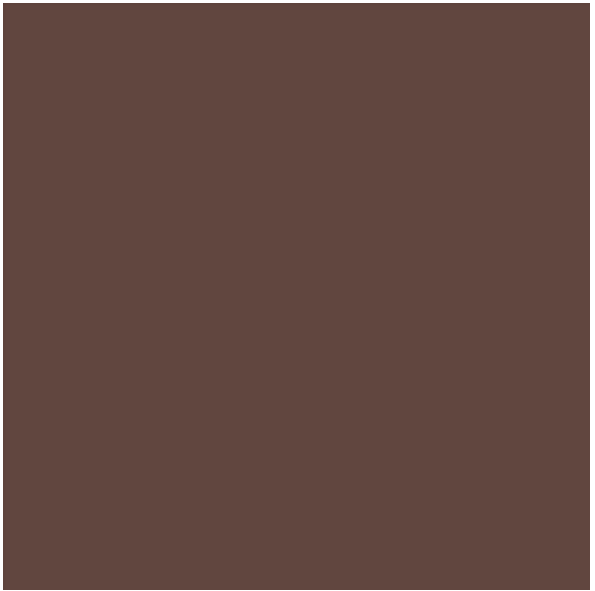
Starr’s Mill Historic Overlay Color Palette



Starr’s Mill Historic Overlay Color Palette



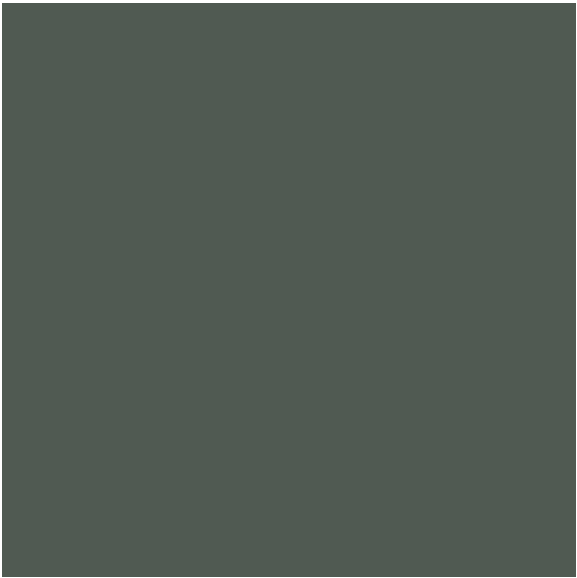
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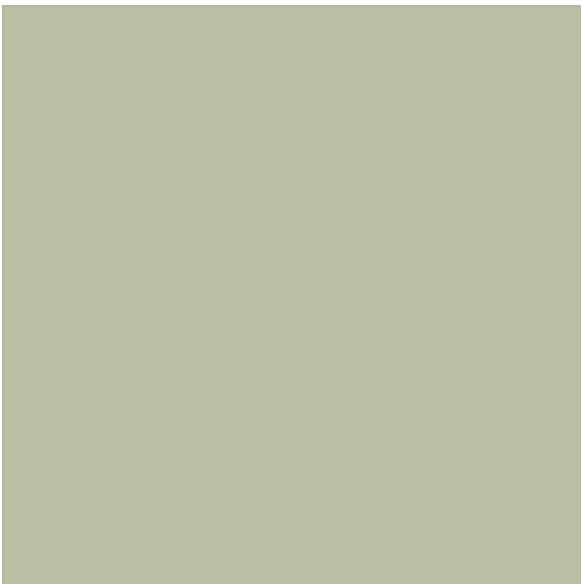
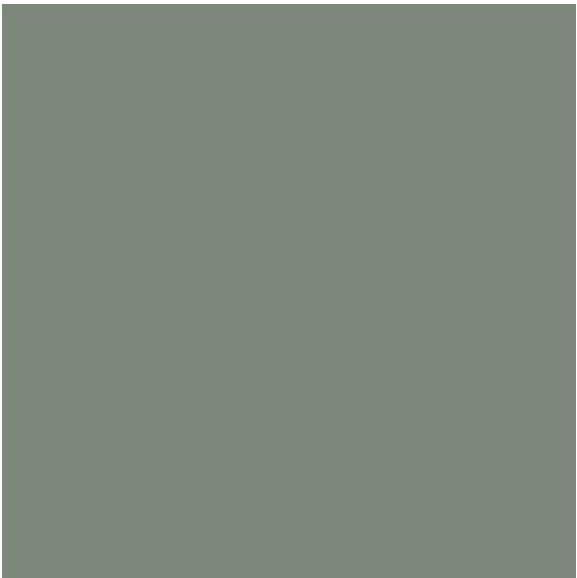
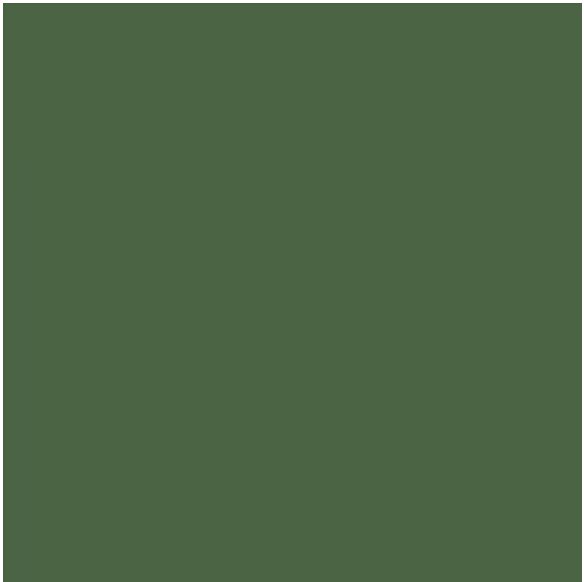
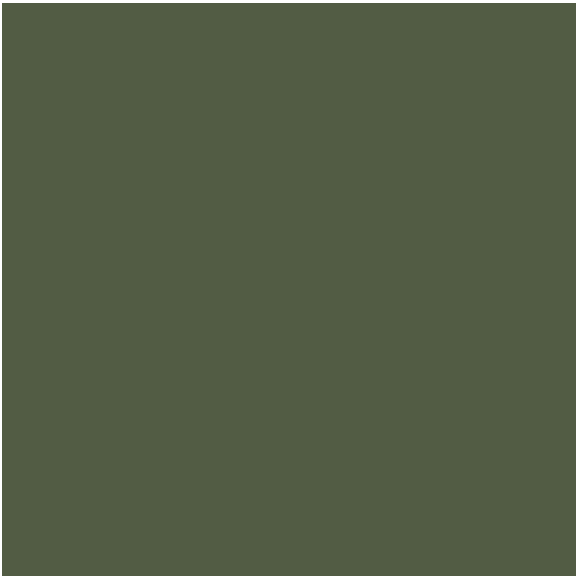
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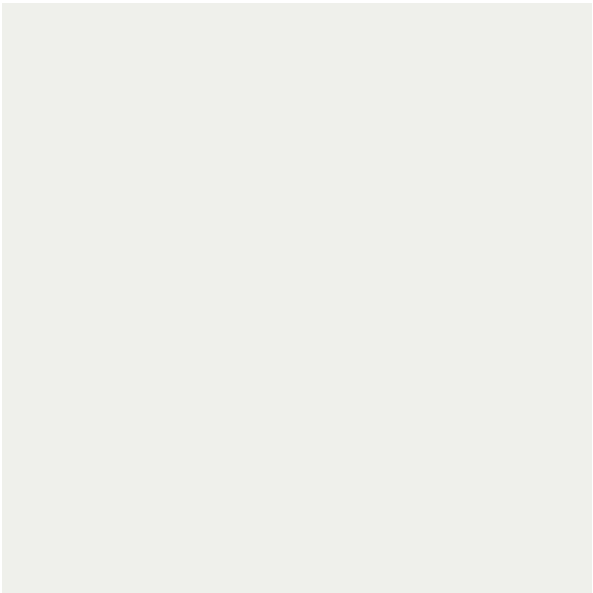
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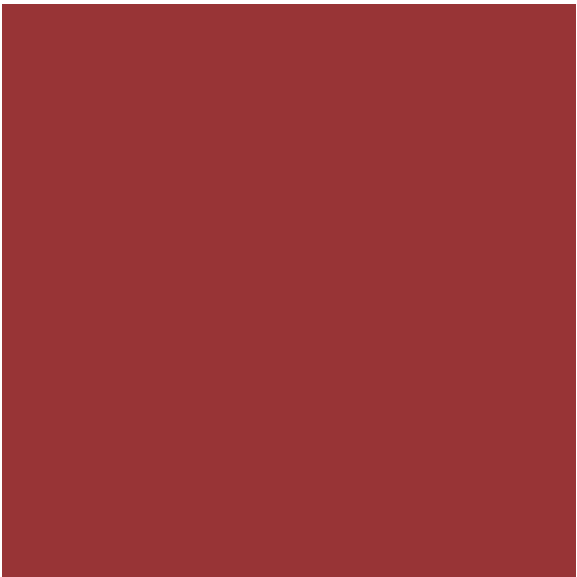
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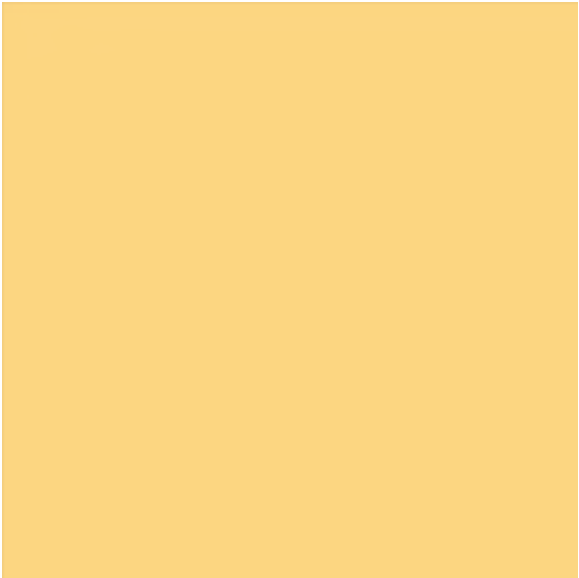
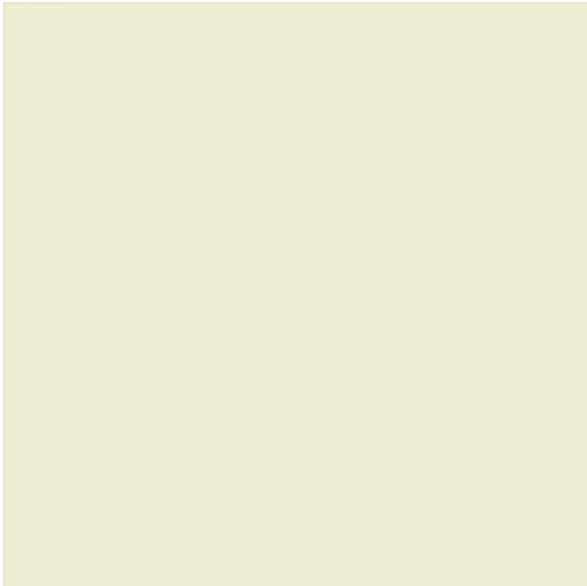
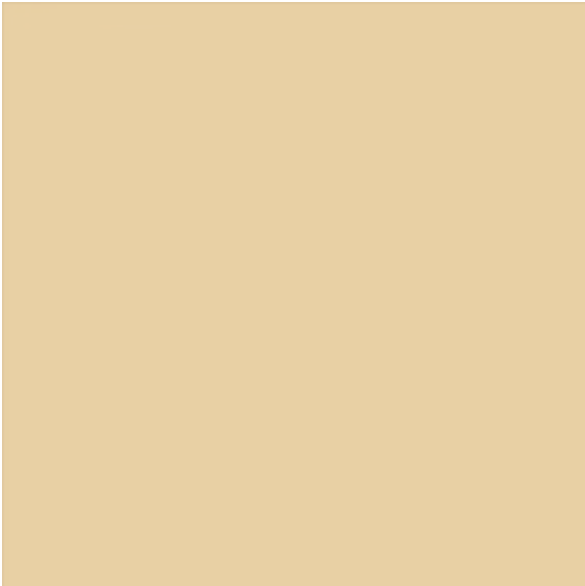
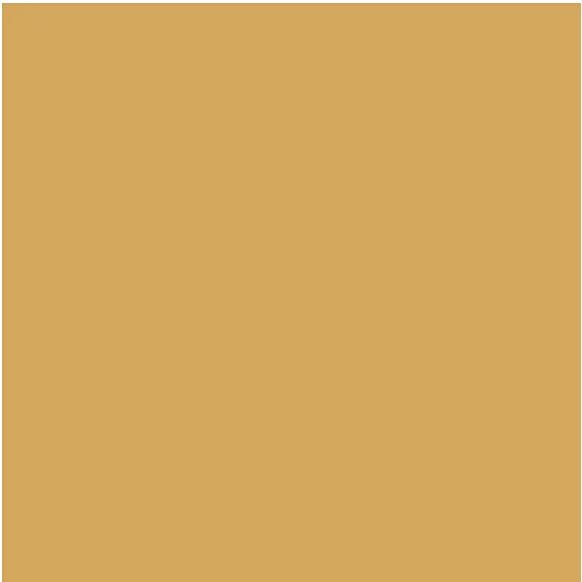
Starr’s Mill Historic Overlay Color Palette



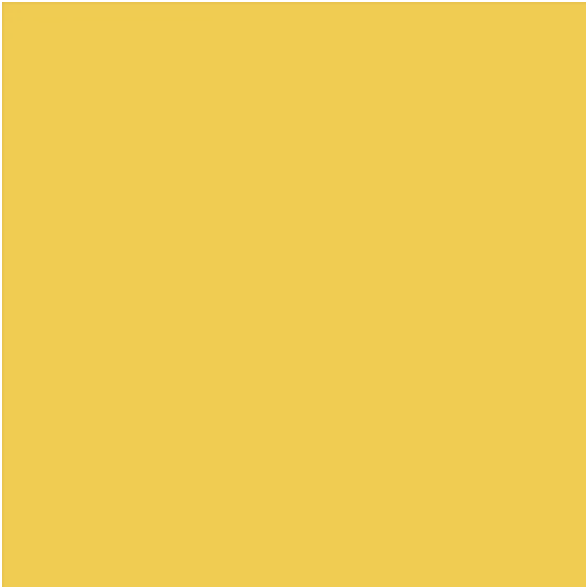
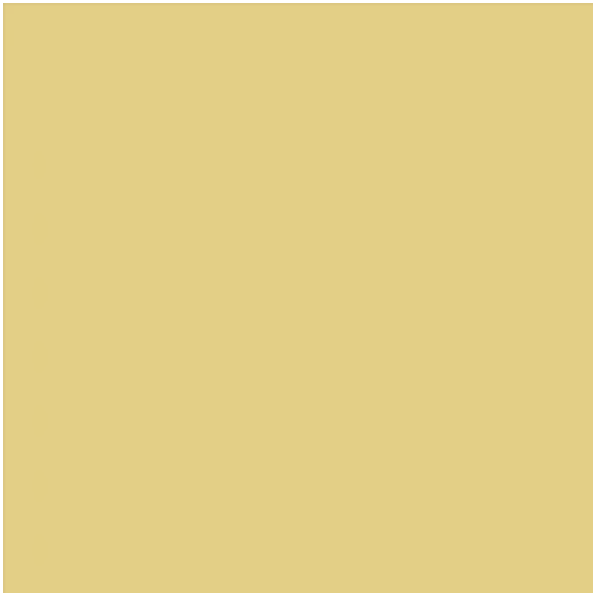
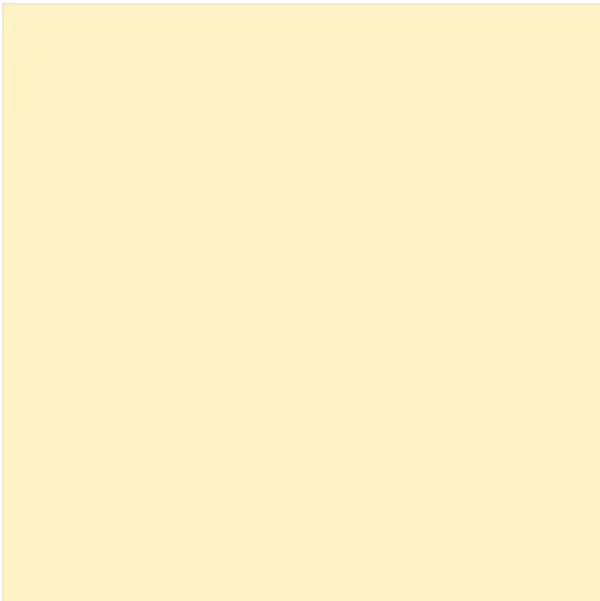
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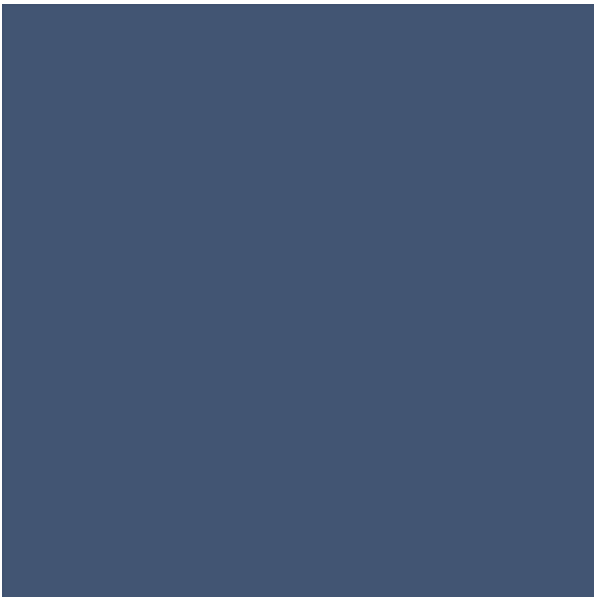
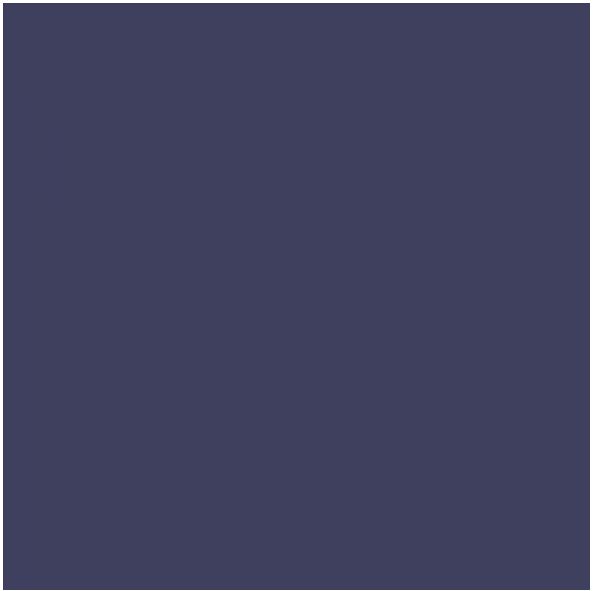
Starr’s Mill Historic Overlay Color Palette



Starr's Mill Historic Overlay Color Palette



Starr’s Mill Historic Overlay Color Palette



Starr's Mill Historic Overlay Brick Palette



Starr's Mill Historic Overlay Brick Palette



Starr's Mill Historic Overlay Brick Palette



Starr's Mill Historic Overlay Brick Palette



COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Public Hearing of Resolution 2016-06 to amend the Land Use Element Text and Future Land Use Plan Map of the Fayette County Comprehensive Plan for the Starr's Mill Historic Overlay District in the area of the Intersection of State Route 74, State Route 85 and Padgett Road.

Background/History/Details:

This request was originally presented at the May 26, 2016 Board of Commissioners (BOC) meeting. The Board unanimously approved to bring this item back to the June 23, 2016 BOC meeting. Early in 2016 Staff met with the BOC individually and/or two at a time to brief the Commission on the upcoming amendments due to their scope and complexity. Two suggestions from those meeting were addressed in the amendments. These suggestions were that wood not be allowed for the required fencing as it would require more maintenance and could fall into disrepair and become unsightly, and that the ground mounted sign structure match the façade/appearance of the principal structure on the lot.

The Staff and Planning Commission restarted this project in July of 2015 to review and recommend Land Use Plan amendments and related Zoning Ordinance amendments for the area at the intersection of State Route (SR) 74, SR 85 and Padgett Road. This project was initiated in response to a request from property owners at the intersection and the four lane widening on SR 74.

Both Staff and the Planning Commission recommend approval of the proposed amendments.

The Planning Commission minutes are provided as backup for this request.

What action are you seeking from the Board of Commissioners?

Approval of Resolution 2016-06 to amend the Land Use Element Text and Future Land Use Plan Map of the Fayette County Comprehensive Plan for the Starr's Mill Historic Overlay District in the area of the Intersection of State Route 74, State Route 85 and Padgett Road.

If this item requires funding, please describe:

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

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

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:

COUNTY OF FAYETTE

STATE OF GEORGIA

RESOLUTION NO.

2016 - ____

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF FAYETTE
COUNTY FOR THE PURPOSE OF AMENDING THE FAYETTE COUNTY
COMPREHENSIVE PLAN LAND USE ELEMENT TEXT AND THE FAYETTE
COUNTY FUTURE LAND USE PLAN MAP; AND FOR OTHER PURPOSES.**

**BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF FAYETTE
COUNTY, GEORGIA, AND IT IS HEREBY ENACTED PURSUANT TO THE
AUTHORITY OF THE SAME THAT THE FAYETTE COUNTY COMPREHENSIVE
PLAN LAND USE ELEMENT TEXT AND THE FAYETTE COUNTY FUTURE LAND
USE PLAN MAP ARE HEREBY AMENDED AS FOLLOWS:**

W I T N E S S E T H:

WHEREAS, the Board of Commissioners of Fayette County is the duly enacted governing authority for Fayette County, Georgia; and

WHEREAS, the Board of Commissioners of Fayette County has prepared amendments to the Fayette County Comprehensive Plan Land Use Element text attached hereto as Exhibit “A” with said Exhibit “A” being incorporated herein by this reference, concerning the new Starr’s Mill Historic Overlay District and the Fayette County Future Land Use Plan Map to designate areas as Limited Commercial One, Limited Commercial Two, Office and Low Density Residential (1 Unit/1 to 2 Acres) in the area of State Route 74, State Route 85 and Padgett Road; and

WHEREAS, on the 23rd day of June, 2016, the Board of Commissioners of Fayette County conducted a public hearing.

NOW THEREFORE BE IT RESOLVED that the Board of Commissioners of Fayette County has reviewed the prepared amendments in Exhibit “A” and does hereby adopt the prepared amendments in Exhibit “A” to the Fayette County Comprehensive Plan Land Use Element text concerning the new Starr’s Mill Historic Overlay District and the Fayette County Future Land Use Plan Map to designate areas as Limited Commercial One, Limited Commercial Two, Office, Transportation/Communication/Utilities, and Low Density Residential (1 Unit/1 to 2 Acres) in the area of State Route 74, State Route 85 and Padgett Road.

SO RESOLVED this _____ day of _____, 2016.

BOARD OF COMMISSIONERS OF
FAYETTE COUNTY

(SEAL)

By: _____
Charles W. Oddo, Chairman

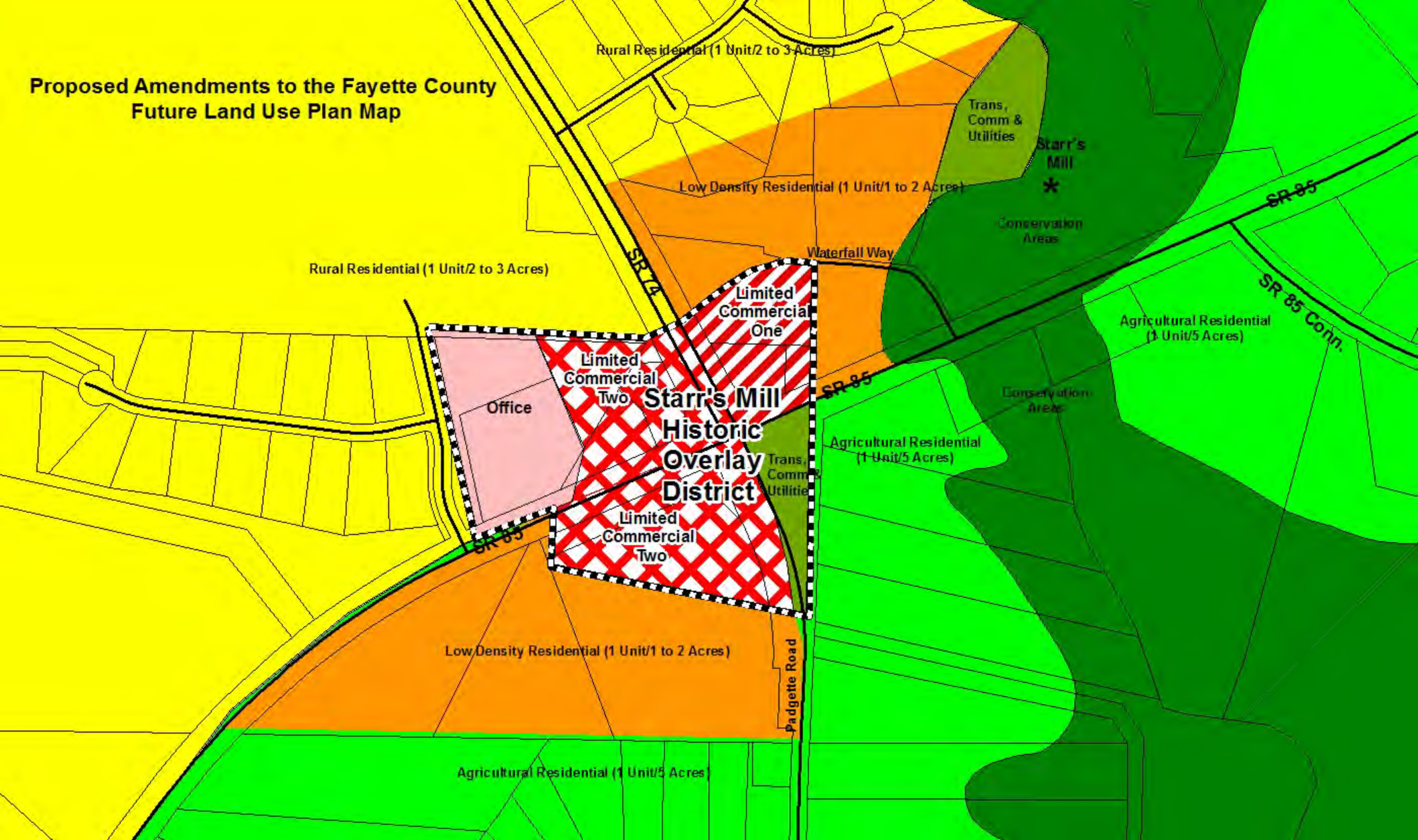
ATTEST:

Floyd Jones, County Clerk

Approved as to form:

County Attorney

Proposed Amendments to the Fayette County Future Land Use Plan Map



THE FOLLOWING WILL BE ADDED IN ITS ENTIRETY TO THE FAYETTE COUNTY COMPREHENSIVE PLAN, LAND USE ELEMENT, FUTURE LAND USE MAP AND NARRATIVE, COMMERCIAL

Limited Commercial (One & Two)

This category designates properties where specifically small scale businesses which do not generate large amounts of traffic, noise or light are to be located. For more descriptive purposes, Limited Commercial land use is subdivided into “Limited Commercial One” and “Limited Commercial Two” categories:

Limited Commercial One: This category identifies properties where the L-C-1 (Limited-Commercial (1) District) is recommended.

Limited Commercial Two: This category identifies property where the L-C-2 (Limited-Commercial (2) District) is recommended.

SR 74, SR 85, & Padgett Road Intersection (Starr’s Mill Historic District): This intersection is in close proximity to historic Starr’s Mill. This area represents a newly developing nonresidential node where the L-C-1 (Limited-Commercial (1) District) and the L-C-2 (Limited-Commercial (2) District) zoning districts are recommended as depicted on the Future Land Use Plan map. The C-C (Community Commercial District) and the C-H (Highway Commercial District) are not designated for this area.

THE FOLLOWING WILL BE ADDED IN ITS ENTIRETY TO THE FAYETTE COUNTY COMPREHENSIVE PLAN, LAND USE ELEMENT, FUTURE LAND USE MAP AND NARRATIVE, FUTURE DEVELOPMENT FACTORS

Historic District

Starr’s Mill Historic Overlay District at the SR 74, SR 85, & Padgett Road Intersection:

Starr’s Mill is a significant historic resource and is identified and discussed in the Natural and Historic Resources Element of this Plan. This Overlay District identifies the county’s goals and recommendations for the Starr’s Mill Historic Overlay District at the SR 74, SR 85, & Padgett Road intersection. Both SR 74 and SR 85 are Major Arterials and serve as commuting routes. SR 74 connects to Peachtree City, Tyrone and Interstate 85 to the north. SR 85 runs through Fayetteville to Clayton County and connections to SR 92, SR 314, and SR 279 can be made along this route. The widening of SR 74 from two to four lanes was completed in early 2012. As a result of this project Padgett Road was realigned to alleviate its offset from SR 74. SR 85 is planned to be widened from two to four lanes in the future.

Historic Resources: Starr's Mill is located to the northeast of this intersection on Whitewater Creek. Starr's Mill is one of the most significant historical structures in Fayette County. The mill and surrounding property containing the mill pond is owned by the Fayette County Water System and serves as a water intake location and passive park. The present mill was built in 1888 and was central to the Starr's Mill Community that also contained a post office, stores, a church, a cotton gin, and a saw mill. These facts are discussed in the Natural and Historic Resources Element of the comprehensive plan.

Also located at the intersection in close proximity to Starr's Mill is the Starr's Mill Baptist Church. It is estimated that the church was constructed in 1887 according to the Natural and Historic Resources Element. The church is owned and utilized by New Hope Baptist Church which is located across SR 74.

Existing Development: Properties at this intersection are residentially zoned and the Future Land Use Plan designates these properties as residential. Most lots contain single-family residences with the exception of a lot of approximately eight acres that contains the aforementioned Starr's Mill Baptist Church. Some of the lots are nonconforming and a few are less than one acre in size. A legal nonconforming commercial structure was removed due to the realignment of Padgett Road.

Several single-family residential subdivisions are located in close proximity to the intersection. These subdivisions include Mill Pond Manor (R-45), Southmill (C-S), Starr's Mill Ridge (R-20), and Starr's Mill Estates (R-20). While Starr's Mill Estates is zoned for one acre lots, the lots range in size from four to eight acres.

Future Development: Due to the improvements to this intersection through the SR 74 widening project and the future widening of SR 85, it is anticipated that property owners at this intersection will pursue nonresidential development. The preferred development pattern is for properties closest to the intersection to contain the more intense uses and land use intensity will generally decrease in intensity as it moves away from the intersection. The maintenance of an efficient flow of traffic at this intersection is essential. The historic character of the area should be taken into consideration in the development of this area.

The goals of the Starr's Mill Historic District Overlay at the SR 74, SR 85, & Padgett Road Intersection are: (1) maintain the historic character of the area, (2) control the intensity and aesthetic quality of development at the intersection as it is the southern gateway into Fayette County, (3) maintain an efficient flow of traffic at the intersection, and (4) protect existing and future residential areas outside of the intersection.

Recommendations: The land use of this area associated with this intersection will be depicted on the Future Land Use Plan and corresponding Overlay Zone requirements for nonresidential development will be added to the Zoning Ordinance. The nonresidential land use designations at this intersection will consist of Limited Commercial One, Limited Commercial Two, and Office. Some fringe areas will have a residential land use designation of Low Density Residential (1 Unit/1 to 2 Acres). The C-C (Community Commercial District) and the C-H (Highway Commercial District) are not designated for this area.

THE FOLLOWING WILL BE ADDED IN ITS ENTIRETY TO THE FAYETTE COUNTY COMPREHENSIVE PLAN, FUTURE LAND USE PLAN MAP

Starr's Mill Historic Overlay District and Overlay Zone

Overlay District (see Fayette County Comprehensive Plan, Land Use Element)

Overlay Zone (see Fayette County Zoning Ordinance, Sec. 110-174 Historic District Overlay Zone)

1. Discussion of the SR 85 and SR 74 intersection.

Pete Frisina said staff and Planning Commission had worked on land use and zoning for this intersection but didn't finish the project. He said both State Routes are covered under an overlay but what we wanted to do was create a different overlay just for the four (4) corners.

Chairman Graw asked Pete Frisina to explain the concept of overlay zoning.

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Pete Frisina said an overlay zoning overlays the base zoning of a property with addition regulations to maintain certain standards over all of the properties for consistency such as a highway corridor which could cover setbacks, architectural character, etc. He added that every State Route has an overlay zone and some are specific and others are covered under the General State Route Overlay. He said our approach was to look at the four (4) corners with an overlay specific to those four (4) corners and remove them from the State Route Overlays.

Chairman Graw said the northwest corner is #1, the northeast corner is #2, the southwest corner is #3 and the Southeast corner is #4. He said if he remembers correctly, there is a triangular piece of property on the corner # 4 that is owned by GDOT.

Pete Frisina said he thinks that is correct and he would ask Phil Mallon if that is still correct. He said the triangle is the area of the old road bed of Padgett Road. He added that there is a power line that runs to the south of corner #3 which creates a good demarcation for a separation between a residential and nonresidential land use. He stated that approximately four (4) acres on corner #1 were discussed as Commercial.

Brian Haren asked if there was some sort of detention pond on corner #3.

Pete Frisina said from the aerials it looks like a small wetland or manmade pond.

Chairman Graw asked where the new subdivision is located in this area.

Pete Frisina said Southmill is to the west of SR 85.

Chairman Graw asked how far back from the road had we discussed commercial zoning going.

Pete Frisina said we discussed the four (4) parcels at the intersection and there are two (2) lots containing houses between this commercial area and Southmill Subdivision where Office could be appropriate.

Chairman Graw if we should continue with commercial all the way to Southmill.

Brain Haren said the office area would be a transition from commercial to residential.

Chairman Graw asked what we had proposed on corner #2.

Pete Frisina said that corner is a special situation as there is an existing church with a parking lot on this corner and it is close to Starrs Mill. He stated that we don't want something there that will detract from the historic character of Starrs Mill. He said it was discussed that an adaptive reuse of the church would help maintain the historic character but he didn't know if the age of the building would preclude it from meeting current building standards.

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Al Gilbert said the church believed that given its proximity to Starrs Mill that if the County purchased the church it could be used in conjunction with Starrs Mill to create a park.

Chairman Graw asked if we had discussed taking the commercial to the large parcel behind the church.

Pete Frisina said he didn't think we had proposed commercial for that parcel and we had discussed limiting the commercial uses on corner #2 because of Starrs Mill.

Brian Haren said there is a conservation area and path being discussed for the Starrs Mill and north along Whitewater Creek and last thing he would want to see is a path and canoeing route terminating into a convenience store and he agrees that we need to protect corner #2 in terms of what goes in there and how it looks.

Chairman Graw said we talked about a turn of the century character for the buildings at this intersection.

Al Gilbert said something similar to the architectural character of downtown Senoia.

Brian Haren said Starrs Mill is one of the most photographed mills in Georgia.

Arnold Martin said the mill dictates the period architectural character we want at the intersection.

Pete Frisina said the discussion was corner #1 and #3 is where the heavier commercial use could be located, corner #2 would have limited commercial uses and we did not come up with a good concept for corner #4.

Chairman Graw asked what has brought this discussion of the SR 74 and SR 8s intersection up again.

Pete Frisina said the real estate representative that brought it up before recently spoke to me and

said they were still trying to market the property. He added that the Planning Commission had met with the property owners in this area a long time ago and they were told after SR 74 was completed the County would look at the land use at this intersection.

Chairman Graw said the reason we are putting so much thought into this intersection is it is the southern entrance into Fayette County and I want the County to be prepared when someone asks for a rezoning at this intersection.

Arnold Martin said with the film industry in our area, if we aid to that based on a plan for period architectural character it could even attract even more of that industry. He added that a new

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building can be covered in a façade that will give this period appearance. He asked how the County will control development to get this appearance.

Al Gilbert said we will use an overlay zone of some type.

Pete Frisina said Chairman Graw asked that the Limited-Commercial (L-C) Zoning District be given out for review as this is the zoning district we were considering for the intersection. He added in terms of a convenience store it limits it to six (6) gas pumps which are 12 fueling stations.

Chairman Graw said the L-C has not been used in the County yet.

Arnold Martin asked how many gas pumps the Quiktrip had.

Al Gilbert said 12 pumps which gives you 24 fueling stations. He added that he thinks corners # 1 and #3 should be allowed to have convenience stores because with four (4) lanes of traffic you want to discourage people from making turning movements across this road.

Pete Frisina said there is a morning side of the road and an evening side of the road.

Chairman Graw said he is not in agreement with a convenience store on these two (2) corners, one on #1 and one on #3. He said he did agree with a convenience store on #1 only. He added a convenience store may take up close to an acre of land and if that is correct, that would leave little available land to develop on #3 for other uses such as restaurant, etc. He said he would like to see something other than convenience stores at this intersection.

Arnold Martin said the closet convenience store is located on SR 16 in Senoia.

Al Gilbert said the market is going to determine if two (2) convenience store are viable at this intersection but I think corners # 1 and #3 should be allowed have them.

Pete Frisina said there are about 8,000 cars a day on SR 74 and 10,000 to 11,000 on SR 85.

Brain Haren asked if the number of cars is reason enough to say there has to be a convenience store on one or both of those corners.

Pete Frisina said when open up these corners for commercial, a convenience store is probably going to be the first thing someone wants to build there. He added that you might only see one convenience store at first but over time a second one may come. He said a convenience store is a typical use at the intersection of major highways.

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Al Gilbert said keep in mind that the L-C will keep the convenience store small compared to the larger companies because of the requirements.

Pete Frisina said this is the overview of some of the ideas we had for this intersection and we basically need to pick up from there to complete the plan.

Chairman Graw asked were we calling this a historic district.

Pete Frisina said we were going to create some kind of special development district for a specific area located on the four corners of this intersection so the four (4) corners are regulated with similar architectural controls.

Brian Haren asked if we need to carry something further up SR 85.

Al Gilbert said he thinks we need to look at the SR 85 Connector intersection.

Pete Frisina said the County has fought commercial zoning at SR 85 connector twice.

Chairman Graw said he agrees that we look at the SR 85 Connector.

Al Gilbert asked the Planning Commission members to drive down in the area to get familiar with the intersection.

Pete Frisina said the uses in L-C are quite limited including Antique shop; Art and/or crafts studio; Bakery; Bank and/or financial institution; Barbershop and/or beauty shop; Book, stationery, and/or card shop; Clothing and accessories; Dance school and/or studio; Florist shop; Gift shop; Home furnishings and accessories; Jewelry shop; Laundry and/or dry clean pickup station; Medical/dental office (human treatment); Music teaching studio; Office (business and/or professional); Photography studio; Restaurant/restaurant takeout (no drive-through or drive-in allowed); and Shoe repair.

Al Gilbert said he thinks a hardware store would be a good use for the intersection.

Peter Frisina said that wouldn't be allowed in L-C

Arnold Martin said remembers coming to a BOC meeting for a rezoning for a convenience store and people brought up the fact that a convenience store draws a certain element that will hang out there and the perception was they were going to cause trouble.

Al Gilbert said we can limit the hours.

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Pete Frisina said that was hard to regulate.

Al Gilbert said a fitness center is a popular use.

Peter Frisina said that wouldn't be allowed in L-C

Chairman Graw said the convenience store at SR 54 and Robinson Road is in character with what we are looking at for the intersection.

Pete Frisina said we will continue to work on the plan for this area and discuss it at a future meeting.

OLD BUSINESS

1. Discussion of the SR 85 and SR 74 intersection.

Pete Frisina said what was sent to the Planning Commission are drafts of text for the land use plan, an Overlay Zone for the intersection, an amended version of the L-C Zoning district and a new proposed commercial zoning district. He said he spoke with the County Attorney about some of the land use approaches Staff and the Planning Commission were considering for the intersection concerning restricting uses on some of the corners. He stated that the County Attorney was more comfortable legally with restricting land uses through different zoning districts as opposed to restricting uses within a zoning district with a Special Development district, so these drafts are geared toward that approach. He added that the land use text draft outlines this approach by listing the land use designations, Limited Commercial, Office, and Low Density Residential, including a new commercial designation that will correspond to a new commercial zoning district that is less intense than L-C. He said Low Density Residential is being considered because there is one acre zoning in place in this area that the land use plan does not reflect and the area around these proposed nonresidential areas are in land use designations of Rural Residential and Agricultural-Residential and Low Density Residential would be a better transition.

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Arnold Martin said the County does not dictate property values but when the County changes land use and zoning there is an implied sense that the value is increased depending on the uses so how do we balance that on different corners.

Pete Frisina said different land uses and/or zonings could have an effect on the value of property.

Chairman Gilbert said the architectural requirements will be same for the entire area.

Pete Frisina said the issue we have been discussing is the location and number of convenience stores on these four corners and whether there will be one, two, or maybe three convenience stores in this area and we have been leaning toward the corners on the west of SR 74 which would have the more intense uses and the other two corners would have less intense uses. He added this is based on the location of Starrs Mill and its historical significance, so we don't want to detract from Starrs Mill; we want to enhance it and the area through the requirement of a period architectural requirement.

John Culbreth asked how much of this area is owned by the County.

Pete Frisina said the County only owns Starrs Mill and it sits on about 17 acres. He added that the proposed Overlay Zone contains the architectural requirements for the turn of the century downtown character and he thinks one of the best examples of what he thinks we are trying to

achieve is the store fronts on the west side of the square in Fayetteville. He said they are mainly one story buildings with brick façade and the brick patterns create the embellishments that are indicative of this architecture and while each building is similar they are not all the same which may be something we also want to consider. He asked the Planning Commission if stacked rock walls, period fencing and/or period lighting fixtures should be required or encouraged.

The consensus of the Planning Commission was they should be required.

Arnold Martin asked what the sequence of this planning process is in terms of when property is sold or developed that is will have to be developed based on the regulations we are discussing.

Pete Frisina said currently none of these corners are land used or zoned for nonresidential development so the first step is to amend the land use plan to reflect nonresidential development but these areas will still be zoned for residential. He stated the land owners will apply to rezone their properties and the application will be evaluated based on the County's Land Use Plan. He added that these regulations we are discussing will be in place to control the development after property is rezoned. He said he is still working on articulating the architectural requirements and it maybe that we will have to use pictures to illustrate the character where the other Overlay Zones are more quantifiably defined in terms of a certain roof pitches and facades.

Arnold Martin asked if the Development Authority is consulted when the County is making Land Use Plan amendments for nonresidential development.

Pete Frisina said the Development Authority has been consulted when the County has amended

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the Land Use Plan in the past but the type of development we are discussing at this intersection is not the type of development the Development Authority usually targets. He added that they usually work with larger manufacturing companies. He said the County is required to do major reviews of its comprehensive plan every five years based on State planning standards and the next major review is due by June of 2017 and the County will seek the input of local stakeholders in this review process. He stated the amendments to the L-C zoning district include the deletion of a sentence in the Intent which states "The L-C zoning district would avoid the development of strip commercial businesses." He said L-C limits the amount of square footage with a Floor to Area Ratio and there was an incentive that allowed more square footage if a developer built two (2) structures as opposed to one (1) strip, but this incentive was taken out sometime back. He stated that he added "(no drive-through or drive-in allowed)" to Bakery as L-C is a low intensity zoning district. He said that he added two (2) new use categories which include Educational/instructional/tutoring facilities and Personal services which allow these related uses to be grouped under "Permitted principal uses." He said he added a statement that said architectural standards in an Overlay Zone will take precedence over the architecture requirements in the L-C zoning district as L-C may someday be used outside of a highway corridor where architectural standards are not required. He stated under the new proposed

commercial district the only real difference with L-C is it does not allow the Convenience commercial business.

Chairman Gilbert said he doesn't think the new zoning district should be named as a historic commercial district but maybe named "old time" in some way.

Arnold Martin said even Disney has a replica of an old town.

Pete Frisina asked if there are any uses that should be taken out.

Arnold Martin said maybe we need to limit resale shops and protect ourselves from too many of these type shops.

Pete Frisina said the "Antique shop" use could allow a resale shop and these districts do not make a distinction between retail and resale. He added that he would review the zoning ordinance to see if it makes this distinction in any other commercial districts.

Chairman Gilbert said during the past recession there was a lot of empty commercial space and building owners wanted to rent the space and resale shops moved in.

Arnold Martin suggested deleting a fitness center from the new zoning district. He suggested that a laundry drop-off/pick-up be deleted since they usually have a drive-through window and they are allowed in L-C.

John Culbreth asked if a spa would be allowed in these zoning districts.

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Pete Frisina said a spa is a specific use in C-H and is related to massage and is not listed in these zoning districts.

Arnold Martin said some beauty salons have spa services.

Pete Frisina said spa services as it is defined in the Zoning Ordinance would not be allowed in these zoning districts.

Chairman Gilbert suggested that a mailbox store or a UPS store may fit in these zoning districts.

Arnold Martin asked if there is any way that someone could use the dance school use to slip in a strip club.

Pete Frisina said it would not be possible as the County's Adult Entertainment ordinance limits that type of use to M-1 zoning.

Chairman Gilbert asked if we are addressing signage for this area.

Pete Frisina said that would have to be addressed through the Sign Ordinance and not the Zoning Ordinance.

Arnold Martin said we should consider regulating signs that are in character with this turn of the century area we are trying to create.

Pete Frisina said we would have to create a special district in the Sign Ordinance. He added that he would review the uses in these zoning districts to determine if they need to be better defined.

Chairman Gilbert suggested looking at including a cellular phone store in these zoning districts.

Arnold asked if a grocery store would be allowed.

Pete Frisina said the closest use to a grocery store would be the Convenience commercial establishment Conditional Use under L-C but size restrictions would not allow a major grocery store.

Arnold Martin said he was thinking of a boutique natural food store.

Pete Frisina said the Convenience commercial establishment is limited to the sale of prepackaged food products, gasoline, household items, newspapers, magazines, sandwiches, and other freshly-prepared foods for off-site consumption.

Arnold Martin said he didn't know if a small grocery store would be allowed under that list of uses.

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Pete Frisina said a major grocery store would not go into these zoning districts because of the size limitation so it would have to be a locally owned or independent store. He said these zoning districts are supposed to be low intensity so we have to be careful and probably the most intense use will be the Convenience commercial establishment.

The Planning Commission took no official action on this item and will continue the discussion at a future meeting.

OLD BUSINESS

6. Discussion of the SR 85 and SR 74 intersection.

Pete Frisina said based on questions from the last meeting he went through the uses in the L-C zoning district to determine if they needed to be more defined. He said the first use is an Antique Shop and he found some definitions but he didn't want to use them because they were based on the percentage of items that were of a certain age and this is too labor intensive to determine. He stated the question raised at the last meeting was does a Vintage store, Thrift store, Consignment store, or Used books/records store qualify as an Antique Shop. He said he doesn't have a problem with including these uses along with an Antique Shop.

Brian Haren said he would like to ~~it~~ limited to for-profit establishments.

Pete Frisina said the next use is an Art and/or crafts studio and he found three (3) definitions that he thinks fit. He said these definition are an Artist's studio where works are created and sold, a Studio where customers purchase then paint or create their own canvas, pottery, glass pieces or sculpture, and a Gallery with pieces by various artists, plus a studio with classes & a supply store.

John Culbreth said those definitions fit well with the use.

Chairman Graw he agrees with the definitions.

Pete Frisina said he would use these three (3) definitions to craft a description of the use. He said a Bakery (no drive-through or drive-in allowed) can be defined as an establishment engaged in the preparation and production of baked goods for consumption and sale both on and off the premises.

John Culbreth said that sounds good for a bakery.

Pete Frisina asked would a Dunkin Donut or Krispy Kreme be a bakery or restaurant.

Brian Haren said there are very few Dunkin Donuts where the donuts are baked in-house.

Al Gilbert said without a drive-through window the odds of either one of those coming are remote.

Chairman Graw said he sees a bakery as a place that makes pastries, cakes, bread, etc.

John Culbreth said the old traditional bakeries really don't exist anymore.

Al Gilbert said most grocery stores now have a bakery.

Pete Frisina said a Bank and/or financial institution would include a bank, savings and loan, credit union, and mortgage office.

Al Gilbert asked if we have said no drive through with a bank.

Pete Frisina said the ordinance does not prohibit drive through windows with a bank.

Al Gilbert said if we are going to prohibit drive through windows for other businesses we should not allow them with a bank.

Pete Frisina said currently only bakeries and restaurants are prohibited from having a drive through window.

Chairman Graw said while we are looking at L-C in context to the SR 74 and SR 85 intersection it can be used in other areas of the County and I don't want to limit it too much.

Pete Frisina said L-C has always prohibited drive through windows with food service establishments because L-C was created as a less intense commercial zoning district.

Al Gilbert said a restaurant can't have a drive through window but the bank next door can have a drive through window and that is not treating the businesses equally.

Brian Haren said but these rules were in place before you started construction of the restaurant.

Chairman Graw said his opinion is if you want the restaurant with a drive through window this is not the zoning for you.

Al Gilbert said we should prohibit all drive through windows in L-C.

Brian Haren asked if a Pay Day Loan and a Title Pawn is a financial institution.

Pete Frisina said he didn't think a pawn shop is a financial institution.

Brian Haren said he would not like to see a Pay Day Loan or a Title Pawn in L-C.

Pete Frisina said the G-B zoning District excludes pawn establishments from the uses of Financial, credit, real estate, and/or insurance establishments.

Chairman Graw said he agrees that we don't want title pawns or pay day loan establishments.

Brain Haren asked how is a pay day loan establishment classified.

Pete Frisina said that would be a financial institution.

Chairman Graw asked if we need to have a separate category for a financial institution.

Brain Haren asked if a Pay Day Loan is not included under Bank and/or financial institution.

Pete Frisina said he didn't feel that he could make a distinction that a Pay Day Loan is not a Financial Institution.

Chairman Graw asked if Brian Haren wanted Pay Day Loans excluded.

Brian Haren said that is correct.

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Chairman Graw said can we say Pay Day Loans and Pawn Shops are excluded.

Brian Haren suggested excluding Pay Day Loans, Pawn Establishments, Short Term Loan establishments, and Check Cashing establishments as well as no drive through windows but walk up ATM will be allowed.

Pete Frisina said a Book, stationery, and/or card shop is the next use. He said Stationary Store is defined as an establishment which sells office-related products to the public at retail and products typically includes paper products, calendars, pens and pencils, and may include small office equipment, such as filing cabinets, brief cases, and calculators. He added a card shop usually includes the sale of greeting cards, wrapping paper, photo albums, picture frames, globes, maps, and other related products.

Chairman Graw said your first sentence describes Office Depot, Office Max and Staples so would we permit those establishments in L-C.

Pete Frisina said given the size of the typical Office Depot, Office Max and Staples, the square footage restrictions of L-C probably won't be big enough for their standard store.

AI Gilbert said these companies will do a market study and that area probably wouldn't support one of those stores.

Pete Frisina said the next use is Clothing and accessories. He said an accessory can be any piece of clothing that you wear or carry as long as it isn't part of the main outfit, traditional carried accessories include purses and handbags, hand fans, parasols and umbrellas, canes, etc, and accessories that are worn may include jackets, boots and shoes, cravats, ties, hats, belts and suspenders, gloves, jewelry, watches, sashes, shawls, scarves, socks, and stockings.

Brian Haren said you mentioned jewelry.

Pete Frisina said a jewelry store is also a separate use in L-C. He said the next use for discussion is a Gift shop. He added a Gift Shop is retail stores where items such as art, antiques, jewelry books, and notions are sold and notions are small useful things (such as pins, thread, buttons, ribbon) that are used for sewing. He stated another definition of a gift shop is a shop that sells souvenirs and small items suitable to be given as presents.

Chairman Graw said a gift shop and a card shop sell a lot of similar items.

Pete Frisina said Home furnishings and accessories is the next use. He said a definition of a Furniture Store is an establishment for the sales for furniture and other domestic articles used in readying an area (as a room or patio) for occupancy or use. He added another definition includes

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furniture, home furnishings, and home appliances and means a business primarily engaged in the retail sale of goods used for furnishing the home, such as furniture, floor coverings, draperies, lighting fixtures, woodstoves, domestic cookstoves, refrigerators, and other household electrical and gas appliances. This category also includes rental of furniture, appliances, and the like, as well as the sale or rental of consumer electronics such as televisions and stereo equipment.

Chairman Graw said that sounds like an HH Greg store.

Brian Haren suggested excluding appliances.

Pete Frisina asked would we also exclude floor covering, window covering, lighting fixtures, and consumer electronics such as televisions and stereo equipment.

Brian Haren said those should also be excluded. He asked if a veterinarian would be allowed under Medical/dental office.

Pete Frisina said they would not because Medical/dental office is limited to human treatment. He said at the last meeting a mailbox/UPS store was suggested for L-C and the other proposed L-C type district. He added that these uses are defined as Mail Services and consist of a commercial business which conducts the retail sale of stationery products, provides packaging and mail services (both U.S. Postal and private service), and provides mailboxes for lease.

Chairman Graw said he thought it was a good use to add to L-C.

Pete Frisina said another suggestion was to add a cellular phone store to L-C.

Brain Haren said it sounds OK.

Pete Frisina said at the last meeting it was suggested that we add a Hardware Store to L-C. He added that a Hardware Store is an establishment engaged in the retail sale of various basic hardware lines, such as tools, builders' hardware, plumbing and electrical supplies, paint and glass, housewares and household appliances, garden supplies and cutlery.

Chairman Graw asked when you say garden supplies do you mean everything a Pikes Nursery has.

Brain Haren said that could include lawn mowers, weed eaters, wheelbarrows, etc. and I think we're referring to an old-tome hardware store not a Home Depot but how do you distinguish between the two.

Al Gilbert said you exclude outside storage.

Brian Haren said size limitations will also help.

Pete Frisina said currently L-C allows a Floor to Area Ratio (FAR) of .1 with a total of 8,500 square feet.

Chairman Graw said the previous language in L-C provided a bonus of more square footage if the developer built two (2) building as opposed to one (1) building to discourage a strip commercial development. He added it required the buildings to be a minimum of 26 feet apart.

Pete Frisina said in the previous language the maximum square footage was 10,000 square feet and if you built two (2) buildings you got a 15 percent square footage bonus so with 10,000 square feet that would be an additional 1,500 square feet for a total of 11,500 square feet.

Chainman Graw said he would like to consider adding this language back in L-C.

John Culbreth said can we anticipate that each building would have more than one (1) business.

Pete Frisina said that would probably be the norm but it is not required.

Brian Haren asked how big is 10,000 square feet.

Pete Frisina said using the square root that is 100 feet by 100 feet.

Chairman Graw asked on four (4) acres how much square footage could you build.

Pete Frisina said under the current ordinance with a maximum square footage of 8,500 square feet that is all you could build on four (4) acres because with the FAR of .1 you would hit the maximum square footage on a little over two (2) acres.

Chairman Graw asked could you build another two (2) building with four acres.

Brain Haren said you could not on the same parcel. He added that he likes the old language with the bonus square foot for building two (2) buildings and we should consider putting it back in L-C.

Chairman Graw suggested putting the language back in L-C with 10,000 square feet.

Al Gilbert asked if the building square footage should be based on acreage.

Pete Frisina said the L-C concept is to create a small less intense commercial zoning district and not create a big sprawling development.

AI Gilbert said you could start with 8,500 square feet with two acres and with three acre and add more square footage and so on.

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Pete Frisina said with a FAR of .1 you would hit the maximum square footage of 3,500 about two and a half acres.

Brain Haren asked what restrictions the County has to stop someone from subdividing a lot to get more square footage.

Pete Frisina said nothing but once you subdivide the lot you get more separation between the developments because you would have setbacks landscaping between them.

Chairman Ian Graw asked about the squared footage limits for a convenience store.

Pete Frisina said a convenience store is limited to 3,500 square feet. He said the question from last week was does a Convenience commercial establishment in L-C allow a grocery store or natural foods store. He added that he found a definition of a Convenience Store that states a small store that stocks a range of everyday items such as groceries, snack foods, beverages, toiletries, tobacco products, and newspapers, and may also provide the sale of fuel. He said the current definition in L- C for a Convenience commercial establishment is a facility limited to the sale of prepackaged food products, gasoline, household items, newspapers, magazines, sandwiches, and other freshly-prepared foods for off-site consumption. He said he prefers the new definition he read as opposed to the one currently in L-C because it is more general. He added that if he used the Convenience commercial establishment definition currently in L-C a small grocery store or natural food would not be allowed as the term prepackaged food products would not allow the sale of produce for example.

Brain Haren said he liked the new definition of Convenience commercial establishment.

Pete Frisina said he would work it into the ordinance and we would continue the discussion at a future meeting.

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OLD BUSINESS

5. Discussion of the SR 85 and SR 74 intersection.

Pete Frisina stated last week they had a discussion on defining some of the L-C uses. He added that he has crafted some definitions for the uses for review.

Al Gilbert asked what he thought about a quick copy.

Pete Frisina said he would look into it. He stated the uses that he had defined were arts and crafts, bakery, card and stationary shop, check cashing, gift shop, mail shop, pay day loan establishment and pawn shop.

Chairman Graw stated that the definition of gift shop seemed limited. He then read the definition for gift shop and it stated that it was an establishment selling small decorative or amusing items that suitable with gifts or souvenirs. He asked Pete Frisina would that be all they could sell.

Pete Frisina said it depends on what a small decorative item and amusing item is. He added that this was pulled from zoning ordinances and is a standard definition.

Brian Haren said that with a gift shop we're going to see a lot of Hallmarks. He added that this sort of shop is a card, stationary, and gift shop. He stated that there can be standalone gift shops. Brian Haren stated that Warm Springs' main street is half gift shops.

Al Gilbert added that gift shops can sell college memorabilia.

Arnold Martin asked if amusing items can open up to adult novelty shops.

Pete Frisina said that they discussed that at the last meeting. He added that per the County's code there is a special chapter for adult establishments and there are only allowed in the M-1 zoning district.

Arnold Martin stated that he remembered when this was a big issue with the Commission and that they were only allowed in M-1. He added that he took it as adult facilities such as bars, dance clubs, etc. He asked would an adult novelty shop be included in that.

Pete Frisina replied yes they would be included in that.

Pete Frisina stated that gift shop is not new to L-C it's always been in there, but never defined. He asked for suggestions and stated that he pulled definitions from other sources.

Al Gilbert asked would the term novelty work better than amusing.

Brian Haren states that gift shop means an establishment selling small decorative or "novelty" items.

Pete Frisina replied that we then have to define what a novelty item is. He said that novelty is a term used in a lot of zoning ordinances.

Chairman Graw asked what would be wrong with including gift shop with the card and/or stationary shop. He then stated that a card and/or stationary shop means establishments which also sell products

such as small decorative or amusing items that are suitable as gifts or souvenirs.

Pete Frisina said that it is up to them. He stated that as of right now it's a standalone use.

Chairman Graw said you are really limiting this gift shop to only a few items.

Pete Frisina replied that the definition is very broad.

Chairman Graw stated that when you think of a card and or stationary shop he is thinking of a Hallmark. He added that they sell a lot of items. He stated that if you allowed the gift shop to be next door to the stationary shop they would basically be selling the same things. He said that we should drop gift shop added to card and or stationary shop. He asked the board what they thought.

Arnold Martin agreed that it was a good suggestion.

Pete Frisina said that card shop is the first use stated there. He added that the definition used for stationary store will move away from greeting cards and wrapping paper to a more office related supplier. He asked does gift shop fit somewhere in the middle there.

Brian Haren replied in that context no.

Pete Frisina said unless you say card, gift, and/or stationary shop.

Chairman Graw agreed.

Pete Frisina said card, gift, and/or stationary shop and then add in there items that are suitable for gifts or souvenirs.

John Culbreth stated that someone might want a business that's not geared towards cards but specialty souvenir items.

Pete Frisina said will use items that are suitable for gifts and souvenirs.

Brian Haren asked have we forced ourselves to create another category to cover office supplies.

Pete Frisina replied that it's a part of the stationary shop. He then added that office related paper products, calendars, pencils, pens, briefcases, calculators; desktop office supplies.

Chairman Graw asked if someone wanted to start a shop with just a few of these uses they could do that. He added that they don't have to have a shop with all these uses.

Arnold Martin replied yes. He added that he knows of a stationary business right across the street that literally only sells stationary and maybe a couple of pens, but that's it.

Brian Haren said that Pete Frisina made a good suggestion using the phrase desktop office related supplies.

Pete Frisina replied that what those are in his opinion besides from the briefcase.

Brian Haren said that this may open the door for someone to come in and start a wholesale office furniture business.

Al Gilbert agreed and stated or a computer business.

Pete Frisina stated we can say desktop office related products. He added that paper products would be considered a related product.

Brian Haren agreed.

Pete Frisina said that the only thing we have related to furnishing is home furnishings. He emphasized that we are only talking about small retail space. He added that if someone sells a few desk chairs or a computer stand that shouldn't be a problem

Chairman Graw stated home furnishing and accessories could be like a Tuesday Morning.

Pete Frisina said as of right now we will change card, gift, and/or stationary shop. He then asked if the board was good with check cashing, mail services, pay-day loans, and pawn establishments. He then stated for antique shop he added vintage store, thrift/second hand store, or consignment store. He said that was the list we talked about last week. He stated that he found a definition for antique shop that had to do with the percent of products or items that were a certain age. He said using that definition would be a lot of work for staff to administer. He added that in this day in age not everything is antique but people like to buy dated things. He stated that he's okay with antique shop, art and/or craft studio, and bakery. He said the definition for banking and financial institutions includes brokerage firm, credit union, financial planning, or mortgage brokerage (no Pay Day Loan, Check Cashing or Pawn Establishments).

Arnold Martin asked if we wanted to include insurance agency.

Pete Frisina replied he didn't know if they would fit under financial institution or professional.

Arnold Martin stated that a lot of insurance companies do financial planning.

Pete Frisina said he would add insurance company to banking and/or financial institution.

Chairman Graw then asked if insurance company would be considered financial institutions.

Arnold Martin said absolutely that's just what we were discussing. He added that State Farm does banking and financing automobiles.

Pete Frisina asked if the board was good with the cellular phone sales and service and clothing and/or accessories. He listed accessories. He said that someone could open a purse store or shoe store. He said hardware store and home furnishings and accessories were added. He stated that he would list what the accessories are in home furnishings and that he took out appliances and things of that nature. He said that mail services store was also added.

Brian Haren asked why on page seven (7) we took out no drive-thru.

Pete Frisina told him he moved it to page (8) number (4).

Brian replied okay.

Chairman Graw asked for the board to turn back to page six (6) number seven (7) clothing and/or accessories. He asked the board for clarification on the phrase "such as", and whether or not they can

have other things in addition to what is listed.

Brian Haren replied yes. He stated that when we say “such as” that is not all inclusive.

Chairman Graw then said such as but not limited to.

Brian Haren said correct.

Pete Frisina stated that the way the ordinance is now written there are no drive-through facilities allowed in L-C whatsoever. He added that would mean no laundry /dry cleaning pickup, banks, etc. He stated that certain businesses rely on the drive-through. He added that when L-C was created it was to be a limited commercial district. He stated the intent was to limit the intensity of the uses for food services that being fast-food type restaurant that relies heavily on drive-through and drive-in clientele. He said the discussion we had last week was only taking one (1) use out of here and saying that they cannot have drive-through but allowing other uses such as banks and possibly the dry cleaners to have a drive-through and could this be putting the County in a position to have someone challenge us. He added that they may say you’re not allowing the restaurant to have a drive-through but you’re allowing the bank to have a drive-through. He stated that he talked to legal and said that the intent initially was to create a limited and low intensity commercial. He asked legal would this put us in a legal limbo. He stated that legal said as long as you have a justifiable reason for what you are doing he didn’t see it as a liability. He added that legal said that the difference in the amount of traffic for a fast-food restaurant and a dry cleaner are totally different.

Arnold Martin asked what if a dry cleaner that had a drive-through failed and the window is sitting there not being used and a restaurant of some type wants to lease the space; are we saying that they cannot lease it, or they can lease it but cannot use the drive-through.

Pete Frisina said they can lease it but cannot use the drive-through. He added that he doesn’t have a problem leaving it the way it is, but someday we may see some issues when a low intensity use wants to move in and says why can’t I have a drive-through.

Brian Haren stated that banning all drive-throughs goes towards what we’re trying to create here. He added that if we’re going to allow banks to have a drive-through it’s going to look like the Wells Fargo up the road and that’s not what we want in this environment here. He said that he is in favor of banning that type of activity for all businesses and that it would make it more legally defensible.

Al Gilbert asked are we going to allow walk-up to the bank.

Pete Frisina replied yes.

Brian Haren said and we will also allow for carry-out food services, but you can’t have a drive-through.

Brian Haren stated that in the morning on Highway 85 north traffic is bad due to the Dunkin Donuts located near the square. He added that the traffic is so bad that they have to rent a cop to direct traffic.

Chairman Graw agreed.

Al Gilbert said that traffic is also bad near the Chic Fil’A on Saturday nights at midnight.

Brian Haren stated that we’re talking about an area with small retail space, very dense road network and if we start allowing drive-through it’s going to back up into the public space.

Pete Frisina explained floor to area ratio definition for Arnold Martin.

Chairman Graw said it tries to eliminate the strip/shopping center concept. He stated that personally he would not like to see in strip shopping centers instead just individual buildings. He added that he did not want to see them on the northeast corner of the intersection.

Arnold Martin stated that has about four (4) acres or so.

Chairman Graw stated that he is afraid that someone is going to build a strip shopping center and it's going to look horrible.

Pete Frisina said that a minimum of what we will end up with is a strip shopping center with 26 feet between two (2) buildings. He said by taking that one (1) building and splitting it into two (2) you get an extra 1500 square feet.

Chairman Graw said that is going to cost more money for somebody to do that but there going to get more square footage out it.

Al Gilbert said he liked Pete's approach to writing policy and how he rewards the developer instead of punishing them.

Chairman Graw stated that developers are going to want to build in that area because of the growth.

Arnold Martin asked will there be architectural standards.

Pete Frisina replied yes. He stated that on page nine (9) in the new limited commercial zoning district he took out the convenience commercial establishment. He said that he forgot the new definition for convenience commercial but would bring it to the next meeting.

Arnold Martin asked were you talking about a convenience store.

Pete Frisina replied yes. He stated that at the last meeting everyone seemed to like it. He added that based on Arnold's comment it's under the definition for what we have for convenience commercial and allows someone with a small natural food store or something similar to that. He said that the way it's reworded it will allow for a standalone establishment.

Chairman Graw is concerned about lot number two (2) because its less than four (4) acres and the floor to area ratio states that the total maximum square footage for all structures combined on the site shall not exceed 10,000 square feet.

Pete Frisina said that it is more than four (4) acres.

Chairman Graw says that is a site and if you build on that four (4) acres your limited to 10,000 square feet and if you do individual buildings it will be 11,500. He states that an acre is about 44,000 square feet and if you take and divide the 10,000 that's 2500 square feet of building on 47,000 square feet of land. He asked is that a lot of building on an acre.

Pete Frisina replied that an acre is limited to 4,560 square feet.

Chairman Graw stated that the four (4) acres is a site and then asked would that be a site as stated in the

floor to area ratio.

Pete said yes and that it is limited to 10,000 square feet.

Al Gilbert said it might not be one (1) site.

Pete said “site” means the development as a whole.

Al Gilbert asked what if one (1) developer buys one (1) site and another developer buys a site; that’s two (2) sites right.

Pete Frisina replied yes.

Chairman Graw said he bets someone is going to buy that lot and it will be four (4) acres.

Pete Frisina asked would it be better to call it “lot” instead of “site.”

Chairman Graw asked how big a lot is.

Pete Frisina replied its one (1) acre for this district, and that is the minimum size.

Chairman Graw said he thinks 10,000 square feet on one (1) acre is too much.

Pete Frisina replied you can’t have 10,000 square feet on one (1) acre. He then added that Chairman Graw suggestion of changing “site” to “lot” was a good idea. He added that the area was made up of four (4) parcels and some of them are not even an acre. He stated that he would assume that some assembly would be required for that corner.

Chairman Graw stated that they had discussed O-I near the subdivision. He asked will we be requiring the same architectural restrictions that we had for the commercial.

Pete Frisina replied that we would.

Chairman Graw asked would we do the commercial first and then the O-I.

Pete Frisina said we would do it all at the same time. He stated that we would amend the land-use plan and the zoning ordinance to match everything.

Al Gilbert asked will we have a Highway Overlay Zone.

Pete Frisina replied yes, and it will be for the specific areas we want to capture and it will include the O-I. He asked the board if there was anything on page nine (9) they wanted to take out to be more limited than the L-C. He stated that the only thing they took out was the convenience commercial.

Chairman Graw asked what about gift.

Pete Frisina said that he could make that change. He added that this district mimics everything that is in L-C. He asked again if there was anything that they wanted to take out of this district to make it less intense.

Arnold Martin asked what the difference would be between the L-C and the unnamed district.

Pete Frisina said it won't allow the convenience stores.

Chairman Graw said that the unnamed district would be good to use at the 85 Connector and 85. He asked Pete what he thinks the lot at the 85 Connector is going to be.

Pete Frisina replied that he thinks the lot is fine as it is now.

Chairman Graw said but we know that it's not going to stay like that for long.

Pete Frisina stated that property owners on multiple corners feel like they have a commercial location.

Chairman Graw asked could you say that the commercial could only be in our "Historical District" that goes up to the 85 Connector and stops.

Pete Frisina replied that right now no one could have commercial.

Chairman Graw said that it's going to eventually happen.

Pete Frisina said that we are going to get challenged at every corner. He added that it is just going to happen from that corner all the way up to Fayetteville.

Chairman Graw asked why you can't exclude commercial all the way up to Barnard Road.

Pete Frisina replied that you can include and exclude as you see fit. He added that he has had more people come into his office looking at this corridor more towards the other end of SR85. He stated that we have made a special distinction for the corner of SR 74 and SR85 and that it will be very busy. He said that SR74 and SR85 will both be four (4) lane roads.

Chairman Graw said that at one time Rising Star was questioned, but he thinks of that corner as more residential.

Pete Frisina said that everybody that lives on a corner sees a gold mine. He stated that by sticking to this we are recognizing an area that is going to have high traffic in the future and he is not sure on whether or not the other corners will have the same intensity

Planning Commission October 15, 2015

OLD BUSINESS

3. Discussion of the SR 85 and SR 74 intersection.

Chairman Graw asked Pete Frisina to tell the board the unique title he has for the district.

Pete Frisina stated that for lack of a better title he created two (2) zoning districts one was called limited commercial which was the base and the other is called more limited commercial. He said that the original one will be LC-2 because normally in the hierarchy of zoning you give the heavier use the higher number. He added that the new district will be called LC-1.

Al Gilbert said that it was similar to M-1 and M-2.

Pete Frisina replied exactly. He stated that M-1 is associated with light industrial and M-2 is associated with heavy industrial. He added that he had researched other zoning ordinances for names that had similar C-1, C-2, and C-3 with no other title added to it, and found a limited commercial which was an L-C and a Limited Local Commercial which was equivalent to our LC-1. He found another zoning ordinance that had a category called Low Intensity Commercial.

Al Gilbert stated that the local and limited are too close together and can be confusing.

Pete Frisina replied that he knows and he hasn't been able to find any good names out there.

Chairman Graw stated that he liked LC-1 and LC-2.

Pete Frisina said there was no distinction beyond that. He mentioned that in the County's zoning ordinance we have a title after the code.

Chairman Graw stated that the only difference between the two (2) is that LC-1 (light) does not allow the convenience commercial and LC-2 allows it.

Pete Frisina told the board if they come up with any ideas for names to let him know.

John Culbreth stated that he liked LC-1 and LC-2.

Al Gilbert asked what would be the possibility of LC-1 with gas convenience and LC-2 without gas convenience.

Pete Frisina replied that it was too long of a title.

Al Gilbert said we could abbreviate the title.

Pete Frisina replied that he didn't want to roll that out as the title.

Brian Haren asked that when the Overlay Zone is codified that the first sentence in LC-2 is this is how it differentiates from LC-1.

Chairman Graw asked everybody if they were up to date on why they were creating the two (2) zoning districts.

Al Gilbert, Brian Haren, and John Culbreth all replied yes.

Chairman Graw stated that the SR 74 and SR 85 intersection will be the only place in the County where we would use the LC-1, without the gas station.

Pete Frisina replied he didn't know about that. He added that once the district is in place we could put it anywhere we wanted to. He stated that he thinks it's a good idea to have a commercial designation without the convenience use in it.

Chairman Graw replied that he liked it too.

John Culbreth added that it allows us to drive the planning.

Pete Frisina stated that once a sign goes up in a neighborhood, the first question that is asked is if there is going to be a convenience store there. He added that seems to be something that people don't want. He said people want gas they just don't want it next to their house.

Brian Haren stated that you don't need a gas station on every corner.

Pete Frisina stated that he did some work to the definitions on page six (6).

Brian Haren asked if the definitions changed since the last meeting.

Pete Frisina replied that he may have finessed them slightly. He said that he did not do anything to arts and crafts but under cards gifts and/or stationary he added some of the terms they talked about like desktop office products.

Brian Haren stated that he didn't want them to sell office furniture.

Pete Frisina said that we didn't have convenience commercial the last time. He stated that he opened it up for a convenience store, small natural food store, or a gourmet food store. He added that you don't have to sell gas to make it happen. He said that Al Gilbert's term copy and print had been added to the definitions. He stated that mail stores, pay day loans, and pawn establishments have stayed the same. He added that bookstore has been moved and become a term by itself without cards gifts and/or stationary.

Chairman Graw asked if someone could build a store and have all of these uses in them. He added for example a card gift and/or stationary with copy and print.

Pete Frisina replied yes and that he frequents the one (1) on Bank Station by the Cub Foods. He stated that the establishment allows you to ship packages, make copies, sells knickknacks and cards.

Brian Haren asked if an antique shop can sell cell phones.

Pete Frisina replied yes.

Al Gilbert asked if Pete Frisina will discuss the SR 85 and SR 74 intersection with the County Commissioners.

Pete replied that he hadn't quite figured out how he was going to do that just yet.

Al Gilbert stated that he would like the Commissioners feedback to see if they would like for them to expand the overlay zone.

Pete Frisina replied that under our procedures he doesn't have the opportunity to go to a meeting to discuss the overlay zone prior to a public meeting with the board. He stated that he would not like to present the board with this much information for their consideration in a public meeting. He added that in times past he had the opportunity to discuss projects with the board in a one-on-one setting or sometimes two (2) at a time especially when we are proposing to make a large amount of complex amendments to the Land Use Plan and Zoning Ordinance. He said that he would run it through the County Administrator once everything has been finalized.

Chairman Graw said that he had a question regarding page eight (8) D one (1). He asked what if petitioners were to bring in elevation drawings that the board did not like. He stated that the board has the ability to vote no, yes, or table it. He said if we were to vote no we need to have some reasons why we came to that decision. He asked the board what type of criteria should we establish or look at to base our decisions.

Pete Frisina said that was an issue that he and Chairman Graw discussed.

Pete Frisina stated he doesn't know if anything is new within the pages six (6) – 13 other than the convenience commercial he added at the end. He stated that pages one (1) – five (5) discuss what Chairman Graw had a question on. He said that it was on page four (4) number four (4) where they discuss architectural standards that relate to Chairman Graw's question. He read from page four (4) that elevation drawings must be in compliance with the following requirements and shall be submitted and approved as part of the rezoning public hearing procedures. He added that this is similar to a PUD and it's something that we don't do often. He stated that they require elevation drawings for a PUD and we will be following similar procedure here. He said this district we're creating will have architectural standards that aren't in his opinion quantifiable like some of our other architectural standards. He stated that the other architectural standards talked of a pitch peak roof and certain slopes, and they were all quantifiable. He added that doors and windows of a residential character aren't as quantifiable but we know that plate glass windows doesn't meet those standards. He said that it also talked about façades of a residential character (brick wood or stucco) and sidings that simulate the same; and even if they're metal we quantify that by saying horizontal seems as opposed to vertical. He stated that we would tell developers that we have photos/examples that we would like to see and we will open it up to you and see if you can create some design that meets our concept.

Al Gilbert stated that in the Historic District of the City of Fayetteville there are building restrictions. He said about four (4) years ago a developer was trying to build something, but he kept getting turned down. He said the developer finally asked the council, what are you looking for. He said that one of the councilman replied that he didn't know but when he sees it, he would tell him. He stated that "we" don't need to get into that.

Pete Frisina showed them the architectural drawings depicting the architectural character we want for the area.

Chairman Graw stated that we have to be able to define these things and that is the hard part.

Pete Frisina replied that you define them by talking about the characteristic of the architecture. He said that you basically tell developers here is an example of what we like. He stated that we could quantify the movement in elevation on the roofs by a percentage of change in elevation within so many feet. He stated that the Planning Commission wanted to require period lighting and fencing required. He added that we

need to come up with these requirements.

Al Gilbert said that during that era there were no iodized aluminum windows. He added that it takes away from the architecture.

Pete Frisina replied that we could get the overarching architecture to follow that form but he's not going to worry about window treatments.

Chairman Graw asked how you define the characteristics of that building.

Pete Frisina replied that building is indicative of a certain period of time of the turn of the century. He states that brick was predominating during this period but not always.

Brian Haren stated that we may need to emphasize wood materials or wood like treatment along the area surrounding Star's Mill.

Pete Frisina stated that we're looking for buildings that follow this style of architecture and are in character with this period. He said that they're not all going to match Star's Mill. He added that the shopping center behind Arby's is a one (1) strip building with each suite having a slightly different façade. He also mentioned downtown Fayetteville having different facades for its suites which he believes gives character. He stated that he likes both wood and brick for facades.

Chairman Graw asked could we really define what we want to make a decision for approval or disapproval based on picture.

Pete Frisina replied that he thinks we should say based on the pictures these are the elements and architectural styles that we want to see. He added that he could define the architectural terms needed but also reiterated that he cannot quantify it in a sense to say how tall or wide the building must be or the percentage of wood and brick that has to be used. He stated that Fayetteville and Peachtree City architectural standards are reviewed at the site plan stage not a rezoning. He added that board members know what they're looking for once they see it. He said that staff tries to guide them on where they need to be, but council approves site plans. He stated that we want to try and find a good way of getting what we want and not being a total burden on someone.

Pete Frisina asked the board to review a photo of a strip commercial building to see if it meets the requirements.

Al Gilbert, Brian Haren, John Culbreth, and Chairman Graw agreed that the strip commercial building does not meet the requirements that they are looking for.

Pete Frisina said that if we we're to tell the developer of the strip commercial building this doesn't meet the grade; we must also tell him what he can do to embellish it more. He added that the photo shows some characteristics such as the period columns, period lightening, movement of the roofs, and stacked stoned. He stated that the problem is with the materials the stucco finish doesn't look right to him.

Chairman Graw stated that if someone were to bring in the site plan he would tell them they need more accents and ask them to review the pictures that were provided to them to pull ideas.

Brian Haren stated that the site plan looks like an outlet mall. He added that the building was too symmetrical with its façade. He said that he is looking for a more downtown Fayetteville or Senoia feel to it. He added that during the 18th and 19th century no commercial building had that much glass on it.

He stated that more regular windows would need to be displayed and that the stack stone used is not indicative of the era they're trying to encompass. He asked for wood or brick.

Al Gilbert stated that his major issue is with the stucco material.

Pete Frisina agreed that stucco was not indicative of that period.

Chairman Graw asked Brian Haren what made the structure look like an outlet mall.

Brian Haren replied that it was the symmetry, exterior finish, and the ratio of glass to structure level.

Al Gilbert stated that if the windows were divided it would give them a different look.

Pete Frisina agreed and said that during this period there was never glass all the way down to the base. He added that there was always a knee wall.

Chairman Graw asked if we had stipulations for windows in our ordinance.

Pete Frisina replied that we do but there for residential windows.

Pete Frisina stated that we can require that knee walls be a minimum of two (2) or three (3) feet and have division between them.

Brian Haren wanted no metal finish added anywhere except for signage.

Al Gilbert asked Brian Haren what the metal finish was on.

Brian Haren replied for the window frames. He said that he wouldn't mind a treatment being added to it to make it look like wood.

Pete Frisina stated that he didn't want to require wood but wanted it to look period and if it has that metal so be it as long as it doesn't look shiny.

Pete Frisina showed the board a photo of a commercial building in downtown Cartersville. He stated that Cartersville has an old-town feel to it and that this commercial building was built to try and fit into the character that was already there. He added that they have accents and none of the glass goes all the way down. He said that they could quantify these characteristics and he mentioned that they could ask the developers to break the panes up with some sort of separation.

Brian Haren said the structure looks modern because of the projected vestibule in the front of the restaurant. He stated that they should find a way to minimize it to where it can be a flat front façade.

Pete Frisina agreed. He stated that the building is new and was built with some of the characteristics that we are looking for such as the windows, division between the windows, and awnings.

Chairman Graw stated that we could require an awning every once in a while.

Pete Frisina replied that he didn't know if we would require a cloth awning, but if someone wanted to do it would be fine.

Chairman Graw asked what requirements a developer would get turned down for.

John Culbreth stated that if we asked for what we want and they don't comply that's reason to turn them down.

Chairman Graw and John Culbreth asked if an architect could come by to give us some pointers for technical terms.

Pete Frisina said he would get with someone on that.

Pete Frisina stated that number four (4) deals with the architectural standards/style of Starr's Mill and he doesn't want everything to look like the mill. He said that the mill is a building of influence but he doesn't want to be that specific about it.

Brian Haren said that we need to add that whatever the developer comes up with cannot overwhelm the mill in the north corner.

Pete Frisina said that mill sits way back from the corner and no one will be right on top of it.

Pete Frisina stated that number four (4) which deals with stacked rock walls and period fencing should be required along the 50 foot landscaping area in front of a development. He asked do we give the developer a choice of rock wall or period fencing. He also asked do they want period lighting throughout the whole development.

Chairman Graw, Brian Haren, Al Gilbert, and John Culbreth all agreed for period lightening throughout the whole development.

Brian Haren asked if the County prohibits gas lightening/street lightening instead of electric.

Pete Frisina replied he doesn't know. He said that he could get developers to do something similar. He added that most developers want a certain amount of light on the development.

Pete Frisina stated there would be a 50 foot landscaping area along the State Route and somewhere in that 50 foot landscaping area we would want period fencing or stacked rock wall. He asked how they like would to quantify that and what would be the minimum lengthwise.

Brian Haren, John Culbreth, and Chairman Graw all agreed to 25% for the minimum linear footage for a fence.

Al Gilbert stated that the number should increase because people sometime do just the minimum. He asked if a fence was put around a water fountain would that count towards meeting the minimum.

Pete Frisina replied that it had to be linear.

Brian Haren, John Culbreth, and Al Gilbert all agreed to 50% for the minimum linear footage for a fence.

Chairman Graw said he had issues with the 50% for the minimum linear footage for a fence. He stated that it may be too expensive for the developer.

John Culbreth stated that we could have set standards with a minimum and leave it open ended. He added that we could give trade-offs if the total 100% requirement minimum is not done there needs to be something to compliment that.

Pete Frisina stated that landscaping requirements pertaining to development will have landscaping area in the front. He said that the fencing is in addition to your landscaping area to give it some character. He added that this is not being done anywhere else in the County.

John Culbreth stated that the board was being too technical, and that any parameters that are set developers must comply.

Pete Frisina stated that we could encourage developers to do it and give something in return for doing it.

Brian Haren asked does a fence have to be a structure or can it be a row of hedges.

Pete Frisina replied hedges are landscaping. He stated that most of the landscaping along the front is not to obscure the building and hedges would obscure.

John Culbreth stated that any developer that goes into that area will have the understanding that money will need to be spent to make it look unique. He added that if it's not unique looking it won't draw people in there. He said that this area will be the front door to the southern part of the County.

Brian Haren stated that we must dangle a carrot in front of the developers because one of them will do the minimum standards.

Pete Frisina stated that Pinewood Studios has rustic fencing around the area that gives it character and does nothing but give an aesthetic appeal.

Pete Frisina stated that on page four (4) b they're making it a requirement that gasoline canopies be an extension and attached to the building. He said that he would back away from it as a strict requirement. He stated that he talked to the Fire Marshall and the he didn't like that the canopy was attached to the building. He added that it was a fire issue for them.

Chairman Graw asked Pete Frisina to tell ask the Fire Marshall how close can the canopy be to the building.

Pete Frisina said he would find out but knows that he doesn't want it connected.

Planning Commission November 19, 2015

OLD BUSINESS

5. Discussion of the SR 85 and SR 74 intersection.

Pete Frisina said that he is trying to figure out how we're going to control the architecture. He said originally he had it when people came into rezone they would have to bring in elevation drawings, and these drawings would have to be reviewed by Staff, the Planning Commission, and the Board of Commissioners to see if they meet the architecture criteria set by the Zoning Ordinance. He stated he would like to craft the overlay district in such a way that allows the review to be done administratively. He said he would like to know their reaction to that. He then states that the commercial structures in the highway overlays are to look residential. He added that the residential look is to have a pitch roof, certain facades, and doors and windows with a grid pattern. He said that the reviews are all done administratively. He stated that what he is trying to do here is a little bit more specific.

Pete Frisina asked the Planning Commission to turn to page 20. He stated that transom, mullion, muntin, parapet wall, clapboard siding, and cornice are all terms that he will be using and will be a part of the requirements. He said section four (4) *Architectural Forms and Standards* talks about maintaining the historical and aesthetic character of the area. He stated that Starr's Mill is one (1) of the main structures here and it gives a little information about it. He added that he talks about two (2) other architectural styles that are reminiscent of this period, the One-Part Commercial Block and the Two-Part Commercial Block. He said the single story could be found on the square in Fayetteville and is called a One-Part Commercial Block and similar with multi-stories is called a Two-Part Commercial Block; the storefronts being the one (1) part and the upper level being two (2) part regardless to how many floors are on top.

Pete Frisina stated that Starr's Mill will be a building of influence and one of the architectural styles that we would allow for somebody to build. He said that it doesn't have to look like Starr's Mill, but we are going to pick the architectural characteristics of the mill and use them as a guide. He stated that the under Architectural Forms and Standards is a subsection (a) for the Starr's Mill that describes the structure and the materials used to construct it. He added that in the section it says the structure sits on a stacked stone pillar foundation. He then asked the Planning Commission is that something they would like to consider as an option; he also mentioned that no one does stacked stone anymore and that it would be an accent. He said the clapboard siding would have to resemble Starr's Mill. He asked is that something that we could live with for the Starr's Mill area.

Chairman Graw said that it would add to the cost.

Pete Frisina said that it would not be required. He then said we would allow it. He stated that if they put that in as an accent around the building then we want to see it replicated in the support structures of a gas canopy.

Chairman Graw said if someone wants to design a building with that stacked stone as an accent he doesn't have a problem with it.

Pete Frisina said that he would add it not as a requirement but as being allowed.

Pete Frisina stated that he went with 10 inches in one (1) foot pitch roof and clapboard siding. He mentioned that the color red is not a requirement and the two materials listed for the façade are wood and fiber-cement siding. He asked the Planning Commission if they wanted to allow a vinyl or metal siding that looks similar to this.

Arnold Martin asked if the metal material would be metal version of clapboard.

Pete Frisina replied yes and the same for vinyl.

Al Gilbert said that over a period of time the vinyl and aluminum siding starts to fade. He added that it cannot be painting once it fades.

Pete Frisina said he would leave it as is and not to include metal or vinyl.

Arnold Martin asked about roofing styles and does corrugated mean flat.

Pete Frisina replied that the new corrugated roofs and the old-timey roofs meet the intent.

Pete Frisina said at Starr's Mill all the trim and the muntins and the frames around the doors and windows are white and we would like to mandate that as well.

Arnold Martin asked if there would be any requirements for the door and window material.

Pete Frisina replied that he did not set any requirements for the windows and doors. He said that he did require a bulkhead underneath the windows because they did not want the windows going down to the ground.

Brian Haren then asked are we going to allow two (2) story commercial structures.

Pete Frisina replied that they are allowed but he doesn't know if anyone is going to do one.

Pete Frisina said if they want to do a covered porch we would want them to look like the covered porch on Starr's Mill but we're not going to mandate the pitch on it, but we do want it have this support structure, bannister. He added that if they put this on the front of a store we want to see a banister on that whole front and with a minimum opening of three (3) feet which does meet ADA.

Arnold Martin asked if there are any colors that we don't want painted in the area.

Pete Frisina said architecture requirements do not regulate building color.

Arnold Martin mentioned Charleston, South Carolina and the pastel color schemes used there. He stated that he did not know if it was a requirement. He then asked what if a wacky person wants to paint their building purple should we put something in here to protect from that.

Pete said he tried to stay away from that.

Patrick Stough stated that it would be a lot easier to define what colors are allowed than what colors are not allowed.

Chairman Graw stated years ago Peachtree City had something in their sign ordinance that defined the color of their signs as earth tones. He said that it's a very broad term but people know what earth tones are.

Pete Frisina said maybe some do and maybe some don't.

Chairman Graw asked Pete Frisina to put in some language regarding color choices.

Pete Frisina said that we would have to say these are the only colors you can use.

Brian Haren asked if any of the Historical Preservation documents discussed allowable color schemes.

Pete Frisina replied that he wasn't reviewing for that but he would take a look.

Patrick Stough said that a lot of those Historical Preservation areas often have an architectural review committee and it does become a subjective decision at that point.

Pete Frisina said he would try and find some color regulations. He said he would find and describe them.

Pete Frisina read part b *One-Part Commercial Block*:

One-Part Commercial Block: A popular commercial design from the mid-19th to the early 20th century. The one-part commercial block is a simple, one-story box with a flat or shed roof. Common façade materials consist of brick with decorative block, stone, and concrete accents. The focal point of front facade is the entrance and windows, consisting of a recessed doorway and display windows with a transom resting on a bulkhead (the lower panels on which the windows rest) framed by pilasters. Architectural features include a cornice, belt course and parapet wall.

He also read *Façade Material*:

Façade Material: Brick/brick veneer shall be utilized on all walls as the primary facade material comprising a minimum of 65 percent of the wall excluding doors, windows and associated framing. The remaining 35 percent of the wall may have the appearance of rough face decorative block, stone, and/or concrete accents.

Al Gilbert said that we're going to need to be careful with brick. He said that some of the old-timey brick looks good and some of the more modern brick doesn't look good. He added that the brick needs to have that used brick look to it.

Pete Frisina asked Al Gilbert to help him with that.

Pete Frisina showed photos for the entrance doors and windows.

Al Gilbert said that the windows don't have white trim around it.

Pete Frisina said that they're not required for this section only the Starr's Mill area.

Al Gilbert said that the windows look commercial and not residential.

Pete Frisina said that these will not look residential because these traditionally do not look residential. He stated that the windows on the square do not look residential.

Al Gilbert said that most of the windows on the square are made with wood.

Pete Frisina said they might be, but we're going to make this look the best we can. He added that he doesn't know if he wants to require them to have wood windows.

Al Gilbert said that he is not saying they have to be wood windows but the beige and tan

trim looks commercial.

Pete Frisina said that he did put in there that no silver finish would be allowed. He said that it would be anything but anodized silver.

Pete Frisina asked Al Gilbert would we allow the thin brick veneer finish.

Al Gilbert stated that there is a siding available that are sheets. He said if it gives the appearance he doesn't have a problem with it.

Pete Frisina said that we don't know if we're going to get one (1) building or one (1) strip, but we're going to try and maintain a certain characteristics.

Brian Haren asked are we going to allow painted advertising on the side of buildings.

Pete Frisina replied that they are allowed to have whatever the sign ordinance says they can have.

Pete Frisina read part 2 *Entrance Doors and Windows*:

Entrance Doors and Windows: The entrance door and windows component shall consist of entrance door (s), display windows, door and window transoms and bulkhead. Door and window frames may be constructed with wood, metal, or vinyl. An anodized silver finish shall not be allowed for metal door and window frames. Transoms shall be a minimum of two (2) feet high and shall be separated from the windows and door by a mullion with a minimum width of four (4) inches. A minimum two foot high bulkhead consistent with the Façade Materials above shall be required.

Pete Frisina asked Al Gilbert if there were any other window frame materials that he could think of.

Al Gilbert replied that you have vinyl.

Pete Frisina asked if that was structure or cover.

Al Gilbert replied that your brick mold and jams are vinyl now.

Pete Frisina asked should we add wood, metal, or vinyl.

Al Gilbert replied yes. He added that the vinyl will cover any of brick mold or trim.

Pete Frisina read part 3 *Architectural Features*:

Architectural Features: A cornice is required. The cornice shall be a minimum of one (1) foot in height with a minimum projection of four (4) inches from the main façade. The projection may be gradual. A parapet wall is required along the front and side walls of the structure and shall be a minimum of two (2) feet in height.

Pete Frisina stated that he talked to the Building Official and one (1) foot in height can only come back so far with each course of bricks. He added that four (4) inches is about the best you can do in a foot. He asked the Planning Commission if they thought that was too much going gradually to four (4) inches as you're coming out. He stated that four was the max.

Chairman Graw said that something less would be lost in the structure.

The Planning Commission agreed to four (4) inches being the max.

Pete Frisina said parapets are normally not done in the back of buildings because that's where all your water drains to.

Pete Frisina stated that the Two-Part Commercial Block is very similar to the One-Part Commercial Block. He said that the verbiage for number one (1) Façade Material and for number two (2) Entrance Doors and Windows are the same as One-Part. He stated that the only difference is number three (3) Upper Floor Windows and they shall be symmetrically positioned.

Brian Haren asked Pete Frisina you wouldn't allow for three (3) windows a brick face and then a fourth window.

Pete Frisina replied that each section has to be symmetrical.

Pete Frisina stated that number four (4) Architectural Features are pretty much the same as One-Part Commercial Block. He said that he would add a minimum projection of four (4) inches to the cornice. He added that this section adds a minimum projection of one (1) inch for the belt course. He stated that a belt course is that one molding piece of concrete or brick that creates a line between the first and second floor.

Chairman Graw asked if any of the projections were going to cause an issue with construction cost of the building.

Pete Frisina replied said he would hope not and that he talked to the Building Official and a Builder and they did not raise that concern. He added that the builder did have an issue with the roof pitch of 10 inches in one (1) foot. He said the builder told him to be cognizant if something ends up being fairly large that's going to be a big roof.

Pete Frisina showed the Planning Commission various period lighting styles.

Pete Frisina stated that the Planning Commission talked about requiring fencing in the 50 foot front landscape area. He said that 40 percent of the frontage has to have accent fencing. He stated that it could be a minimum three (3) foot high stacked rock wall or a minimum four (4) foot high fence with the appearance of wrought iron, split rail, picket, or rail horse fence. He asked if the Planning Commission if they were alright with those.

Arnold Martin asked if we are going to allow one section to do wrought iron, the other split rail, and the other picket.

Pete Frisina replied that he would assume a developer would do his own parcel and would do them all the same, but the one across the street may do something different. He said he would add that the fencing must stay consistent through the development.

Chairman Graw asked if Pete was sure he wanted a minimum of three (3) feet.

Pete Frisina replied that usually your rock walls fit into the ground more.

Arnold Martin agreed with Pete that they are usually three (3) foot in height when running down a property.

Pete Frisina showed the board photographs of fencing.

Chairman Graw asked if they need to put a maximum height.

Pete Frisina replied that if we set a minimum that usually what we are going to get. He added that developers are not going to spend more than they have to; nor are they going to take away from the appearance of the store by blocking the view.

Chairman Graw said that with stacked stone you are only going to get three (3) feet because it's so expensive, but the other fences can be higher than three (3) feet. He added that the other fences they could make higher than three (3) feet.

Brian Haren said that the fencing is only visual and that horses will not be kept in it. He added that they're going to go the minimum and keep everything proportion with everything going on in that area.

Al Gilbert said that you will see split rail fencing because it is the least expensive style.

Pete Frisina said that the PVC style fencing is less expensive too. He added that it's easy to replace and there is no painting required.

Pete Frisina stated that the language in the Gas Canopy section is similar to the other ones but it's different because we have three (3) different categories of buildings. He added that we want each of those to reflect that building. He read part f section 1 and 2 *Gasoline Canopy*:

1. Gasoline canopies may be attached to the principal structure as an extension of the structure/roof.
2. The vertical clearance under the gasoline canopy shall not exceed a maximum of 18 feet in height. The height of the gasoline canopy shall not be more than five (5) feet above the height of the principal structure.

Pete Frisina said that he looked at the height of a building with a 12 foot interior and 10 inches in one (1) foot pitch with a 30 foot length. He added that puts that structure height at 24 ½ feet. He added that if we go to a pitch of 10 inches in one (1) foot on the gas canopy it would be 30 feet high which would be six (6) feet higher than the store. He said he didn't want the canopy to overshadow the building. He stated that he lowered the pitch to four (4) inches in one (1) foot which brings the height of the gas canopy down to 23 feet. He said on the one part block commercial he used a 12 foot interior and a two (2) foot parapet wall which is a building height of 14 feet. A gas canopy will have an 18 foot vertical clearance and maybe a two (2) foot structure at the top which will equal a 20 foot height; which is a six (6) feet higher than the building. He suggested requiring a four (4) foot parapet wall on the building in this case so the difference is four (4) feet instead of six (6) feet

Chairman Graw asked what we did for the RaceTrac station down at Ramah.

Pete Frisina replied that we allowed the canopy roof pitch to be less than the building's roof pitch.

Chairman Graw asked why we reduced the canopy there.

Pete Frisina replied that it would have overshadowed the building. He added that the canopy height cannot be more than five (5) feet higher than the building.

Brian Haren asked why the minimum height for the interior is 18 feet.

Pete Frisina replied that we spoke to some of the RaceTrac people and they told him that contractors use large trucks with stacked material on the top. He said they were really pushing for an 18 foot clearance for this particular clientele.

Brian Haren asked if we expecting that level of activity down here.

Pete Frisina replied yes we're talking about a four (4) lane highway real soon.

Pete Frisina reads part (f) *Gasoline Canopy subsection three (3)*:

3. The gasoline canopy and support structure shall match the architectural character, materials, color and roof of the principal structure. Gasoline canopies, in conjunction with a convenience commercial establishment built in the architectural form of Starr's Mill, shall have a minimum roof pitch of four (4) inches in one (1) foot.

Pete Frisina stated he looked at the same pitch on larger structures. He said if you have a 40 foot building with 10 inches in one (1) foot roof pitch, the building would 28 feet six (6) inches high. He added if he went to 50 feet he would be at 32 feet eight (8) inches in height. He said he was told by a contractor that a lot of space is wasted when doing buildings that size. He mentioned the alternative of a mansard roof that would mimic the appearance of a pitch roof. He said they would look at the canopy characteristics for the one and two part commercial buildings.

Chairman Graw asked if the Fire Marshall wanted the canopy to not be attached the building.

Pete Frisina replied that at first he made that a requirement but has now worded it to say "may be attached". He said that the convenience store people don't want it attached and the Fire Marshall would prefer it not be attached.

Chairman Graw asked what if you put a parapet and slight sloping roof behind it.

Pete Frisina said he wouldn't have a problem with that.

Pete Frisina asked if they like this approach of an administrative review instead of the board reviewing architectural plans.

Chairman Graw said he would like to take a look at the first few architectural plans that come in and that he hopes things come out the way he envisions it.

Pete Frisina added that there will be language that says photos are on file at the Planning and Zoning Department to give people direction so they won't have to guess.

Arnold Martin asked for a time line.

Pete Frisina replied that he would like to get it to Board of Commissioners early next year. He said that this is the most intense overlay he has done. He added that this will consist of land use plan amendments, zoning amendments, and maps

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3. Discussion of the SR 85 and SR 74 intersection.

Pete Frisina introduced Melissa Harris. He told the Planning Commission that she has some concerns about the drive-thru window aspect being eliminated from the zoning districts.

Melissa Harris asked the Planning Commission why they are not allowed.

Al Gilbert stated that we're trying to keep fast food restaurants from the area.

Melissa Harris replied that she understood that point, but why this intersection cannot have a drive-thru.

Chairman Graw stated that Planning Commission is envisioning a historical district with 1900's type of structures. He said that this period did not have any drive-thru structures. He added that the Planning Commission wanted to be fair to the restaurants and they did not think drive-thru windows kept with type of environment they want down there.

Melissa Harris asked if the Planning Commission was trying to mirror downtown Fayetteville or Senoia.

Chairman Graw said that we could show you some pictures of what we envision.

Pete Frisina said that architecturally we want it to look like an old time downtown.

Arnold Martin stated the structures will be architecturally in keeping with the style of Starr's Mill. He said the mill is essentially driving the standards.

Melissa Harris asked how we are going to design a gas station.

Chairman Graw said that we have drawings of structures that we would like to have a gas station look like in keeping with the environment down there.

Al Gilbert stated that the district will also limit the amount of pumps.

Pete Frisina replied architecturally we like the look of the Flash Foods on Gingercake and Highway 54 and the other gas station on South Jeff Davis and SR 54.

Al Gilbert mentioned the gas station on Robinson Road and Highway 54 in Peachtree City.

Pete Frisina said that those convenience stores architecturally are what we're looking for.

Chairman Graw stated that the gas station will be small and according to the zoning ordinance gas station are limited to six (6) pumps. He said they will not be huge RaceTrac's and if they don't want to have six (6) pumps they don't have to locate there.

Melissa Harris stated that she lives in South Fayette County and the community wants gas stations, banks, and a Starbucks.

Chairman Graw said they can have all that, but no drive-thru windows. He said that everything Melissa Harris stated will be permitted down there.

Melissa Harris said that she doesn't see how the end user is going to be happy. She added that this will not be an easy task, the materials will be more expensive, and people want convenience down there. She asked why can't we use the same architectural standards and have a drive-through down there.

Al Gilbert stated part of the reason why we don't want the drive-through windows down there is because we don't want the fast food look. He stated that fast food establishments are welcomed down there but they will have to meet architectural standards. He added that if fast food establishments can't have a drive-thru window, how can we tell a bank they can have a drive-thru window.

Melissa Harris said she understood because that was the problem they had three (3) years ago.

Chairman Graw stated that the zoning category L-C Limited Commercial has been in existence for 18 years. He added that the category has not allowed drive-through windows since it was implemented.

Pete Frisina said is has not allowed drive-thru windows for restaurants.

Chairman Graw said that we felt that if restaurants can't have those then other facilities shouldn't have them either.

Arnold Martin said that the Starbucks in Peachtree City by the Avenue does not have a drive-thru window and is packed and is not hurting for business. He added that as years are progressing banks are doing less walk-in traffic and drive-thru because people are doing online banking. He mentioned that banks are removing brick and mortar buildings because traffic counts have gone down. He said that we want to keep the character of the area and attract business such as Starbucks but in the style we're envisioning. He added that we want to protect the area and if you open the door for one (1) then you have to open it up to the cleaners and then where does it stop. He concluded by keeping it in the period the period did not have a drive-thru window.

Al Gilbert stated that he has been on the Planning Commission for twenty-seven years and this is the first time we have been in an area that is pristine there is nothing there. He said that it gives the Planning Commission the opportunity to put in what they want. He added they are limited to what they can do in a lot of areas in the county because it is already developed. He said that once things are already established you must go with the flow. He stated that this is the Planning Commission's opportunity for an entry way into Fayette County to set a standard that is above anywhere else we have in the county.

Melissa Harris said that she loves the feel of Star's Mill and understands what the Planning Commission is trying to accomplish, and will take the information she has gathered to express it to her clients.

Chairman Graw said that he doesn't think prohibiting a drive-thru will be a deal breaker for Melissa Harris' client. He added that if the Planning Commission accomplishes what they envision the area will be very attractive to business.

Melissa Harris said that by coming to the meeting tonight she has gathered the knowledge needed to express the vision and sell that.

Arnold Martin stated based upon the per capita income of that area is going to have more personal banking needs where people will have to come inside instead of using the drive-thru to do quick

transactions. He added that bank based upon the area could see an opportunity in the lending and mortgage division and could be the gateway to Fayette County.

Melissa Harris stated that she has been working on the area for 10 years and has built the Starr's Mill Professional Center. She said that she is very protective of the South Gateway of Peachtree City and Fayette County and does not want to be argumentative. She mentioned that she does love going through the drive-thru, but she thinks people will be respectful of the aesthetic vision the Planning Commission is trying to create.

Chairman Graw stated that the Planning Commission is trying to discourage strip-shopping centers down there and encourage individual structures. He added that we have some incentives in the proposed ordinance to help do that. He said that the lots weren't that big; one (1) lot is four (4) acres and the other two (2) lots that are buildable are three (3) and a half acres. He added that the southeast corner of the intersection that property belongs to the State, and there is nothing we can do about that.

Melissa Harris asked if that was the one with the four (4) houses on it.

Chairman Graw replied yes. He said that we really only have three (3) lots and the one (1) that we are really going to watch is the northeast near Starr's Mill because of Starr's Mill. He asked if that lot had four (4) acres.

Pete Frisina replied that he didn't know, but he thinks Melissa Harris is looking at the northwest corner and it's about four (4) acres and will need to be assembled.

Chairman Graw stated that the lots are numbered northwest one (1), northeast two (2), southwest three (3) and southeast four (4). He asked if two was the four (4) acre lot.

Pete Frisina replied that it may be four (4) plus acres.

Chairman Graw said that one (1) is about four (4) acres and lot two is three (3) plus or minus.

Melissa Harris said that lot one (1) has 1.99 acres plus the triangle lot behind it; so it's about three (3) acres.

Pete Frisina said that he thought it was four (4) acres.

Melissa Harris said that the reason Pete thought it was more acres was because Fayette County Maps had it as four (4) acres.

Chairman Graw stated that there is not a lot of land on those three (3) corners to develop structures and uses we would like to see down there.

Melissa Harris stated that the traffic counts are not there yet. She said that there are not a million people knocking down the door because the traffic count is not at 10,000.

Chairman Graw asked what the acreage was for Lot 3 southwest corner.

Melissa Harris said she did not have that information because she doesn't control that lot. She added that it is similar to what you have four (4) acres.

Pete Frisina stated that they we're not looking at the whole lot anyway and wanted to stop it where the powerline was.

Melissa asked for the pictures that will be used to help guide the architectural style the Planning Commission wants.

Pete Frisina said he would send them to her.

Arnold Martin asked for her feedback on the plan.

Melissa Harris replied that she loves the concept and feel. She added that it will be accepted and is community friendly.

Arnold Martin said that we're trying to limit the amount of convenience stores because certain stores attract other stores. He added that those stores may attract loitering something we don't want. He said he wanted it to have a boutique feel.

Pete Frisina showed a picture of the architectural style the Planning Commission is trying to implement in the district.

Melissa said that she thought it was a little modern and asked if that building would be acceptable in the district.

Pete Frisina stated that it's a newer building and the Planning Commission hasn't finalized 100 percent of everything what they want but it's a good portion of what we want. He stated that the photograph displays the cornices at the top of the building; it's got the old time lighting and lamppost. He added that the windows on the picture are not what they want.

Melissa Harris asked if the end-user's architect would come in and staff would proof them.

Pete Frisina replied yes.

Chairman Graw said that Juliet, Georgia has the architectural style that the County is looking for. He added that it is a perfect place to show developers for them to get ideas.

Melissa Harris said that she is trying to get Dunkin Donuts or Starbucks to come in off of 74 North corner. She added that neither one of these establishments needs a drive-thru, but they need to be larger. She mentioned a Caribou Coffee on one (1) of the corners.

Chairman Graw said that South Fayette County will be the next area that will be building quickly. He added that it may not be as populous because a lot of land down there has a lot of water. He said that when it eventually takes off it's going to really go fast.

Melissa Harris mentioned that the area boarder's three counties: Spalding, Coweta, and Fayette.

Arnold Martin said that people are now looking for convenience even when it comes to their neighborhood grocery store. He added that small boutique grocery store would be appropriate for the style and period of the area and convenient to the shopper.

Melissa Harris mentioned that there are 10,000 students within a 10 mile radius in the area. She said that she thinks about what they would like and a lot have said a Starbucks. She added that there is an industrial park off of 74 North that could be tapped into by the development on the four (4) corners.

Arnold Martin mentioned that whoever develops the four (4) corners they need to add a small meeting place for students, civic organizations, churches, etc. He said the Starbucks meeting room near Stein Mart is always packed.

Melissa Harris said Senoia is thriving with mom and pop shops. She added that right now the traffic counts are not where they need to be and it will take a unique developer and buyer to embrace that vision and execute that vision.

Arnold Martin said that people are attracted to our County because of the architectural style we have. He added that the film industry is here and will be attracted to that area.

Chairman Graw asked Melissa Harris does she like the concept.

Melissa Harris replied yes but it will be a little difficult to sell.

Pete Frisina said that we're trying to articulate the architectural standards. He mentioned originally we were trying to take it through a process where the Planning Commission and the Board of Commissioners review it and make a final decision similar to Fayetteville and Peachtree City. He added that we're trying to write this so that it is standardized in such a way that we wouldn't have to have a review board. He said if you want to do a roof it has to have a pitch of x that's it; if you want to have a wall it's going to be brick with a certain percentage; staff can look at a building as long as it has strict standards and quantifiably say that it meets standards. He read email's that he sent/received to Bill Foley:

Bill,

If you could please review the attached standards and provide some feedback, I would appreciate it. Our goal is to develop architectural standards that can be reviewed and approved by staff as opposed to going before the Planning Commission and Board of Commissioner for approval because that can delay a project. Thanks and I am meeting with Planning Commission next Thursday to continue the discussion.

Bill,

Did you get a chance to review the standards? I am discussing with the PC tomorrow night. Thanks.

I did look them over. For a small area they would stand but I would label the overlay as the "intent" so if a developer came in you could allow a creative interpretation.

Pete Frisina said that staff can't do creative interpretation because it goes back to having a board review it. He told the Planning Commission to have it in their minds that we may not be able to standardize it. He said that this is becoming difficult because of the details. He mentioned that he looked at a Historical Ordinance for Montgomery, Alabama to get ideas for historical colors. He stated that they used Benjamin Moore and Sherwin Williams historical paint collection.

Arnold Martin stated that we included colors to protect the area and its standards.

Pete Frisina showed brick suggestions to the Planning Commission. He said that different companies have different colors and styles of brick; and they don't name them same even though it's the same brick.

Chairman Graw stated that we can't tell developers what companies to use when purchasing their paint colors.

Pete Frisina said that we need to get a couple of the Planning Commissioners to pair with staff to get some of the colors down.

Chairman Graw asked the Planning Commissioner's if they would like to volunteer for the historical color committee.

Pete Frisina stated that the Planning Commissioner members could email him back their feedback.

Arnold Martin volunteered for the historical color committee.

Pete Frisina stated that the Planning Commission and staff need to come up with a way to define bricks.

Melissa Harris asked if they could approve the bricks as they come forward.

Pete Frisina said that staff can't really use that type of discretion. He stated that a lot of communities have an architectural review board that is separate from the Board of Commissioner's that review plans, but we're not creating an architectural review board.

Arnold Martin asked if re-used brick from the 1900's is in any of our language for the area.

Pete Frisina stated it's hard to articulate that for staff to make a decision. He said that he has seen websites for companies that house stockpiles of recycled bricks from historical buildings.

Al Gilbert said we cannot make a true recommendation on colors for bricks unless we look at it in the sunlight.

Pete Frisina reiterated that staff needs to have something more definitive if it is going to be a staff function. He said that we must find some way to define the brick.

Al Gilbert said there is nothing better than a used brick to get that old look.

Pete Frisina stated that there are companies that tumble bricks, so the bricks won't have a smooth look.

Melissa Harris agreed that tumble bricks give the area the look that the Planning Commissioners are looking for.

Pete said that they now have different colors for mortar.

Melissa said that she wonders if the total cost spent on the project will effect the return ratio in such a way that increases the prices of goods in the area. She said that if the costs to construct the buildings are too high it may kill the deal.

Pete Frisina said that a lot of the brick that is being purchased is not brick, but a veneer and can be bought by the sheet.

Chairman Graw asked if any of the members would like take a look at colors in the Planning and Zoning office.

Arnold Martin said sure.

Pete Frisina said that he should look at the websites of Sherwin Williams and Benjamin Moore and email him the ones he likes.

Melissa Harris said that she does not like the historical yellow colors represented in the Benjamin Moore catalogue.

Pete Frisina said that he doesn't like the historical aqua colors represented in the Benjamin Moore catalogue.

Al Gilbert stated that we don't have to specify name brand so much just give people the paint chips and have them match it at Lowes or Home Depot.

Chairman Graw said that we can give the paint chips out as examples.

Pete Frisina said that we must give the people something standard that they can recognize.

Melissa Harris asked about a shade of blue used in a photograph during the colors presentation. She also asked will that be acceptable.

The Planning Commission Members all stated that they wanted earth tone colors in the area.

Pete Frisina said that they wanted mainly brick, but if they wanted to paint the buildings they could.

Arnold Martin said that he would review the colors first on his own and then convene with staff at a later date.

Chairman Graw agreed to the idea of reviewing first on his own and convening with staff later.

Al Gilbert asked about the brick colors.

Pete Frisina said he would try to find a way to narrow it down. He added that he has seen buildings where the majority of the structure was red brick and they would use white bricks as the accent.

Pete Frisina said that the one thing he wanted to point out was the roof pitch. He said that he looked at some of existing buildings in the County right now. He added that they need to reduce the pitch from a 10 in 12 to four (4) and a half and in 12.

Arnold Martin asked within the pitch would we allow different styles.

Pete Frisina replied no, the structures will look like Starr's Mill.

Pete Frisina referred to page two (2) (b) *One-Part Commercial Block 1. Façade Material:*

Facade Material: Brick/brick veneer shall be utilized on all walls as the primary facade material comprising a minimum of 65 percent of the wall, excluding doors, windows and associated framing. The remaining 35 percent of the wall may have the appearance of rough face decorative block, stone, and/or concrete accents.

Pete Frisina referred to page four (4) (f) *Gasoline Canopy*:

Gasoline Canopy. Gasoline canopies shall comply with the following requirements:

1. Gasoline canopies may be attached to the principal structure as an extension of the structure/roof.
2. The vertical clearance under the gasoline canopy shall not exceed a maximum of 18 feet in height. The height of the gasoline canopy shall not be more than four (4) feet above the height of the principal structure.
3. The gasoline canopy and support structure shall match the architectural character, materials, color and roof of the principal structure. Gasoline canopies, in conjunction with a convenience commercial establishment built in the architectural form of Starr's Mill, shall have a minimum roof pitch of four (4) inches in one (1) foot.

Arnold Martin said the BP gas station off of S.R 54 and Veterans Parkway is a good example of what we're looking for.

Arnold Martin asked if we had a brick ordinance.

Pete Frisina replied that what we have done in the past is that we list the materials that can be used; we don't specify what kind or what color of brick can be used.

Arnold Martin said that he assumed that it was an ordinance because of the many commercial brick buildings in the County.

Pete Frisina said that it may be in the ordinance that says it's one of the materials we want on certain buildings but it's not required. He said that it's not a Fayette County but a Fayetteville ordinance.

Pete Frisina showed various pictures of structures using brick as the main material.

Pete Frisina said that they need to set something in the ordinance that makes the developer match the colors with your building so there won't be any issues 10 years down the road when they want to repaint.

Pete Frisina asked if they were still comfortable with trying to do this in such a way that is quantifiable so staff can review it.

Arnold Martin said yes, because it's a time saver instead of going back and forth; it will go directly to staff and a decision will be made. He asked is this something that the Board of Commissioners will make a final decision on.

Pete Frisina replied yes, our recommendation will be given with land use maps, ordinance, and overlay zone standards. He said that he will try and explain it to them individually before going to the board meetings. He added that he would ask for their feedback.

Chairman Graw asked what the pitch was on the RaceTrac canopy.

Pete Frisina replied that it's a three (3) in 12. He said you reduce the height of the canopy so it doesn't overshadow the building.

Chairman Graw asked what's wrong with keeping the canopy at a three (3).

Pete Frisina replied that he has a canopy pitch in there, and if he is going to reduce the pitch with the other ones he will reduce that one (1) too. He pointed out in the ordinance that the height of the gasoline canopy shall not be more than four (4) feet above the height of the principal structure.

Melissa Harris thanked Planning Commission Members for allowing her to speak.

Pete Frisina thanked her for sharing with them the actual lot size for one (1) of the corners.

OLD BUSINESS

5. Discussion of the SR 85 and SR 74 intersection.

Pete Frisina stated that the following designation will be added in its entirety to the Fayette County Comprehensive Plan, Land Use Element, Future Land Use Map and Narrative, under the Commercial section. Pete Frisina said that Limited Commercial One (1) & Two (2) will be added as two (2) new land use designations. He then read the designation section:

This category designates properties where specifically small scale businesses which do not generate large amounts of traffic, noise or light are to be located. For more descriptive purposes, Limited Commercial land use is subdivided into "Limited Commercial One" and "Limited Commercial Two" categories:

Limited Commercial One: This category identifies properties where the L-C-1 (Limited-Commercial (1) District) is recommended.

Limited Commercial Two: This category identifies property where the L-C-2 (Limited-Commercial (2) District) is recommended.

Pete Frisina added that Limited Commercial One (1) land use category will be tied to the Limited Commercial One (1) zoning district.

Chairman Graw asked if Limited Commercial One (1) was the less intense district.

Pete Frisina replied yes.

Chairman Graw stated that the Limited Commercial One (1) district will not have the convenience commercial in it. He added that it will have everything else except the gas station.

Pete Frisina stated that in the hierarchy of zoning your lower number has the less intensity and intensity increases as the numbers go up. He added that's how the document is formatted.

Pete Frisina stated that the Limited Commercial Two (2) land use category will be tied to the Limited Commercial Two (2) zoning district. He named the area the "Starr's Mill Historic District" and wrote a synopsis about the area. He asked the Planning Commission if they were okay with name.

By consensus, the Planning Commission agreed with the name.

John Culbreth asked how Historic District was defined in the code.

Pete Frisina replied that we don't have a definition for it in the code. He added that this was just an overlay that he is calling a historic district. He stated that we do not have any historic regulations.

Brian Haren asked if we had anything in the County that we called a historic district.

Pete Frisina replied no.

Arnold Martin asked if we could create one (1).

Pete Frisina replied that's what we're doing right now.

Dennis Dutton stated that this will be on the land use plan.

Pete Frisina read the next section and stated the following will be added in its entirety to the Fayette County Comprehensive Plan, Land Use Element, Future Land Use Map and Narrative, under the section titled Future Development Factors. Pete stated that section labeled Starr's Mill Historic Overlay District at the SR 74, SR 85, & Padgett Road Intersection goes over all the existing factors of the district.

Chairman Graw asked had anything change since the last time they looked over it.

Pete Frisina replied that on page two (2) he changed the order of the "goals of Starr's Mill" and put the Historic District first. He then read the section:

The goals of the Starr's Mill Historic District Overlay at the SR 74, SR 85, & Padgett Road Intersection are: (1) maintain the historic character of the area, (2) control the intensity and aesthetic quality of development at the intersection as it is the southern gateway into Fayette County, (3) maintain an efficient flow of traffic at the intersection, and (4) protect existing and future residential areas outside of the intersection.

Pete Frisina stated the recommendations of the non-residential land use will consist of Limited Commercial One (1) and Limited Commercial Two (2). He added the fringe areas will have a residential land use designation of Low Density Residential (1 Unit/1 to 2 Acres). He said that this section was also new.

Pete Frisina stated the following will be added in its entirety to the Fayette County Comprehensive Plan, Future Land Use Plan Map. He then read the section:

Starr's Mill Historic Overlay District and Overlay Zone
Overlay District (see Fayette County Comprehensive Plan, Land Use Element)
Overlay Zone (see Fayette County Zoning Ordinance, Sec. 110-174 Historic District Overlay Zone)

He added that the Starr's Mill Historic Overlay District and Overlay Zone will be added to the list of districts that are in the Comprehensive Plan and Zoning Ordinance.

Arnold Martin asked if this area can be created as a mixed-use development.

Pete Frisina replied no. He added that the reason is because the County does not have a sewer system. He said that once you add the infrastructure (i.e. detention pond, septic systems) it would overload the site. He stated that it is one of the reasons why the County has not allowed highly intense development because it can't service it.

Arnold Martin stated that he asked the question because of the word "historic" and was wondering if this designation would be given to residential property.

Pete Frisina replied that all of these regulations are geared to the non-residential portions of the property. He added that we are not going to control a residential area with architectural control of residences.

Al Gilbert stated that many years ago the planning commission presented the concept of a merchant living above his store. He stated that the merchant would buy his property in a condominium fashion and would have his business on the ground level and his residence above.

Arnold Martin stated that on Edgewood Avenue downtown this concept has taken off with the lofts. He added that the business owner lives above his business in a loft.

Pete Frisina stated that none of the zoning districts allow for that type of mix. He added that the County is saying that particular use needs to be in the incorporated areas.

Brian Haren asked when is a Future Land Use Plan become a Current Land Use Plan.

Pete Frisina replied it is always in the future. He added that a Current Land Use Plan is something that is in the Comprehensive Plan but it's only there to give you a snap shot in time. He said that it's usually there to tell you the zoning and the way that you depict current land use is zoning.

Chairman Graw asked Pete what he meant by some areas will have a residential land use designation.

Pete Frisina pointed to those residential land use designations of Low Density Residential (1 Unit/1 to 2 acres) on the map. He added that they are changing it based on the zoning surrounding the area. He stated that we're changing the corners of the intersection to a non-residential land use which we never had before. He said that there will an area sandwiched between commercial and existing one (1) acre zoning.

Chairman Graw asked where the power lines were.

Pete Frisina pointed to them on the map.

Chairman Graw stated that we're only looking up to the powerlines for property number three (3).

Pete Frisina said yes we're only looking up to the powerlines for commercial. He stated that the powerline creates a very small area that is sandwiched between commercial and one (1) acre zoning. He said that he believes it is appropriate to allow that to be one acre zoning as opposed to holding it to A-R.

Al Gilbert stated that it strengthens the line on Limited Commercial.

Chairman Graw asked if the buildings the church owns can be incorporated into the L-C.

Pete Frisina showed the church on the map and said that it will be incorporated into the Limited-Commercial 1 (L-C-1).

Chairman Graw asked how many houses does the Limited Commercial two (L-C-2) incorporate.

Pete Frisina replied four (4).

Brian Haren asked if L-C-1 was more restrictive than LC-2.

Pete Frisina replied that one (1) has less uses than (2). He added that L-C-2 will allow the convenience commercial and L-C-1 would not.

Pete Frisina stated you put higher density residential near commercial areas. He said that there is a land use designation called Transportation, Communication, and Utilities. He added that the area was bought by DOT for a future use because the highway is going to be widened. He said that there is a 12 to 15 inch high pressure natural gas line going through that property and the Transportation, Communications and Utilities designation goes well in that area.

Brian Haren asked if we were going to do anything with the A-R district to the southeast.

Pete Frisina replied no. He added that the subdivision over there had been platted years ago.

Brian Haren asked who owns the low density residential property east of the L-C-1.

Pete Frisina said he thinks the church owns that.

Brian Haren asked why we don't include that.

Pete Frisina replied that there is a road which is a good dividing line. He pointed at another property and said that it has a spring coming out of it and would be limited for development.

Pete Frisina stated that the following will be added in its entirety to the Fayette County Zoning Ordinance, Section 110-3.-Definitions. He added that nothing had changed.

Pete Frisina stated that on page four (4) the following will be added in its entirety to the Fayette County Zoning Ordinance the L-C-1 District.

Chairman Graw asked had it been changed at all since the last time they reviewed it.

Pete Frisina replied that there were no substantial changes. He stated that L-C-1 and L-C-2 were based on L-C. He said L-C was written back in a period of time when we didn't have many overlays. He added that they made sure to add architectural requirements within the zoning districts, and leaving them in there because we have overlay requirements on all of the state routes. He said the reasoning behind that was because if L-C was ever put somewhere outside the overlay districts it would have architectural requirements tied to it. He added that there is a note in there that states the overlay takes precedence over the zoning district.

Arnold Martin asked if there was ever a time when overlay districts are updated or altered.

Pete Frisina replied yes. He added that it's all part of the zoning requirements. He reiterated that every state highway in the county has an overlay.

Brian Haren read page five (5) section (d) Regulations subsection (1): These structures shall maintain a residential character.

Pete Frisina said that there is a note under subsection one (1) that states: properties within an Overlay Zone shall comply with the applicable Architectural Standards of the Overlay Zone.

Pete Frisina stated that there is nothing new on page six (6). He said that on page seven (7) the Limited-Commercial District will be amended as follows in the Fayette County Zoning Ordinance to become L-C-2 now. He said that the red lines depict the L-C becoming L-C-2.

Al Gilbert asked if walk-up ATM's and kiosk are okay.

Pete Frisina replied yes walk-up is okay.

Arnold Martin asked if it were possible for a bank to put a walkable ATM on the side of their building that could be used for drivers as well.

Pete Frisina replied that the intent is to have no drive-through.

Arnold Martin said that banks could argue that a teller is not assisting any drivers.

Brian Haren said that normally you can't walk up to an ATM that is situated that you can drive up to.

Chairman Graw said that he thinks the way it's worded would prohibit even a drive-up to an ATM.

Pete Frisina replied that we can always put no drive-up, drive-through, or drive-in.

Al Gilbert said that on page nine (9) it says no drive-through or drive-in facilities allowed.

Arnold Martin asked if we had a definition for drive-through or drive-in.

Chairman Graw asked Patrick if the wording we have now would stop someone from driving up to an ATM.

Patrick Stough replied that he wasn't sure. He said there could be potential for someone to say that it is not a drive-through. He added that it's not your normal drive through because you are not dealing with a person. He asked Pete if we had a definition.

Chairman Graw stated the only way to stop a drive-in access to an ATM would be to specifically state that there will be no drive-in ATM access allowed.

Patrick Stough said it could be as simple as adding drive-up, drive-through, and drive-in to the definitions.

Pete Frisina said he would add drive-up as a definition. He said he believes drive-through means a service is provided to you through a window.

Chairman Graw stated that the drive-through definition would take care of an ATM.

Pete Frisina read the definition for drive-through:

Drive-through: Means an opening in the wall of a building or structure designed and intended to be used to provide service to customers who remain in their vehicles.

Pete Frisina said that a drive-up / drive-through ATM would be designed and intended to be used to provide a service to customers who remain in their vehicles.

Patrick Stough said that he doesn't believe it's strong enough. He said when he hears provides service to customers he is seeing employee's providing service to customers. He added that he does not see customers interacting with a machine. He said that someone could argue this in court.

Pete Frisina replied that he could come up with a drive-up definition.

Patrick Stough said with the drive-up definition that it should emphasize situational whether a person is interacting with a machine not just an employee.

Pete Frisina said that the definition would be added to the list. He added that he would send it out to the Planning Commission for review.

Pete Frisina said that on page 10 Section 110-169 goes over the Conditional Use section of the convenience commercial establishment. He stated that we took the heading portion out of the convenience commercial establishment to create a definition.

Arnold Martin asked about the Conditional Uses on page eight (8) that addresses Single-Family residences.

Pete Frisina replied we have that in all of our non-residential zoning districts. He said the reasoning behind that was because you may have a single-family home on a one (1) acre lot that you have zoned to C-C to potentially sell to someone. He stated that we have people on C-C property for 20 years or more; it allows the residential use to stay. He added that the conditional use also says you can't subdivide to make a residential subdivision.

Dennis Dutton said we don't allow you to do business and residential together.

Pete Frisina said in the Zoning Ordinance under General Provisions it states that once you're zoned non-residential it allows you to do residential but you can't do both residential and non-residential.

Pete Frisina stated Section 110-174 Historic district overlay zone is the companion piece to the overlay district. He said that these are regulations that outline the architectural controls and introduce two (2) new terms the brick palette and the color palette. He added that Patrick Stough advised him not to put the color palette and brick palette on Municode because different screens will display different colors than the initial color we imported on the site. He stated that the idea is to laminate the color palette and brick palette and have them in the planning and zoning department. He then added the contractor would bring in their color chips and staff will see if the color matches up.

Al Gilbert asked how a color gets added to the color palette.

Pete Frisina replied that this will be approved as part the ordinance.

Al Gilbert then stated that we need to develop a process. He then asked who makes the determination on the colors and where does he go if he doesn't agree.

Pete Frisina replied that they would have to make an amendment to the zoning ordinance. He said it would have to go back through Planning Commission and then the Board of Commissioners.

Al Gilbert stated that he doesn't want one (1) person determining whether a color is good or not. He added he would like a committee be it Planning Commission or some other entity. He said that he fears someone will be turned down and would go to the Board of Commissioners about the matter. He then asked Patrick Stough if he agreed with him.

Patrick Stough stated that he does believe there is an issue there that needs to be addressed, and he doesn't know necessarily how.

Chairman Graw asked Al Gilbert if he wants the approval of colors to come through the Planning Commission.

Pete Frisina stated if there is a disagreement we could bring it before the Planning Commission.

Al Gilbert stated that it will happen at some point.

Pete Frisina said that if someone comes in wanting pink it's not on the list therefore not allowed.

Al Gilbert said we could allow them to go before the Zoning Board of Appeals if they don't agree with colors.

Pete Frisina said that he would add the color palette and brick palette after architectural intent on page 11.

John Culbreth asked if another area wanted to create a Historic District could they use these regulations as a standard.

Pete Frisina replied this Historic District designation is only for this particular area. He added that all historic districts aren't the same, and that he doesn't think there are that many other historic areas in the county. He said that if someone does want to create another historic district he would write something similar but specific to that area.

Al Gilbert asked if the Hopewell Church on S.R. 92 could be considered as a Historic District.

Pete Frisina replied yes and we could look at that area for a Historic District in the future.

Brian Haren suggested that they have three (3) people make an independent judgement on a submittal meets the color palette and that one (1) of the decision makers need to be a female. He said his reason behind the statement was that some males have some degree of colorblindness and most females do not. He added that they should also look at it outside in sunlight.

Pete Frisina presented the color palette and brick palette to the Planning Commission.

By consensus, Planning Commission agreed with the color choices.

Pete Frisina asked Patrick Stough if we should make the color palette and brick palette a part of the vote.

Patrick Stough replied that he thinks the original palette should be approved by the board. He added that he doesn't know if he would make it an exhibit, amendment, or addendum to the ordinance because you will have to put it online.

Pete Frisina said that he would make reference to them and make sure they are approved as a part of the overlay and will be on file.

Patrick Stough mentioned that maybe it should be in a separate book.

Al Gilbert asked when this will be taken before the Board of Commissioners.

Pete Frisina replied that he would like to get together with each Commissioner on an individual basis to brief them and ask for their input. He added that he would ask the Commissioner's if they would like to expand the area or have suggestions for other sites. He said he would bring their suggestions back before the Planning Commission to discuss to see if those are changes they would like to make. He stated that they might be able to make the Public Hearings in March.

Arnold Martin asked if we know of any Board opposition to this concept.

Pete Frisina replied no because they don't really know that we're doing it. Chairman Graw asked why they had Limited Commercial two (2) (i.e. gas stations) on sites one (1) and three (3). Pete Frisina replied that most of these corners operate on a morning and evening basis, and if you only put one (1) gas station on a corner it would cause traffic congestion for people trying to enter and leave the gas station and for people drive to and from their destinations.

Arnold Martin stated that he goes to two (2) separate gas stations on his way to and from work.

Chairman Graw stated that he doesn't like two (2) gas stations on opposite sides of the street because of the aesthetics. He added that he thinks the gas stations will detract from the area. He said that he understood where Arnold was coming from about the access, but he added that there are gas stations on Bernhard Road, S.R. 16 and S.R. 85, and S.R. 74 at Crosstown. He stated that you have three (3) gas stations within four (4) miles and none of those areas have two (2) gas stations on a corner. He added that he could see one (1) but two (2) he has a problem with.

John Culbreth stated that he believes that the gas station would slow down the traffic and attract customers to the other amenities. He added that sometimes people won't stop unless they have a direct need to stop.

Arnold Martin stated that the Dunkin Donuts on S.R 85 is a traffic nightmare because there is only one (1), but if there was another donut shop across the street it would relieve a lot of the traffic in the area. He added that he was leaning toward having the two (2) gas stations on opposite sides of the street because they are not your typical gas station. He said that he believes the way in which we are designing the corner will make it aesthetically appealing.

Chairman Graw stated that the property is not that big and a gas station will take up a lot of area that could be used for retail space.

Pete Frisina replied that the gas stations have been limited in size to 3000 square feet. He added that amount of pumps have been limited.

Arnold Martin said that a lot of the residents in that area have complained about the lack of gas stations in the area. He added that later on down the road the population is going to increase and these gas stations will be warranted.

Chairman Graw reiterated that he doesn't understand why they need to have two (2) stations in the area when there are so many gas stations around the area.

Brian Haren asked how we would restrict gas stations in one (1) of the two (2) the areas.

Chairman Graw suggested that we look at the traffic flow for one (1) station.

Brian Haren asked how we can say to a developer you can have one (1) gas station on this corner and not on the other.

Pete Frisina replied you would change the zoning designation.

Brian Haren said that we discussed this earlier and decided to use restrictions in the amount of pumps and square footage to detract the QuikTrip's and RaceTrac's. He added that it's a risk we're going have to take.

Arnold Martin said that there is a possibility that a gas station won't develop in the area.

Chairman Graw asked when S.R. 85 becomes four (4) lanes will it be easier to access tracts (1) and (3).

Pete Frisina replied it depends on whether or not a median is put in. He said that we have made a demarcation of the more intense land uses and the less intense land uses. He added that the land uses will get less intense as it moves toward Starr's Mill. He stated that the market will dictate whether or not you get one (1) or two (2) gas stations.

Chairman Graw stated that he just wanted to voice his concerns and that he will carry his concerns all the way to the vote.

Pete Frisina said that he will make the changes that they discussed tonight and will send them out. He added that he will talk with the Board of Commissioners as soon as he can. He said it will give them a few more times to discuss it if the Board of Commissioners has any issues with it. He told them to look for March for it to go before a Public Hearing.

Al Gilbert asked if there will be a workshop.

Pete Frisina said we will see depending on whether or not he gets some feedback between now and then.

Planning Commission February 18, 2015

OLD BUSINESS

4. Discussion of the SR 74 and SR 85 intersection.

Pete Frisina told Jay Knight that the Planning Commission and staff are looking at the intersection corners of S.R 74 and S.R. 85 for non-residential development. He said that staff and the Planning Commission have developed two (2) zoning districts, one (1) is existing but is being morphed into two (2) calling it Limited Commercial one (1) and Limited Commercial two (2). He stated that the Limited Commercial (2) district does allow for a convenience commercial establishment but it's limited in size and the number of pumps. He added that the architectural standards will be reminiscent of turn of the century because the Planning Commission and staff are creating a Starrs Mill Historical District. He said this was because of Starrs Mill's close proximity to the intersection, and it being a major focal point of the County. He stated that there are three (3) styles of architecture that they're looking at: the characteristics of Starrs Mill to build into a commercial building, one (1) part commercial block, or a two (2) part commercial block. He said that downtown Fayetteville has characteristics of both one (1) part commercial block and two (2)-part commercial block. He added that South on S.R 85 and Grady there is a shopping center that is fairly new with a more modern aspect that is similar to what we're looking at doing. He mentioned that the districts will not allow for any heavy use.

Al Gilbert said it is reminiscent of downtown Senoia.

Pete Frisina stated that the Planning Commission and staff were going to control the color of the brick and it will be the prominent material used. He mentioned that there will be a color palate administered for any other painted surfaces. The Planning Commission and staff will control the color, bricks, landscaping, and lightening.

Pete Frisina stated that he has talked to all five (5) members of the Board of Commissioners. He said of the five (5), two (2) Commissioners did not give him an indication on whether they like the idea or not. He added that he assumed they are probably agreeable to it because they did not ask a lot of questions. He stated that three (3) of them displayed some apprehension in one form or another about the work that is being done by the Planning Commission and staff at the intersection. He said the array of reaction to the project was: why are we doing anything at all, wanting even more limited commercial and no commercial at all. He added that two (2) would probably go along with it and he couldn't say whether the other three (3) would go for it or send it back. He received suggestions for the district and one (1) was that any sign structures associated with the business shall also have the same architectural characteristics as the principle structure.

Chairman Graw asked will any changes need to be made to the Sign Ordinance.

Pete Frisina replied no it is only the sign structure. The other suggestion is to not allow wood fencing. He said they would allow fencing that look like wood because of the durability of the other materials were so much greater than wood. He stated we will not get the old-timey look

from a vinyl, aluminum or PVC.

Chairman Graw asked if their issue with the fencing is geared toward the durability of the fence.

Al Gilbert replied yes it's about the maintenance and upkeep of the fence.

Pete Frisina stated that you don't have to paint it and it holds its appearance longer.

Arnold Martin asked if the PVC was like a chain-link fence.

Pete Frisina replied no, it's like a white picket fence. He said that the fence could be any color but it wouldn't have the split rail look to it. He added that only wood can give you that look. He asked the Planning Commission if they wanted to stick with wood or exclude it.

Brian Haren asked if the Commissioner who has the problem with the wood fencing be more inclined to vote for approval of the district if it is excluded.

Pete Frisina replied that it's one (1) out of five (5) chance.

Brian Haren said that it's a small concession to make for a vote for the district.

Arnold Martin agreed saying if that gets us to where we want to be without changing the integrity of the project then let's do it.

Chairman Graw asked the Planning Commission if they wanted to wipe out the wood. The Planning Commission agreed to wipe out the wood from the district.

Pete Frisina said that he would re-write that portion. He stated that he has done some wordsmithing to the overlay district. He asked the Planning Commission if they want to hear this on the 3rd of March if so, staff would need to advertise by tomorrow. He said there was some suggestion from a Commissioner if we sought public input. He stated that we have never had a procedure to do that for land use changes or for zoning ordinance amendments. He added that there is not really a good way to seek input unless you put a sign up. He asked where you would put the sign up at, and would it be on all four (4) corners of the intersection. He then asked if he contacted subdivisions would he also have to contact individuals. He added that we don't have a procedure for that and they never have.

Al Gilbert suggested contacting the local newspapers to see if they would like to put an article in the paper.

Pete Frisina said we can do that.

Brian Haren asked what the alternatives were from the Commissioners who were against the project.

Pete Frisina replied nothing and possibly O-I.

Chairman Graw stated that we have been working on this for three (3) years. He stated that there are plenty of signs in the area that say potential commercial property for sale. He added one of the concerns from the public is us being reactive. He said he doesn't want us to be in a defensive mode if multiple residents in the area decide to sell their property near the intersection and ask for it to be rezoned as C-H (Commercial Highway) our most intense commercial zoning district. He added you don't know what can happen if you deny someone C-C, or C-H zoning. He said we want to have something in place before someone demands that we do something with it.

Chairman Graw stated that one (1) of the Chairman's tried to keep Lot two (2) natural/undeveloped, but it didn't fly. He added that they tried to make County property, but at that time the County didn't have the money to buy it.

Bill Beckwith said that Al Gilbert suggested contacted the neighbors east of Starrs Mill when a gas station wanted to come in at the intersection.

Pete Frisina said that he would get in contact with the newspaper.

Brian Haren asked if we should give it over to the Board of Commissioners so they can decide on the project.

Arnold Martin asked will we have a vote on it that evening.

Pete Frisina said they will have the opportunity to act on. He said they can approve, deny, or table.

Chairman Graw asked when we have the Public Hearing on this.

Pete Frisina replied March 3, 2016.

Chairman Graw asked if we could delay it till the 17th of March.

Pete Frisina told him it wouldn't be on the Agenda until April.

Brian Haren said he wouldn't be here on that week.

Pete Frisina said he wouldn't be here that week.

Chairman asked for the Public Hearing to be held the first of April.

Al Gilbert suggested a joint workshop for the project since there was apprehension from a few Commissioners.

Pete Frisina said that we really shouldn't have a joint workshop because staff couldn't turn it around to the Board of Commissioners within a week.

Chairman Graw stated that the Board of Commissioners may say get rid of it or add a few tweaks to it.

Arnold Martin stated that he really wants the residence of that area to voice their opinion of what they want or need in that area.

Al Gilbert said that they needed to be careful because the first meeting they had on this project the residents wanted the property to be zoned C-H so they could get the highest dollar amount for their property.

Pete Frisina said he would send a press release to the paper saying that we were working on land use changes in the area and will be having a Public Hearing Meeting in April. He added that if the public wanted to look at the plan they could contact the Planning & Zoning Department.

Al Gilbert suggested that he add a picture to the article depicting the turn of the century style structures they would like for the area.

OLD BUSINESS

5. Discussion of the SR 74 and SR 85 intersection.

Pete Frisina passed out to the Planning Commission a map showing the land-use and a press release of the proposed Starrs Mill Historic Overlay District. He said the press release will go over the basics and talk about the Starrs Mill Overlay District Zone and goals. He added that he would produce a link on their website where people can go and view the map, verbiage, color palate, and our phone number so they can call the department for more information. He asked the Planning Commission if they were okay with it. He also asked if the Planning Commission if they received the verbiage sent to them via email regarding the fencing portion of the overlay district. He passed out pictures of plastic fences to the Planning Commission.

Vice-Chairman Martin asked if we would tell the public that calls for more information to come to a meeting that will be more in-depth about the Historic District.

Pete Frisina replied yes that is what we intend to do. He stated that we will not have a public hearing on this until May due to some scheduling conflicts. He said that it gives us an opportunity to have a few workshops to listen to some comments from the public.

Vice-Chairman Martin said he thinks that's a great way of getting the message out there.

Brian Haren asked if staff received guidance from the Board of Commissioners.

Pete Frisina replied no and that the guidance he received previously was enough. He stated that the guidance he got was good and has made those changes. He said he changed the fencing section and added the verbiage about signs having the same characteristics architecturally as the building.

Pete Frisina asked the Planning Commission to look at the map's northeast corner where it is labeled low density residential. He said there is an area up there that he labeled Transportation, Communication, and Utilities that is owned by the Water System. He asked the Planning Commission if they would like to label it Parks.

Vice-Chairman Martin asked if the labeling (Transportation, Communication, and Utilities or Parks) would affect how the land is used.

Pete Frisina replied no because it's owned by the County.

Al Gilbert stated he would be concerned that if they labeled it as a park, and some people may think that it is a park.

Pete Frisina replied that it is a passive park.

Al Gilbert said that it is something that the Board of Commissioners should decide. He asked if the area was recognized as a park already.

Pete Frisina replied that it is not a part of the Parks and Recreation Department but it is owned by the Water System and there is an intake at Starr's Mill. He asked the Planning Commission if they were good with the Transportation, Communication, and Utilities designation.

Planning Commission replied that they were good with the designation being Transportation, Commercial, and Utilities.

Brian Haren asked about using the label Conservation Areas.

Pete Frisina replied Conservation is only used for floodplain areas.

Vice-Chairman asked if we wanted to schedule a meeting for the public to respond to the press release.

Pete Frisina replied that you will have three (3) meetings between now and May. He said that the people can come in between those times to voice their opinion.

Brian Haren asked who owns the piece of property east of Waterfall Way.

Pete Frisina replied the church owns that piece of property. He said that there was a gravel road that goes down that line but he doesn't think it is maintained by the County. He added that it creates a good dividing line for what they're trying to create.

Al Gilbert asked if the property south of Waterfall Way and North of S.R. 85 is owned by the County.

Pete Frisina stated that the church owns that property and some of the property north of Waterfall Way. He added that some of the land is owned by other individuals.

Al Gilbert asked if we were going to have a workshop this month.

Pete Frisina replied you will have a workshop in March, a public hearing in April, and another workshop at the end of April.

Vice-Chairman Martin asked if there were any other business that needed to be taken care of tonight. Hearing none he asked for a motion.

THE FAYETTE COUNTY PLANNING COMMISSION met on May 5, 2016 at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia.

MEMBERS PRESENT: Jim Graw, Chairman
Arnold L. Martin, III, Vice-Chairman
Al Gilbert
Brian Haren
John H. Culbreth Sr.

STAFF PRESENT: Pete Frisina, Director Community Services
Dennis Dutton, Zoning Administrator
Chanelle Blaine, Planning and Zoning Coordinator
Patrick Stough, County Attorney

Welcome and Call to Order:

Chairman Jim Graw called the Planning Commission Meeting to order. Chairman Graw introduced the Commission Members and Staff.

* * * * *

1. Consideration of the Minutes of the Meeting held on April 21, 2016.

Al Gilbert made a motion to approve the minutes. John Culbreth seconded the motion. The motion passed 5-0.

2. Consideration of amendments to the Land Use Element Text And Future Land Use Plan Map of the Fayette County Comprehensive Plan for the Starr's Mill Historic Overlay District in the area of the Intersection of State Route 74, State Route 85 And Padgett Road

Chairman Graw stated that we have spent three (3) years on this project. He said that staff has done a great job and that we have created a darn good plan.

Pete Frisina stated that we actually started in July 2015 in preparing these documents. He said that what we have done is look at the intersection in close proximity to Starrs Mill (S.R. 85, S.R. 74, and Padgett Road) and come up with basic land use changes. He stated the two (2) prominent changes are the limited commercial one (1) and a limited commercial (2) land use districts and they are also tied back to two (2) zoning districts of the same names. He added the only major difference is the convenience store with gasoline sales; L-C-1 does not allow it and L-C-2 does allow it. He stated the land use is identified as corner one (1), two (2), three (3), and four (4). He said that corner one (1) is the northwest corner, corner two (2) is the northeast corner, corner three (3) is the southwest corner and corner four (4) is the southeast corner. He added that they're recommending Limited Commercial two (2) for corners one (1) and three (3), corner two (2) Limited Commercial one (1), and corner four (4) is the portion of the property that is still owned by the DOT. He stated that corner four (4) is bounded by the old road bed of

Padgett Road which has been realigned, and has a gas line running through it; it has been land used as Transportation, Communication, and Utilities. He said that the property west of corner one (1) has been land used Office Institution, and will act as a buffer for the residents to the north and south of it. He added that areas north on corner two (2) and south of corner three (3) will be land used for Low Density Residential as they border areas currently zoned for one (1) acre residential. He stated that there is a small portion of property where Starrs Mill is that will be land used as Transportation Communication and Utilities as it is owned by the Fayette County Water System. He said that there is verbiage in the text that supports everything we talked about.

Chairman Graw asked if anyone from the public would like to speak to the land use plan that they are proposing for that intersection.

Hearing none Chairman Graw asked if we were going to be considering the Office section in this land use also.

Pete Frisina replied yes.

Chairman Graw said that we have not talked about the zoning of that parcel like we have the others.

Pete Frisina replied that it will be straight Office Institutional. He said that it would follow under this Historic District.

Chairman Graw asked if it was going to have the same architectural standards as the L-C.

Pete Frisina replied yes. He added that the architectural standards are not contained within the zoning districts but within the overlay.

Brian Haren asked for clarification that the dashed line represented the overlay district.

Pete Frisina replied yes.

Arnold Martin asked if there was a general district area for the mill and church.

Pete Frisina said that only district that we are talking about controlling is the area within that dotted line. He added that the historic overlay will only control those properties.

Arnold Martin will there be any overflow from the Starrs Mill area and will there be any challenge from archeological groups based upon the history of the area.

Pete Frisina replied not that I am aware of. He said that we are not creating a district for preservation purposes; we are creating a historic district for development purposes and we are saying that the mill has that historic character we are trying to maintain.

Chairman Graw stated that this was just a title that we used for land use and zoning purposes.

Pete Frisina said the whole idea of this is to preserve that area, because of the influence of that structure. He added that it is a very important icon for the County. He stated that this is also the gateway into the southern portion of the County, and we want to make sure that the front door looks good.

Al Gilbert stated that Starrs Mill is the most photographic spot in the County. He said that it is the last pristine entry way into our County. He added that we have to protect it. He stated that we could leave it be and end up with things we wouldn't like to see. He said by being proactive we will be able to control what goes into that area and preserve the beauty of Starrs Mill. He added that the plan isn't perfect and they will be tweaking it over the years. He stated that staff and the Planning Commission have done a great job of putting this together.

Chairman Graw stated that he is somewhat concerned about Limited Commercial on lot one (1) and three (3). He said that he personally feels we don't need two (2) gas stations on opposite corners, because there are gas stations in Senoia about four (4) miles west, Peachtree City's gas station is four (4) miles north, and there is a gas station east on McBride. He stated that his second concern is safety because SR 74 has been widened and SR 85 will be widened soon. He stated that the gas stations will cause a lot of traffic especially on lot one (1). He added that the gas station on lot three (3) will be easier to get in and out of because it can enter and exit on Padgett Road. He stated that he doesn't feel that it is severe enough right now for him to vote no. He said that he thinks we have a fantastic development and he reiterated that he doesn't want to vote no because of his personal opinion about a gas station on one (1) lot.

Arnold Martin stated the he understood his concern, but doesn't feel the same way. He said that the gas stations on opposite sides of the street will help ease the traffic with one gas station getting customers in the morning and the other getting customers at night. He added that he finds it safer on the driver for them to pull into a gas station on their side of the road as oppose to using a turning lane for a gas station on the opposite side of the road.

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

3. Consideration of amendments to the Fayette County Code of Ordinances, Chapter 110., Article I – In General. Sec. 110-3. –Definitions, Article IV. - District Use Requirements, Sec. 110-145. and Sec. 110-146., Article V. - Conditional Uses, Nonconformances, Transportation Corridor Overlay Zone, and Commercial Development Standards, Sec. 110-169. Conditional Use Approval., Sec. 110-173. - Transportation Corridor Overlay Zone. (3) General State Route Overlay Zone, and Sec. 110-174. – Commercial Development Standards., concerning the proposed Starr's Mill Historic Overlay District and Overlay Zone.

Pete Frisina stated that this is the follow up to the land use changes we just looked at. He said that this is all of the backing ordinances we created with the zoning ordinance. He added that we have beefed up the definitions that we had to create for these new zoning districts. He stated that we have created a new L-C-1 (Limited Commercial 1) and have taken the L-C district and

amended it to now be Limited Commercial Two (2). He said that under the conditional use we went to the convenience commercial establishment and amended it to match what we're doing in the L-C-2. He added that under the Transportation Corridor Overlay State Route areas we have put it in as a new overlay so it was pulled out of the General State Route Overlay. He stated that we have created the new Historic District Overlay with architectural standards. He said that there is a section under the Corridor Non-Conformance chapter which was called Commercial Development Standards that was written some time ago that was specific to the area north of State Route 54, west of Sandy Creek Road, and East of Tyrone that was a hospital overlay area. He added that this particular area is no longer in the County, and is in the City of Fayetteville. He said that section will be taken out and using the section number to create the new Historic District.

Chairman Graw asked the public if they had any comments or suggestions regarding the zoning of the 74/85 intersection. Hearing none he brought it back before the Planning Commission.

Brian Haren asked if the visual representation of the standards will be provided.

Pete Frisina replied yes and that we don't want to put them in the ordinance, because the County Attorney has advised us not to. He stated that we have representations and that are well known. He said that we have set the standards within there even though we say it's a one (1) part commercial block or a two (2) part commercial block. He added that the visual representation shows people the general look of it.

Arnold Martin asked if there were any policies and or procedures that relate to potential developers that want to come forth with a rendering.

Pete Frisina replied that we already review architectural standards because we have them on all the highways. He said that it would follow that same procedure. He added that when someone comes in to develop a piece of property and submits a site plan to us we would then review those renderings based on these standards. He said we did set up something in here that allows them if they don't want to follow the standards to present something and go through a public hearing process. He added that it would come to us, to you, and then the board. He stated that it would be called the architectural option. He said they can go administratively and submit it through the site plan option (normal procedure) or they can go the other route.

Dennis Dutton stated that we are just recommending the amendments and not changing the zoning of any property.

Chairman Graw asked if there were any questions or comments.

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

4. Consideration of the proposed Color Palette for the Starr's Mill Historic Overlay District and Overlay Zone.

Chairman Graw stated that we have a book with specific colors that will be allowed in the Historic Overlay District.

Arnold Martin stated that in the original discussions of the palates we had a few renditions of the palate based on the copier that was used. He asked if we are using a standard and therefore being consistent with what we're showing people and what they may print off at home.

Pete Frisina replied that the color palate in the book is the only one and the pages were printed out on the same copier and then laminated. He said that this is what we will be using when everybody comes in. He added that the colors being used will be matched up to those in the book.

Marcus Pollard stated that he was a new resident of Fayette County and went over his background. He suggested using a color code for the color palate book, because light changes color over time.

Chairman Graw stated that we have addressed that particular issue already. He said that the book does not have color codes because they didn't want to show favor towards a particular company (i.e. Sherwin Williams, Glidden, and Benjamin Moore). He added that if anyone wants to develop in that area they will have to bring in their particular color and match it up against those colors in the book. He stated that staff will then make that determination on whether or not the color they submitted matches those in the book.

Brian Haren stated that we had that very same argument in past meetings; we have come to find out that there is no standard industry code number for particular colors. He said hot pink in Home Depot's computer may be 1234 but hot pink in Lowe's computer may be 6724. He added that we even tried embedding the CMYK values or the RGB values and that doesn't work either.

Mark Pollard stated that he and his girlfriend see colors differently and asked who would be the deciding authority on the colors.

Al Gilbert said if you look at the wood around the television set and desk; if someone were to come in and that color was in the book, they would more than likely get approved. He added that we are not trying to get an exact identical match, but we certainly don't want someone to come in with yellow when it's supposed to be orange.

Mark Pollard said that it just came to mind when he saw the different variations of the blue and brown colors.

Chairman Graw stated that the same has been done for the brick palate.

Arnold Martin recommended printing the color palates on acid free paper, because it helps to preserve the paper over time.

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

5. Consideration of the proposed Brick Palette for the Starr's Mill Historic Overlay District and Overlay Zone.

Chairman Graw asked if there were any comments from the public. Hearing none he brought it back before the Planning Commission.

Al Gilbert made a motion to recommend approval of the proposed Brick Palette. Arnold Martin seconded the motion. The motion passed 5-0.

From: [Pete Frisina](#)
To: [Tameca P. White](#)
Subject: FW: LUP
Date: Wednesday, June 15, 2016 9:57:21 AM

Tameca,

Please add this e-mail to Planning and Zoning - Resolution 2016-06 Starr's Mill Historic District - Agenda Request Backup

Thanks,

Pete Frisina

-----Original Message-----

From: Gene Barber [REDACTED]
Sent: Thursday, May 26, 2016 4:41 PM
To: Pete Frisina
Cc: [REDACTED]
Subject: RE: LUP

Pete,

Thank you for sending this. Do you think the mapped Land Use Map area of Limited Commercial One on the older church side could be considered to reach further along Hwy 74 toward that side of property and maybe not as deep off Hwy 74? There is an extension old dirt road bed that comes from Waterfall Way out to 74 that would still be a separation from Mill Pond S/D.

Gene

-----Original Message-----

From: Pete Frisina [<mailto:pfrisina@fayettecountyga.gov>]
Sent: Thursday, May 26, 2016 3:15 PM
To: 'Gene Barber' [REDACTED]
Subject: LUP

Peter Frisina, AICP
Fayette County Division of Community Services
140 Stonewall Avenue West
Fayetteville, GA 30214
(770) 305-5160

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Consideration of Petition No. 1250-16, Ron Zappendorf, Owner, request to rezone 2.45 acres from C-H to M-1 to allow for an auto repair, paint and body shop located in Land Lots 200 and 201 of the 5th District and fronts on SR 85 North with one (1) Condition.

Background/History/Details:

Staff recommends approval of rezoning petition 1250-16 with one (1) Condition.

The Planning Commission recommends approval of rezoning petition 1250-16 with one (1) Condition.

Al Gilbert made a motion to recommend approval of petition 1250-16 with one (9) Condition. Brian Haren seconded the motion. The motion passed 5-0.

What action are you seeking from the Board of Commissioners?

Approval of Petition No. 1250-16, Ron Zappendorf, Owner, request to rezone 2.45 acres from C-H to M-1 to allow for an auto repair, paint and body shop located in Land Lots 200 and 201 of the 5th District and fronts on SR 85 North with one (1) Condition.

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:

Rezoning 1250-16

One (1) Conditions

1. That a variance for the existing building's encroachment into the side yard setback and front yard setback be obtained from the Zoning Board of Appeals within 180 days from the effective date of this rezoning. If the variance is denied, the owner/developer agrees to take all necessary action consistent with the direction of the Zoning Board of Appeals. If the owner/developer fails to take action to obtain a decision from the Zoning Board of Appeals within 180 days and that time period has expired, the property owner agrees to remove that portion of the existing building encroaching into the side yard setback and front yard setback within 30 days from the date of the expiration. *(This condition is required for compliance with the Zoning Ordinance, Section 110-170.)*

PLANNING COMMISSION RECOMMENDATION

DATE: June 2, 2016

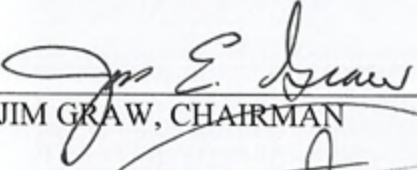
TO: Fayette County Commissioners

The Fayette County Planning Commission recommends that Petition No. 1250-16, the application of Ron Zappendorf to rezone 2.45 from C-H to M-1, be:

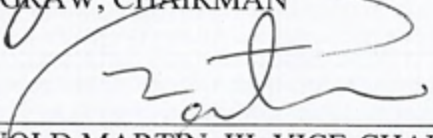
☒ ⁵⁻⁰ Approved ☐ Withdrawn ☐ Disapproved

☐ Tabled until _____

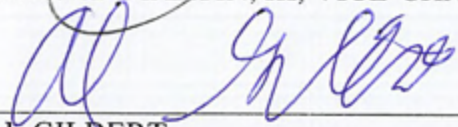
This is forwarded to you for final action.



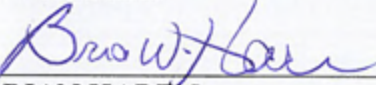
JIM GRAW, CHAIRMAN



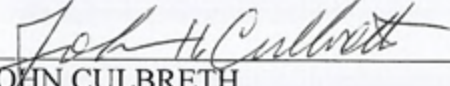
ARNOLD MARTIN, III, VICE-CHAIRMAN



AL GILBERT



BRIAN HAREN



JOHN CULBRETH

Remarks:

with condition

**STATE OF GEORGIA
COUNTY OF FAYETTE**

RESOLUTION

NO. 1250-16

WHEREAS, Ron Zappendorf, Owner, and , Agent, having come before the Fayette County Planning Commission on June 2, 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 2.45 from C-H to M-1, in the area of SR 85 North, Land Lot 200 + 201 of the 5th District, for the purpose of developing an Auto Repair, Paint, Body Shop; and

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

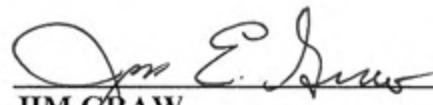
BE IT RESOLVED that the decision of the Fayette County Planning Commission, that said request be **APPROVED**.

This decision is based on the following reasons:


In compliance with the Fayette County Comprehensive Plan.
Compatible with the surrounding area.

**PLANNING COMMISSION
OF
FAYETTE COUNTY**

ATTEST:



**JIM GRAW
CHAIRMAN**



PC SECRETARY

4. Consideration of Petition No. 1250-16, Ron Zappendorf, Owner, request to rezone 2.45 acres from C-H to M-1 to allow an auto repair, paint and body shop. This property is located in Land Lots 200 and 201 of the 5th District and fronts on SR 85 North.

Ron Zappendorf stated that he owns the proper located at 1591 Highway 85 North which is the property just south of Dixie Land on the same side of the road. He asked for consideration to change his zoning from C-H to M-1 to incorporate auto repair and auto body into my facility. H said that his property is an island of C-H surrounded by M-1 on all corners. He added that he has owned the property for approximately 10 years, and has a business in there now that has been there for the past three (3) in half years.

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

Arnold Martin asked about the condition for the petition.

Pete Frisina referred the Planning Commission to the report Section E “Concept Plan”. He read Section 110-170. of the Zoning Ordinance and it states:

A property that is improved with a legally existing structure, which would become nonconforming in terms of the setbacks only within the zoning district for which a rezoning is being sought, may be considered for rezoning, except as otherwise provided in Article VI. O-I. and Article VII. Transportation Corridor Overlay Zone. Upon approval of the rezoning request, a variance authorized by the Zoning Board of Appeals shall be necessary for the structure to remain within the setback (see Article IX.) Any enlargement, expansion, or extension of said structure which serves to increase nonconformance, either vertical and/or horizontal, shall only be made with the authorization of the Zoning Board of Appeals. Any new structure shall comply with the dimensional minimum requirements herein.

Pete Frisina stated that we determined the side would go from 15’ to 25’ and the front has a 100’ setback on it. He said that the building is within the front setback of 100’ and the side setback of 25’. He added that Ron has 180 days to go before the Zoning Board of Appeals to seek a variance for those two (2) encroachments.

Chairman Graw stated that he would read the condition, and have Mr. Zappendorf come up and say yes or no to the condition.

1. That a variance for the existing building’s encroachment into the side yard setback and front yard setback be obtained from the Zoning Board of Appeals within 180 days from the effective date of this rezoning. If the variance is denied, the owner/developer agrees to take all necessary action consistent with the direction of the Zoning Board of Appeals. If the owner/developer fails to take action to obtain a decision from the Zoning Board of Appeals within 180 days and that time period has expired, the property owner agrees to remove that portion of the existing building encroaching into the side yard setback and front yard setback within 30 days from the date of the expiration. *(This condition is required for compliance with the Zoning Ordinance, Section 110-170.)*

Chairman Graw asked Ron Zappendorf if he agreed to the condition.

Ron Zappendorf replied yes.

Arnold Martin asked Ron Zappendorf what happens to the disposal of the paint for environmental purposes.

Ron Zappendorf replied that everything will be OSHA certified and approved. He stated that it is pretty difficult now to purchase wholesale paint items without the proper use of storage facilities and the walkthroughs done by the Fire Department. He said the Fire Department checks all cabinets to make sure they are all closed with all items stored in containers. He added that they have always been in compliance and have never had an issue. He stated that they plan on using a waterfall down draft booth which is one (1) of the most efficient ways and all impurities are taken into water and are filter out and then it is tanker off site. He said that this was the facility that had issues with the septic tank not being located in the correct area and we have followed that to the "t" with a total bill of \$25,000. He added that what it takes to do it correctly the first time we are prepared to do.

Chairman Graw asked if there were any other questions. Hearing none, he asked if anyone had a motion.

Al Gilbert stated that he would make a comment then a motion. He said that M-1 is not unusual up S.R. 85 North. He added that the property on the opposite side of the road from Mr. Zappendorf just north of the pavilion up to Robert's Road is M-1 or M-2. He reiterated that type of zoning is not unusual up S.R. 85 North.

Al Gilbert made a motion to recommend approval of Petition 1250-16 with one (1) condition. Brian Haren seconded the motion. The motion passed 5-0.

REQUESTED ACTION: C-H to M-1

PROPOSED USE: Auto Repair, Paint, Body Shop

EXISTING USE: Auto Sales

LOCATION: SR 85 North

DISTRICT/LAND LOT(S): 5th District, Land Lot(s) 200 + 201

OWNER: Ron Zappendorf

PLANNING COMMISSION PUBLIC HEARING: June 2, 2016

BOARD OF COMMISSIONERS PUBLIC HEARING: June 23, 2016

APPLICANT'S INTENT

Applicant proposes to establish an auto repair, paint, and body shop on 2.45 acres.

STAFF RECOMMENDATION

APPROVAL WITH ONE (1) CONDITION

INVESTIGATION

A. PROPERTY SITE

The subject property is a 2.45 acre tract fronting on SR 85 North in Land Lot(s) 200 + 201 of the 5th District. SR 85 North is classified as a Major Arterial road on the Fayette County Thoroughfare Plan. The subject property is currently zoned C-H.

History: On October 25, 2001 the BOC considered Petition 1085-01 requesting a rezoning from C-H to M-1 for the Subject Property. A motion to approve the petition was made and seconded but failed by a vote of 1-3. The BOC had concerns with pollution going into Morning Creek.

B. SURROUNDING ZONING AND USES

The general situation is a 2.45 acre tract that is zoned C-H. In the vicinity of the subject property is land which is zoned M-1. See the following table and also the attached Zoning Location Map.

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

Direction	Acreage	Zoning	Use	Comprehensive Plan
North & East	62.4	M-1	Dixie Land Fun Park (Floodplain area)	Conservation Areas
South	1.7 2.9	M-1 M-1	Auto Sales/Repairs Lawn Mower Sales/Repairs	Light Industrial
West (across SR 85)	3.5	M-1	Auto Repairs	Commercial

C. COMPREHENSIVE PLAN

The subject property lies within an area designated for Industrial & Conservation Areas. This request conforms to the Fayette County Comprehensive Plan.

D. ZONING/REGULATORY REVIEW

The applicant seeks to rezone C-H from to M-1 for the purpose of developing an auto repair, paint, and body shop.

State Route Overlay

Due to the frontage on State Route 85 any further development of the property is subject to the requirements of the State Route 85 Overlay Zone. The Overlay Zone requirements are in addition to the zoning district requirements and any Conditional Use requirements, and in cases where there is a conflict between requirements, the most restrictive regulation applies. Overlay Zone requirements including, but not limited to, the following: a 100 foot setback from the right-of-way of SR 85 , a 50 foot setback for impervious surfaces from right-of-way of SR 85, and architectural standards for buildings which require a residential character including a pitched peaked roof, a residential façade, and doors and windows of a residential character.

Access

The Concept Plan submitted indicates one (1) access from SR 85 North.

E. REVIEW OF CONCEPT PLAN

The Concept Plan indicates that the existing building is approximately 17 feet from the side property line and will not meet the 25 foot side yard setback for M-1 and the existing building is less than 100 feet from the front property line and will not meet the 100 foot front yard setback.

Section 110-170. of the Zoning Ordinance states:

A property that is improved with a legally existing structure, which would become nonconforming in terms of the setbacks only within the zoning district for which a rezoning is being sought, may be considered for rezoning, except as otherwise provided in Article VI. O-I. and Article VII. Transportation Corridor Overlay Zone. Upon approval of the rezoning request, a variance authorized by the Zoning Board of Appeals shall be necessary for the structure to remain within the setback (see Article IX.) Any enlargement, expansion, or extension of said structure which serves to increase nonconformance, either vertical and/or horizontal, shall only be made with the authorization of the Zoning Board of Appeals. Any new structure shall comply with the dimensional minimum requirements herein.

Staff is recommending a condition that a variance for the existing building's encroachment into the side yard setback and front yard setback be authorized by the Zoning Board of Appeals within 180 days from the effective date of this rezoning, if approved. If the variance is denied, the owner/developer agrees to take all necessary action consistent with the direction of the Zoning Board of Appeals. If the owner/developer fails to take action to obtain a decision from the Zoning Board of Appeals within 180 days and that time period has expired, the property owner agrees to remove that portion of the existing building encroaching into the side yard setback and front yard setback within 30 days from the date of the expiration.

F. DEPARTMENTAL COMMENTS

Water System

1250-15 is approved. Water available.

Public Works/Engineering

No comments from Engineering.

Environmental Management

Floodplain - The property DOES contain floodplain per FEMA FIRM panel 13113C0106E dated Sept 26, 2008. Per Fayette County Floodplain Management Ordinance Sec. 104-86 any stream with a drainage area less than 100 acres, the area of special flood hazard shall be determined. The area of special flood hazard areas shall be determined for all manmade hazards. 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 for any lots that contain or are adjacent to a special flood hazard area.

Wetlands The property DOES 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 If replatted, Watershed DOES apply.

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

Stormwater - This development is subject to the Post-Development Stormwater Management is any additional pervious area is permitted.

Environmental Health Department

Our department inspected and approved a new septic system to serve the property located at 1591 Hwy 85N on 2/23/16. The system was installed to solely serve the existing structure and proposed business at this address. As the septic system is currently functional and is considered approved by this department, there are no objections to the proposed rezoning at this location.

Fire

The bureau of fire prevention will neither approve nor deny requests that fall outside the scope of ISO requirements.

Georgia Department of Transportation

I don't see any issues with the rezoning.

STAFF ANALYSIS

This request is based on the petitioner's intent to rezone said property from C-H to M-1 for the purpose of developing auto repair, Paint, and body shop. Per Section 11-11 of the Fayette County Zoning Ordinance, Staff makes the following evaluations:

1. The subject property lies within an area designated for Industrial & Conservation Areas. 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 non-residential district support this petition.

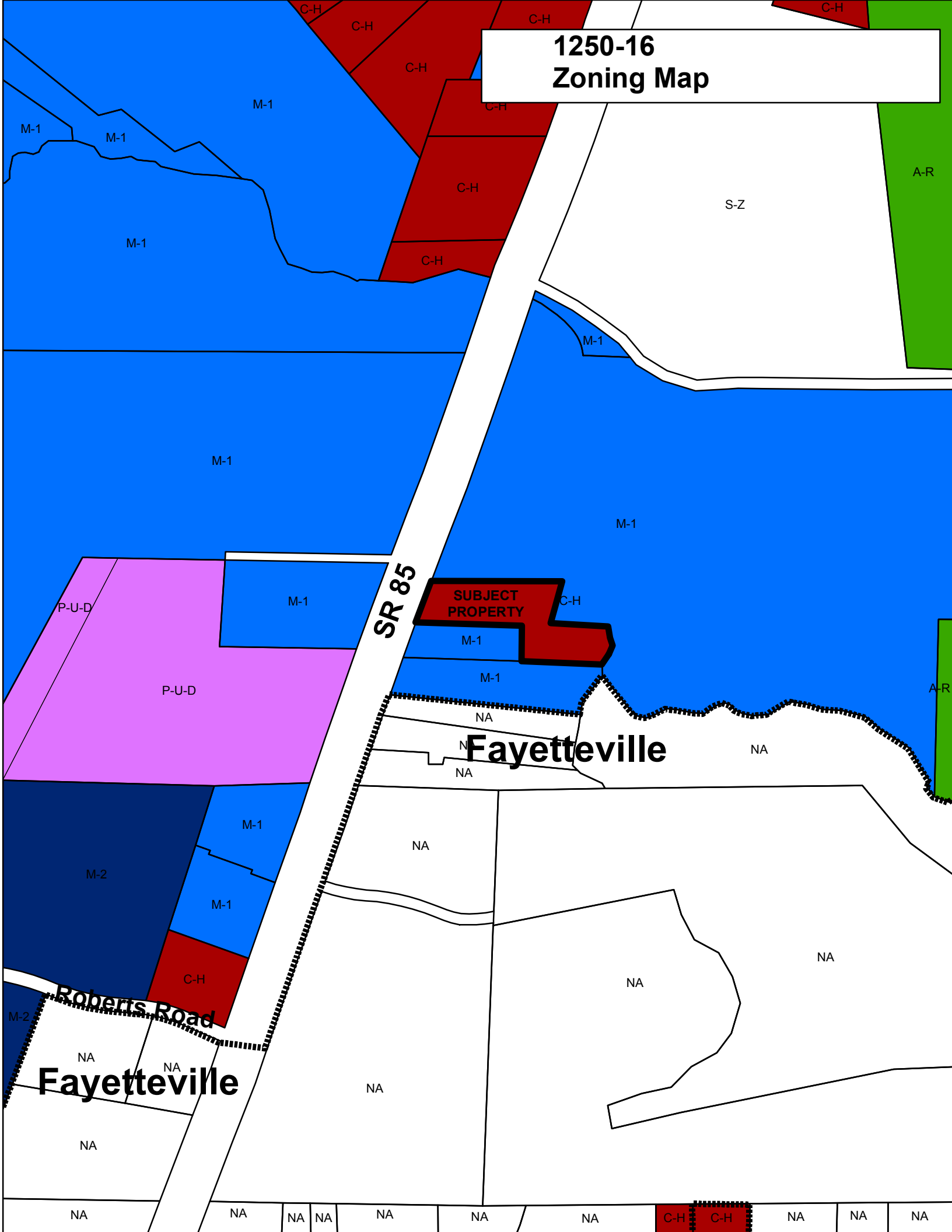
Based on the foregoing Investigation and Staff Analysis, Staff recommends **APPROVAL WITH ONE (1) CONDITION.**

RECOMMENDED CONDITIONS

If this petition is approved by the Board of Commissioners, it should be approved M-1 **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. That a variance for the existing building's encroachment into the side yard setback and front yard setback be obtained from the Zoning Board of Appeals within 180 days from the effective date of this rezoning. If the variance is denied, the owner/developer agrees to take all necessary action consistent with the direction of the Zoning Board of Appeals. If the owner/developer fails to take action to obtain a decision from the Zoning Board of Appeals within 180 days and that time period has expired, the property owner agrees to remove that portion of the existing building encroaching into the side yard setback and front yard setback within 30 days from the date of the expiration. *(This condition is required for compliance with the Zoning Ordinance, Section 110-170.)*

1250-16 Zoning Map



1250-16

Land Use Plan Map

**LIGHT
INDUSTRIAL**

COMMERCIAL

**CONSERVATION
AREAS**

**LOW DENSITY
RESIDENTIAL**

**LIGHT
INDUSTRIAL**

SR 85

**SUBJECT
PROPERTY**

**LIGHT
INDUSTRIAL**

COMMERCIAL

Fayetteville

**HEAVY
INDUSTRIAL**

Roberts Road

Fayetteville

COMMERCIAL

1250-16
Aerial Map



SR 85

**SUBJECT
PROPERTY**

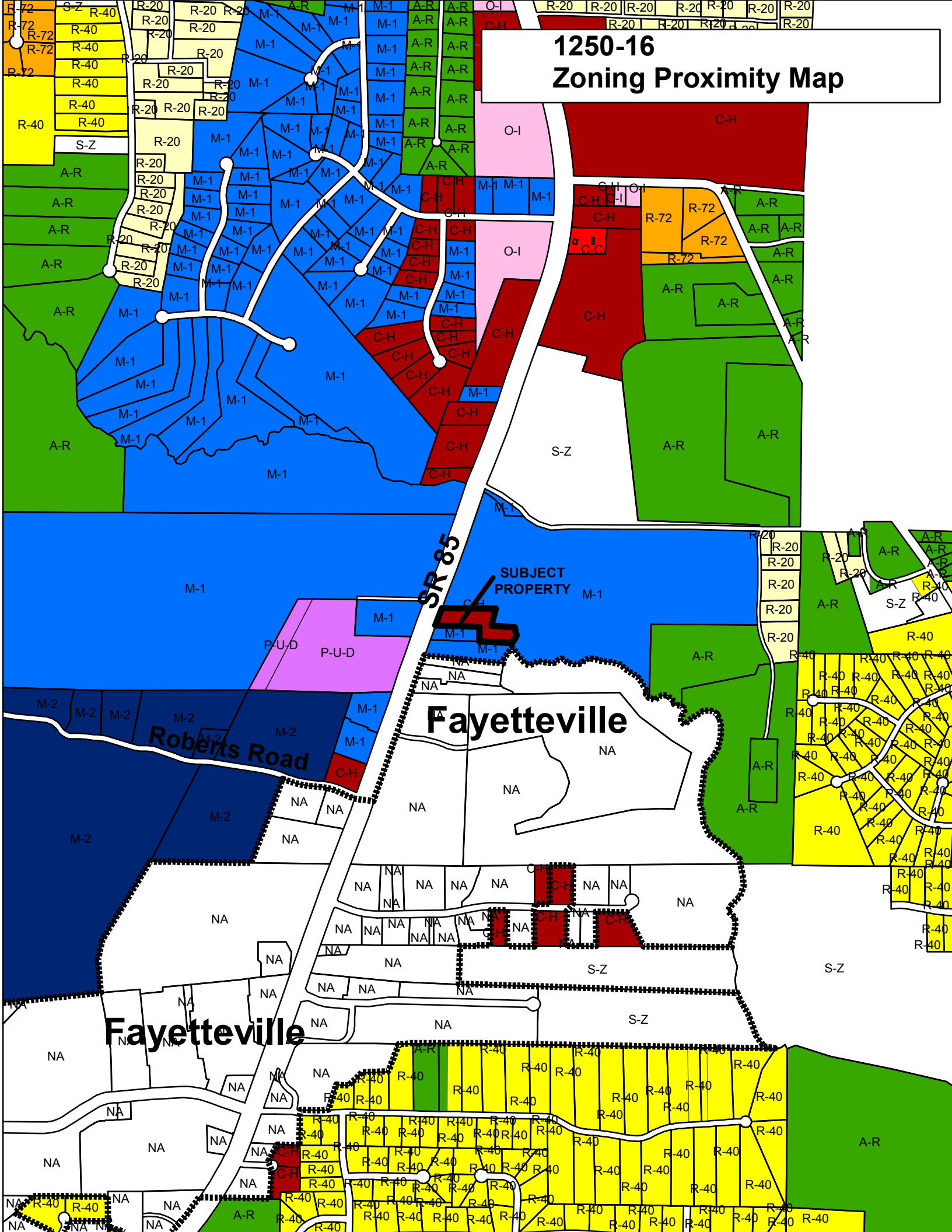
Fayetteville

Roberts Road

Fayetteville

1250-16

Zoning Proximity Map



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

PROPERTY OWNERS: RON ZAPPENDORF

MAILING ADDRESS: 1591 HWY 85 NORTH FAYETTEVILLE, GA 30214

PHONE: [REDACTED] FAX: [REDACTED]

AGENT FOR OWNERS: RON ZAPPENDORF

MAILING ADDRESS: 20 DUCK THURMOND RD E2 DAWSONVILLE, GA 30534

PHONE: [REDACTED] FAX: [REDACTED]

E-MAIL: [REDACTED]

PROPERTY LOCATION: LAND LOT 200 LAND DISTRICT 540 PARCEL [REDACTED]
LAND LOT 201 LAND DISTRICT 540 PARCEL [REDACTED]

TOTAL NUMBER OF ACRES REQUESTED TO BE REZONED: 2.45

EXISTING ZONING DISTRICT: CH PROPOSED ZONING DISTRICT: M1

ZONING OF SURROUNDING PROPERTIES: M1

PRESENT USE OF SUBJECT PROPERTY: vacant

PROPOSED USE OF SUBJECT PROPERTY: auto repair, paint body shop

LAND USE PLAN DESIGNATION: Industrial, & conservation

NAME AND TYPE OF ACCESS ROAD: state route 85

LOCATION OF NEAREST WATER LINE: state route 85

(THIS AREA TO BE COMPLETED BY STAFF): PETITION NUMBER: 1250-15

[] Application Insufficient due to lack of: [REDACTED]

by Staff: [REDACTED] Date: [REDACTED]

[✓] Application and all required supporting documentation is Sufficient and Complete

by Staff: [Signature] Date: 9/22/15

DATE OF PLANNING COMMISSION HEARING: November 5, 2015 June 2, 2016

DATE OF COUNTY COMMISSIONERS HEARING: December 10, 2015 June

Received from Ron Zappendorf a check in the amount of \$ 250.00 for
application filing fee, and \$ 20.00 for deposit on frame for public hearing sign(s).

Date Paid: 9/22/15 Receipt Number: [REDACTED]

NAME: Ron Zappendorf PETITION NUMBER: 1250-15

ADDRESS: 1591 Hwy 85 North Fayetteville Ga 30214

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

Ron Zappendorf affirms that he is the owner or the specifically authorized agent of the property described below. Said property is located in a(n) CH Zoning District. He/She respectfully petitions the County to rezone the property from its present classification and tenders herewith the sum of \$ 270 to cover all expenses of public hearing. He/She petitions the above named to change its classification to M1.

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:

PUBLIC HEARING to be held by the Planning Commission of Fayette County on the 5th day of November, 20 15 at 7:00 P.M.

PUBLIC HEARING to be held by the Board of Commissioners of Fayette County on the 10th day of December, 20 15 at 7:00 P.M.

SWORN TO AND SUBSCRIBED BEFORE ME THIS 21 DAY OF September, 20 15.

Dana M. Hayes

NOTARY PUBLIC

exp: 4-7-19



[Signature]
APPLICANT'S SIGNATURE

PROPERTY OWNER CONSENT AND AGENT AUTHORIZATION FORM
(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:

RON ZAPPENDORF

Please Print Names

Property Tax Identification Number(s) of Subject Property: _____

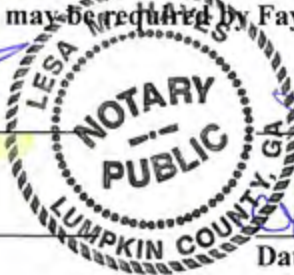
(I am) (we are) the sole owner(s) of the above-referenced property requested to be rezoned. Subject property is located in Land Lot(s) 200 of the 5 District, and (if applicable to more than one land district) Land Lot(s) 201 of the 5 District, and said property consists of a total of _____ acres (legal description corresponding to most recent recorded plat for the subject property is attached herewith).

(I) (We) hereby delegate authority to NA 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.

[Signature]
Signature of Property Owner 1

Address



[Signature]
Signature of Notary Public

2021-7-18 / 9-21-15
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

Address

Signature of Notary Public

Date

AGREEMENT TO DEDICATE PROPERTY FOR FUTURE RIGHT-OF-WAY

I/We, Ron Zappendorf, said property owner(s) of subject property requested to be rezoned, hereby agree to dedicate, at no cost to Fayette County, _____ feet of right-of-way along _____ 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 21 day of September, 2015.

[Signature]
SIGNATURE OF PROPERTY OWNER

SIGNATURE OF PROPERTY OWNER

Lesa M Hayes
NOTARY PUBLIC exp. 4-7-18



DEVELOPMENTS OF REGIONAL IMPACT (DRI)

Rezoning Applicant:

- A. Please review the attached "Developments of Regional Impact Tiers and Development Thresholds" established by the Georgia Department of Community Affairs (DCA) to determine if the proposed project meets or exceeds these thresholds. If the proposed project does not meet the established thresholds (is less than those listed) then skip to section C. below and complete.
- B. If the project does meet or exceed the established thresholds for the type of development proposed, the Georgia Department of Community Affairs (DCA) "Developments of Regional Impact: Request for Review Form" is available online at the following website address: www.dca.state.ga.us/DRI/.
- C. I have reviewed and understand the attached "Thresholds: Developments of Regional Impact".
- [☒] The proposed project related to this rezoning request DOES NOT meet or exceed the established DRI thresholds .
- [☐] The proposed project related to this rezoning request DOES meet or exceed the established DRI thresholds and documentation regarding the required DRI Request for Review Form is attached.

Signed this 21 day of September, 20 15.

APPLICANT=S SIGNATURE

Notary: Lesa M. Hayes
exp: 4-7-18





Doc ID: 007674480003 Type: GLR
Filed: 12/11/2007 at 09:10:00 AM
Fee Amt: \$14.00 Page 1 of 3
Transfer Tax: \$0.00
Fayette, Ga. Clerk Superior Court
Sheila Studdard Clerk of Court

BK **3331** PG **744-746**

(The Above Space is for Recording Information)

Record & Return To:

Morris|Hardwick|Schneider

120 Howard Lane

Fayetteville, GA 30215

File#: FAY-071001554S (Zappendorf/Davis)

QUIT CLAIM DEED

STATE OF GEORGIA
COUNTY OF FAYETTE

THIS INDENTURE Made this the 4th day of December 2007, between **DONALD J. DAVIS** and **DONALD GLEN DAVIS**, of the County of Fayette, and the State of Georgia, as party or parties of the first part (hereinafter referred to as "Grantor") and **DISCOVERY PARTS, INC.**, a Georgia corporation, as party or parties of the second part, (hereinafter referred to as "Grantee") (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of one dollar (\$1.00) and other valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt of whereof is hereby acknowledged, by these presents does hereby remise, convey and forever QUITCLAIM unto said Grantee,

All that tract or parcel of land lying and being in Land Lot 200 and 201 of the 5th District, Fayette County, Georgia, being more particularly described as follows:

Beginning at a 2 inch pipe located on the southeasterly right-of-way line of Georgia State Highway 85 (right-of-way varies) a distance of 808.40 feet southwesterly as measured along the southeasterly right-of-way line of Georgia State Highway 85 from the intersection formed with the north line of Land Lot 200; running thence North 88 degrees 00 minutes East a distance of 375.03 to a point on the centerline of Morning Creek, the centerline of said creek being the true property line; thence running in a generally southeasterly direction along the centerline of Morning Creek, following the meanderings thereof, to a point located distance of 360.96 as measured along a chord line having a bearing of South 46 degrees 23 minutes 19 seconds East from the last mentioned point in Morning Creek; running thence South 89 degrees 20 minutes 09 seconds West a distance of 360.82 feet to a 1/2 inch iron pin set; running thence North 02 degrees 00 minutes 00 seconds East a distance of 106.77 feet to a nail set; running thence North 87 degrees 56 minutes 00 seconds West a distance of 321.90 feet to a point located on

2A

the southeasterly right-of-way line of Georgia State Highway 85; running thence along the easterly right-of-way line of said right-of-way, North 19 degrees 17 minutes 00 seconds East a distance of 129.00 feet to the Point of Beginning. Shown as containing 2.45 acres on that plat of survey for Donald Davis by Delta Surveyors, Inc., Gerald H. Bernhard, G.R.L.S. No. 2688, dated November 14, 2007, which said plat is incorporated herein and made a part hereof by this reference.

Being all the same property as conveyed by: Warranty Deed from Mrs. Maude E. Mauldin and Flora Jan Mauldin as sole heirs at law of W.T. Mauldin, deceased to Henry Paul Drennan, recorded June 14, 1978 in Deed Book 182, page 138; Warranty Deed from Henry Paul Drennan to Asphalt Sealing and Maintenance, Inc. dated January 31, 1980 as recorded in Deed Book 217, page 412; and, Warranty Deed from Raymond P. Kenimer and Asphalt Sealing & Maintenance, Inc. to Donald J. Davis and Donald Glen Davis dated October 17, 1989 as recorded in Deed Book 575, page 532, aforesaid records.

The purpose of this deed is to conform the legal description to the herein reference plat of survey prepared by Delta Surveyors, Inc., Gerald H. Bernhard, G.R.L.S. No. 2688, dated November 14, 2007, said plat attached hereto as Exhibit "A" and incorporated herein by reference.

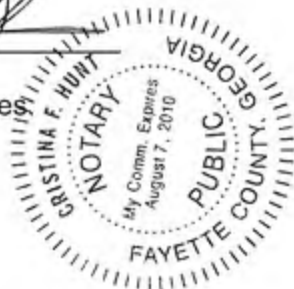
TO HAVE AND TO HOLD the said described premises to grantee, so that neither grantor nor any person or persons claiming under grantor shall at any time, by any means or ways, have, claim or demand any right to title to said premises or appurtenances, or any rights thereof.

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, the day and year first above written.

Signed, sealed and delivered in the presence of:

[Signature]
Witness

[Signature]
Notary Public
My Commission Expires



Donald J. Davis (Seal)
Donald J. Davis

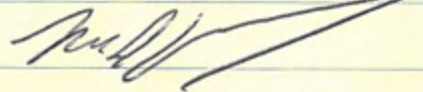
Donald Glen Davis (Seal)
Donald Glen Davis

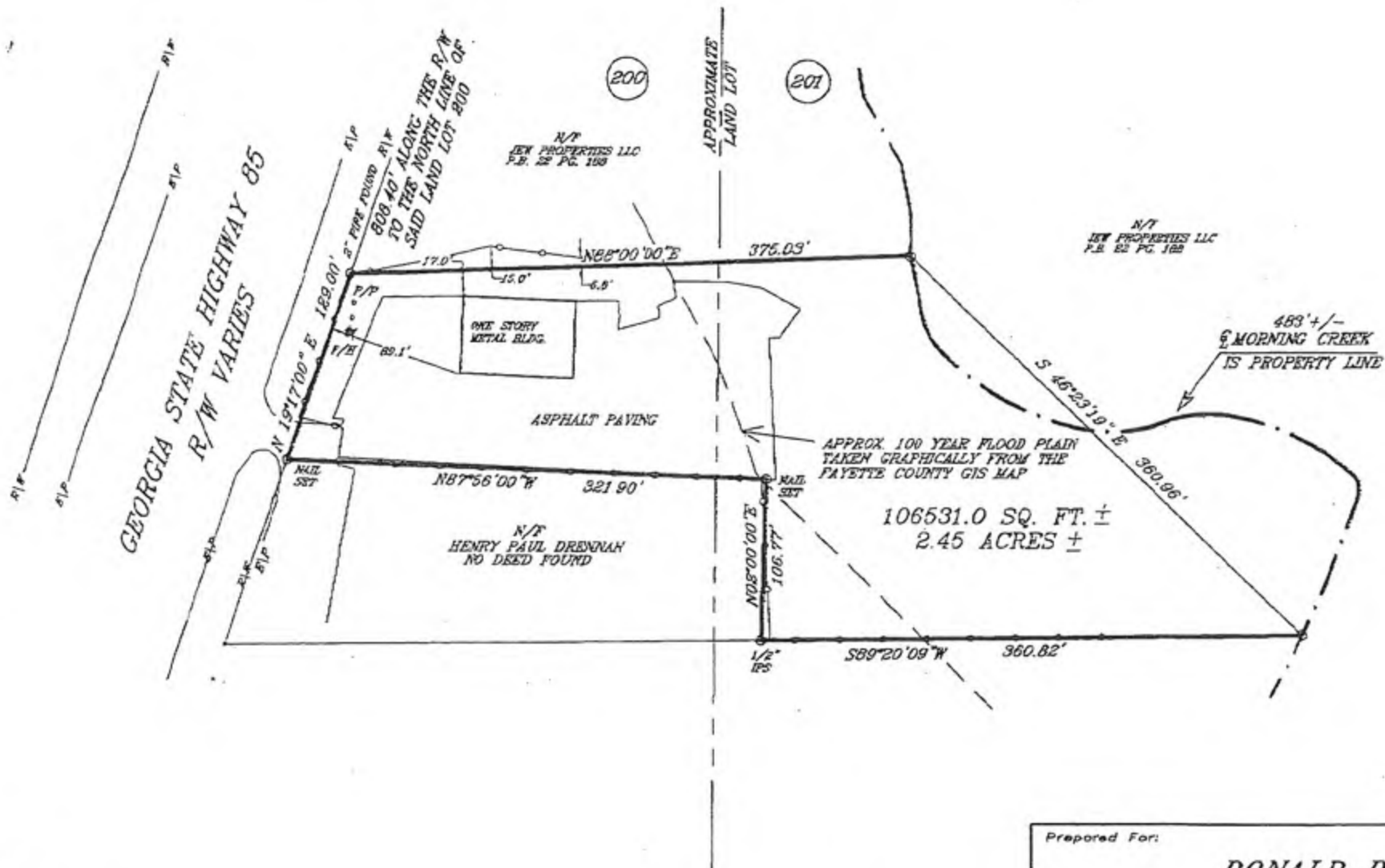
9-22-15

TO FAYETTE COUNTY PLANNING COMMISSION AND
BOARD OF COMMISSIONERS

MY INTENT IS TO CHANGE ZONING
FROM C4 TO M1 FOR AUTO
REPAIR AND BODY SHOP

RON ZAPPALONE





CLOSURE DATA

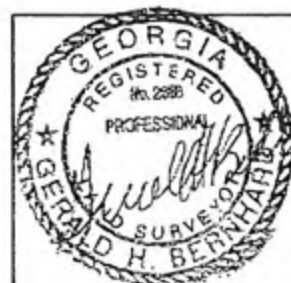
FIELD CLOSURE=1" IN 10,000+
 ANGLES POINT ERROR=< 20"
 EQUIPMENT USED=E.D.M. & THEODOLITE
 ADJUSTMENT METHOD=COMPASS RULE
 PLAT CLOSURE=1" IN 100,000+

LEGEND

IPF=IRON PIN FOUND
 IPS=IRON PIN SET
 R/W=RIGHT OF WAY
 MAG=MAGNETIC
 P.O.B.=POINT OF BEGINNING
 B/L=BUILDING LINE
 D.E.=DRAINAGE BASEMENT
 N/F=NOW OR FORMERLY
 P.D.=FIELD WORK
 R.F.=REFORMED DATE



DECLARATION IS MADE TO ORIGINAL PURCHASER OF THE SURVEY. ANY USE BY THIRD PARTIES IS AT THEIR OWN RISK.
 SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SEAL AND ORIGINAL SIGNATURE OF SURVEYOR.



Prepared For:

DONALD DAVIS

ADDRESS: 1591 HIGHWAY 85 NORTH

Lot: D.B. 575 ~ PG. 533

Land Lot: 200 & 201 District: 5 TH

County: FAYETTE, GA F.W.P.D. 11/13/07

Scale: 1" = 80' Date: 11/14/07 Job No: 01-0662

DELTA SURVEYORS, INC.

surveyors planners development consultants
 770-460-9342 ~ (fax) 770-460-7114

P.O. BOX 571
 Fayetteville, GA 30214



JOHN 3:16

INC.

JCB

EXHIBIT "A"

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Consideration of Petition No. 1256-16. Claudine B. Morris, Christine B. Thornton, & Betty S. Shubert, Owners and Randy Boyd, Agent request to rezone 100.967 acres from A-R to R-50 to develop a single-family residential subdivision with 68 lots located in Land Lots 104 of the 7th District and fronts on Dogwood Trail.

Background/History/Details:

Staff recommends approval of rezoning petition 1256-16.

Planning Commission recommends denial of rezoning petition 1256-16.

Chairman Graw made a motion to recommend denial of rezoning petition 1256-16. John Culbreth seconded the motion.

The motion passed 5-0.

What action are you seeking from the Board of Commissioners?

Staff recommends approval of rezoning petition 1256-16.

Planning Commission recommends denial of rezoning petition 1256-16.

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: June 2, 2016

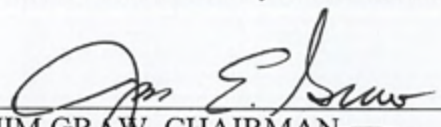
TO: Fayette County Commissioners

The Fayette County Planning Commission recommends that Petition No. 1256-16, the application of Claudine B. Morris , Christine B. Thorton & Betty S. Shubert to rezone 100.967 acres from A-R to R-50, be:

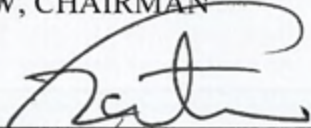
☐ Approved ☐ Withdrawn ☒ Disapproved 5-0

☐ Tabled until _____

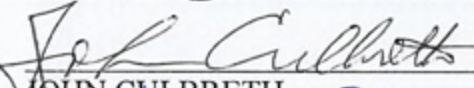
This is forwarded to you for final action.



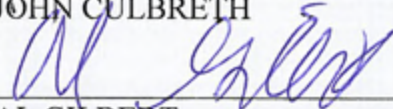
JIM GRAW, CHAIRMAN



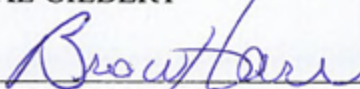
ARNOLD MARTIN, III, VICE-CHAIRMAN



JOHN CULBRETH



AL GILBERT



BRIAN HAREN

Remarks:

STATE OF GEORGIA
COUNTY OF FAYETTE

RESOLUTION

NO. 1256-16

WHEREAS, Claudine B. Morris , Christine B. Thorton & Betty S. Shubert, Owner, and Randy Boyd, Agent, having come before the Fayette County Planning Commission on June 2, 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 100.967 acres from A-R to R-50, in the area of Dogwood Trail, Land Lot 104 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;

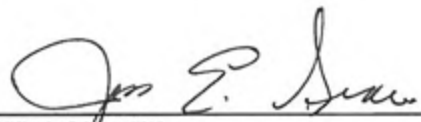
BE IT RESOLVED that the decision of the Fayette County Planning Commission, that said request be **DENIED**.

This decision is based on the following reason:

Not compatible with the surrounding area.

PLANNING COMMISSION
OF
FAYETTE COUNTY

ATTEST:



JIM GRAW
CHAIRMAN



PC SECRETARY

5. Consideration of Petition No. 1256-16. Claudine B. Morris, Christine B. Thornton, & Betty S. Shubert, Owners and Randy Boyd, Agent request to rezone 100.967 acres from A-R to R-50 to develop a single-family residential subdivision with 68 lots. This property is located in Land Lots 104 of the 7th District and fronts on Dogwood Trail.

Randy Boyd stated that he would be presenting this petition on behalf of Claudine Morris and Christine Thornton who owned the 50 acres to the east on the site plan and Betty Shubert who owned the 50 acres to the west on the site plan. He said that there are two (2) owners on this property which is currently zoned A-R and their request is R-50. He added that this property back on May 7th last year went to the Phase one (1) of Annexation for Peachtree City. He stated that the annexation with Peachtree City is a two (2) phase process. He said that you submit a generalization to the Peachtree City Council, they look at it, and if they're interested they will recommend it for phase two (2). He added that a local developer had proposed 99 lots on this same piece of property of 100 acres; he was denied the Phase one (1) approval. He stated that the south line of this property abuts the corporate limits of Peachtree City; to the north of the property about a half a land lot away (1500 sq. ft.) is Tyrone; to the west about 1500 sq. ft. or half a land lot away is Crabapple Lane. He said that the property was sandwiched in between Peachtree City and the Town of Tyrone. He proposed 68 lots for the 100 acres. He stated that R-50 has a minimum house size of 2,100 square feet. He asked that they considerate it and thinks it is appropriate for the area. He stated that he read the minutes from the Peachtree City Council, and a lot of the residents from the Kedron Hills property which is zoned R-22; with a minimum lot area of 22,000 sq. ft. had a lot of concerns about the 99 lots on this property's 100 acres. He said that we of course are one (1) acre minimum with the 68 lots; Kedron Hills would like to see a more step down zoning with larger lots further north. He added that it was still turned down by Peachtree City Council, but believes that their concerns were satisfied. He asked they approve it as submitted.

Chairman Graw asked if there was anyone that would like to speak in favor of the Petition. Hearing none he asked if there were anyone here who would like to speak in opposition of the Petition.

Scott Beamer President of the Kedron Hills HOA stated that he represents 200 homes in the subdivision. He stated that the Kedron Hills HOA joined the Kedron Estates HOA which has 65 homes give or take. He said that predominately all of his neighbor's sentiments toward the rezoning are negative. He added that this has already come before Peachtree City and did not get any traction. He stated that the land use is A-R and everything that surrounds it is A-R. He said the developer is just trying to go around the annexation process to get the property rezoned. He added that he has had this fight with Peachtree City and doesn't understand why we are changing the land use plan from what it is A-R to R-50. He stated that 2,200 square feet doesn't even approximate what is built in Kedron Hills, and he hasn't seen a house sale for less than a half million dollars in Kedron Hills in last few months. He said if they are going to build 2,200 sq. ft. homes they will be completely dissimilar to what's directly south of them in Peachtree City. He added if they wanted to build bigger homes and increase the value of the homes that may have bearing on the argument. He stated that this project has no positive impact on Kedron Hills and Estates. He said if you look at the plat the north boundary is Dogwood Trail; the west boundary

is Crabapple Lane; according to your traffic study there will be 650 (guess) additional car movements a day, and a large portion will come down Dogwood Trail and turn left on Crabapple Road and come through my subdivision and exit onto the parkway. He added that we get more traffic, we get more congestion, and we get no positive out of it. He stated that neighbors are concerned about what this might do to the school's rezoning situation. He said that they fought that battle long ago and now their students go to Crabapple, Booth, and Macintosh. He added that by building this neighborhood will the County come back and look at the school rezoning. He stated that the people along Loring Lane and Astoria Lane are concerned because the project is going to come right down to the north border of Kedron Hills. He said whether we see it, feel the impact, or how that's going to work out; is it 2000 feet, is 1500 feet; is it woods between us and them; what exactly is this thing going to look like once its completed; those are the concerns that people have. He added that he has not received any positive feedback from any of the homeowners he represents. He ended saying that his community would strongly request that they deny.

Chairman Graw asked if anyone else would like to speak in opposition.

Tim Going stated that he lives south of the proposed development and supported what Mr. Beamer said about the symmetry of the development being out of place with the neighboring homes. He said that his major concern was that this development was going to be on septic. He stated that normally those conditions work just fine, but we're on a downward slope from the development and if there should be some sort of accident we will be unable to mitigate the affluent that comes on to the land. He said it would be without barrier and would come into all of their yards. He added that even though these systems are much better design than they were in the past there are failures; didn't see anything in the zoning development that would mitigate these hazards.

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

Al Gilbert interjected saying that Mr. Boyd gets to rebut.

Chairman Graw apologized.

Randy Boyd stated that the first gentleman that spoke on behalf of Kedron Hills he agreed with him that the houses along the south line are about a half a million dollars. He said that the gentleman mentioned that the 2,200 sq. ft. in our proposed zoning would not be sufficient to match what they have there; he reminded him that the R-22 zoning of Peachtree City that minimum is 1600 sq. ft.; so he thinks the standard has been set in Kedron Hills. He added the Planning Commission does not need to look at the price of the land but under the price of the land now and development cost these lots are probably going to sell for at least \$100,000; if you use a builders rule of thumb that product is going to end up being \$500,000 because the land is 20 percent of the cost of the product. He stated that is not a concern for them because our standard is 2,100 sq. ft. and Kedron Hill's under their present zoning is 1,600 sq. ft.; he believes no one is going to attempt to build that instead they will build larger houses with a nicer product. He mentioned the gentleman had an issue with the land use plan but did not understand what that

was all about because the property is zoned A-R now, but it does fit the land use plan for that area, the land use plan suggest lots to be one (1) to two (2) acres. He said that we have 68 lots on 100 acres so, we are well within that realm of what the land use plan calls for. He added that this school system would go to the Sandy Creek Jenkins Road school system; this would not go into the Peachtree City or the Macintosh area school system. He stated that we have four lots backing up to that subdivision on about 1.5 acres and there is about eight (8) or 10 lots backing up because of their R-22 zoning which the minimum lot area is 22,000 sq. ft. and 1,600 sq. ft. house. He said that the lots within there are 7/10th's of an acre or about an acre; no, all those lots in there are not half an acre, but a lot of them are and the net density for that zoning is two (2) lots per acre. He added that we have less than that we are not even getting one (1) lot per acre. He stated that to say it doesn't fit the area is hard to believe; you can take a piece of property that is zoned two (2) lots per acre and then we are going to do a one (1) lot per acre which is basically a step down zoning; how can that be bad for the area. He said that he has been an Engineer / Surveyor in the County for over 35 years and wasn't aware of any major or massive septic tank failures on a number of lots; now, occasionally you will get one that fails, and even that is rare because we do soils analysis on the piece of property and any of the bad areas will be avoided. He added at this juncture we have not done soils analysis on this property so this lot number could get smaller. He stated that a soils analysis level three (3) would be done and then the design would fit that with acceptable soils for the septic tank and drainage field on each lot. He reiterated that he had never seen a mass septic tank failure; there may be an individual lot septic tank failure, but with the guidelines in place now that has become rarer. He added that he has addressed all of the resident's concerns and asked if the Planning Commission had any questions.

Chairman Graw brought it back before the Planning Commission.

Arnold Martin asked Randy Boyd his thoughts toward the traffic and would people be using this subdivision as a cut-through. He added that there are a lot of children in the subdivision; it is a question for any community when there is an increase in traffic count. He asked what Randy Boyd felt about the impact of the traffic.

Randy Boyd replied that he couldn't predict what someone would do, but he finds it hard to believe that someone is going to come out of their subdivision go 1500 ft. to the west; cut through an unimproved gravel road that ties into a subdivision and twist up and down that subdivision. He said if he was going to Peachtree City and lived in the subdivision he would go west on Dogwood, past Farr Road, past Crabapple, and hit Highway 74, turn left and go down toward Peachtree City. He added that if he was going to the expressway he would use that same route and turn to the right and go Highway 74 to Interstate 85. He stated that if he was going to the City of Fayetteville he would go east on Dogwood until it hits Tyrone Road, Highway 54 and then turn left into Fayetteville. He said that he is a civil engineer not a traffic engineer and couldn't see why a person would do that unless they were going to go and visit someone in that subdivision. He reiterated that he found it hard to believe someone would drive through that maze of a subdivision and because the initial road they're getting on is gravel. He said the road isn't wide and not really a great road.

Chairman Graw asked if there was anyone else with a comment.

Chairman Graw stated that the zoning proximity map which includes Peachtree City that has zoning of R-22 which is a minimum of half acre lots (22,000 sq. ft.) and the Town of Tyrone has one (1) acre minimum lots. He said that he doesn't look at surrounding municipalities and what there zoning is and try to make some type of comparison on what "we" the County should be doing for our zoning. He added that if you look at the zoning proximity map there are some spattering's of R-70 in this area; way north there is some R-40 but there is quite a bit of R-70. He stated that it looks like when petitioners have come in in the past they asked for R-70 zoning which is a minimum two (2) acres and they received their R-70. He said that it looks like some Commissions in the past are looking to set a precedent of R-70 in this area. He added that he personally has a problem with one (1) acre zoning in this area; doesn't think it's compatible with the area; it's A-R minimum five (5) acre lots; doesn't think we would be doing the residents of the area who have purchased property in that area thinking they were going to have some compatible zoning. He stated that A-R is not going to always be; there will always be someone coming in asking for a rezoning; the residents that bought are expecting something similar to what they have. He said is it going to always be A-R no; will it be one (1) acre, I personally don't feel it should be, that's my position.

Chairman Graw asked if there was anyone else with a comment.

Brian Haren said that he thought Chairman Graw did a good job of summing up his feelings.

Al Gilbert stated that when people come up and say it's got A-R around it; you need to understand why it's got A-R around it. He said back in 1970 when the County first decided to do a land use map and zoning anything that didn't have a subdivision or a business on it was put in A-R, it was a holding pattern. He added that if we would have said 30 years ago when he first join the Planning Commission it had A-R around it; there would have never been any development around this County up to this day because everything was basically A-R. He stated that you will hear people use this on occasion; elected officials may use it on occasion; but you need to understand is it truly A-R, or is it A-R because it's in a holding pattern from back in the early days of zoning.

Chairman Graw stated that he failed to mention if this property were to be zoned one (1) acre it sets a precedent. He said this means that any developer can come in and asked for one (1) acre rezoning, and have a really good bench mark to make their argument. He added that is another reason why he doesn't feel one (1) acre is compatible. He reiterated that it could establish a precedent and not a good precedent.

Al Gilbert stated that we are starting to head in a direction that is starting to bother him. He said that they have always recognized property land use one (1) to two (2) acres, and that one (1) acre zoning is acceptable. He added that last month we decided that it wasn't and this month we are sounding the same. He stated that we are heading in a pattern where we can just say everything in the County from now on will have to be two (2) acres or greater.

Chairman Graw asked is there anyone else.

Chairman Graw made a motion to recommend denial of Petition 1256-16. John Culbreth seconded the motion. The motion passed 5-0.

REQUESTED ACTION: A-R to R-50

PROPOSED USE: Single-Family Residential Subdivision

EXISTING USE: Agricultural Residential

LOCATION: Dogwood Trail

DISTRICT/LAND LOT(S): 7th District, Land Lot(s) 104

OWNER: Claudine B. Morris , Christine B. Thorton & Betty S. Shubert

AGENT: Randy Boyd

PLANNING COMMISSION PUBLIC HEARING: June 2, 2016

BOARD OF COMMISSIONERS PUBLIC HEARING: June 23, 2016

APPLICANT'S INTENT

Applicant proposes to develop a Single-Family Residential Subdivision consisting of 68 lots on 100.967 acres.

STAFF RECOMMENDATION

APPROVAL

1.

1256-16

INVESTIGATION

A. PROPERTY SITE

The subject property is a 100.967 acre tract fronting on Dogwood Trail in Land Lot(s) 104 of the 7th District. Dogwood Trail is classified as a Collector road on the Fayette County Thoroughfare Plan. The subject property contains a single-family residence and is currently zoned A-R.

B. SURROUNDING ZONING AND USES

The general situation is a 100.967 acres tract that is zoned A-R. In the vicinity of the subject property is land which is zoned A-R & R-22 (PTC). See the following table and also the attached Zoning Location Map.

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

Direction	Acreage	Zoning	Use	Comprehensive Plan
North (across Dogwood Trail)	11.8 6.0 11.0	A-R A-R A-R	Single-Family Residential Single-Family Residential Undeveloped	Low Density Residential (1Unit/1 to 2 Acres)
South (in PTC)	Seven lots in Kedron Hills Subdivision (PTC) ranging in size from .69 to 1.06 acres	R-22 (22,000 Sq Ft)	Single-Family Residential	SFM – Single-family Medium (.25 to 1.0 acres) (PTC)
East	9.4 9.0 15.1 22.3 9.44 1.0	A-R A-R A-R A-R A-R A-R	Single-Family Residential Undeveloped Single-Family Residential Single-Family Residential Single-Family Residential Undeveloped	Low Density Residential (1Unit/1 to 2 Acres)
West	44.4	A-R	Single-Family Residential	Low Density Residential (1Unit/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) and Conservation Areas. This request conforms to the Fayette County Comprehensive Plan.

D. ZONING/REGULATORY REVIEW

The applicant seeks to rezone A-R from to R-50 for the purpose of developing a Single-Family Residential Subdivision.

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.

Access

The Concept Plan submitted indicates one (1) access from Dogwood Trail.

E. TRAFFIC AND TRIP GENERATION

Per the Institute of Transportation Engineers' "Trip Generation, 8th edition", the average trip generation of a single family residential unit is 9.57 trips in a 24 hour weekday, 0.75 trips between 7:00am and 9:00am, and 1.01 trips between 4:00pm and 6:00pm.

<u>Rezoning Petition 1256-16</u>			
<u>ITE Trip Generation 8th edition</u>			
	Weekday	7:00 am – 9:00am	4:00pm – 6:00pm
68 Dwelling Units	650 trips	51trips	68 trips

The latest Georgia Department of Transportation Annual Average Daily Traffic estimate for Dogwood Trail at a point near Tyrone Road is 2,950 vehicles.

F. 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 are not limited to:

Side yard setbacks on lots 7, 12, 24, 42, 43, 44, and 65 are shown with 30 foot setbacks. Side yard setbacks in the R-50 zoning district require a 20 foot setback.

G. DEPARTMENTAL COMMENTS

Water System

Water Available. 8" Main on Dogwood Trail.

Public Works/Engineering

1. If left as A-R, the parcel could be divided into 14 lots using existing road frontage. Under the proposed rezoning to R-50, the amount of traffic would be more than four times as great but the number of curb cuts onto Dogwood reduced from 14 to 1.
2. A deceleration lane will be required at the entrance and probably some type of left turn lane (either full lane or turn lane with right hand passing option).
3. No ROW dedication is required (Dogwood is Collector with existing 80' shown on survey).
4. Any new road shall meet minimum offset distances, which does not seem to be a factor for this parcel.

Environmental Management

Floodplain The property **DOES** contain Zone A floodplain, per FEMA FIRM panel 13113C0079E dated Sept 26, 2008, and additional floodplain delineated in the Fayette County 2013 Future Conditions Flood Study. This development is subject to the Floodplain Management Ordinance.

Wetlands The property **MAY** contain wetlands and a wetland determination will be required as part of the development submittals. 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 This property **IS** subject to the Watershed Protection ordinance. Any state waters identified on site are subject to a 50 ft. watershed buffer measured from wretsted vegetation and a 25 ft. setback as measured from the buffer.

Groundwater The property **IS** within a groundwater recharge area.

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

Environmental Health Department

No Objections

Fire

Must provide fire hydrants 600 ft. apart.

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) and Conservation Areas. 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**.

**1256-16
Zoning Map**

Tyrone

Tyrone

Farr Road

Dogwood Trail

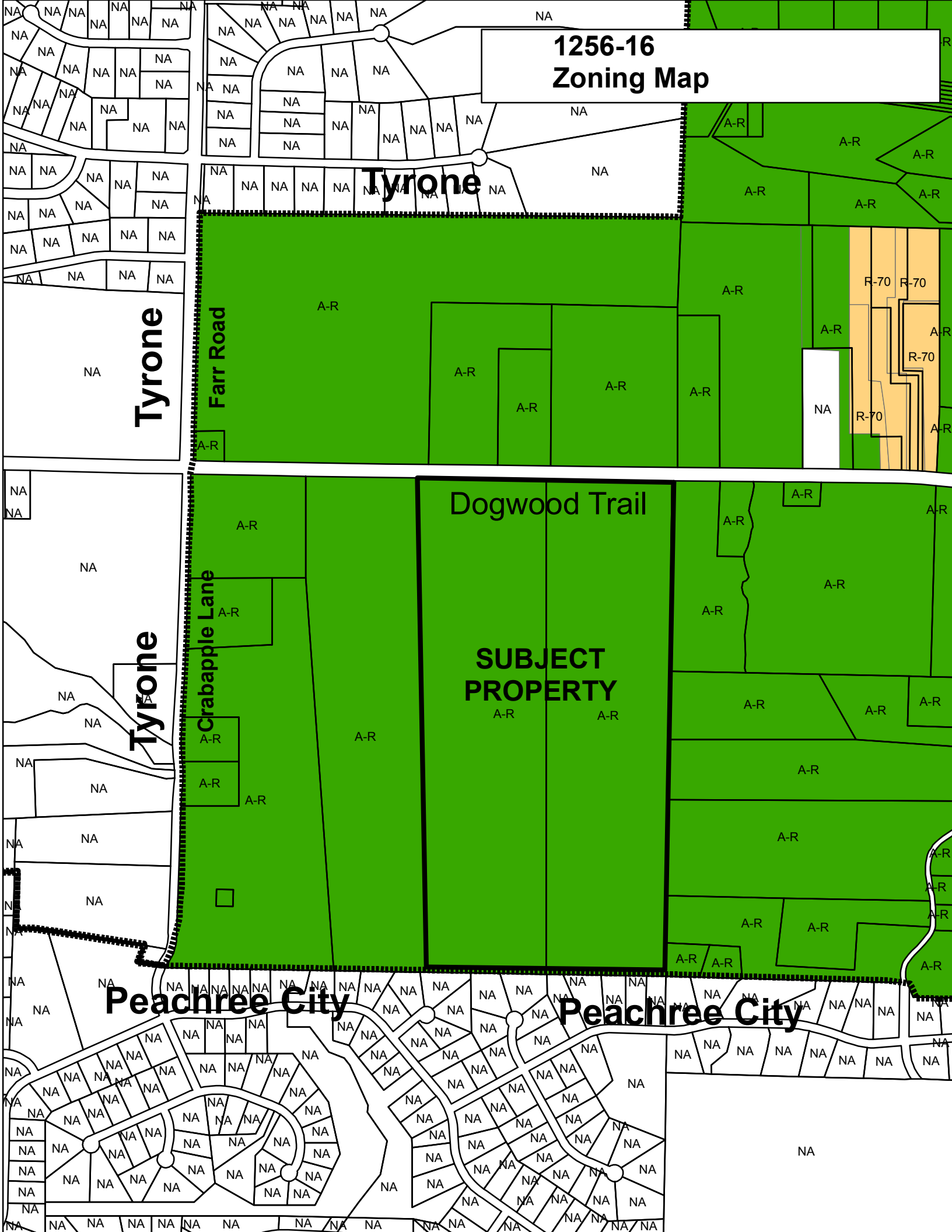
**SUBJECT
PROPERTY**

Crabapple Lane

Tyrone

Peachtree City

Peachtree City



1256-16

Land Use Plan Map

City_Limits

Tyrone

Tyrone

Farr Road

LOW DENSITY
RESIDENTIAL

Dogwood Trail

**SUBJECT
PROPERTY**

CONSERVATION
AREAS

Tyrone

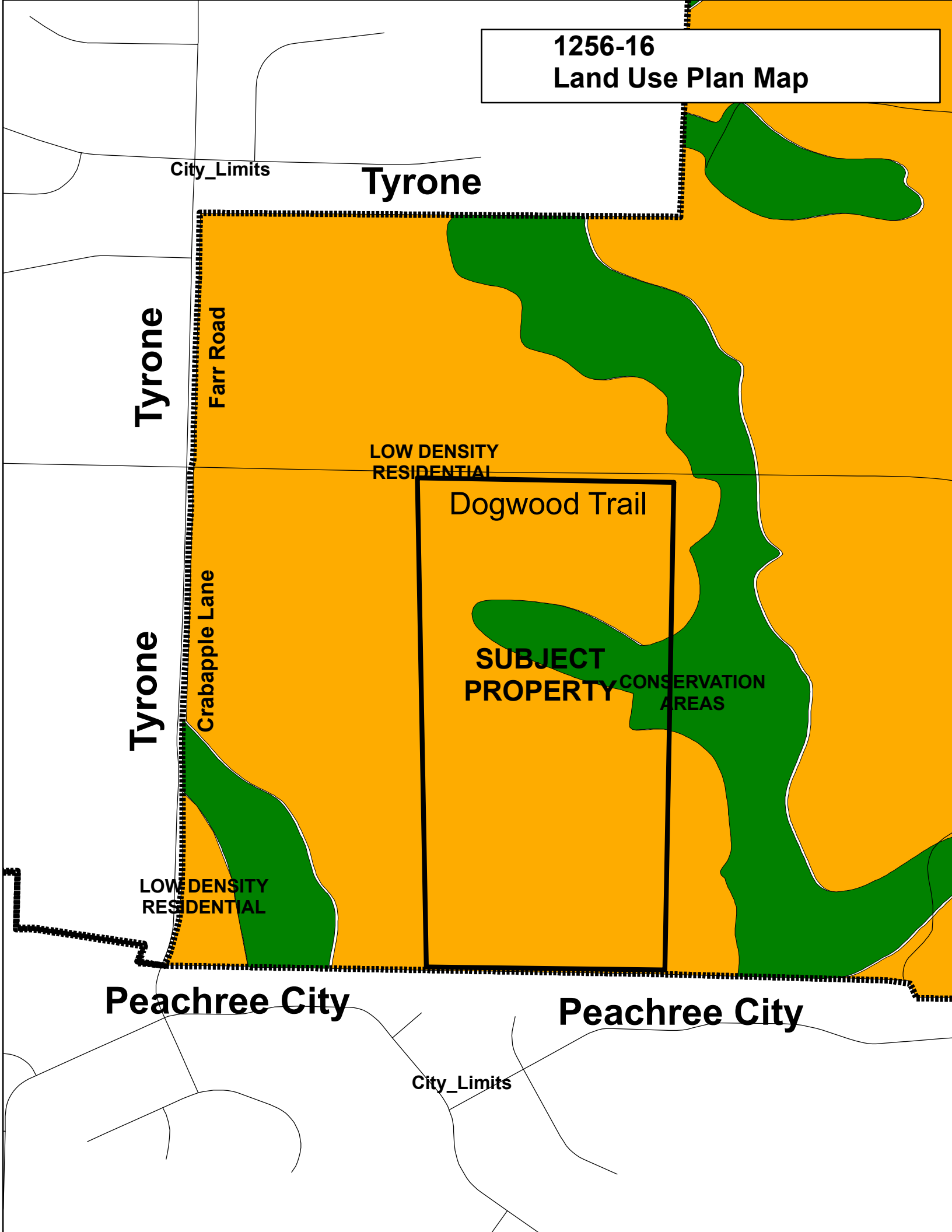
Crabapple Lane

LOW DENSITY
RESIDENTIAL

Peachree City

City_Limits

Peachree City



1256-16
Aerial Map

Tyrone

Tyrone

Farr Road

Dogwood Trail

**SUBJECT
PROPERTY**

Tyrone

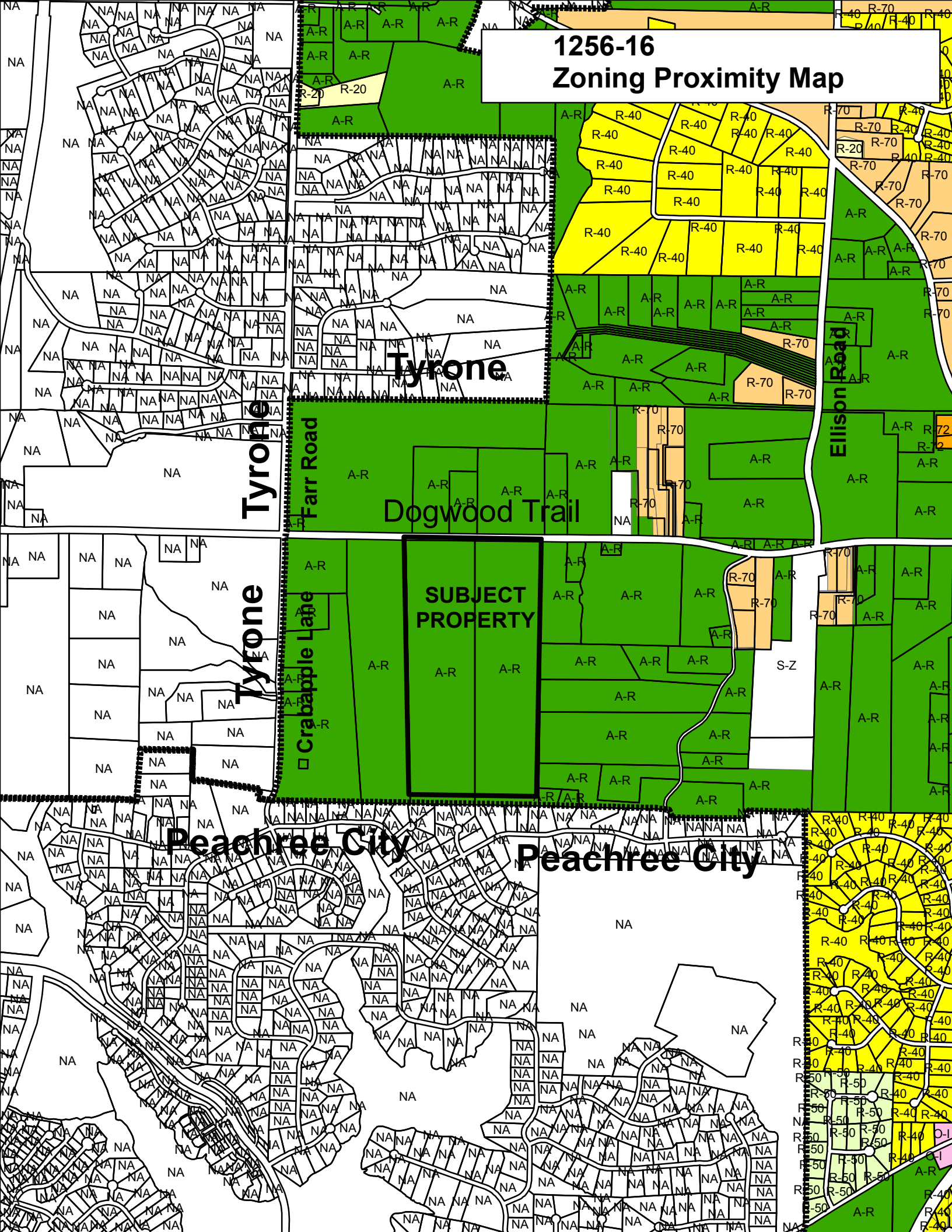
Crabapple Lane

Peachree City

Peachree City

1256-16

Zoning Proximity Map



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

PROPERTY OWNERS: CLAUDINE B. MORRIS & CRISTINE B. THORNTON

MAILING ADDRESS: 160 CLAYTON ROAD BROOKS, GA. 30205

PHONE: [REDACTED] FAX: [REDACTED]

AGENT FOR OWNERS: RANDY M. BOYD

MAILING ADDRESS: P.O. Box 64 ZEBULON, GA. 30295

PHONE: [REDACTED] FAX: [REDACTED]

E-MAIL: [REDACTED]

PROPERTY LOCATION: LAND LOT 104 LAND DISTRICT 7H PARCEL [REDACTED]
LAND LOT [REDACTED] LAND DISTRICT [REDACTED] PARCEL [REDACTED]

TOTAL NUMBER OF ACRES REQUESTED TO BE REZONED: 51.892 ACRES

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

ZONING OF SURROUNDING PROPERTIES: AR TO WEST & EAST - R-22 PEACHTREE

PRESENT USE OF SUBJECT PROPERTY: SINGLE FAMILY RES. CITY ON SOUTH

PROPOSED USE OF SUBJECT PROPERTY: RESIDENTIAL SUBDIVISION

LAND USE PLAN DESIGNATION: [REDACTED]

NAME AND TYPE OF ACCESS ROAD: DOGWOOD TRAIL -

LOCATION OF NEAREST WATER LINE: ON NORTH SIDE OF DOGWOOD TRAIL

(THIS AREA TO BE COMPLETED BY STAFF): PETITION NUMBER: 1256-16

☐ Application Insufficient due to lack of: [REDACTED]

by Staff: [REDACTED] Date: [REDACTED]

☒ Application and all required supporting documentation is Sufficient and Complete

by Staff: [REDACTED] Date: [REDACTED]

DATE OF PLANNING COMMISSION HEARING: June 2, 2016

DATE OF COUNTY COMMISSIONERS HEARING: June 23, 2016

Received from The Player Group, Inc. a check in the amount of \$ 450.00 for
application filing fee, and \$ 20.00 for deposit on frame for public hearing sign(s).

Date Paid: [REDACTED] Receipt Number: 5239208 (appl.)
5239209 (sign)

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

PROPERTY OWNERS: BETTY S. SHUBERT

MAILING ADDRESS: 376 DOGWOOD TRAIL TYRONE, GA. 30290

PHONE: [REDACTED] FAX: _____

AGENT FOR OWNERS: RANDY M. BOYD

MAILING ADDRESS: P.O. BOX 64 ZEBULON, GA. 30295

PHONE: [REDACTED] FAX: _____

E-MAIL: [REDACTED]

PROPERTY LOCATION: LAND LOT 104 LAND DISTRICT 7H PARCEL _____
LAND LOT _____ LAND DISTRICT _____ PARCEL _____

TOTAL NUMBER OF ACRES REQUESTED TO BE REZONED: 49.075 ACRES

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

ZONING OF SURROUNDING PROPERTIES: AR TO WEST & EAST - R-22 PEACHTREE CITY

PRESENT USE OF SUBJECT PROPERTY: SINGLE FAMILY RES. ON SOUTH

PROPOSED USE OF SUBJECT PROPERTY: RESIDENTIAL SUBDIVISION

LAND USE PLAN DESIGNATION: _____

NAME AND TYPE OF ACCESS ROAD: DOGWOOD TRAIL - ASPHALT PAVING

LOCATION OF NEAREST WATER LINE: ON NORTH SIDE OFF DOGWOOD TRAIL

(THIS AREA TO BE COMPLETED BY STAFF): PETITION NUMBER: _____

☐ Application Insufficient due to lack of: _____

by Staff: _____ Date: _____

☐ Application and all required supporting documentation is Sufficient and Complete

by Staff: _____ Date: _____

DATE OF PLANNING COMMISSION HEARING: _____

DATE OF COUNTY COMMISSIONERS HEARING: _____

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

Date Paid: _____ Receipt Number: _____

PROPERTY OWNER CONSENT AND AGENT AUTHORIZATION FORM
(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:

BETTY S. SHUBERT
Please Print Names

Property Tax Identification Number(s) of Subject Property: 0229-090

(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) 104 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 RANDY M. BOYD 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.

Betty S. Shubert
Signature of Property Owner 1

376 Dogwood Isle
Address
Sydney, Ga. 30290

Signature of Property Owner 2

Address

Signature of Property Owner 3

Address

Randy M. Boyd
Signature of Authorized Agent

Address

[Signature]
Signature of Notary Public

Date

Signature of Notary Public

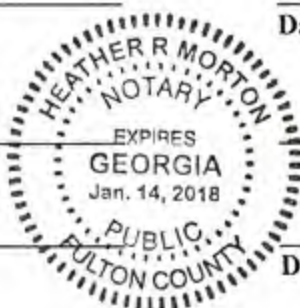
Date

Signature of Notary Public

Date

Heather R. Morton
Signature of Notary Public

Date



PROPERTY OWNER CONSENT AND AGENT AUTHORIZATION FORM
(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:

CLAUDINE B. MORRIS & CHRISTINE B. THORNTON
Please Print Names

Property Tax Identification Number(s) of Subject Property: 0729 010

(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) 104 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).

☒ (We) hereby delegate authority to RANDY M. BOYD 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.

☒ (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, ☒ (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. ☒ (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. ☒ (We) further acknowledge that additional information may be required by Fayette County in order to process this application.

Claudine B. Morris
Signature of Property Owner 1

160 Clayton Rd, Brooks
Address GA 30205

Christine B. Thornton
Signature of Property Owner 2

374 Stalling Dr.
Address Moxice, GA 31064

Helen S Fuller
Signature of Notary Public
4/21/16
Date
HELEN S FULLER
NOTARY PUBLIC
Fayette County
State of Georgia
My Comm. Expires Oct. 31, 2017

Helen S Fuller
Signature of Notary Public
4/21/16
Date
HELEN S FULLER
NOTARY PUBLIC
Fayette County
State of Georgia
My Comm. Expires Oct. 31, 2017

Signature of Property Owner 3

Signature of Notary Public

Address

Date

Randy M. Boyd
Signature of Authorized Agent

P.O. Box 64
Address

ZEBULON, GA.

30295



Heather R. Morton
Signature of Notary Public

3/2/16
Date

ADDRESS: DOGWOOD TRAIL

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

RANDY M. BOYD affirms that he is the owner or the specifically authorized agent of the property described below. Said property is located in a(n) AR Zoning District. He/She respectfully petitions the County to rezone the property from its present classification and tenders herewith the sum of \$ _____ 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 _____ day of _____, 20____ at 7:00 P.M.

PUBLIC HEARING to be held by the Board of Commissioners of Fayette County on the _____ day of _____, 20____ at 7:00 P.M.

SWORN TO AND SUBSCRIBED BEFORE ME THIS 29th DAY OF April, 2016

Heather R. Morton
NOTARY PUBLIC



Randy M. Boyd
APPLICANT'S SIGNATURE

DEVELOPMENTS OF REGIONAL IMPACT (DRI)

Rezoning Applicant:

- A. Please review the attached "Developments of Regional Impact Tiers and Development Thresholds" established by the Georgia Department of Community Affairs (DCA) to determine if the proposed project meets or exceeds these thresholds. If the proposed project does not meet the established thresholds (is less than those listed) then skip to section C. below and complete.
- B. If the project does meet or exceed the established thresholds for the type of development proposed, the Georgia Department of Community Affairs (DCA) "Developments of Regional Impact: Request for Review Form" is available online at the following website address: www.dca.state.ga.us/DRI/.
- C. I have reviewed and understand the attached "Thresholds: Developments of Regional Impact".
- ☒ The proposed project related to this rezoning request DOES NOT meet or exceed the established DRI thresholds .
- ☐ The proposed project related to this rezoning request DOES meet or exceed the established DRI thresholds and documentation regarding the required DRI Request for Review Form is attached.

Signed this 29th day of APRIL, 20 16.

Randy M. Boyd
APPLICANT'S SIGNATURE

DISCLOSURE STATEMENT

Please check one:

Campaign contributions - ☒ No ☐ Yes (see attached disclosure report)

TITLE 36. LOCAL GOVERNMENT PROVISIONS APPLICABLE TO COUNTIES AND MUNICIPAL CORPORATIONS CHAPTER 67A. CONFLICT OF INTEREST IN ZONING ACTIONS

O.C.G.A. § 36-67A-3 (2011)

§ 36-67A-3. Disclosure of campaign contributions

(a) When any applicant for rezoning action has made, within two years immediately preceding the filing of that applicant's application for the rezoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:

(1) The name and official position of the local government official to whom the campaign contribution was made; and

(2) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.

(b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the rezoning action is first filed.

(c) When any opponent of a rezoning action has made, within two years immediately preceding the filing of the rezoning action being opposed, campaign contributions aggregating \$250.00 or more to a local government official of the local government which will consider the application, it shall be the duty of the opponent to file a disclosure with the governing authority of the respective local government showing:

(1) The name and official position of the local government official to whom the campaign contribution was made; and

(2) The dollar amount and description of each campaign contribution made by the opponent to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.

(d) The disclosure required by subsection (c) of this Code section shall be filed at least five calendar days prior to the first hearing by the local government or any of its agencies on the rezoning application.

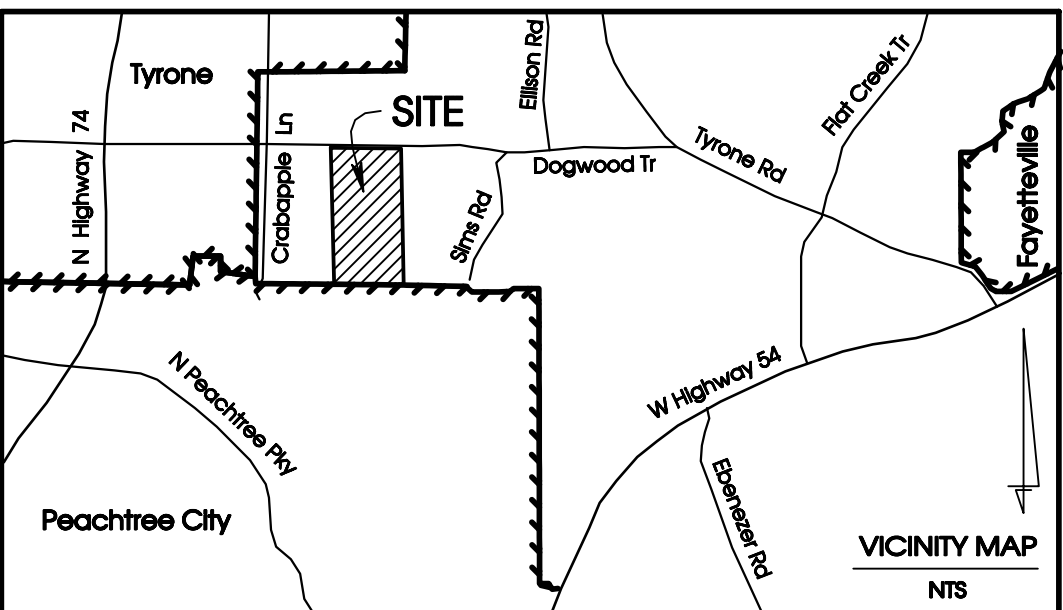
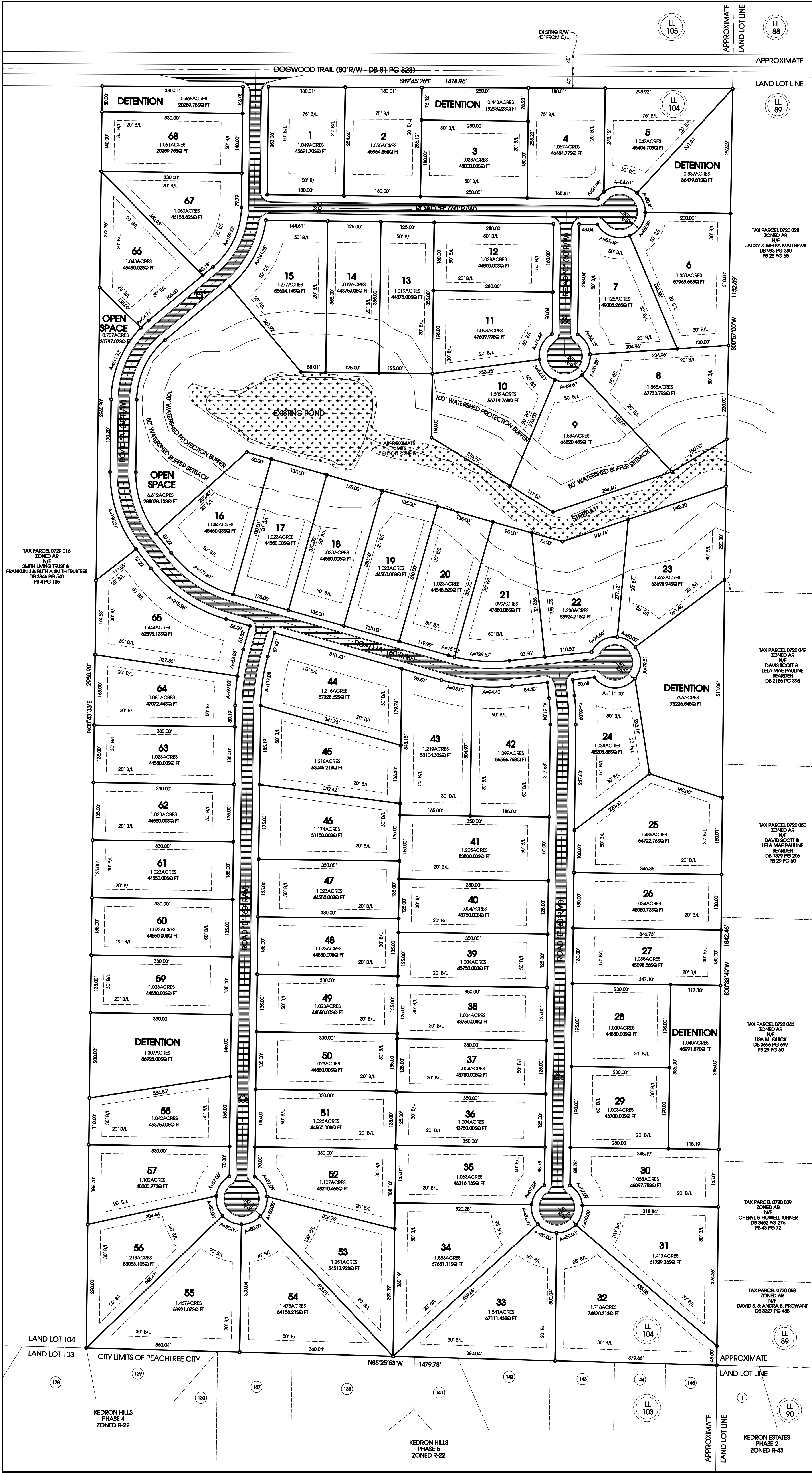
HISTORY: Code 1981, § 36-67A-3, enacted by Ga. L. 1986, p. 1269, § 1; Ga. L. 1991, p. 1365, § 1; Ga. L. 1993, p. 91, § 36.

LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 104 OF THE 7TH DISTRICT OF FAYETTE COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF DOGWOOD TRAIL (80' RIGHT-OF-WAY, DEED BOOK 81, PAGE 323) AND THE EAST LINE OF LAND LOT 104, THENCE ALONG SAID LAND LOT LINE SOUTH 0 DEGREES 57 MINUTES 00 SECONDS WEST A DISTANCE OF 1152.69 FEET, THENCE CONTINUING ALONG SAID LAND LOT LINE SOUTH 0 DEGREES 33 MINUTES 49 SECONDS WEST FOR A DISTANCE OF 1842.46 FEET TO THE COMMON CORNER OF LAND LOTS 89, 90, 103 AND 104, THENCE ALONG THE SOUTH LINE OF LAND LOT 104 NORTH 88 DEGREES 25 MINUTES 53 SECONDS WEST FOR A DISTANCE OF 1479.78 FEET, THENCE NORTH 0 DEGREES 43 MINUTES 33 SECONDS EAST FOR A DISTANCE OF 2960.90 FEET TO THE SOUTH RIGHT-OF WAY LINE OF DOGWOOD TRAIL, THENCE ALONG SAID RIGHT-OF WAY LINE OF DOGWOOD TRAIL SOUTH 89 DEGREES 45 MINUTES 26 SECONDS EAST FOR A DISTANCE OF 1478.96 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINING 100.967 ACRES



TOPOGRAPHIC INFORMATION DIGITIZED FROM FAYETTE COUNTY GIS MAP.
BOUNDARY INFORMATION TAKEN FROM A PLAT BY
ANGEL M. MARRETO, GA. RLS # 2642, DATED 06/16/05 AND
DEED BOOK 4006, PAGES 396-399, FAYETTE COUNTY CLERK OF THE SUPERIOR COURT RECORDS.
NO FIELDWORK PERFORMED FOR THIS SURVEY.

BASED ON THE INFORMATION SHOWN ON THE FLOOD HAZARD
BOUNDARY MAPS FURNISHED BY THE DEPT. OF H.U.D. THROUGH
THE FEDERAL INSURANCE ADMINISTRATION, IT IS MY OPINION THAT
THE PROPERTY SHOWN HEREON IS OUTSIDE THE FLOOD HAZARD
AREA, EXCEPT AS SHOWN.

REFERENCE F.I.R.M. NUMBER 13113 C 0079 E DATE 09/26/2008

SITE DATA

1. PROPERTY OWNERS:

TAX PARCEL 0729 009
BETTY S. SHUBERT
376 DOGWOOD TRAIL
TYRONE, GA 30290

TAX PARCEL 0729 010
CLAUDINE B. MORRIS
160 CLAYTON ROAD
BROOKS, GA 30205

TAX PARCEL 0729 010
CHRISTINE B. THORNTON
374 STARLING DRIVE
MONTICELLO, GA 31064

2. TOTAL AREA = 100.967 ACRES

3. CURRENT ZONING = AR (AGRICULTURAL RESIDENTIAL)

4. PROPOSED ZONING = R-50 - SINGLE FAMILY RESIDENTIAL

ZONING SETBACKS:
FRONT = 100' ARTERIAL
FRONT = 75' COLLECTOR
FRONT = 50' LOCAL
SIDE = 20'
REAR = 30'

MINIMUM LOT SIZE = 1.00 ACRE
MINIMUM HOUSE SIZE = 2100 SQ. FT.

MINIMUM LOT WIDTH @ BUILDING LINE = 125' MINOR

MINIMUM FREE AND CLEAR CONTIGUOUS AREA = 0.3 ACRES

5. TOTAL NO. OF PROPOSED LOTS = 68

6. ALL EXISTING STRUCTURES TO BE REMOVED.

DENSITY CALCULATIONS

GROSS DENSITY = 100.967 ACRES / 68 LOTS
= 1.484 ACRES PER DWELLING UNIT

TOTAL AREA = 100.967 ACRES
R/W AREA = 9.292 ACRES
FLOOD PLAIN AREA = 2.597 ACRES
STORMWATER MANAGEMENT BASINS = 5.888 ACRES
NET AREA = 83.190 ACRES

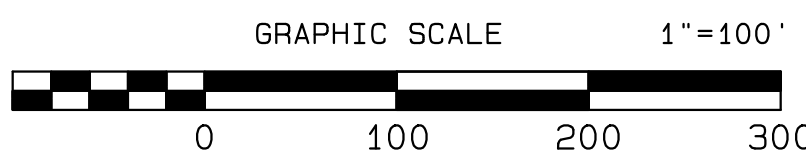
NET DENSITY = 83.190 ACRES / 68 LOTS
= 1.223 ACRES PER DWELLING UNIT

AGENT

RANDY BOYD
404-275-1677

LEGEND:

LL = LAND LOT
R/W = RIGHT-OF-WAY
DB = DEED BOOK
PB = PLAT BOOK
PG = PAGE
C/L = CENTERLINE
N/F = NOW OR FORMERLY
B/L = BUILDING LINE
BOC = BACK OF CURB



CONCEPTUAL PLAN

LAND LOT 104 - 7th DISTRICT - FAYETTE COUNTY, GEORGIA

R. M. Boyd & Associates
Surveying & Engineering, Inc.
P.O. Box 64 - Zebulon, GA 30295
404-275-1677 - Boyd2227@mindspring.com

PROJECT NUMBER	FIELD BOOK NUMBER	DRAWN BY	REVIEWED BY	ISSUE DATE	SHEET NUMBER
15002	000	DSB	RMB	04/27/2016	1 OF 1

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Approval of the appointment of Peachtree City Battalion Chief Chad Matheny and re-appointment of Peachtree City Assistant Chief Kevin Baggett to the Office of Emergency Medical Services Regional 4 Council for a two (2) year term expiring on June 30, 2018.

Background/History/Details:

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

We were recently notified that Fayette County had been allocated the fourth seat on the council. These council seats are filled from appointees recommended by the Fire Chief's of Fayette County Fire & Emergency Services and Peachtree City Fire-Rescue and will serve a two-year term. This request is to appoint Peachtree City Battalion Chief Chad Matheny to the newly allocated seat and to re-appoint Peachtree City Assistant Chief Kevin Baggett to the existing seat.

Currently representing Fayette County on the regional council are Fayette County Deputy Fire Chief Tom Bartlett and Fayette County Division Chief Steve Folden with terms expiring in 2017.

What action are you seeking from the Board of Commissioners?

Approval of the appointment of Peachtree City Battalion Chief Chad Matheny and re-appointment of Peachtree City Assistant Chief Kevin Baggett to the Office of Emergency Medical Services Regional 4 Council for a two (2) year term expiring on June 30, 2018.

If this item requires funding, please describe:

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:

From: [Joseph O'Connor](#)
To: [David Scarbrough](#)
Subject: RE: EMS Region Council
Date: Friday, May 06, 2016 9:28:01 AM
Attachments: [image001.png](#)

I would like to renew Kevin and add Operations Officer Chad Matheny. Please let me know if you need bios for each.

Joe O'Connor,
Fire Chief

Peachtree City Fire - Rescue

From: David Scarbrough [mailto:davids@fayettecountyga.gov]
Sent: Monday, May 02, 2016 3:01 PM
To: Joseph O'Connor
Subject: EMS Region Council

Joe,

I need a confirmation from you to present to our Board of Commissioners for Chief Kevin Baggett to continue for another term on the council.

I also need a second person from your organization to be placed on the council. That would mean you have 2 positions and we would have two positions.

Let me know as soon as you can. I think we have a deadline in June.

David J. Scarbrough, Fire Chief
Fayette County Department of Fire & Emergency Services
davids@fayettecountyga.gov
770.305.5174



COUNTY AGENDA REQUEST

Department: 911 Communications

Presenter(s): Bernard J. Brown, Director

Meeting Date: Thursday, June 23, 2016

Type of Request: Consent #7

Wording for the Agenda:

Approval of staff's recommendation of the maintenance agreement between Fayette County and Motorola for the 800 MHz ASTRO Simulcast System and to authorize the Chairman to sign the renewal contract, in the amount of \$539,196.47 for the term of July 1, 2016 through June 30, 2017.

Background/History/Details:

This annual Service Agreement and Contract Renewal provides for the ongoing maintenance of the Fayette County, Georgia 800 MHz ASTRO Simulcast System. Motorola is the "proprietary source" of these services due to the nature of the equipment. Motorola's service technicians not only maintain the system, but they have an intimate knowledge of the system since they installed it. The original contract was approved with the implementation of the Simulcast System, and this contract identifies the costs for the 2016-2017 term.

The total of the original contract is \$567,575.23.

Account #21530800-522231 includes \$53,634.70 for the Airbus Telephone System.

Account #21530800-522232 includes \$513,940.53 for the radio system.

After the 5% prepay discount of \$28,378.76, the total due is \$539,196.47.

What action are you seeking from the Board of Commissioners?

Approval of staff's recommendation of the maintenance agreement between Fayette County and Motorola for the 800 MHz ASTRO Simulcast System and to authorize the Chairman to sign the renewal contract, in the amount of \$539,196.47 for the term of July 1, 2016 through June 30, 2017.

If this item requires funding, please describe:

Funds for this renewal are included in the Fiscal Year 2017 M&O budget (account numbers 21530800-522231 & 522232).

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 Yes

Reviewed by Legal

Approved by Purchasing Yes

County Clerk's Approval Yes

Administrator's Approval Yes

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

To: Steve Rapson

From: Ted L. Burgess

Date: June 8, 2016

Subject: Contract #1122-S: Motorola Maintenance Agreement for Fiscal Year 2017

The county entered into maintenance and support agreements in 2004 with Motorola Corporation for various technology systems within the 911 Communications Department. The agreements include support for the radio system, uninterrupted power source, talk-around channel, weather warning siren system, and 911 phone system. Because of the nature of emergency communications, and the need for compatibility and continuity, the county does not routinely solicit bids from other vendors for the support services.

A display showing the system components covered by the agreement, and their historical costs, is attached. Maintenance services for the 911 phone system appear to be increasing significantly. However, a new, upgraded phone system was installed on February 27, 2015 and warranties were included. The price is increasing to reflect expiration of the warranties.

911 Communications recommends renewal of the agreement with Motorola Corporation for Fiscal Year 2017. Specifics of the proposed contract are as follows:

Contract Name	1122-S: Motorola Maintenance Agreement		
Vendor	Motorola Solutions		
Contract Amount	\$539,196.47 after prepayment discount		
Available Budget:	Included in the FY 2017 budget proposal, as follows:		
Project Code	N/A		
Organization Code	21530800 911 System		
Object Code	522231 Office Equip. Services	\$67,703	
	522232 Operating Eq. Services	<u>526,941</u>	
	Total	\$594,644	

Attachment

Fayette County, Georgia
9-1-1 Communications
Motorola Maintenance Agreement
Contract #1122-S

<u>Maintenance Component</u>	<u>FY 2015</u>	<u>FY 2016</u>	<u>Proposed FY 2017</u>	<u>Change FY16-17</u>	<u>FY 2017 Budget Account</u>
SmartZone 4.1. System					
Infrastructure Maint:	\$447,446.46	\$460,869.85	\$463,174.87	0.5%	21530800-522232
<i>Radio system*</i>					
UPS Maintenance:	23,674.48	24,384.71	25,603.94	5.0%	21530800-522232
<i>Uninterrupted power source</i>					
ITAC Maintenance:	8,830.06	9,094.94	9,549.68	5.0%	21530800-522232
<i>Talk around channel</i>					
MOSCAD / Sirens Maintenance:	14,435.55	14,868.61	15,612.04	5.0%	21530800-522232
<i>Weather warning siren system</i>					
Cassidian Services Maintenance:	<u>37,830.60</u>	<u>12,903.32</u>	<u>53,634.70</u>	<u>315.7%</u>	21530800-522231
<i>911 phone system**</i>					
Sub-Total	\$532,217.15	\$522,121.43	\$567,575.23	8.7%	
Prepayment Discount	<u>(26,610.86)</u>	<u>(26,106.07)</u>	<u>(28,378.76)</u>		
Total Maintenance Charges	<u>\$505,606.29</u>	<u>\$496,015.36</u>	<u>\$539,196.47</u>	8.7%	

*Includes network monitoring, dispatch service, onsite infrastructure response, technical support, infrastructure repair and network preventative maintenance.

** A new, upgraded phone system was installed on February 27, 2015, which included warranties. The price of maintenance was lower during the warranty period.



Ver. 4.8 Build 1000

SERVICE AGREEMENT

Attn: National Service Support
1307 East Algonquin Road
Schaumburg, IL 60196
(800) 247-2346

Date: 5/3/2016

Agreement Order #: S00001011708

Agreement Modifier:

Required P.O.: No

Customer #: 1035083203

Bill to Tag #: 0022

Contract Start Date: 07/01/2016

Contract End Date: 06/30/2017

Anniversary Date: June 30th

Payment Cycle: Annual

Tax Exempt: Exempt From All Taxes

PO #:

Company Name: Fayette County Board of Comm

Attn:

Billing Address: 140 W Stonewall Ave W Ste 101

City, State, Zip: Fayetteville, GA, 30214

Customer Contact: Peggy Glaze

Phone: (770) 461-4357

Fax: (770) 461-5925

Qty	Model/Option	Description	Monthly Ext	Extended
1		4.1 System Maintenance Network Monitoring Dispatch Service Onsite Infrastructure Response - Premier Technical Support Infrastructure Repair Network Preventative Maintenance	\$ 39,597.91	\$ 463,174.07
1		UPS Maintenance	\$ 2,133.86	\$ 25,606.94
1		ITAC Maintenance	\$ 795.81	\$ 9,549.88
1		MOSCAD/Sirens Maintenance	\$ 1,301.01	\$ 15,612.04
1		Caseldian (Plant) Services Software/Firmware Support Mission Control	\$ 4,469.56	\$ 53,634.70

SPECIAL INSTRUCTIONS - ATTACH STATEMENT OF WORK FOR PERFORMANCE DESCRIPTIONS

*** This contract includes a 5% annual pre-pay discount. The full contract value is \$539,196.47. ***

SUBTOTAL - RECURRING SERVICES \$ 47,297.64 \$ 567,575.23

SUBTOTAL - ONE-TIME EVENT SERVICES \$ -

TOTAL \$ - \$ 567,575.23

TAXES \$0.00 \$0.00

GRAND TOTAL \$ 47,297.64 \$ 567,575.23

THIS SERVICE AMOUNT IS SUBJECT TO STATE & LOCAL TAXING JURISDICTIONS, TO BE VERIFIED BY MOTOROLA.

SUBCONTRACTOR(S)	CITY	STATE
Motorola - SSC Network Management (D0047)	Schaumburg	IL
Motorola - SSC Call Center (D0066)	Schaumburg	IL
Motorola - SSC Technical Support (D0068)	Schaumburg	IL
Diversified Electronics	Forest Park	GA

Motorola's Service Terms & Conditions, a copy of which is attached to this Service Agreement, is incorporated herein by this reference.

AUTHORIZED CUSTOMER SIGNATURE

TITLE

DATE

CUSTOMER (PRINT NAME)

MOTOROLA REPRESENTATIVE (SIGNATURE)

TITLE

DATE

Sean Sanders ROBERT G. MARSHALL JR (678) 630-9683

MOTOROLA REPRESENTATIVE (PRINT NAME)

PHONE

FAX

Maintenance

System Maintenance Services

The maintenance services for this year on the Fayette County System begins on July 1st, 2016 and includes all below listed maintenance services, including parts and labor, during the one-year contract period.

Listed below are brief descriptions of the services provided under the Maintenance Service Agreement for Motorola equipment.

Overview of Services

You can be confident of receiving the highest level of service, as you would expect from the world's communication leader. In 1988, Congress and the Department of Commerce recognized Motorola's commitment to corporate quality by being awarded the first Malcolm Baldrige National Quality Award. This same recognition was again awarded in 2002. Our commitment to quality assures our customers of the very finest and most timely service available.

Recently, Motorola introduced a major corporate-wide initiative -- 5NINES: SYSTEM AVAILABILITY. Our ability to provide highly available, easy-to-use systems is critical to our fundamental objective of Total Customer Satisfaction and our position as a communications industry leader. 5NINES, or 99.999% availability (less than 5 minutes of total downtime per year), is the telephony standard to which all Motorola wireless systems aspire. The Corporation has committed to a new design culture, ease of use and operational simplicity, robustness metrics, and common platforms and network architecture.

Maintenance Personnel

The Motorola Maintenance Program proposed for Fayette County combines the services of a local System Service Team with additional Motorola technical, engineering, and administrative support as required. This approach allows for maximum utilization of resources.

There are 29 Authorized Motorola Service Shops located in Georgia. These centers combine the resources of a national organization with the convenience of local service. Because of the capabilities and qualifications of these centers and the extensive Motorola support structure Motorola can provide Fayette County with the highest levels of communications quality and availability.

There are advantages of proximity and quick response times in working with a local company. There are also advantages of size, reliability, financial stability, and expertise in working with an international company. With Motorola you get the benefits of both.

Motorola has designated Diversified Electronics as the authorized Service Elite Specialist (SES) to provide maintenance services for the Fayette County System. Diversified Electronics is located at 309C Agnew Drive, Forest Park, GA.



MOTOROLA SOLUTIONS

As a SES, Diversified Electronics is a Motorola Authorized Service Provider and has a strong relationship with Motorola, a leader in communications and the most comprehensive service organization in the land mobile radio industry.

To better serve Fayette County, Diversified Electronics' Technicians and Management have a strong relationship with Motorola in working with Motorola customers. Motorola SESs have access to Motorola's vast resources including Technical Support, Engineering, and System Technologists. SES Technicians are required to meet or exceed stringent technical requirements industry technical certifications. They are continually trained on new Motorola products and systems through field and factory supported national training programs and assessments. These assessments are conducted annually and review areas such as Quality Programs, Customer Interface, Operational Processes, Service Measurements, Conditions of facilities and test equipment, and other metrics. Motorola SES' are also required to have Environmental Health & Safety (EHS) Programs and adequate liability insurance. Motorola assures that this documentation is kept current.

In addition, Motorola provides a local Customer Support Manager (CSM) who serves as a liaison between Fayette County, Diversified Electronics, and Motorola's resources. The CSM will ensure compliance of system's service provided under the warranty and system life-cycle account management. The CSM will serve as the defined point of contact for the following:

- Issuing resolution and escalation.
- Monitoring of contractual performance.
- Providing review and analysis of any problems/issues and fostering a partnership for continuous improvement.

The CSM will also provide Diversified Electronics with updated service information, training, engineering assistance, and computer aided resources so that the services Fayette County receives are of the highest quality and always on the leading edge of technology.

Dispatch Service

The System Support Center's (SSC) Call Center Operations is the central point of contact for all your technical customer service requests. Their function is to manage all calls so the request will be tracked and monitored from beginning to end, via the Case management process. With detailed accounts of each customer system at our fingertips, Customer Support Representatives are trained to prompt the caller for information necessary to understand the situation and determine the next steps to be taken. The team tracks the status of your Case and ensures that all personnel involved have access to your information. If a problem is experienced during the Case management process, the Customer Support Representative may escalate the issue to the appropriate service management team. Appropriate action will be taken to resolve the issue and ensure customer satisfaction and Motorola compliance to our contracted commitments.

Motorola will respond to fixed equipment failures within two hours. This response may be in the form of having a local technician on site or a remote response through dial-up. Repairs will be performed in the most expeditious manner possible either by the Motorola System Support Center remotely or locally by Diversified Electronics utilizing a Field Replacement Unit (FRU).



MOTOROLA SOLUTIONS

If it is determined that the necessary replacement unit is not available locally it will be shipped overnight from our inventory at the Motorola System Support Center.

Technical Support

Technical Support is available 7 days a week, 24 hours a day, 365 days a year. The Motorola System Support Center's staff will work with your local service organization or technicians to handle questions related to your Motorola 2-way communications system. The SSC's System Technologists may dial into a system to more clearly define a problem and determine the area of failure in order to decide on the most suitable action plan. If the problem is beyond the scope of the SSC's staff, they will contact key personnel who are involved with the design, development, and manufacture of your communication products for resolution. **Technical Support service terminates 12/31/2016.**

Network Monitoring

Network Monitoring Service electronically monitors specific elements of the System for Events and when detected are forwarded to the Motorola System Support Center using system specific monitoring tools. The System Support Center is staffed with trained technologists, who acknowledge the Event, run available diagnostic routines, and initiate an appropriate response.

OnSite Infrastructure Response

If the Call Center Operations determines that hands-on support is needed to resolve the problem, they will dispatch Diversified Electronics to perform repairs, such as exchange FRUs, or take other appropriate action.

OnSite Infrastructure Response provides for on-site response as determined by pre-defined severity levels and response times. Severity 1 issues are dispatched twenty-four (24) hours a day, three hundred sixty five (365) days a year including holidays.

Infrastructure Repair

In the event Diversified Electronics finds a malfunctioning board/unit at the site location, Diversified Electronics will contact the System Support Center's Call Center to request a return authorization (RA) number. Diversified Electronics will remove the malfunctioning board/unit and ship to the SSC for repair. Many of the components in the Fayette County radio network are end of life and can only be repaired on a commercially reasonable effort.

Upon receipt of malfunctioning equipment, the SSC may fully system test and repair malfunctioning Motorola manufactured boards/units down to the component level utilizing automated test equipment. A system test is performed to ensure that all software and hardware is set to current customer configuration. If the unit is not manufactured by Motorola, the unit may be returned to the Original Equipment Manufacturer (OEM) for repair.

Once the equipment is received from the SSC, Diversified Electronics will either re-install the equipment or return to Fayette County's spare inventory.



UPS Maintenance

The UPS Maintenance services on the Fayette County System will maintain all the UPS units that was originally sold on Fayette County's Astro 4.1 800 MHz System. This service will include an annual inspection by Motorola and its selected UPS contractor on Fayette County 4.1 Astro 800 MHz System. This service would also include parts, labor and travel the above mentioned UPS units.

Motorola will provide maintenance to the UPS units due to normal wear and usage type outages. Scheduled services recommended by the manufacturer will also be provided. Motorola will provide first echelon 2-hr., 24x7 response to all major alarms or emergency services requests pertaining to UPS units. Minor alarms or service problems reported not requiring a major response will be serviced 8am-5pm, Monday through Friday (excluding holidays) first echelon, 4-hr. response by Motorola.

Any UPS outage or damage that is caused by fire, flooding, lightning, commercial power surges, vandalism, physical abuse or other acts of God are not covered during the maintenance plan. Any major failure requiring whole replacement assemblies and UPS's are covered during the maintenance plan. Any parts, labor, or travel associated with this type of work, after the initial diagnosis, will be covered.

The annual inspection will be given to ensure optimum performance to Fayette County. This inspection will include a Motorola representative as well as Motorola's UPS contractor. This inspection will be of all UPS units sold with the Astro 4.1 800 MHz System. After the inspection a report will be provided to Fayette County describing the findings.

Availability of Maintenance Parts

Together with Fayette County, Motorola expects a life cycle management plan to provide service support, replacement parts, and support solutions throughout the life of the system. Motorola will use commercially reasonable efforts to provide replacement parts for Motorola manufactured subscriber equipment for five (5) years and for Motorola manufactured fixed infrastructure equipment for seven (7) years from the date of last manufacture.

High usage and critical parts are stocked locally at Fayette County locations or Diversified Electronics. A complete inventory of replacement parts for Motorola Manufactured equipment is maintained at the Motorola parts depot and is available to the local service center 7X24. When needed, these parts can be shipped to arrive at Diversified Electronics overnight.

Motorola has made every effort to provide a list of the major assemblies and recommended spare assemblies, FRUs and sub-assemblies within this communications system. Due to the complexity of this system, which includes numerous non-Motorola manufactured assemblies, a complete reliable listing of individual component parts making up all of the assemblies with pricing is not available.



MOTOROLA SOLUTIONS

Maintenance Pricing

Critical Services are on a 24 by 7 basis through Motorola and Diversified Electronics. You will also have a Local Motorola Customer Support Manager available to work as a liaison for Fayette to Motorola, including applicable third party contractors.

Notes:

- Technical Support on the SmartZone 4.1 radio system terminates 12/31/2016. This reduces the FY2017 service agreement by \$5,569.83.
- Infrastructure Repair with Advanced Replacement is no longer available on the SmartZone 4.1. radio system. Components will be repaired and returned as possible, based on parts availability. This reduces the FY2017 service agreement by \$15,168.64.

The Annual Maintenance Price for these core services on the proposed Fayette County System is:

• SmartZone 4.1 System Maintenance Total:	\$ 463,174.87
• UPS Maintenance Total:	\$ 25,603.94
• ITAC Maintenance	\$ 9,549.68
• MOSCAD/Sirens Maintenance Total:	\$ 15,612.04
• Plant Managed Services & SW/PW Total:	\$ 53,634.70
<hr/>	
Maintenance Service Subtotal:	\$ 567,575.23
Annual Prepay Discount:	\$ (28,378.76)
<hr/>	
Maintenance Service Total:	\$ 539,196.47



Statement of Work
Prepared For :

FAYETTE COUNTY BOARD OF COMM

140 W STONEWALL AVE W STE 101

FAYETTEVILLE, GA 30214



Statement of Work

Definitions

1.0 Definitions

These defined terms might not apply to every Statement of Work. Capitalized terms below and not otherwise defined within the Statement of Work, or in the Communications System Agreement or other applicable agreement (collectively, "Agreement") have the following meanings:

- 1.1. **Box Unit Test:** Unit is tested in a fixture that simulates the functions for which it was designed, engineered, or manufactured to insure that it meets manufacturer specifications.
- 1.2. **Case:** Electronic tracking document for requests for service through the System Support Center.
- 1.3. **Case Status:** Identifier of the status of a Case from beginning to end.
- 1.4. **Component(s):** Motorola new or refurbished parts of equal quality.
- 1.5. **Configuration Change Support:** A change in a user-defined parameter, which may include a change in the placement of a dispatch console talkgroup window. Fleet mapping is not included in Configuration Change Support.
- 1.6. **Connectivity:** Establishment of remote access to the System via dial up or fixed dedicated links.
- 1.7. **Continuous/Continuous:** Seven (7) days per week, twenty-four (24) hours a day, including holidays.
- 1.8. **Customer:** The end-user Customer as identified in the Agreement.
- 1.9. **Customer Support Plan:** A document mutually developed by Motorola and the Customer that provides information about the Customer and the System and describes the specific processes by which Motorola will deliver and the Customer will receive the services described in this Statement of Work.
- 1.10. **Elements:** Those device types present on the Customer's System whose status may be communicated to the SSC.
- 1.11. **Equipment:** The equipment specified in the Equipment List as set forth in the Agreement, including any additions to the Equipment List during the Warranty Period.
- 1.12. **Enhanced System Support (ESS) Period:** The 12 month period commencing at the start of the Warranty Period for Equipment and Software as defined by the Agreement.
- 1.13. **Event:** An alarm or informational notification received by Motorola through the Network Management tools.
- 1.14. **Feature:** A Software functionality.
- 1.15. **Federal Technical Center:** A Motorola facility located in Lanham, Maryland, the purpose of which is to serve as Motorola's centralized location for radio repair for United States Federal Government Customers.
- 1.16. **Firmware:** Software in object code form that is implanted or embedded in hardware.
- 1.17. **FRU:** Field Replaceable Unit, typically a board or module, contained within the Infrastructure.
- 1.18. **Infrastructure:** The fixed Equipment excluding mobiles, portables, and accessories.
- 1.19. **Infrastructure Depot Operations (IDO):** A Motorola facility, which serves as Motorola's centralized location for infrastructure repair.
- 1.20. **Loaner:** Infrastructure that is owned by Motorola and serves as a temporary replacement while the Customer's Infrastructure is being repaired.
- 1.21. **Maintenance:** The process for determining the cause of Equipment failure, removing, repairing, or replacing Components necessary to conform the Equipment with the manufacturer's specifications along with system-specific specifications, delivering and reinstalling the Components, and placing the Equipment back into operation.
- 1.22. **MCNS:** Mission Critical Network Services.
- 1.23. **Motorola Software:** Software whose copyright is owned by Motorola or its affiliated company.
- 1.24. **Non-Motorola Software:** Software whose copyright is owned by a party other than Motorola or its affiliated company.
- 1.25. **Notification:** The point in time when the Customer contacts Motorola and requests service.
- 1.26. **Optional Feature:** An additional Feature issued with a System Release that is available to Customer at additional cost.
- 1.27. **Radio Support Center (RSC):** A Motorola facility which serves as Motorola's centralized location for radio repair.
- 1.28. **Response:** The event when a technician, a remote systems technologist or a remote network specialist begins actively to work on the technical issue, remotely or on-site, as determined by Motorola.
- 1.29. **Restore/Restoration/Restoral:** The effort required to bring Equipment to the level for which it was designed, engineered and adjusted for performance in accordance with the manufacturer's published specifications, although such Equipment may not necessarily be malfunctioning.
- 1.30. **Service:** A Motorola Authorized Service Station or Motorola Field Service personnel.
- 1.31. **Severity Level:** The degree of adverse impact of an issue or Event.

- 1.32. **Software:** The software furnished with the System, including any Motorola Software and Non-Motorola Software.
- 1.33. **Software License Agreement:** The agreement or portion of an agreement pursuant to which Motorola licenses Software to Customer, including System Releases.
- 1.34. **Special Product Feature:** A Feature that is specially developed for Customer and which contains a functionality that is unique to Customer.
- 1.35. **Standard Business Day:** Monday through Friday, 8:30 a.m. to 4:30 p.m., local time, excluding Motorola holidays.
- 1.36. **Standard Feature:** A software functionality for components of Customer's System that is available to Customer in the standard software release
- 1.37. **Start Date:** Effective start date as listed on the Agreement.
- 1.38. **System:** The communications system as defined in the Communications System Agreement or other applicable Agreement.
- 1.39. **System Acceptance:** Unless otherwise defined in the Communications System Agreement, the date upon which Motorola has successfully completed all of the System Tests as described in the acceptance test plan.
- 1.40. **System Support Center (SSC):** A Motorola facility which serves as Motorola's centralized system support facility to complement the field support resources
- 1.41. **System Release:** One software version release on a particular platform. ASTRO 25 6.3 example is where 6 is the platform indicator and .3 is software version release indicator.
- 1.42. **System Test:** Unit is tested in a Motorola manufactured system of similar type from which the unit was designed to test all functionality of the unit to insure that it meets manufacturer specifications.
- 1.43. **Systemic:** A recurring Software or hardware defect that significantly affects the operation of the System.
- 1.44. **Technical Support Operations (TSO):** A centralized telephone support help desk that provides technical support for Motorola customers who have purchased products from Motorola (Networks & Enterprise) or who have a contract for technical support services.
- 1.45. **Vendor:** Any manufacturer (other than Motorola) or third party that services or repairs Infrastructure or subscriber equipment
- 1.46. **Verification:** Contacting the appropriate designated person to verify the System is operational (original problem resolved) and closing the Case.
- 1.47. **Work-around:** A change in the followed procedures or data supplied by Vendor to avoid error without substantially impairing use of the Equipment.
- 1.48. **Work Flow:** A step-by-step process including instruction or direction for routing, handling, and processing information at a given agency.

Definitions

Approved by Motorola Contracts & Compliance 10-31-2006



Statement of Work

Network Monitoring, OnSite Infrastructure Response and Dispatch Service

Motorola will provide Network Monitoring, Dispatch Service and OnSite Infrastructure Response services to the Customer. These services are applicable only for the following system types: ASTRO®, ASTRO® 25, ARC 4000, SmartZone®/OmniLink® v2.0.3 and higher, SmartNet®, Private Data (with a wireless network gateway) v2.0.3 and higher, and Harmony® Wireless Communications System. The terms of this Statement of Work (SOW) are an integral part of the Motorola Service Terms and Conditions or other applicable Agreement(s) with the Customer to which this SOW is appended and made a part thereof by this reference.

1.0 Description of Services

Network Monitoring is a service designed to electronically monitor Elements of a Communication System for Events, as set forth in the Monitored Elements Table. When the Motorola System Support Center (SSC) detects an Event, trained technologists acknowledge and remotely diagnose the Event and initiate an appropriate response per the customer profile. Appropriate responses could include, but are not limited to, continuing to monitor the Event for further development transferring the Event to Technical Support, or opening a Case for dispatch of a Servicer. If dispatched, the Servicer will respond at the Customer location based on pre-defined Severity Levels set forth in the Severity Definitions Table and Response times set forth in the On-Site Response Time Table in order to Restore the System.

Motorola will provide Case management as set forth herein. The SSC maintains contact with the on-site Servicer until System Restoral occurs and Case is closed. The SSC will continuously track and manage Case activity from open to close through an automated Case tracking process.

2.0 Motorola Responsibilities:

- 2.1 Provide dedicated Connectivity through a private network connection necessary for monitoring ASTRO and ASTRO25, SmartZone/ OmniLink, Private Data, and Harmony Wireless Communications network types. The Connectivity Matrix set forth in Appendix I, further describes the Connectivity options.
- 2.2 If determined necessary by Motorola, provide Motorola owned equipment for monitoring ASTRO and ASTRO 25 System elements. If Motorola installs or replaces Motorola owned equipment, the type equipment and location installed is listed in the Motorola Owned & Supplied Equipment Table.
- 2.3 If determined necessary by Motorola, provide Motorola owned equipment for monitoring SmartNet System elements. If Motorola installs or replaces Motorola owned equipment, the type of equipment and location installed is listed in the Motorola Owned & Supplied Equipment Table.
- 2.4 Verify Connectivity and Event monitoring prior to System Acceptance or Start Date.
- 2.5 Continuously receive data from Customer monitored System and Customer initiated service requests.
- 2.6 Remotely access the Customer's System to perform remote diagnostics as permitted by Customer pursuant to section 3.1
- 2.7 Create a Case as necessary when service requests are received. Gather information to perform the following:
 - 2.7.1 Characterize the issue
 - 2.7.2 Determine a plan of action
 - 2.7.3 Assign and track the Case to resolution.
- 2.8 Dispatch a Servicer, as required, by Motorola standard procedures and provide necessary Case information collected in section 2.7
- 2.9 Ensure the required personnel have access to Customer information as needed.
- 2.10 Disable and enable System devices, as necessary, for Servicers.
- 2.11 Servicer will perform the following on-site:
 - 2.11.1 Run diagnostics on the Infrastructure or FRU.
 - 2.11.2 Replace defective Infrastructure or FRU, as applicable. Customer, Servicer or Motorola may provide Infrastructure or FRU.
 - 2.11.3 Provide materials, tools, documentation, physical planning manuals, diagnostic/test equipment and any other requirements necessary to perform the Maintenance service.
 - 2.11.4 If a third party Vendor is needed to restore the System, the Servicer may accompany that Vendor onto the Customer's premises.

- 2.12 Verify with Customer that Restoration is complete or System is functional, if required by Customer's repair Verification preference described in the Customer Support Plan required by section 3.5. If Verification by Customer cannot be completed within 20 minutes of Restoration, the Case will be closed and the Servicer will be released.
- 2.13 Escalate the Case to the appropriate party upon expiration of a Response time.
- 2.14 Close the Case upon receiving notification from Customer or Servicer, indicating the Case is resolved.
- 2.15 Notify Customer of Case Status, as described in the Customer Support Plan required by section 3.5 at the following Case levels:
 - 2.15.1 Open and closed; or
 - 2.15.2 Open, assigned to the Servicer, arrival of the Servicer on site, deferred or delayed, closed.
- 2.16 Provide the following reports, as applicable:
 - 2.16.1 Case activity reports to Customer.
 - 2.16.2 Network Monitoring Service reports for Customer System(s).
 - 2.16.3 Network Activity/Availability Reports for ASTRO25, SmartZone/ OmniLink, and Private Data Systems only.
- 2.17 Respond in accordance to pre-defined Response times upon receipt from Customer of Customer managed passwords required for proper access to the Customer's System.
- 2.18 Apply additional support charges above and beyond the contracted service agreements that may apply if it is determined that System faults were caused by the Customer making changes to critical System parameters.

3.0 Customer Responsibilities:

- 3.1 Allow Motorola Continuous remote access to obtain System availability and performance data.
- 3.2 Allow Motorola to access System if firewall has been installed; provide permanent/dedicated access for SNMP traps (outbound) and ZDS polling (inbound). Also provide continuous utility service to any Motorola equipment installed or utilized at Customer's premises to support delivery of the Service.
- 3.3 Order and maintain dedicated dial-up phone lines for telephone service for SMARTNET System types. The Connectivity Matrix set forth in Appendix 1, further describes the Connectivity options.
- 3.4 Unless otherwise specified, Motorola recommends a private network connection for all other Systems. The Connectivity Matrix set forth in Appendix 1, further describes the Connectivity options.
- 3.5 Provide Motorola with pre-defined Customer information and preferences prior to Start Date necessary to complete Customer Support Plan.
 - 3.5.1 Case notification preferences and procedure
 - 3.5.2 Repair Verification Preference and procedure
 - 3.5.3 Database and escalation procedure forms.
 - 3.5.4 Submit changes in any information supplied in the Customer Support Plan to the Customer Support Manager.
- 3.6 Provide the following information when initiating a service request:
 - 3.6.1 Assigned System ID number
 - 3.6.2 Problem description and site location
 - 3.6.2 Other pertinent information requested by Motorola to open a Case.
- 3.7 Notify the System Support Center when Customer performs any activity that impacts the System. (Activity that impacts the System may include, but is not limited to, installing software or hardware upgrades, performing upgrades to the network, or taking down part of the system to perform maintenance.)
- 3.8 Allow Servicers access to Equipment (including any Connectivity or monitoring equipment) if remote service is not possible.
- 3.9 Allow Servicers access to remove Motorola owned monitoring equipment upon cancellation of service.
- 3.10 Supply Infrastructure or FRU, as applicable, in order for Motorola to Restore the System as set forth in paragraph 2.12.2
- 3.11 Maintain and store in an easily accessible location any and all Software needed to Restore the System.
- 3.12 Maintain and store in an easily accessible location proper System backups.
- 3.13 Verify with the SSC that Restoration is complete or System is functional, if required by the Repair Verification Preference provided by Customer in accordance with section 3.5.
- 3.14 Pay additional support charges above and beyond the contracted service agreements that may apply if it is determined that System faults were caused by the Customer making changes to critical System parameters.
- 3.15 Cooperate with Motorola and perform all acts that are reasonable or necessary to enable Motorola to provide the services described in this SOW.

Severity Definitions Table

Severity 1	<ol style="list-style-type: none"> 1. Response is provided Continuously 2. Major System failure 3. 33% of System down 4. 33% of Site channels down 5. Site Environment alarms (smoke, access, temp, AC power) as determined by the SSC. 6. This level is meant to represent a major issue that results in an unusable system, sub-system, Product, or critical features from the Customer's perspective. No Work-around or immediate solution is available.
Severity 2	<ol style="list-style-type: none"> 1. Response during Standard Business Day 2. Significant System Impairment not to exceed 33% of system down 3. System problems presently being monitored 4. This level is meant to represent a moderate issue that limits a Customer's normal use of the system, sub-system, product, or major non-critical features from a Customer's perspective
Severity 3	<ol style="list-style-type: none"> 1. Response during Standard Business Day 2. Intermittent system issues 3. Information questions 4. Upgrades/preventative maintenance 5. This level is meant to represent a minor issue that does not preclude use of the system, sub-system, product, or critical features from a Customer's perspective. It may also represent a cosmetic issue, including documentation errors, general usage questions, recommendations for product enhancements or modifications, and scheduled events such as preventative maintenance or product/system upgrades.

On-Site Response Time Table (Customer's Response Time Classification is designated in the Service Agreement).

Severity 1	Within 2 hours from receipt of Notification Continuously	8 Hours	Time provided by Service *
Severity 2	Within 4 hours from receipt of Notification Standard Business Day	8 Hours	Time provided by Service *
Severity 3	Within 24 hours from receipt of Notification Standard Business Day	48 Hours	Time provided by Service *

- Please note these are Standard Commitment times. The commitment times should be based on the Customer's Support Plan.
- Provide update **before** the specific contractual commitments come due.
- * Note: Provide update to System Support Center **before** Deferral time comes due.

Appendix 1

Connectivity Matrix

Astro 25	T1	Motorola
SmartZone/Omnalink v3.5 and below	256K	Motorola
SmartZone/Omnalink v4 and above	512K	Motorola
Private Data	256K	Motorola
ARC 4000	T1 or VPN	Motorola
MESH	T1 or VPN	Motorola
Harmony	T1	Motorola

MotoBridge	T1 or VPN	Motorola
SmartNet	Dial-up	Customer

Standard solution for real time Connectivity	Non Standard solution for Connectivity
Dedicated bandwidth configuration provided to monitor Customers	No dedicated bandwidth provided to monitor Customers
Protected from unauthorized intrusion	Low risk of unauthorized intrusion
Encryption available	Encryption is required
Connectivity available through Motorola	Customer provides Connectivity to the internet via an internet service provider selected by Customer.

Motorola Owned & Supplied Equipment Table

Firewall/Router	Master Site
System Support Server	Master Site for each Zone

Monitored Elements Table (Listed by technology)

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Legal Approval
September 2010



Statement of Work

Network Monitoring and Customer Technician Dispatch

Motorola will provide Network Monitoring and Customer Technician Dispatch Service to Customer Systems. These services are applicable only for the following system types: ASTRO®, ASTRO® 25, SmartZone®/OmniLink® v2.0.3 and higher, SmartNet®, Private Data (with a wireless network gateway) v2.0.3 and higher, and Harmony® Wireless Communications Systems. The terms of this Statement of Work (SOW) are an integral part of the Motorola Service Terms and Conditions or other applicable Agreement(s) with the Customer to which this SOW is appended and made a part thereof by this reference.

1.0 Description of Services

Network Monitoring is a service designed to electronically monitor Elements of a Communication System for Events, as set forth in the Monitored Elements Table. When the Motorola System Support Center (SSC) detects an Event, trained technologists acknowledge and remotely diagnose the Event and initiate an appropriate response per the customer profile. Appropriate responses could include, but are not limited to, continue monitoring the Event for further development transferring the Event to Technical Support or opening a Case for dispatch of a Customer's technician.

Motorola will provide Case management as set forth herein. The SSC maintains contact with the on-site Customer Technician until System Restoral occurs and Case is closed. The SSC will continuously track and manage Case activity from open to close through an automated Case tracking process.

2.0 Motorola responsibilities:

- 2.1 Provide dedicated Connectivity through a private network connection necessary for monitoring ASTRO, ASTRO25, SmartZone/ OmniLink, Private Data, and Harmony Wireless Communications network types. The Connectivity Matrix set forth in Appendix I further describes the Connectivity options.
- 2.2 If determined necessary by Motorola, provide Motorola owned equipment for monitoring ASTRO and ASTRO 25 System elements.. If Motorola installs or replaces Motorola owned equipment, the type of equipment and location installed is listed in the Motorola Owned & Supplied Equipment Table.
- 2.3 If determined necessary by Motorola, provide Motorola owned equipment for monitoring SmartNet system elements. If Motorola installs or replaces Motorola owned equipment, the type of equipment and location installed is listed in the Motorola Owned & Supplied Equipment Table.
- 2.4 Verify Connectivity and Event monitoring prior to System Acceptance or Start Date.
- 2.5 Continuously receive data from Customer monitored System and Customer initiated service requests.
- 2.6 Remotely access the Customer's System to perform remote diagnostics as permitted by Customer pursuant to section 3.1.
- 2.7 Create a Case as necessary when service requests are received. Gather information to perform the following:
 - 2.7.1 Characterize the issue
 - 2.7.2 Determine a plan of action
 - 2.7.3 Assign and track the Case to resolution.
- 2.8 Contact technician or other representative designated by Customer as the dispatch contact (Customer Contact) and provide necessary Case information collected in 2.7.
 - 2.8.1 If Customer contact does not respond to Motorola as required by the Customer Support Plan provided by Customer pursuant to section 3.5 below, Motorola will continue to attempt to reach Customer contact every 10 minutes until contact has been attempted for each name set forth in the pre-defined escalation contact table provided by Customer pursuant to section 3.5.2.
 - 2.8.2 Upon attempting each name on the pre-defined escalation contact table, Motorola will either send an email or leave a voice mail message with the Customer contact notifying Customer contact of the Case. Thereafter, Motorola will defer the Case to the next Standard Business Day.
 - 2.8.3 On the next Standard Business Day, Motorola will attempt to reach the Customer contact again as set forth in section 2.8.1. If all contacts on the Customer escalation table provided pursuant to 3.5.2 have been attempted, without receiving any Customer response, Motorola will close the Case. Motorola will not be responsible for any damages of any kind arising out of or relating to the inability of Motorola to reach the Customer Contact or others on the Customer escalation table.
- 2.9 Escalate the Case per the escalation contact table provided by Customer pursuant to 3.5.2 if

Customer's technician does not report site arrival, Response or Restoration within Customer requested Response times as set forth the Customer Support Plan.

- 2.10 Verify with Customer that Restoration is complete or System is functional, if required by Customer's repair Verification preference in the Customer Support Plan. If Verification by Customer cannot be completed within 20 minutes of Restoration, the Case will be closed and the Customer technician will be released.
- 2.11 Close the Case upon receiving notification from Customer indicating the Case is resolved.
- 2.12 Notify Customer of Case Status, as required by the Customer Support Plan at the following Case levels:
 - 2.12.1 Open and closed; or
 - 2.12.2 Open, assigned to Customer technician, arrival of Customer technician on site, deferred or delayed, closed.
- 2.13 Provide the following reports, as applicable:
 - 2.13.1 Case activity reports to Customer.
 - 2.13.2 Network Monitoring Service reports for Customer System(s).
 - 2.13.3 Network Activity/Availability Reports for ASTRO 25, SmartZone/ OmniLink, and Private Data Systems only.
- 2.14 Respond in accordance to pre-defined Response times upon receipt from Customer of Customer managed passwords required for proper access to the Customer's System.
- 2.15 Apply additional support charges above and beyond the contracted service agreements that may apply if it is determined that System faults were caused by the Customer making changes to critical System parameters.

3.0 Customer Responsibilities:

- 3.1 Allow Motorola Continuous remote access to obtain System availability and performance data
- 3.2 Allow Motorola to access System if firewall has been installed; provide permanent/dedicated access for SNMP traps (outbound) and ZDS polling (inbound). Also provide continuous utility service to any Motorola equipment installed or utilized at Customer's premises to support delivery of the Service.
- 3.3 Order and maintain dedicated dial-up phone lines for telephone service for SMARTNET System types. The Connectivity Matrix set forth in Appendix 1, further describes the Connectivity options.
- 3.4 Unless otherwise specified, Motorola recommends a private network connection for all other Systems. The Connectivity Matrix set forth in Appendix 1, further describes the Connectivity options.
- 3.5 Provide Motorola with pre-defined Customer information and preferences prior to Start Date necessary to complete Customer Support Plan, including, but not limited to:
 - 3.5.1 Case notification preferences and procedure
 - 3.5.2 Escalation contact table
 - 3.5.3 Severity Level definitions
 - 3.5.4 Site arrival preference and procedure
 - 3.5.5 Repair Verification preference and procedure
 - 3.5.6 Response and Restoration time commitments
 - 3.5.7 Submit changes in any information supplied in the Customer Support Plan to the Customer Support Manager.
- 3.6 Provide the following information when initiating a service request:
 - 3.6.1 Assigned System ID number
 - 3.6.2 Problem description and site location
 - 3.6.3 Other pertinent information requested by Motorola to open a Case.
- 3.7 Notify the SSC when Customer performs any activity that impacts the System. (Activity that impacts the System may include, but is not limited to, installing software or hardware upgrades, performing upgrades to the network, or taking down part of the system to perform maintenance.)
- 3.8 Respond to Motorola within 10 minutes of receipt of page or telephone call to accept assignment of Case. If Customer fails to contact Motorola within 10 minutes, Motorola will follow the escalation process described in section 2.8.1 above.
- 3.9 Report Restoration to Motorola upon resolution of Case within Restoration times set forth in the Customer Support Plan.
- 3.10 Report site arrival to Motorola within the Response and Restoration time commitments for all accepted cases if required in the Customer Support Plan.
- 3.11 Allow Motorola access to remove Motorola owned monitoring equipment upon cancellation of service.
- 3.12 Provide all Customer managed passwords required to access the Customer's System to Motorola upon request or when opening a Case to request service support or enable Response to a technical issue.
- 3.13 Pay additional support charges above and beyond the contracted service agreements that may apply if it

- 3.14 is determined that System faults were caused by the Customer making changes to critical System parameters. Cooperate with Motorola and perform all acts that are reasonable or necessary to enable Motorola to provide the services described in this SOW.

Appendix I

Connectivity Matrix

Asro 25	T1	Motorola
SmartZone/OmniLink v3.5 and below	256K	Motorola
SmartZone/OmniLink v4 and above	512K	Motorola
Private Data	256K	Motorola
ARC 4000	T1 or VPN	Motorola
MESH	T1 or VPN	Motorola
Harmony	T1	Motorola
MotoBridge	T1 or VPN	Motorola
SmartNet	Dial-up	Customer

Standard solution for real time Connectivity	Non Standard solution for Connectivity
Dedicated bandwidth configuration provided to monitor Customers	No dedicated bandwidth provided to monitor Customers
Protected from unauthorized intrusion	Low risk of unauthorized intrusion
Encryption available	Encryption is required
Connectivity available through Motorola	Customer provides Connectivity to the internet via an internet service provider selected by Customer.

Motorola Owned & Supplied Equipment Table

Firewall/Router	Master Site
System Support Server	Master Site for each Zone

Monitored Elements Table (Listed by technology)

Legal Approval
September 2010



Statement of Work

Infrastructure Repair with Advanced Replacement

1.0 Description of Services

Infrastructure Repair is a repair service for Motorola and select third party Infrastructure as set forth in the applicable attached Exhibit(s), all of which are hereby incorporated into this Statement of Work (SOW) by this reference. Customer's System type determines which exhibit is applicable (i.e. SmartZone system exhibit, SmartNet system exhibit). Infrastructure may be repaired down to the Component level, as applicable, at the Motorola Infrastructure Depot Operations (IDO). At Motorola's discretion, select third party Infrastructure may be sent to the original equipment manufacturer or third party vendor for repair. If Infrastructure is no longer supported by the original equipment manufacturer or third party vendor, Motorola may replace Infrastructure with similar Infrastructure, when possible.

When available, Motorola will provide Customer with an Advanced Replacement unit(s) or FRU(s) in exchange for Customer's malfunctioning FRU(s). Non-standard configurations, Customer-modified Infrastructure and certain third party Infrastructure are excluded from Advanced Replacement service. Malfunctioning FRU (s) will be evaluated and repaired by IDO and returned to IDO FRU inventory upon completion of repair. In cases where Advanced Replacement is not available or when a Customer requires the exact serial number to be returned, a FRU may be available on a Loaner basis.

The terms and conditions of this SOW are an integral part of Motorola's Service Terms and Conditions or other applicable agreement to which it is attached and made a part thereof by this reference.

2.0 Motorola has the following responsibilities:

- 2.1 Use commercially reasonable efforts to maintain an inventory of FRU.
- 2.2 Provide new or reconditioned units as FRU to Customer or Servicer, upon request and subject to availability. The FRU will be of similar kit and version, and will contain like boards and chips, as the Customer's malfunctioning Infrastructure.
- 2.3 Program FRU to original operating parameters based on templates provided by Customer as required in Section 3.5. If Customer template is not provided or is not reasonably usable, a standard default template will be used.
- 2.4 Properly package and ship Advanced Replacement FRU from IDO's FRU inventory to Customer specified address.
 - 2.4.1 During normal operating hours of Monday through Friday 7:00am to 7:00pm CST, excluding holidays, FRU will be sent next day air via Federal Express Priority Overnight or UPS Red, unless otherwise requested. Motorola will pay for such shipping, unless Customer requests shipments outside of the above mentioned standard business hours and/or carrier programs, such as NFO (next flight out). In such cases, Customer will be subject to shipping and handling charges.
 - 2.4.2 When sending the Advanced Replacement FRU to Customer, provide a return air bill in order for Customer to return the Customer's malfunctioning FRU. The Customer's malfunctioning FRU will become property of IDO and the Customer will own the Advanced replacement FRU.
 - 2.4.3 When sending a Loaner FRU to Customer, IDO will not provide a return air bill for the malfunctioning Infrastructure. The Customer is responsible to arrange and pay for shipping the malfunctioning Infrastructure to IDO. IDO will repair and return the Customer's Infrastructure and will provide a return air bill for the customer to return IDO's Loaner FRU.
- 2.5 Provide repair return authorization number upon Customer request for Infrastructure that is not classified as an Advanced Replacement or Loaner FRU.
- 2.6 Receive malfunctioning Infrastructure from Customer and document its arrival, repair and return.
- 2.7 Perform the following service on Motorola Infrastructure:
 - 2.7.1 Perform an operational check on the Infrastructure to determine the nature of the problem.
 - 2.7.2 Replace malfunctioning FRU or Components.

- 2.7.3 Verify that Motorola Infrastructure is returned to Motorola manufactured specifications, as applicable
- 2.7.4 Perform a Box Unit Test on all serviced Infrastructure.
- 2.7.5 Perform a System Test on select Infrastructure.
- 2.8 Provide the following service on select third party Infrastructure:
 - 2.8.1 Perform pre-diagnostic and repair services to confirm Infrastructure malfunction and eliminate sending Infrastructure with no trouble found (NTF) to third party vendor for repair, when applicable.
 - 2.8.2 Ship malfunctioning Infrastructure to the original equipment manufacturer or third party vendor for repair service, when applicable.
 - 2.8.3 Track Infrastructure sent to the original equipment manufacturer or third party vendor for service.
 - 2.8.4 Perform a post-test after repair by Motorola, original equipment manufacturer, or third party vendor to confirm malfunctioning Infrastructure has been repaired and functions properly in a Motorola System configuration, when applicable.
- 2.9 Re-program repaired Infrastructure to original operating parameters based on templates provided by Customer as required by Section 3.5. If Customer template is not provided or is not reasonably usable, a standard default template will be used. If IDO determines that the malfunctioning Infrastructure is due to a Software defect, IDO reserves the right to reload Infrastructure with a similar Software version. Enhancement Release(s), if needed, are subject to additional charges to be paid by Customer unless the Customer has a Motorola Software Subscription agreement.
- 2.10 Properly package repaired Infrastructure unless Customer's malfunctioning FRU was exchanged with an IDO FRU. Motorola will return Customer's FRU(s) to IDO's FRU inventory, upon completion of repair.
- 2.11 Ship repaired Infrastructure to the Customer specified address during normal operating hours set forth in 2.4.1. FRU will be sent two-day air unless otherwise requested. Motorola will pay for such shipping, unless Customer requests shipments outside of the above mentioned standard business hours and/or carrier programs, such as NFO (next flight out). In such cases, Customer will be subject to shipping and handling charges.
- 3.0 Customer has the following responsibilities:
 - 3.1 Contact or instruct Service to contact the Motorola System Support Center (SSC) and request an Advanced Replacement, or Loaner FRU and a return authorization number (necessary for all non-Advanced Replacement repairs) prior to shipping malfunctioning Infrastructure or third party Infrastructure named in the applicable attached Exhibit.
 - 3.1.1 Provide model description, model number, serial number, type of System and Firmware version, symptom of problem and address of site location for FRU or Infrastructure.
 - 3.1.2 Indicate if Infrastructure or third party Infrastructure being sent in for service was subjected to physical damage or lightning damage.
 - 3.1.3 Follow Motorola instructions regarding inclusion or removal of Firmware and Software applications from Infrastructure being sent in for service.
 - 3.1.4 Provide Customer purchase order number to secure payment for any costs described herein.
 - 3.2 Pay for shipping of Advanced Replacement or Loaner FRU from IDO if Customer requested shipping outside of standard business hours or carrier programs set forth in section 2.4.1.
 - 3.3 Within five (5) days of receipt of the Advanced Replacement FRU from IDO's FRU inventory, properly package Customer's malfunctioning Infrastructure and ship the malfunctioning Infrastructure to IDO for evaluation and repair as set forth in 2.7. Customer must send the return air bill, referenced in 2.4.2 above back to IDO in order to ensure proper tracking of the returned Infrastructure. Customer will be subject to a replacement fee for malfunctioning Infrastructure not properly returned. For Infrastructure and/or third party Infrastructure repairs that are not exchanged in advance, properly package Infrastructure and ship the malfunctioning FRU, at Customer's expense and risk of loss to Motorola. Customer is responsible for properly packaging the Customer malfunctioning Infrastructure FRU to ensure that the shipped Infrastructure arrives un-damaged and in repairable condition. Clearly print the return authorization number on the outside of the packaging.
 - 3.4 If received, Customer must properly package and ship Loaner FRU back to IDO within five (5) days of receipt of Customer's repaired FRU.
 - 3.5 Maintain templates of Software/applications and Firmware for reloading of Infrastructure as set forth in paragraph 2.3 and 2.9.
 - 3.6 For Digital In-Car Video Infrastructure, remove video from equipment prior to sending Infrastructure in

for repair. Video retrieval is a separate service and is not included as part of this SOW. Additional services and fee applies.

3.7 Cooperate with Motorola and perform all acts that are reasonable or necessary to enable Motorola to provide the Infrastructure Repair with Advanced Replacement services to Customer.

4.0 In addition to any exclusions named in Section 5 of the Service Terms and Conditions or in any other underlying Agreement to which this SOW is attached, the following items are excluded from Infrastructure Repair with Advanced Replacement:

1. All Infrastructure over seven (7) years from product cancellation date.
2. All Broadband/WiNS Infrastructure three (3) years from product cancellation date.
3. Physically damaged Infrastructure.
4. Third party Equipment not shipped by Motorola.
5. Consumable items including, but not limited to batteries, connectors, cables, tone/ink cartridges.
6. Video retrieval from Digital In-Car Video equipment
7. Test equipment
8. Racks, furniture and cabinets.
9. Firmware and/or Software upgrades.

Antenna Systems	Excludes all Equipment such as bi-directional amplifiers, multicouplers, combiners, tower top pre-amplifiers, antennas, cables, towers, tower lighting, and transmission lines.
Base Station(s) and Repeater(s)	Includes: Quantar, Quantro, Digital, MTR2000 ONLY.
Central Electronics Bank(s)	Includes Logging Recorder, Interface and Network Hub Excludes all other technologies see SOW specifically for NICE logging recorders
Channel Bank(s)	Includes Premisys and Telco Excludes Siemens
Comparator(s)	Includes Spectratrac, Digitac, and ASTRO-lac Comparators
Computer(s)	Includes computers (Pentium I, II, III, IV) that directly interface with or control the communications System, including Systemwatch II, keyboards, mice and trackballs. Excludes laptop computers and all 286, 386, 486 computers, defective or phosphor-burned cathode ray tubes CRT(s) and burned-in flat panel display image retention.
Console(s)	Includes Centracom Gold Elite, MCC7500, MCC5500, MIP5000 as part of complete communication System ? including headset jacks, dual footswitches, and gooseneck microphones. Excludes cables
Controller(s) -Trunking	Includes SmartNet II prime and remote controllers. Excludes SSMT and SCMS controllers.

Dictaphones, Logging Recorders and Recording Equipment	Excludes all technologies see SOW specifically for NICE logging recorders
Digital Interface Unit(s)	Included
Digital Signaling Modem(s)	Included upon modem model availability
Digital Voice Modem(s)	Included upon modem model availability
Embassy Switch	Includes AEB, AIMI, ZAMB1, AMB
Management Terminals	Includes computers (Pentium I, II, III, IV) that directly interface with or control the communications System, including Systemwatch II. Excludes laptop computers and all 286, 386, 486 computers.
MBEX(s) or NOVA Interconnect	Included
Microwave Equipment.	Excluded from service agreement but may be repaired on an above contract, time and material basis. All Equipment must be shipped to IDO. Excludes any on-site services.
Monitor(s)	Includes all Motorola certified monitors connected to computers that directly interface with or control the communications System. Excludes defective or phosphor-burned cathode ray tubes CRT(s) and burned-in flat panel displays image retention as well as monitors that were not shipped by Motorola and/or cannot be confirmed by a Motorola factory order number.
Moscad	Includes NFM (Network Fault Management), as part of communication System only. Standalone MOSCAD and System Control and Data Acquisition (SCADA) must be quoted separately. Includes FSA4000. Excludes all other fire alarming systems.
Motobridge	Included
Network Fault Management	Includes Full Vision Excludes NMC
Printer(s)	Includes printers that directly interface with the communications System.
RAS(s)	Excludes RAS 1100, 1101 and 1102
Receiver(s)	Includes Quantar and MTR2000, ASTRO-TAC Receivers
Simulcast Distribution Amplifier(s)	Included
Site Frequency Standard(s)	Includes Rubidium, GPS and Netelocks systems sold with the Motorola System. Excludes MFS -Rubidium Standard Network Time and Frequency devices
Universal Simulcast Controller Interface(s)	Included
UPS Systems.	Excluded from service agreements but may be repaired on an above contract, time and material basis. All UPS Systems must be shipped to IDO for repair. Excludes batteries and any on-site services.
Zone Manager	Excludes HP715/33, HP 715/50 servers. Excludes x-terminals NDS14C and NDS17C
Zone Controller(s)	Includes console terminals. Excludes all Sun/IMP hard drives except TLN3495A 0820 1 GB drive as well as the following SUN/IMP CPUSET's: TLN3278B 0406, TLN3343A 0424 and TLN3278A 0181/0389.

ACU (Auto Control Unit)	Includes Vesta systems only Excludes Sentinel Patriot
ARU (Alarm Reporting Unit)	Included
ALI (Automatic Location Identification) Controller	Includes Analog Station Card(s), Called ID Board(s), Conference Board(s), DTMF Tone Receiver Board(s), Digital Station Card(s), E&M Card(s), Ground Loop Start Card(s), MF Receiver Board(s), 911 Line Card(s)
ANI (Asynchronous Network Interface) Controller	Included
BCM (Business Communication Manager)	Includes Vesta Pallas only Excludes all other technologies
Cable(s)	Excluded
CIM (Console Interface Module)	Includes Sentinel Patriot Excludes all other technologies
CRU (Call Record Unit)	Included
CIU (CAD Interface Unit)	Included
Computer(s)/Workstation	Includes computers sourced by Cassidian Communications and sold by Motorola that directly interface with or control the Cassidian Communications Systems, monitor, sound card, keyboards, mice and trackballs. Excludes defective or phosphor-burned cathode ray tubes (CRT) and burned-in flat panel display image retention.
Controllers	Includes Vesta Standard Excludes all other technologies
DBU (Data Base Unit)	Includes Vesta Standard Excludes all other technologies
Digital Logging Recorders, Logging Recorders and Recording Equipment	Includes Pyxis, Cassidian Communications sourced and sold by Motorola Excludes all other technologies see SOW specifically for NICE logging recorders
Herbie	Includes Vesta systems only Excludes Sentinel Patriot
Line Boosters/Amplifier/Short haul modems	Excluded
Modified Network LAN Switch	Included
Modem(s)	Includes ALI modem sources and sold by Motorola Excludes all other technologies
Monitor(s)	Includes all Motorola certified monitors connected to computers that directly interface with or control the communications Systems Excludes Non-Certified monitors, defective or phosphor-burned cathode ray tubes (CRT), flat panel monitors with burned in image retention and monitors not shipped by Motorola and/or cannot be confirmed by a Motorola factory order number.
MTU (Multi-line Trunk Unit)	Includes Vesta Pallas only Excludes All other technologies
Printer(s)	Includes Cassidian Communications sourced and sold by Motorola that directly interface with the communications System

Power Supplies, PSU (Power Supply Unit)	Includes Vesta Pallas, Vesta Standard Excludes all other technologies
RMU (Remote Maintenance Unit)	Includes Vesta Standard only Excludes all other technologies
Ring Generator(s)	Included
Routers	Included
RIS (Radio Interface Subset)	Included (note, only works with the Herbie)
Server(s) ALI	Includes Vesta servers, Sentinel Patriot Excludes all other technologies
Telephone(s)	Includes 911 and KEM administrator telephone sourced with the 911 System and sold by Motorola. Excludes Nortel (Avaya) telephone sets
TIU (Trunk Interface Unit)	Includes Vesta Standard Excludes all other technologies

Approved by Contract and Compliance 11/20/09
 Motorola Solutions
 1303 E. Algonquin Road, Schaumburg, IL 60196 U.S.A.
 Version 1.9 1/12/12



Statement of Work

Technical Support Overview

Motorolas Technical Support service provides telephone consultation for technical issues that require a high level of ASTRO network expertise and troubleshooting capabilities. Remote Technical Support is delivered through the Motorola System Support Center (SSC) by a staff of technical support specialists skilled in diagnosis and swift resolution of infrastructure performance and operational issues. Technical Support provides access to a solutions database, as well as access to in house test labs and additional Motorola technical resources.

Motorola applies industry best practices in recording, monitoring, escalating and reporting for Technical Support calls from its contracted customers, reflecting the importance of maintaining mission critical systems.

The terms and conditions of this Statement of Work (SOW) are an integral part of Motorola's Service Agreement or other applicable agreement to which it is attached and made a part thereof by this reference.

1.0 Description of Technical Support Services

Motorolas System Support Center (SSC) will provide technical support to assist the customers technical resources of the Motorolas currently supported infrastructure. This team of highly skilled professionals is available to the customer as an integrated part of the support and technical issue resolution process. The SSC remotely supports the customer and works with but not limited to fault diagnostics tools, simulation networks and fault database search engines.

The Technical Support Operations is available 24 hours a day; 7 days per week to support technical requests (see severity level response time commitments). Calls requiring incidents, problems, or service requests will be logged in Motorolas issue management system. This ensures that technical issues are prioritized, updated, tracked and escalated as necessary, until resolution. The Technical Support Operations shall assign the priority level as in accordance with the agreed Severity Level Definitions stated in this document.

Motorola will track the progress of each case from initial logging to resolution. Motorola will ensure that the customer is advised of the case progress and informed of tasks that require further investigation and assistance from the customers technical resources.

The provision of this service requires that the customer provides a suitably trained technical resource that delivers maintenance and support to the system, and who is familiar with the operation of that system. Motorola provides technical consultants to support the local resource in the timely closure of infrastructure, performance and operational issues.

1.1 Scope

Technical Support service is available 24 hours a day, 7 days a week based on Severity Level Definitions.

1.2 Geographic Availability

Technical Support is available to any customer regardless of their geographic location and timeframes are based on the customer's local time zone.

1.3 Inclusions

Technical Support service will be delivered on Motorola sold infrastructure including integrated 3rd party products.

1.4 Limitations and Exclusions

The following activities are outside the scope of the Technical Support service, but are optional services that are available to remote Technical Support customers at an additional cost:

- 1.4.1 Emergency on-site visits required to resolve technical issues that cannot be resolved by with SSC working remotely with the local customer technical resource.
- 1.4.2 Third party support for equipment not sold by Motorola as part of the original system.
- 1.4.3 System installations, upgrades, and expansions.
- 1.4.4 Customer training.
- 1.4.5 Hardware repair and/or exchange.

- 1.4.6 Network security services.
- 1.4.7 Network transport.
- 1.4.8 Information Assurance.
- 1.4.9 Motorola services not included in this statement of work.
- 1.4.10 Any technical support required as a result of a virus or unwanted intrusion is excluded if the system is not protected against these security threats by Motorola's Pre-tested Security Update Service when applicable.

1.5 Motorola has the following responsibilities:

- 1.5.1 Enable customer access to the Motorola Technical Support Center (800-221-7144), 24 hours a day, 7 days per week, to answer, document and respond to requests for support.
- 1.5.2 Respond to requests for Technical Support in accordance with the response times set forth in the Severity Level Response Time Commitments section of this document and the severity level defined in the Severity Level Definitions section of this document.
- 1.5.3 Advise caller of procedure for determining any additional requirements, activities or information relating to issue restoration and/or characterization.
- 1.5.4 Maintain communication with the customer in the field as needed until resolution of the case.
- 1.5.5 Coordinate technical resolutions with agreed upon third party vendors, as needed.
- 1.5.6 Escalate and manage support issues, including systemic issues, to additional Motorola technical resources, as applicable.
- 1.5.7 Escalate the case to the appropriate party upon expiration of a response time.
- 1.5.8 Determine, in its sole discretion, when a case requires more than the Technical Support services described in this SOW and notify customer of an alternative course of action.

1.6 The Customer has the following responsibilities:

- 1.6.1 Provide Motorola with pre-defined information prior to contract start date necessary to complete Customer Support Plan (CSP).
- 1.6.2 Submit changes in any information supplied in the Customer Support Plan (CSP) to the Customer Support Manager (CSM).
- 1.6.3 Contact the SSC in order to engage the Technical Support service, providing the necessary information for proper entitlement services. Including but not limited to the name of contact, name of customer, system ID number, site(s) in question, and brief description of the problem including pertinent information for initial issue characterization.
- 1.6.4 Maintain suitable trained technical resources that provide field maintenance and technical maintenance services to the system, and who are familiar with the operation of that system.
- 1.6.5 Provide SSC access via the remote connection that has been established through other sold services (e.g. Network Fault Monitoring).
- 1.6.6 Supply suitably skilled and trained on-site presence when requested by the SSC.
- 1.6.7 Validate issue resolution prior to close of the case in a timely manner.
- 1.6.8 Acknowledge that cases will be handled in accordance with the times and priorities as defined in the Severity Level Definitions and in the Severity Level Response Time Commitments section in this document.
- 1.6.9 Cooperate with Motorola and perform all acts that are reasonable or necessary to enable Motorola to provide the Technical Support service.

1.7 Severity Level Definitions

The following severity level definitions will be used to determine the maximum response times:

Severity Level	Severity Definition
Severity 1	<p>This is defined as a failure that causes the system and/or infrastructure a loss of voice functionality and no work-around or immediate solution is available.</p> <p>The following are examples of this kind of failure:</p> <ul style="list-style-type: none"> • 33% of call processing resources impaired • Site Environment alarms: <ul style="list-style-type: none"> ◦ Smoke ◦ Unauthorized access ◦ Temperature ◦ Power failure
Severity 2	<p>This is defined as a fault that causes the system to operate with a continuous reduction in capacity or functionality of core services (core services include, voice, data or network management).</p> <p>The following are examples of this kind of failure:</p> <ul style="list-style-type: none"> • Less than 33% of call processing resources impaired • Failure of a single redundant component
Severity 3	<p>This is defined as a fault which reduces the functionality, efficiency or usability of core services (voice, data and network management) and there is a viable work-around in place.</p> <p>The following are examples of this kind of severity:</p> <ul style="list-style-type: none"> • Intermittent faults that are infrequent and minor impact to core services • Statistical reporting problems
Severity 4	<p>This is defined as a minor issue, which has little or no impact on the functionality, efficiency or usability of core services. The following are examples of this kind of severity:</p> <ul style="list-style-type: none"> • Faults resulting in minor functions or features being unsupported or unreliable in ways that are not noticeable to the user. • Faults that have no impact in how the user perceives the system to work. • Cosmetic issues. • Requests for information. • Preventive Maintenance

2.1 Severity Level Response Time Commitments

The response times are based on the defined severity levels as follows:

Severity Level	Response Time
Severity 1	A Motorola SSC Technician will make contact with the customer technical representative within one hour of the request for support being logged in the issue management system. Continual effort will be maintained to restore the

	system or provide a workaround resolution. Response provided 24 x 7.
Severity 2	A Motorola SSC Technician will make contact with the customer technical representative within four hours of the request for support being logged at the issue management system. Response provided 8 x 5 on standard business days, which is normally Monday through Friday 8AM to 5PM, excluding US Holidays.
Severity 3	A Motorola SSC Technician will make contact with the customer technical representative within the next business day of the request for support being logged at the issue management system. Response provided 8 x 5 on standard business days, which is normally Monday through Friday 8AM to 5PM, excluding US Holidays.
Severity 4	A Motorola SSC Technician will make contact with the customer technical representative within the next business day of the request for support being logged at the issue management system. Response provided 8 x 5 on standard business days, which is normally Monday through Friday 8AM to 5PM, excluding US Holidays.



Statement of Work

Network Preventative Maintenance

1.0 Description of Service

Network Preventative Maintenance will provide an operational test and alignment, on the Customer's Infrastructure Equipment (infrastructure or fixed network equipment only) to ensure the Infrastructure meets original manufacturer's specifications, as set forth in the applicable attached Exhibit(s), all of which are hereby incorporated by this reference. Customer's System type determines which Exhibit is applicable (i.e. SmartZone system exhibit, SmartNet system exhibit). Network Preventative Maintenance will be performed during Standard Business Days. If the System or Customer requirements dictate this service must occur outside of Standard Business Days, Motorola will provide an additional quotation. Customer is responsible for any charges associated with helicopter or other unusual access requirements or expenses.

The terms and conditions of this SOW are an integral part of Motorola's Service Terms and Conditions or other applicable agreement to which it is attached and made a part thereof by this reference.

2.0 Motorola has the following responsibilities:

- 2.1 Notify the Customer of any possible System downtime needed to perform this service.
- 2.2 Physically inspect the Infrastructure Equipment in the system (equipment cabinets, general circuitry, fault indicators, cables, and connections).
- 2.3 Remove any dust, and/or foreign substances from the Infrastructure.
- 2.4 Clean filters, if applicable.
- 2.5 Measure, record, align, adjust the Infrastructure Equipment parameters in accordance with the manufacturer's service manuals and the Rules and Regulations of the Federal Communications Commission (FCC), where applicable.

3.0 Customer has the following responsibilities:

- 3.1 Provide preferred schedule for Network Preventative Maintenance to Motorola.
- 3.2 Authorize and acknowledge any scheduled System downtime.
- 3.3 Maintain periodic backup of databases, Software applications and Firmware.
- 3.4 Establish and maintain a suitable environment (heat, light, and power) for the Equipment location and provide the Servicer full, free, and safe access to the Equipment so that the Servicer may provide services. All sites shall be accessible by standard service vehicles.
- 3.5 Cooperate with Motorola and perform all acts that are reasonable or necessary to enable Motorola to provide the Network Preventative Maintenance services to Customer.

911 System Exhibit

ANI Controller	Power supply check -DC Voltage
	Processor card battery test
	Review of advisory log
	Inspect phone, handsets, cords, touch tone pads, lights, and telephone instruments at main PSAP and remote location.
	Test operation of each 911 trunk and administrative phone line
	Check ANI cable routing and verify all connections (tighten cable/connector strain relief devices, review punch block wiring)
	Verify dial-up access
	Verify any spare circuit boards are operational
	Inspect ANI cabinets (ventilation/cooling, secure covers)
ALI Controller	Verify no alarm status on call screen. Check alarm/event log
	Check size of call detail records, purge if necessary
	Size of hard space remaining and advise customer. Purge if necessary.
	Test operation of all servers, terminals/clients printers, at main PSAP and remote locations
	Make test 911 calls to verify ALI information is properly displayed on all terminals/clients at main PSAP and remote locations
	Verify any spare ALI equipment or devices are operational
	If system uses local ALI or FSL, verify system properly receives Telco subscriber updates as required
	Check ALI cable routing and verify all connections (tighten cable/connector strain relief devices where necessary)
	Inspect all computer and terminal equipment (fans, vents, keyboards, CRT's, etc) .
Other	Verify ALI components are receiving proper ventilation/cooling
	Generate test alarm and verify that Motorola NMO receives outbound alarms for Site Sentry Device (SED)
	Verify inbound remote maintenance access of both ANI and ALI functions through all remote access devices (SED or maintenance modems)
	Check and verify proper installation of all grounding cables and connectors.
	Verify operational status of surge suppression equipment.
	Verify operational status of standby power systems (UPS equipment, AC generators)

Approved by Motorola Contracts & Compliance: 1/28/08



Statement of Work

Local Infrastructure Repair

1.0 Description of Services

Local Infrastructure Repair is a repair service provided by the Servicer for Infrastructure named on the Customer Equipment list. At the Servicer's discretion and responsibility, Infrastructure may be sent to Motorola, original equipment manufacturer, third party vendor, or other facility for repair.

The terms and conditions of this Statement of Work (SOW) are an integral part of Motorola's Service Terms and Conditions or other applicable Agreement to which it is attached and made a part thereof by this reference.

2.0 Motorola Servicer has the following responsibilities:

- 2.1. Repair or replace Infrastructure at the Servicer facility or Customer location as determined by Servicer. Any replaced FRU will be of a similar kit and version, and will contain like boards and chips, as the Customer's malfunctioning FRU(s). Servicer is responsible for travel costs to a Customer location to repair Infrastructure.
- 2.2. Perform the following on Motorola Infrastructure:
 - 2.2.1. Perform an operational check on the Infrastructure to determine the nature of the problem.
 - 2.2.2. Repair or replace malfunctioning FRU, as determined by Servicer.
 - 2.2.3. Verify that Motorola Infrastructure is returned to Motorola manufactured specifications.
- 2.3. Provide the following service on select third party Infrastructure:
 - 2.3.1. Perform pre-diagnostic and repair service to confirm Infrastructure malfunction and eliminate sending Infrastructure with no trouble found (NTF) to third party endor for repair, when applicable.
 - 2.3.2. Ship malfunctioning Infrastructure to the original equipment manufacturer or third party vendor for repair service. Servicer is responsible for all shipping and handling charges.
 - 2.3.3. Coordinate and track Infrastructure sent to the original equipment manufacturer or third party vendor for service.
- 2.4. Re-program Infrastructure to original operating parameters based on templates provided by Customer required by Section 3.2. If the Customer template is not provided or is not reasonably usable, a standard default template will be used. The Servicer will provide the standard template.
- 2.5. Notify the Customer upon completion of repair or replacement.
- 2.6. Properly package, return ship or hand deliver Infrastructure to the Customer specified address. Servicer will pay return shipping charges, if being sent via overnight carrier.

3.0 Customer has the following responsibilities:

- 3.1. Contact Servicer and provide the following information:
 - 3.1.1. Provide customer name, address of site location, and symptom of problem.
 - 3.1.2. Provide model description, model number, serial number, and type of System and Firmware version, if known.
- 3.2. Maintain and/or store backups of all applicable Software applications and Firmware for reloading, if necessary by Servicer, after repair service is completed.
- 3.3. Cooperate with Motorola and perform all acts that are reasonable or necessary to enable Motorola to provide Local Infrastructure Repair services to Customer.

Local Infrastructure Repair

Approved by Motorola Contracts & Compliance 01-15-2004

Special Product

MISSION CONTROL

1.0 Description of Services

Mission Control provides Continuous, real time network monitoring, remote technical support and customer notification of detected alarms through a web notification process. Mission control monitors the hardware/firmware certified and installed as part of the Airbus DS Communications. Mission Control also monitors all application Software developed and certified by Airbus DS Communications and/or Motorola; including third party application software that generates SNMP traps or events captured by the OS Event Logs. Specific system thresholds, established during service plan implementation, are continually monitored by Mission Control. Anytime the system performance/environment exceeds the threshold limit, Mission Control is immediately notified via digital alarm. Digital alarm signaling provides specific useful information relative to the nature of the alarm allowing proper, expeditious troubleshooting and Restoral of the system.

The terms and conditions of this Statement of Work (SOW) are an integral part of Motorola's Service Terms and Conditions or other applicable Agreement to which it is attached and made a part thereof by this reference.

2.0 Airbus DS Communications has the following responsibilities:

2.1 Remotely access the Customer's System to perform remote diagnostics as permitted by Customer pursuant to section 4.1.

2.2 Attempt remote Restoral for detected alerts, as appropriate.

2.3 Contact Motorola when more than remote Restoral is required and create a Case.

2.4 Provide the following Case information to Motorola:

2.4.1. Characterize the issue

2.4.2. Determine a plan of action

2.5 Ensure the required Motorola personnel have access to Customer information as needed so Motorola may continue with the Case resolution and service support.

2.6 Coordinate detected alert activity with Motorola and Customer to ensure issue resolution.

3.0 Motorola has the following responsibilities:

3.1 Accept Cases from Airbus DS Communications pursuant to section 2.4.

3.2 Provide response based on the additional service purchased by the Customer and specified in Statements of Work attached to the Service Agreement between Motorola and Customer.

4.0 Customer has the following responsibilities:

4.1 Allow Airbus DS Communications Continuous remote access to System, in order to obtain alert information.

4.2 Purchase Connectivity, installation and monitoring equipment necessary for monitoring the System. Failure to purchase such equipment may prevent Airbus DS Communications from rendering the services described in this Statement of Work.

4.3 Order and maintain dedicated remote maintenance circuits such as DSL, fractional T1 frame relay and or dial-up lines, as specified by Airbus DS Communications. All equipment or software not installed by Airbus DS Communications personnel requires certification by Airbus DS Communications to verify conformance to Airbus DS Communications standards.

4.4 Contact Motorola's System Support Center prior to any modification to the network or security configuration.

4.5 Notify Motorola at least 90-days in advance if they choose not to renew the Mission Control monitoring program as part of Motorola's Service Agreement (SA). Service Agreement renewal must be executed prior to or within 30-days of the SA expiration date. Customer will be required to pay a reactivation fee in order to restart Mission Control coverage if such notification is not provided.

4.6 If the Customer chooses to cancel the Mission Control monitoring program prior to its termination date, the Customer agrees to pay Motorola as a cancellation fee, ten percent (10%) of the total cost of the program. Motorola will invoice the Customer for the cancellation fee, which the Customer agrees to pay within twenty (20) days of the date of the invoice. Customer will be required to pay reactivation fee in order to restart Mission Control coverage if the program is cancelled.

4.7 Cooperate with Motorola and perform all acts that are reasonable or necessary to enable Motorola and Airbus DS Communications to provide this service.

SP - CONTRACT ADMINISTRATION SERVICE

1.0 Description of Services

The SP - CONTRACT ADMINISTRATION Service provides the customer with services oriented to assist the customer in maintaining their own radio system and infrastructure. At Motorolas discretion, this service may be used to implement any other service or services to further support the customer. The Customer's Motorola CSM (Customer Support Manager) will provide coordination of support resources to enhance the quality of service delivery and to ensure customer satisfaction. The Customer Support Manager(CSM) is responsible to oversee the execution of a support agreement contract (maintenance or warranty) by serving in the role of customer advocate. They serve as the defined point of contact for issue resolution and escalation, monitoring of our contractual performance, providing review and analysis of process metrics and fostering a relationship for continuous improvement with customers.

The terms and conditions of this Statement of Work (SOW) are an integral part of the Motorola Service Agreement or other applicable Agreement to which it is attached and made a part thereof by this reference.

If there are any inconsistencies between the provisions of this SOW and the provisions of the Service or other applicable Agreement, the provisions of this SOW shall prevail.

2.0 Motorola has the following responsibilities:

2.1. Investigate customer needs and identify initiatives toward resolutions

2.2. Determine scope and capitalization required for initiatives

2.3. Engage identified initiatives

3.0 Customer has the following responsibilities:

3.1. Contact Customer Support Manager and provide the following information:

3.1.1. Product, system type, accurate description or symptom of problem.

3.2. Maintain backups of Software applications and Firmware for reloading if necessary after service is completed.

3.3. If repair is needed, Properly package Equipment and third party Infrastructure for shipping and ship the malfunctioning Equipment and third party Infrastructure (freight prepaid by Customer) to Servicer.

3.4. Cooperate with Motorola and perform all acts that are reasonable or necessary to enable Motorola to provide the Infrastructure Repair services to Customer.

SOFTWARE FIRMWARE SUPPORT

1.0 Description of Services

Firmware contains software that is constantly called upon by a computer or phone system which is "burned" into a chip, thereby becoming firmware. Software is defined as computer program instructions that facilitate functionality within hardware. Application software, such as VESTA, MagIC and ORION, is designed to perform specific tasks and the only software covered by this service. Software and Firmware is defined to include both program fixes and program updates.

Program fixes are defined as resolutions to problems that result from a defect in the application software or firmware or supplied documentation. Program updates are defined as major and minor enhancements to the already purchased software features or functionality set. All Issuance of program fixes and updates are at Airbus DS Communications' discretion.

The terms and conditions of this Statement of Work (SOW) are an integral part of Motorola's Service Terms and Conditions or other applicable Agreement to which it is attached and made a part thereof by this reference.

2.0 Motorola has the following responsibilities:

2.1 Review Airbus DS Communications Product Change Notices and notify Customer through Motorola Product Service Bulletins if critical changes are required, as determined by Motorola.

2.2 Contact Airbus DS Communications Technical Support, when needed, as determined by Motorola, to resolve Customer issues.

3.0 Customer has the following responsibilities:

3.1 Contact Motorola upon receiving a Product Service Bulletin to engage the appropriate Motorola resources for an upgrade or fix. Installation of the upgrade or fix is available for an additional fee.

3.2 Contact Motorola representative to order an available update described in the Motorola Product Service Bulletins, as directed in the Customer Support Plan

3.3 Review Software installation plans and impact to the users with appropriate Customer personnel.

3.4 Maintain and store in an easy accessible location any and all Software needed to Restore the System.

3.5 Maintain and store in an easily accessible location proper System backups.

3.6 Notify Motorola at least 90-days in advance if they choose not to renew the Software and Firmware Support as part of Motorola's Service Agreement (SA). Service Agreement renewal must be executed prior to or within 30-days of the SA expiration date. Customer will be required to pay a reactivation payment in order to restart Software and Firmware Support coverage if such notification is not provided.

3.7 Cooperate with Motorola and perform all acts that are reasonable or necessary to enable Motorola/Airbus DS Communications to provide this service.

4.0 Special provisions: the following provisions apply to these Software and Firmware Support services

4.1 Customer acknowledges that if their System has a Special Product Feature, additional engineering may be required to prevent the Software and Firmware fix or upgrade from overwriting the Special Product Feature. Upon request, Motorola will determine whether a Special Product Feature can be incorporated into a Software and Firmware fix or upgrade and whether additional engineering effort is required. Customer may be required to pay an additional fee for any such engineering effort.

4.2 Customer is encouraged to install Software and Firmware fixes or upgrades because they may include major/minor performance enhancements. Customer acknowledges that if they choose not to install Software and Firmware enhancements, it

may limit or eliminate the applicability of future fixes and upgrades to its System.

4.3 Customer is encouraged to migrate to the most current version of Software and Firmware Support that is available. Only the currently shipping Software version and one version back are eligible for support under this program. If Customer's System is not maintained to a currently supported Software version, new Software fixes may not be compatible with Customer's existing System.

4.4 Additional hardware, software, or engineering services may be required if Customer desires to upgrade or migrate to a particular Software and Firmware version. If the size and complexity of Customer's System warrants, Motorola may provide consultation services to determine the technological, operational and financial impact of installing particular fixes or upgrades on the System, pursuant to a separate agreement. Customer must pay for such consulting services and for any other engineering services, hardware, and software that are required to upgrade or migrate Customer's System due to each fix or upgrade that Customer orders.

4.5 Customer may use the Software only in accordance with the applicable Software License Agreement. Nothing in this Statement of Work or any actions taken by Motorola in rendering these services is intended to modify the applicable Software License Agreement or to alter the intellectual property rights of either Motorola or Airbus DS Communications in and to its Software.

4.6 Software and Firmware services do not include repair or replacement of hardware or Software caused by defects that are not corrected by the fixes or upgrades, nor does it include repair or replacement of defects resulting from any nonstandard or improper use or conditions or from unauthorized installation of Software and Firmware.

4.7 Motorola may suspend or terminate these Software and Firmware services, if Customer fails to pay Motorola any fees for Software and Firmware services when due, Customer breaches the Software License Agreement or the Agreement, Customer's rights to use the Software and Firmware under the Software License Agreement expires or is terminated, or Customer replaces its Motorola Airbus DS Communications System with a system from another manufacturer.

4.8 If the Customer chooses to cancel the Software and Firmware Support program prior to its termination date, the Customer agrees to pay Motorola, as a cancellation fee, ten percent (10%) of the total cost of the program. Motorola will invoice the Customer for the cancellation fee, which the Customer agrees to pay within twenty (20) days of the date of the invoice. Customer will be required to pay a reinstatement fee in order to restart Software and Firmware Support coverage if the program is cancelled.

MS - UPS MAINTENANCE

1.0 Description of Services

The Motorola System Support Center (SSC) will receive Customer request for service and dispatch a Servicer.

For Mesh system a Servicer will be dispatched only to the central site where the Mobile Integrated System Controller (MISC) is located. The Servicer will respond to the Customer location based on predefined Severity Levels set forth in the Severity Definitions Table and Response times set forth in the Response Time Table in order to Restore the System.

Motorola will provide Case management as set forth herein. The SSC will maintain contact with the onsite Servicer until System Restoral and Case is closed. The SSC will continuously track and manage Cases from creation to close through an automated Case tracking process. This Case management allows for Motorola to provide Case activity reports.

The terms and conditions of this Statement of Work (SOW) are an integral part of Motorola's Service Terms and Conditions or other applicable Agreement to which it is attached and made a part thereof by this reference.

2.0 Motorola has the following responsibilities:

2.1. Continuously receive service requests.

2.2. Create a Case as necessary when service requests are received. Gather information to perform the following:

2.2.1. Characterize the issue.

2.2.2. Determine a plan of action.

2.2.3. Assign and track the Case to resolution.

2.3. Dispatch a Servicer as required by Motorola standard procedures and provide necessary Case Information collected in 2.2.

2.4. Ensure the required personnel have access to Customer information as needed.

2.5. Servicer will perform the following on-site:

2.5.1. Run diagnostics on the Infrastructure or FRU.

2.5.2. Replace defective Infrastructure or FRU, as applicable. Customer, Servicer or Motorola may provide Infrastructure or FRU.

2.5.3. Provide materials, tools, documentation, physical planning manuals, diagnostic/test equipment and any other requirements necessary to perform the Maintenance service.

2.5.4. If a third party Vendor is needed to Re-store the System, the Servicer may accompany that Vendor onto the Customer's premises.

2.6. Verify with Customer that Restoration is complete or System is functional, if required by Customer's repair Verification in the Customer Support Plan required by section 3.2. If Verification by Customer cannot be completed within 20 minutes of Restoration, the Case will be closed and the Servicer will be released.

- 2.7. Escalate the Case to the appropriate party upon expiration of a Response time.
- 2.8. Close the Case upon receiving notification from Customer or Servicer, indicating the Case is resolved.
- 2.9. Notify Customer of Case Status as defined required by the Customer Support Plan:
 - 2.9.1. Open and closed; or
 - 2.9.2. Open, assigned to the Servicer, arrival of the Servicer on-site, deferred or delayed, closed.
- 2.10. Provide Case activity reports to Customer.
- 3.0 Customer has the following responsibilities:
 - 3.1. Contact Motorola, as necessary, to request service continuously.
 - 3.2. Provide Motorola with pre-defined Customer information and preferences prior to Start Date necessary to complete Customer Support Plan.
 - 3.2.1. Case notification preferences and procedure.
 - 3.2.2. Repair Verification preference and procedure.
 - 3.2.3. Database and escalation procedure forms.
 - 3.2.4. Submit changes in any information supplied in the Customer Support Plan to the Customer Support Manager.
 - 3.3. Provide the following information when initiating a service request:
 - 3.3.1. Assigned System ID number.
 - 3.3.2. Problem description and site location.
 - 3.3.3. Other pertinent information requested by Motorola to open a Case.
 - 3.4. Allow Servicers access to Equipment.
 - 3.5. Supply Infrastructure or FRU, as applicable, in order for Motorola to Restore the System as set forth in paragraph 2.5.2.
 - 3.6. Maintain and store in an easily accessible location any and all Software needed to Re-store the System.
 - 3.7. Maintain and store in an easily accessible location proper System backups.
 - 3.8. For E911 systems, test the secondary/backup PSAP connection to be prepared in the event of a catastrophic failure of a system. Train appropriate personnel on the procedures to perform the function of switching to the backup PSAP.
 - 3.9. Verify with the SSC that Restoration is complete or System is functional, if required by Repair Verification preference provided by Customer in accordance with section 3.2.
 - 3.10. Cooperate with Motorola and perform all acts that are reasonable or necessary to enable Motorola to provide these services.

Service Terms and Conditions

Motorola Solutions Inc. ("Motorola") and the customer named in this Agreement ("Customer") hereby agree as follows:

Section 1. APPLICABILITY

These Maintenance Service Terms and Conditions apply to service contracts whereby Motorola will provide to Customer either (1) maintenance, support, or other services under a Motorola Service Agreement, or (2) installation services under a Motorola Installation Agreement.

Section 2. DEFINITIONS AND INTERPRETATION

2.1. "Agreement" means these Maintenance Service Terms and Conditions; the cover page for the Service Agreement or the Installation Agreement, as applicable; and any other attachments, all of which are incorporated herein by this reference. In interpreting this Agreement and resolving any ambiguities, these Maintenance Service Terms and Conditions take precedence over any cover page, and the cover page takes precedence over any attachments, unless the cover page or attachment states otherwise.

2.2. "Equipment" means the equipment that is specified in the attachments or is subsequently added to this Agreement.

2.3. "Services" means those installation, maintenance, support, training, and other services described in this Agreement.

Section 3. ACCEPTANCE

Customer accepts these Maintenance Service Terms and Conditions and agrees to pay the prices set forth in the Agreement. This Agreement becomes binding only when accepted in writing by Motorola. The term of this Agreement begins on the "Start Date" indicated in this Agreement.

Section 4. SCOPE OF SERVICES

4.1. Motorola will provide the Services described in this Agreement or in a more detailed statement of work or other document attached to this Agreement. At Customer's request, Motorola may also provide additional services at Motorola's then-applicable rates for the services.

4.2. If Motorola is providing Services for Equipment, Motorola parts or parts of equal quality will be used; the Equipment will be serviced at levels set forth in the manufacturer's product manuals; and routine service procedures that are prescribed by Motorola will be followed.

4.3. If Customer purchases from Motorola additional equipment that becomes part of the same system as the initial Equipment, the additional equipment may be added to this Agreement and will be billed at the applicable rates after the warranty for that additional equipment expires.

4.4. All Equipment must be in good working order on the Start Date or when additional equipment is added to the Agreement. Upon reasonable request by Motorola, Customer will provide a complete serial and model number list of the Equipment. Customer must promptly notify Motorola in writing when any Equipment is lost, damaged, stolen or taken out of service. Customer's obligation to pay Service fees for this Equipment will terminate at the end of the month in which Motorola receives the written notice.

4.5. Customer must specifically identify any Equipment that is labeled intrinsically safe for use in hazardous environments.

4.6. If Equipment cannot, in Motorola's reasonable opinion, be properly or economically serviced for any reason, Motorola may modify the scope of Services related to that Equipment; remove that Equipment from the Agreement; or increase the price to Service that Equipment.

4.7. Customer must promptly notify Motorola of any Equipment failure. Motorola will respond to Customer's notification in a manner consistent with the level of Service purchased as indicated in this Agreement.

Section 5. EXCLUDED SERVICES

5.1. Service excludes the repair or replacement of Equipment that has become defective or damaged from use in other than the normal, customary, intended, and authorized manner; use not in compliance with applicable industry

standards; excessive wear and tear; or accident, liquids, power surges, neglect, acts of God or other force majeure events.

5.2. Unless specifically included in this Agreement, Service excludes items that are consumed in the normal operation of the Equipment, such as batteries or magnetic tapes; upgrading or reprogramming Equipment; accessories, belt clips, battery chargers, custom or special products, modified units, or software; and repair or maintenance of any transmission line, antenna, microwave equipment, tower or tower lighting, duplexer, combiner, or multicoupler. Motorola has no obligations for any transmission medium, such as telephone lines, computer networks, the internet or the worldwide web, or for Equipment malfunction caused by the transmission medium.

Section 6. TIME AND PLACE OF SERVICE

Service will be provided at the location specified in this Agreement. When Motorola performs service at Customer's location, Customer will provide Motorola, at no charge, a non-hazardous work environment with adequate shelter, heat, light, and power and with full and free access to the Equipment. Waivers of liability from Motorola or its subcontractors will not be imposed as a site access requirement. Customer will provide all information pertaining to the hardware and software elements of any system with which the Equipment is interfacing so that Motorola may perform its Services. Unless otherwise stated in this Agreement, the hours of Service will be 8:30 a.m. to 4:30 p.m., local time, excluding weekends and holidays. Unless otherwise stated in this Agreement, the price for the Services exclude any charges or expenses associated with helicopter or other unusual access requirements; if these charges or expenses are reasonably incurred by Motorola in rendering the Services, Customer agrees to reimburse Motorola for those charges and expenses.

Section 7. CUSTOMER CONTACT

Customer will provide Motorola with designated points of contact (list of names and phone numbers) that will be available twenty-four (24) hours per day, seven (7) days per week, and an escalation procedure to enable Customer's personnel to maintain contact, as needed, with Motorola.

Section 8. PAYMENT

Unless alternative payment terms are stated in this Agreement, Motorola will invoice Customer in advance for each payment period. All other charges will be billed monthly, and Customer must pay each invoice in U.S. dollars within twenty (20) days of the invoice date. Customer will reimburse Motorola for all property taxes, sales and use taxes, excise taxes, and other taxes or assessments that are levied as a result of Services rendered under this Agreement (except income, profit, and franchise taxes of Motorola) by any governmental entity.

Section 9. WARRANTY

Motorola warrants that its Services under this Agreement will be free of defects in materials and workmanship for a period of ninety (90) days from the date the performance of the Services are completed. In the event of a breach of this warranty, Customer's sole remedy is to require Motorola to re-perform the non-conforming Service or to refund, on a pro-rata basis, the fees paid for the non-conforming Service. **MOTOROLA DISCLAIMS ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, INCLUDING THE IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE.**

Section 10. DEFAULT/TERMINATION

10.1. If either party defaults in the performance of this Agreement, the other party will give to the non-performing party a written and detailed notice of the default. The non-performing party will have thirty (30) days thereafter to provide a written plan to cure the default that is acceptable to the other party and begin implementing the cure plan immediately after plan approval. If the non-performing party fails to provide or implement the cure plan, then the injured party, in addition to any other rights available to it under law, may immediately terminate this Agreement effective upon giving a written notice of termination to the defaulting party.

10.2. Any termination of this Agreement will not relieve either party of obligations previously incurred pursuant to this Agreement, including payments which may be due and owing at the time of termination. All sums owed by Customer to Motorola will become due and payable immediately upon termination of this Agreement. Upon the effective date of termination, Motorola will have no further obligation to provide Services.

Section 11. LIMITATION OF LIABILITY

Except for personal injury or death, Motorola's total liability, whether for breach of contract, warranty, negligence, strict liability in tort, or otherwise, will be limited to the direct damages recoverable under law, but not to exceed the price of twelve (12) months of Service provided under this Agreement. **ALTHOUGH THE PARTIES ACKNOWLEDGE THE POSSIBILITY OF SUCH LOSSES OR DAMAGES, THEY AGREE THAT MOTOROLA WILL NOT BE LIABLE FOR ANY COMMERCIAL LOSS; INCONVENIENCE; LOSS OF USE, TIME, DATA, GOOD WILL, REVENUES, PROFITS OR SAVINGS; OR OTHER SPECIAL, INCIDENTAL, INDIRECT, OR CONSEQUENTIAL DAMAGES IN ANY WAY RELATED**

TO OR ARISING FROM THIS AGREEMENT OR THE PERFORMANCE OF SERVICES BY MOTOROLA PURSUANT TO THIS AGREEMENT. No action for contract breach or otherwise relating to the transactions contemplated by this Agreement may be brought more than one (1) year after the accrual of the cause of action, except for money due upon an open account. This limitation of liability will survive the expiration or termination of this Agreement and applies notwithstanding any contrary provision.

Section 12. EXCLUSIVE TERMS AND CONDITIONS

12.1. This Agreement supersedes all prior and concurrent agreements and understandings between the parties, whether written or oral, related to the Services, and there are no agreements or representations concerning the subject matter of this Agreement except for those expressed herein. The Agreement may not be amended or modified except by a written agreement signed by authorized representatives of both parties.

12.2. Customer agrees to reference this Agreement on any purchase order issued in furtherance of this Agreement, however, an omission of the reference to this Agreement will not affect its applicability. In no event will either party be bound by any terms contained in a Customer purchase order, acknowledgement, or other writings unless: the purchase order, acknowledgement, or other writing specifically refers to this Agreement; clearly indicate the intention of both parties to override and modify this Agreement; and the purchase order, acknowledgement, or other writing is signed by authorized representatives of both parties.

Section 13. PROPRIETARY INFORMATION; CONFIDENTIALITY; INTELLECTUAL PROPERTY RIGHTS

13.1. Any information or data in the form of specifications, drawings, reprints, technical information or otherwise furnished to Customer under this Agreement will remain Motorola's property, will be deemed proprietary, will be kept confidential, and will be promptly returned at Motorola's request. Customer may not disclose, without Motorola's written permission or as required by law, any confidential information or data to any person, or use confidential information or data for any purpose other than performing its obligations under this Agreement. The obligations set forth in this Section survive the expiration or termination of this Agreement.

13.2. Unless otherwise agreed in writing, no commercial or technical information disclosed in any manner or at any time by Customer to Motorola will be deemed secret or confidential. Motorola will have no obligation to provide Customer with access to its confidential and proprietary information, including cost and pricing data.

13.3. This Agreement does not grant directly or by implication, estoppel, or otherwise, any ownership right or license under any Motorola patent, copyright, trade secret, or other intellectual property, including any intellectual property created as a result of or related to the Equipment sold or Services performed under this Agreement.

Section 14. FCC LICENSES AND OTHER AUTHORIZATIONS

Customer is solely responsible for obtaining licenses or other authorizations required by the Federal Communications Commission or any other federal, state, or local government agency and for complying with all rules and regulations required by governmental agencies. Neither Motorola nor any of its employees is an agent or representative of Customer in any governmental matters.

Section 15. COVENANT NOT TO EMPLOY

During the term of this Agreement and continuing for a period of two (2) years thereafter, Customer will not hire, engage on contract, solicit the employment of, or recommend employment to any third party of any employee of Motorola or its subcontractors without the prior written authorization of Motorola. This provision applies only to those employees of Motorola or its subcontractors who are responsible for rendering services under this Agreement. If this provision is found to be overly broad under applicable law, it will be modified as necessary to conform to applicable law.

Section 16. MATERIALS, TOOLS AND EQUIPMENT

All tools, equipment, dies, gauges, models, drawings or other materials paid for or furnished by Motorola for the purpose of this Agreement will be and remain the sole property of Motorola. Customer will safeguard all such property while it is in Customer's custody or control, be liable for any loss or damage to this property, and return it to Motorola upon request. This property will be held by Customer for Motorola's use without charge and may be removed from Customer's premises by Motorola at any time without restriction.

Section 17. GENERAL TERMS

17.1. If any court renders any portion of this Agreement unenforceable, the remaining terms will continue in full force and effect.

17.2. This Agreement and the rights and duties of the parties will be interpreted in accordance with the laws of the State

in which the Services are performed.

17.3. Failure to exercise any right will not operate as a waiver of that right, power, or privilege.

17.4. Neither party is liable for delays or lack of performance resulting from any causes that are beyond that party's reasonable control, such as strikes, material shortages, or acts of God.

17.5. Motorola may subcontract any of the work, but subcontracting will not relieve Motorola of its duties under this Agreement.

17.6. Except as provided herein, neither Party may assign this Agreement or any of its rights or obligations hereunder without the prior written consent of the other Party, which consent will not be unreasonably withheld. Any attempted assignment, delegation, or transfer without the necessary consent will be void. Notwithstanding the foregoing, Motorola may assign this Agreement to any of its affiliates or its right to receive payment without the prior consent of Customer. In addition, in the event Motorola separates one or more of its businesses (each a "Separated Business"), whether by way of a sale, establishment of a joint venture, spin-off or otherwise (each a "Separation Event"), Motorola may, without the prior written consent of the other Party and at no additional cost to Motorola, assign this Agreement such that it will continue to benefit the Separated Business and its affiliates (and Motorola and its affiliates, to the extent applicable) following the Separation Event.

17.7. THIS AGREEMENT WILL RENEW, FOR AN ADDITIONAL ONE (1) YEAR TERM, ON EVERY ANNIVERSARY OF THE START DATE UNLESS EITHER THE COVER PAGE SPECIFICALLY STATES A TERMINATION DATE OR ONE PARTY NOTIFIES THE OTHER IN WRITING OF ITS INTENTION TO DISCONTINUE THE AGREEMENT NOT LESS THAN THIRTY (30) DAYS OF THAT ANNIVERSARY DATE. At the anniversary date, Motorola may adjust the price of the Services to reflect its current rates.

17.8. If Motorola provides Services after the termination or expiration of this Agreement, the terms and conditions in effect at the time of the termination or expiration will apply to those Services and Customer agrees to pay for those services on a time and materials basis at Motorolas then effective hourly rates.

17.9. This Agreement may be executed in one or more counterparts, all of which shall be considered part of the Agreement. The parties may execute this Agreement in writing, or by electronic signature, and any such electronic signature shall have the same legal effect as a handwritten signature for the purposes of validity, enforceability and admissibility. In addition, an electronic signature, a true and correct facsimile copy or computer image of this Agreement shall be treated as and shall have the same effect as an original signed copy of this document.

Revised Oct 15, 2015

Contractor Affidavit under O.C.G.A. § 13-10-91(b)(1)

By executing this affidavit, the undersigned contractor verifies its compliance with O.C.G.A. § 13-10-91, stating affirmatively that the individual, firm or corporation which is engaged in the physical performance of services on behalf of Fayette County, Georgia has registered with, is authorized to use and uses the federal work authorization program commonly known as E-Verify, or any subsequent replacement program, in accordance with the applicable provisions and deadlines established in O.C.G.A. § 13-10-91. Furthermore, the undersigned contractor will continue to use the federal work authorization program throughout the contract period and the undersigned contractor will contract for the physical performance of services in satisfaction of such contract only with subcontractors who present an affidavit to the contractor with the information required by O.C.G.A. § 13-10-91(b). Contractor hereby attests that its federal work authorization user identification number and date of authorization are as follows:

613000
Federal Work Authorization User Identification Number

11-12-12
Date of Authorization

MOTOROLA
Name of Contractor

#1122-N Motorola Maintenance Agreement
Name of Project

FAYETTE COUNTY GEORGIA
Name of Public Employer

I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed on MAY, 26, 2016 in (city) LAURENSVILLE, (state) GA

Robert E. Marshall Jr
Signature of Authorized Officer or Agent

ROBERT E. MARSHALL JR VICE PRESIDENT
Printed Name and Title of Authorized Officer or Agent

SUBSCRIBED AND SWORN BEFORE ME

ON THIS THE 6th DAY OF MAY, 2016

Donetta Muller
NOTARY PUBLIC

My Commission Expires:

1-13-18



COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Approval of staff's recommendation to enter into a \$312,500 Subgrant Agreement with the Atlanta Regional Commission (ARC) for an update to the Fayette County Comprehensive Transportation Plan (CTP) and to authorize the Chairman to sign the agreement.

Background/History/Details:

The ARC offers assistance to Counties within the Atlanta region for updating Comprehensive Transportation Plans (CTP). These are essential documents for transportation projects to be eligible for federal funding. In addition, the CTPs are the primary tools for identifying and prioritizing local transportation needs.

Fayette County's most recent CTP is dated November 2010. They are typically updated every four to six years. Attached as back-up is the Subgrant Agreement which includes the scope of work and the budget estimate. Major project tasks are: 1) Project Management; 2) Public Engagement; 3) Inventory; 4) Assessment; 5) Recommendations; and 6) Documentation. When Fayette County hires a consulting team to develop the CTP, we can adjust the scope to meet specific needs as long as ARC's required deliverables are satisfied.

Public input is critical for a successful plan update. We envision the County's Transportation Committee will play an integral role in the project.

The project's budget is \$312,500, with 80% from ARC and 20% local.

What action are you seeking from the Board of Commissioners?

Approval of staff's recommendation to enter into a \$312,500 Subgrant Agreement with the Atlanta Regional Commission (ARC) for an update to the Fayette County Comprehensive Transportation Plan (CTP); and authorizing the Chairman to sign the agreement.

If this item requires funding, please describe:

The project has a budget estimate of \$312,500, of which Fayette County's responsibility is \$62,500 (20%). Funding is available in Account 37540220-521316-6220K.

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:

06/13/2016 15:21
9597mpar

FAYETTE COUNTY, GA
YEAR TO DATE BUDGET REPORT

P 1
glytdbud

FOR 2016 13

	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	YTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
6220K ROAD DEPT-TRANSPORTATION STUDY							
37540220 334219 6220K GRANTS	-96,000	-154,000	-250,000	.00	.00	-250,000.00	.0%*
37540220 390100 6220K TRANSFER FROM	-24,000	0	-24,000	-24,000.00	.00	.00	100.0%
37540220 390375 6220K TRANSFER FROM	0	-38,500	-38,500	-38,500.00	.00	.00	100.0%
37540220 521316 6220K TECHNICAL SER	120,000	192,500	312,500	.00	.00	312,500.00	.0%
TOTAL ROAD DEPT-TRANSPORTATION STUD	0	0	0	-62,500.00	.00	62,500.00	100.0%
TOTAL REVENUES	-120,000	-192,500	-312,500	-62,500.00	.00	-250,000.00	
TOTAL EXPENSES	120,000	192,500	312,500	.00	.00	312,500.00	
GRAND TOTAL	0	0	0	-62,500.00	.00	62,500.00	100.0%

** END OF REPORT - Generated by Mary Parrott **

SUBGRANT AGREEMENT

THIS AGREEMENT, entered into as of the ____ day of _____, 2016, by and between Fayette County, a political subdivision of the State of Georgia (hereinafter referred to as the "Subgrantee") and the ATLANTA REGIONAL COMMISSION, (hereinafter referred to as "ARC").

WITNESSETH THAT:

WHEREAS, ARC desires to engage the Subgrantee to render certain services hereinafter described in connection with an undertaking or project (hereinafter referred to as the "Project") which is to be wholly or partially financed by a grant (hereinafter referred to as the "Grant Contract") from the United States Department of Transportation through the Georgia Department of Transportation (hereinafter, along with the appropriate auditing agency of the entities making such grant, referred to as "the Concerned Funding Agencies"); and

WHEREAS, the Subgrantee desires to render such services in connection with the Project;

NOW THEREFORE, in consideration of the premises and the mutual covenants and agreements hereinafter contained, the parties hereto agree as follows:

1. Engagement of the Subgrantee. ARC hereby agrees to engage the Subgrantee and the Subgrantee hereby agrees to perform the services hereinafter set forth in accordance with the terms and conditions herein.
2. Scope of Services. The Subgrantee shall do, perform and carry out in a satisfactory and proper manner, as determined by ARC, the work and services described in Attachment "A" which is attached hereto and made a part hereof.
3. Time of Performance. The effective date of this Agreement is _____, 2016. Work and services shall be undertaken and pursued in such sequence as to assure their expeditious completion and as may be required in Attachment "A." All work and services required hereunder shall be completed on or before June 30, 2018.
4. Compensation. The Subgrantee shall be compensated for the work and services to be performed under this Agreement as set forth in Attachment "B" which is attached hereto and made part hereof.
5. Formal Communication. Formal communications regarding this Agreement shall include, but not necessarily be limited to, correspondence, progress reports and fiscal reports.

All formal communication regarding this Agreement shall be in writing between the person executing this Agreement on behalf of the Subgrantee (executor) and ARC's Executive Director. However, the Subgrantee executor and ARC's Executive Director shall each have the right to

designate in writing to the other an agent to act in his or her behalf regarding this Agreement. Any restrictions to such designation must be clearly defined in the written designation.

In this regard, the ARC Executive Director hereby designates the ARC Director of Livable Communities as his agent, except for changes and terminations of this Agreement.

6. Review and Coordination. To ensure adequate assessment of the Subgrantee's Project and proper coordination among interested parties, ARC shall be kept fully informed concerning the progress of the work and services to be performed hereunder. The Subgrantee may be required to meet with designated representatives of ARC and the Concerned Funding Agencies from time to time to review the work and services performed. Subgrantee shall be given reasonable written notice of such meetings.

7. Inspections. Authorized representatives of ARC and the Concerned Funding Agencies may at all reasonable times review and inspect the Project activities and data collected pursuant to this Agreement. Except where specifically prohibited by law, all reports, studies, records, and computations prepared by or for the Subgrantee under this Agreement shall be made available to designated representatives of ARC and the Concerned Funding Agencies for inspection and review at all reasonable times in the Subgrantee's office where data is normally accumulated. Approval and acceptance of such material shall not relieve the Subgrantee of its professional obligation to correct, at its expense, any errors found in the work.

8. Maintenance of Cost Records. The Subgrantee shall maintain all books, documents, papers, accounting records and other evidence pertaining to costs incurred on the Project and shall make such material available at all reasonable times during the period of the Agreement, and for at least seven years from the date of final payment under the Agreement, for inspection by ARC, the Concerned Funding Agencies, and if the work and services to be performed under this Agreement is wholly or partially funded with federal funds, the Comptroller General of the United States, or any of their duly authorized representatives. The Subgrantee shall include the provisions of this paragraph in any subcontract executed in connection with this Project.

9. Subgrantee's Personnel. The Subgrantee represents that it has, or will secure at its own expense, all personnel required to perform the services under this Agreement. Such personnel shall not be employees of ARC, nor shall such personnel have been employees of ARC during any time within the immediately preceding twelve-month period, except with the express prior written consent of ARC. Further, the Subgrantee agrees that no such former ARC employees shall be involved in any way with the performance of this Agreement without the express prior written approval of ARC.

10. Reports. The Subgrantee shall furnish ARC with narrative progress reports, in such form and frequency as may be specified by ARC's Executive Director or his designated agent, outlining the work accomplished by the Subgrantee during the period, including the current status of the Project, and the percentage of work which has been completed.

11. Compliance with Requirements of the Concerned Funding Agencies. The Subgrantee shall be bound by the applicable terms and conditions of the Grant Contract between ARC and the

Concerned Funding Agencies which said Grant Contract is on file in the offices of ARC and is hereby made a part of this Agreement as fully as if the same were attached hereto. ARC will notify the Subgrantee in writing of any applicable changes within a reasonable time after ARC has received appropriate notice of such changes from the Concerned Funding Agencies.

12. Rights in Documents, Materials and Data Produced. For purposes of this Agreement, "data" includes, but is not limited to, writings, sound recordings, photographs, films, videotapes or other graphic representations and works of a similar nature. ARC and the Concerned Funding Agencies shall have the right to use same without restriction or limitation and without compensation to the Subgrantee other than as provided in this Agreement. The Subgrantee acknowledges that matters regarding rights to inventions and materials generated by or arising out of this Agreement may be subject to certain regulations issued by the Concerned Funding Agencies.

13. Data and Software Licensing. During performance of the work covered by this Agreement ARC may provide certain data or software products, such as aerial photography or commercially available planning data and software, to the Subgrantee that have been obtained from various sources under specific licensing agreements. The Subgrantee acknowledges that any data or software that ARC may provide hereunder is provided as a non-exclusive, non-transferable, limited license for the Subgrantee or its Sub-contractors to use the data or software for the work covered by this Agreement only. The Subgrantee shall not redistribute, republish or otherwise make this data or software available to any party not covered by this Agreement. The Subgrantee or any Sub-contractors shall not use this data or software for any work not covered by this Agreement. The Subgrantee further acknowledges that upon completion of the Project covered by this Agreement all data and software provided by ARC will be returned to ARC and all copies of the data or software residing on the Subgrantee's or Sub-contractor's computer systems will be removed.

14. Publicity. Articles, papers, bulletins, reports or other material reporting the plans, progress, analysis or results and findings of the work conducted under this Agreement shall not be presented to the governing authority of the Subgrantee, or a committee thereof, for official action by such body without first submitting the same to ARC for review and comment. No such presentation shall be made until comments have been received from ARC regarding such review; provided, however, if such comments have not been received by the Subgrantee within thirty calendar days after such submission, it shall be presumed that ARC has no objection thereto. If ARC's comments contain objections, reservations or disagreements regarding such material, the same shall accompany the material presented in such form as ARC shall specify.

15. Employees' Rate of Compensation. The rate of compensation for work performed under this Project by a staff member or employee of the Subgrantee shall not exceed the compensation of such person that is applicable to his or her other work activities for the Subgrantee. Charges for salaries and wages of individuals shall be supported by time and attendance and payroll distribution records.

16. Financial Reports. In addition to other records required by this contract, the Subgrantee agrees to provide to ARC such additional financial reports in such form and frequency as ARC

may require in order to meet ARC's requirements for reporting to the Concerned Funding Agencies.

17. Insurance. Subgrantee will have and maintain insurance coverage that complies with the laws of the state of Georgia, as well as reasonable and prudent business practices; including, at least, Worker's Compensation, Public Liability, Property Damage, and Valuable Papers coverage.

18. Audits. The Subgrantee shall cause audits to be accomplished in compliance with OMB Circular A-133, as amended. Copies of all reports resulting from said audits shall be furnished to ARC no later than thirty calendar days after they are received by the Subgrantee.

19. Interest of Subgrantee. The Subgrantee covenants that neither the Subgrantee, nor anyone controlled by the Subgrantee, controlling the Subgrantee, or under common control with the Subgrantee, nor its agents, employees or Subgrantees, presently has an interest, nor shall acquire an interest, direct or indirect, which would conflict in any manner or degree with the performance of its service hereunder, or which would prevent, or tend to prevent, the satisfactory performance of the Subgrantee's service hereunder in an impartial and unbiased manner. The Subgrantee further covenants that in the performance of this Agreement no person having any such interest shall be employed by the Subgrantee as an agent, Subgrantee or otherwise. If the Subgrantee contemplates taking some action which may constitute a violation of this paragraph, the Subgrantee shall request in writing the advice of ARC, and if ARC notifies the Subgrantee in writing that the Subgrantee's contemplated action will not constitute a violation hereof, then the Subgrantee shall be authorized to take such action without being in violation of this paragraph.

20. Interest of Members of ARC and Others. No officer, member or employee of ARC, and no public official of any local government which is affected in any way by the Project, who exercises any function or responsibilities in the review or approval of the Project or any component part thereof, shall participate in any decision relating to this Agreement which affects his or her personal interests or the interest of any corporation, partnership or association in which he or she is directly, or indirectly, interested; nor shall any such officer, member or employee of ARC, or public official of any local government affected by the Project, have an interest, direct or indirect, in this Agreement or the proceeds arising therefrom.

21. Officials Not to Benefit. No member of or delegate to the Congress of the United States of America, resident commissioner or employee of the United States Government, shall be admitted to any share or part of this Agreement or to any benefits to arise herefrom.

22. Status as Independent Contractors. Nothing contained in this Agreement shall be construed to constitute the Subgrantee or any of its employees, servants, agents or subcontractors as a partner, employee, servant, or agent of ARC, nor shall either party to this Agreement have any authority to bind the other in any respect, it being intended that each shall remain an independent contractor.

23. Approval of Subcontracts. None of the work or services to be performed under this Agreement by the Subgrantee shall be subcontracted without the prior written approval of ARC's

Executive Director or his designated agent. If such approval is requested, all subcontract documents shall be submitted to ARC's Executive Director or his designated agent, for his review and approval prior to the execution of such subcontract. Further, if requested by ARC's Executive Director or his designated agent, the Subgrantee shall provide ARC with such documentation as ARC's Executive Director shall require, regarding the method the Subgrantee used in selecting its subcontractor. The Subgrantee acknowledges that if work or services to be performed under this Agreement is financed solely or partially with federal funds, the selection of subcontractors is governed by regulations requiring competition between potential subcontractors or adequate justification for sole source selection. The Subgrantee agrees to abide by such regulations in its selection procedure.

Notwithstanding the foregoing, it is the policy of ARC that only highly qualified consultant teams shall be used to perform planning work. The Subgrantee agrees that it shall conduct procurements in accordance with 49 CFR 18.36(d) (3) using competitive proposals. Evaluation criteria will be established such that proposers' qualifications carry the most weight in the selection process. While cost or price may be a factor in the evaluation process, ARC's policy is that cost or price shall comprise no more than 25% of the overall weighted criteria established for said process. Failure to comply with this policy will result in disapproval of any subcontract(s) and withdrawal of ARC funding.

24. Assignability. The Subgrantee shall not assign, sublet or transfer all or any portion of its interest in this Agreement without the prior written approval of ARC.

25. Amendments. ARC may require changes in this Agreement. Except for termination for cause or convenience, such changes, including any increase or decrease in the amount of the Subgrantee's compensation shall be incorporated in written amendments to this Agreement. Amendments to this Agreement may be executed on behalf of ARC only by ARC's Executive Director and Chairman.

26. Assurances. The Subgrantee hereby assures and certifies that it will comply with the appropriate regulations, policies, guidelines and requirements, including, but not limited to, 23 CFR 450, 49 CFR 23 or 26 (as applicable), Executive Order 12372, 2 CFR Parts 200, 215, 220, 225 and 230 (as applicable), U.S. Office of Management and Budget Circular No. A-133, 49 CFR 18 (The Common Rule), Federal Procurement Regulations Subpart 1-15.2, or other requirements imposed by ARC or the Concerned Funding Agencies concerning requirements of law or Project matters, as they relate to the application, acceptance, use and audit of federal funds for this federally assisted Project. Also, the Subgrantee gives assurance and certifies with respect to this Agreement that:

(a) It possesses legal authority to apply for this Agreement, and, any required resolution, motion or similar action has been duly adopted or passed as an official act of the Subgrantee's governing body; that proper authorization exists for the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the Subgrantee to act in connection with the application and to provide such additional information as may be required, and, upon ARC approval of its application, that the person identified as the official representative of the Subgrantee is authorized to execute an agreement incorporating the terms of its application.

(b) It will comply with Title VI of the Civil Rights Act of 1964 (P.L. 88-352 and 42 USC 2000d) and in accordance with Title VI of that Act, no person in the United States shall, on the ground of age, handicap, religion, creed or belief, political affiliation, sex, race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any project or activity for which the applicant receives federal financial assistance and will immediately take any measures necessary to effectuate this assurance. The Subgrantee shall take affirmative action to ensure that qualified applicants are employed and qualified subcontractors are selected, and that qualified employees are treated during employment, without regard to their age, handicap, religion, creed or belief, political affiliation, race, color, sex or national origin. Such action shall include but not be limited to the following: employment, upgrading, demotions, or transfers; recruitment or recruitment advertising; layoffs or terminations; rates of pay or other forms of compensation; selection for training including apprenticeship, and participation in recreational and educational activities.

The Subgrantee shall in all solicitations or advertisements for subcontractors or employees placed by or on behalf of the Subgrantee, state that all qualified applicants will receive consideration for employment without regard to age, handicap, religion, creed or belief, political affiliation, race, color, sex or national origin. The Subgrantee shall not discriminate against any qualified client or recipient of services provided through this Agreement on the basis of age, handicap, religion, creed or belief, political affiliation, race, color, sex or national origin. The Subgrantee shall cause foregoing provisions to be included in all subcontracts for any work covered by this Agreement so that such provisions will be binding upon each subcontractor, provided that the foregoing provisions shall not apply to subcontracts for less than ten thousand dollars (\$10,000).

The Subgrantee shall keep such records and submit such reports concerning the racial and ethnic origin of applicants for employment and employees as ARC or the Concerned Funding Agencies may require.

The Subgrantee agrees to comply with such rules, regulations or guidelines as ARC or the Concerned Funding Agencies may issue to implement the requirements of this paragraph.

(c) It will comply with applicable requirements of the provisions of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (P.L. 91-646) which provides for fair and equitable treatment of persons displaced as a result of federal and federally assisted projects.

(d) It will comply with the applicable provisions of the Hatch Act which limits the political activity of employees.

(e) It will establish safeguards to prohibit employees from using their positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or other ties.

(f) It will cooperate with ARC in assisting the Concerned Funding Agencies in compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470),

Executive Order 11593, and the Archeological and Historic Preservation Act of 1966 (16 U.S.C. 469a-1 et seq.) by (a) consulting, through ARC, with the State Historic Preservation Officer on the conduct of investigations, as necessary, to identify properties listed in or eligible for inclusion in the National Register of Historic Places that are subject to adverse effects (see 36 CFR Part 800.8) by the activity, and notifying, through ARC, the Concerned Funding Agencies of the existence of any such properties, and by (b) complying with all requirements established by ARC or the Concerned Funding Agencies to avoid or mitigate adverse effects upon such properties.

(g) It understands that the phrase "federal financial assistance" includes any form of loan, grant, guaranty, insurance payment, rebate, subsidy, disaster assistance loan or grant, or any other form of direct or indirect federal assistance.

(h) For agreements not involving federal financial assistance for construction, it will insure that the facilities under its ownership, lease or supervision used in the accomplishment of this Project are not listed on the Environmental Protection Agency's (EPA) list of Violating Facilities and that it will notify the Concerned Funding Agencies, through ARC, of the receipt of any communication from the Director of the EPA Office of Federal Activities indicating that a facility to be used in the Project is under consideration for listing by EPA.

(i) It will comply with the flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973, Public Law 93-234, 87 Stat. 975, approved December 31, 1976. Section 102(a) requires, on and after March 2, 1975, the purchase of flood insurance in communities when such insurance is available as a condition for the receipt of any federal financial assistance for construction or acquisition purposes for use in any area that has been identified by the Secretary of the Department of Housing and Urban Development as an area having special flood hazards.

(j) It will comply with Executive Order 11246, entitled "Equal Employment Opportunity," as amended by Executive Order 11375, and as supplemented in U.S. Department of Labor regulations (41 CFR part 60).

(k) It will comply with all applicable standards, orders, or requirements issued under section 306 of the Clean Air Act (42 U.S.C. 1857 (h)), section 508 of the Clean Water Act (33 U.S.C. 1368), Executive Order 11738, and Environmental Protection Agency regulations (40 CFR Part 15).

27. Certifications.

(a) Prohibition Against Use of Funds to Influence Legislation (Lobbying). No part of any funds under this Agreement shall be used to pay the salary or expenses of any Subgrantee, or agent acting for the Subgrantee, to engage in any activity designed to influence legislation or appropriations pending before the Congress as stated in 49 CFR 20.

(b) Debarment and Suspension. Subgrantee agrees to comply with the nonprocurement debarment and suspension rules in 49 CFR 29.

- (c) **Drug-Free Workplace.** Subgrantee agrees and hereby certifies that it will comply with the requirements for a Drug-Free Workplace, as described in Section 50-24-3 of the Official Code of Georgia, including passing this requirement through to lower tier contractors.
- (d) Subgrantee agrees and hereby certifies that it will comply with the Georgia Security and Immigration Requirements at O.C.G.A. § 13-10-91.

28. Other Requirements. In addition to other requirements of this Agreement, the Subgrantee agrees to comply with, and shall be bound by, the applicable terms and conditions of all state and federal laws or regulations governing and defining resources, project administration, allowable costs and associated procurement standards, as appropriate. All such documents are hereby made part of this Agreement fully as if the same were attached hereto.

The Subgrantee shall not discriminate on the basis of race, color, national origin, or sex in the performance of this Agreement. The Subgrantee shall carry out applicable requirements of 49 CFR 26 in the award and administration of DOT assisted agreements. Failure by the Subgrantee to carry out these requirements is a material breach of this Agreement, which may result in the termination of this Agreement or such other remedy as the recipient deems appropriate.

The Subgrantee agrees to pay each subcontractor under this prime Agreement for satisfactory performance of its agreement no later than ten business days from the receipt of each payment that said prime Subgrantee receives from ARC. The prime Subgrantee agrees further to return retainage payments to each subcontractor within ten business days after the subcontractors work is satisfactorily completed. Any delay or postponement of payment from the above referenced time frame may occur only for good cause following written approval of ARC. This clause applies to both Disadvantaged Business Enterprises and non-Disadvantaged Business Enterprises.

29. Termination for Mutual Convenience. ARC or the Subgrantee may terminate this Agreement in whole or in part when both parties agree that the continuation of the Project would not produce beneficial results commensurate with the further expenditure of funds. The two parties shall, through formal written amendment, agree upon the termination conditions, including the effective date and, in the case of partial termination, the portion to be terminated. The Subgrantee shall not incur new obligations for the terminated portion after the effective termination date, and shall cancel as many outstanding obligations as possible. ARC shall evaluate each non-cancelable obligation to determine its eligibility for inclusion in Project costs. ARC shall allow full credit to the Subgrantee for the ARC share of the non-cancelable obligations, properly incurred by the Subgrantee prior to termination and accepted by ARC.

30. Termination for Convenience. ARC may terminate this Agreement, in whole or in part, at any time by giving written notice to the Subgrantee of such termination and specifying the effective date thereof, at least fifteen days before the effective date of such termination. In that event, all information and material produced or collected under this Agreement and/or used in the performance of the scope of services shall, at the option of ARC, become its property. If this Agreement is terminated by ARC as provided in this paragraph, the Subgrantee will be reimbursed for the otherwise allowable actual expenses incurred by the Subgrantee up to and

including the effective date of such termination, as authorized in Attachment "B." The Subgrantee shall not incur new obligations for the terminated portion after the effective termination date, and shall cancel as many outstanding obligations as possible. ARC shall evaluate each non-cancelable obligation to determine its eligibility for inclusion in Project costs. ARC shall allow full credit to the Subgrantee for the ARC share of the non-cancelable obligations, properly incurred by the Subgrantee prior to termination and accepted by ARC.

31. Termination for Cause. If through any cause, the Subgrantee shall fail to fulfill in a timely and proper manner its obligations under this Agreement, or if the Subgrantee has or shall violate any of the covenants, agreements, representations or stipulations of this Agreement, ARC shall thereupon have the right to terminate this Agreement by giving written notice to the Subgrantee of such termination and specifying the effective date thereof, at least five days before the effective date of such termination. In such event, all information and materials produced under this Agreement and/or used in the performance of the scope of services shall, at the option of ARC, become its property. The Subgrantee shall be entitled to receive just and equitable compensation for costs incurred in the performance of the scope of service up to and including the effective date of termination as authorized in Attachment "B." Notwithstanding the foregoing, to the extent provided by law, the Subgrantee shall not be relieved of liability to ARC for damages sustained by ARC by virtue of any breach of this Agreement by the Subgrantee and ARC may withhold any payments to the Subgrantee for the purpose of set-off for damages caused by the Subgrantee's breach, until such time as the exact amount of damages to ARC from the Subgrantee is determined.

32. Termination Due to Non-Availability of Funds. Notwithstanding any other provision of this Agreement, in the event that any of the funds for carrying out the functions to which this Agreement relates do not become available, then, upon written notice to the Subgrantee, this Agreement may be immediately terminated without further obligation of ARC.

33. Suspension Due to Non-Availability of Funds. The Concerned Funding Agencies have the right to suspend financial assistance for this Project. Consequently, ARC reserves the same right regarding this Agreement. Such suspension would cause the withholding of further payments and/or prohibiting the Subgrantee from incurring additional obligations during the suspension period. However, unless notified in writing to the contrary, such suspension would not invalidate obligations otherwise properly incurred by the Subgrantee prior to the date of suspension to the extent that they are not cancelable.

34. Unexpended Funds. Upon termination of this Agreement for any reason, the Subgrantee shall immediately refund to ARC any balance of unearned or unobligated (unencumbered) cash advanced to the Subgrantee under this Agreement.

35. Applicable Law. This Agreement shall be deemed to have been executed and performed in the State of Georgia. All questions of interpretation and construction shall be construed by the laws of Georgia.

IN WITNESS WHEREOF, the Subgrantee and ARC have executed this Agreement as of the day first above written.

ATTEST:

FAYETTE COUNTY

By: _____

Title: _____

ATTEST:

ARC Assistant Secretary

ATLANTA REGIONAL COMMISSION

By: _____
Executive Director

By: _____
Chair

ATTACHMENT A

FAYETTE COUNTY COMPREHENSIVE TRANSPORTATION PLAN UPDATE

SCOPE OF WORK

I. General: The work to be accomplished is in support of the following Atlanta Regional Commission (ARC) Cost Center:

Cost Center 606ECP: County Transportation Planning

II. Area Covered: The area of study for the plan development is defined, but not limited to, the Fayette County jurisdictional boundary, including the municipalities. Coordination with adjacent jurisdictions within an area three to five miles outside Fayette County is also required in order to promote coordinated long-range transportation planning efforts across jurisdictional boundaries.

III. Goal: The Comprehensive Transportation Planning (CTP) program was established to ensure the transportation infrastructure has a positive impact on strengthening the Atlanta Region's economy and communities at both the local and regional levels. It accomplishes this by providing financial assistance for counties and their constituent municipalities to develop joint long-range transportation plans. These plans, while focused on local issues and needs, also serve as the foundation for regional planning efforts led by the Atlanta Regional Commission.

Coordination with the regional transportation planning process and regional development plan policies, and consideration of the Department of Community Affairs's (DCA) minimum standards will help ensure jurisdictions develop plans that meet regional goals and are based on sound technical analysis.

IV. Background: The CTP Program will assist local governments by clearly defining county-wide goals, needs, and priorities. While ARC typically completes needs assessments and transportation plans focusing on regional needs and solutions, a successful local transportation plan and program is also critical. Local transportation plans are a key mechanism in which governments define programs and projects they are prepared to support and assist in funding. It is a critical program objective that these identified priorities will form the basis for future funding requests during Transportation Improvement Program (TIP) and Regional Transportation Plan (RTP) update cycles. No RTP can be successfully implemented without local support for plan goals, programs, and projects.

Transportation plans resulting from the CTP Program shall be informed by existing county and city comprehensive plans, thereby strengthening the connection between land use and transportation planning. CTP plan recommendations will clearly reference alignment with these aforementioned efforts. Additionally, CTP plans must address all Federally-mandated Planning Factors as outlined by the FAST Act.

Federal funding, with a minimum 20% local match, provides the resources to implement the program. A maximum federal funding level is established for each jurisdiction using ARC's most recent population estimates.

All work tasks refer to the development of the CTP plan. If the CTP plan is developed as part of a broader local comprehensive plan, program funding shall only be spent on the transportation planning component.

V. Work Tasks:

This scope of work outlines the minimum requirements which Fayette County (Subgrantee) must fulfill to receive funding from ARC. The Subgrantee may include additional or more detailed tasks in their contract with their consultants based on individual needs.

Comprehensive progress reports detailing progress on each task will be submitted to ARC with each invoice. The project sponsor will present deliverables to ARC for comment, involve ARC in relevant stakeholder and technical committee meetings and notify ARC of key public outreach activities.

Task 1: Project Management

The outcomes of this task are establishment of a Project Management Team and development of a Project Management Strategy and a Stakeholder Engagement and Outreach Strategy.

The Project Management Strategy will identify those agencies and organizations which must be involved in the overall direction of the plan development process due to the critical nature of their financial, technical and/or political support. These key stakeholders will constitute the Project Management Team. The Strategy will establish protocols for communicating and sharing data, drafting materials for review, and developing other resources within the Project Management Team. A schedule for meetings of the team will be established and preliminary dates for key work task milestones and decision-making points will be defined.

The Stakeholder Engagement and Outreach Strategy will be developed and approved by the Project Management Team prior to significant work being undertaken on subsequent tasks. The Strategy will identify key individuals, agencies and organizations whose participation will be critical in properly addressing the various elements and emphasis areas defined in the work program. Outreach techniques to effectively involve these stakeholders will be defined. The Strategy will also establish how members of the general public will be engaged throughout the process and have the opportunity to contribute meaningful input prior to final decisions being made.

Deliverables:

- *Project Management Strategy*
- *Stakeholder Engagement and Outreach Strategy*

Task 2: Engagement

The most effective methods to involve a diverse range of the general public in the plan development process will be uniquely tailored via the Stakeholder Engagement and Outreach Strategy in Task 1. Specific direct engagement techniques, such as open houses, formal hearings, workshops, charrettes, surveys, advisory committees and technical committees will be defined at the discretion of the Subgrantee and through consensus of the Project Management Team.

The public will be permitted the opportunity to review draft deliverables related to the inventory and assessment of the transportation system and plan recommendations prior to those deliverables being finalized. The portfolio of techniques employed will be designed to maximize the potential for a broad range of the public to participate and add value to the planning process. In particular, efforts to engage those community members who have traditionally been underrepresented in the transportation decision making process, or will be most directly impacted by recommendations, will be emphasized.

An early deliverable of engagement and outreach activities will be to define the desired long-term outcomes which implementation of the CTP will help support. These outcomes must support the regionally defined vision of world-class infrastructure, a competitive economy and healthy, livable communities, as outlined in The Atlanta Region's Plan Policy Framework adopted in August 2015. The regional vision will be scaled and interpreted as appropriate to be more directly applicable and responsive to the unique characteristics of the study area. The locally desired outcomes may be expressed in terms of a vision statement, goals, and objectives, or may use a different nomenclature which resonates more strongly with community members.

Information on the process, schedule, draft and final deliverables, and opportunities for engagement will be readily accessible at all times throughout plan development via a project website. Access to the site will be available through Fayette County's main website in a direct and logical manner.

Deliverables:

- *Statement of Desired CTP Outcomes*
- *Robust Community Engagement Opportunities*
- *Project Website*

Task 3: Inventory

Data related to the existence, condition and performance of the transportation network within the study area will be collected and documented. Data collection for the CTP update will include the following 10 core elements:

1. Transportation System State of Good Repair / Maintenance
2. Roadways
3. Transit
4. Active Transportation
5. Freight and Goods Movement
6. Human Services Transportation (HST)
7. Transportation Demand Management (TDM) Programs
8. Intelligent Transportation Systems (ITS) / Technology
9. System Resiliency / Emergency Preparedness
10. System Performance Monitoring and Reporting Program

In addition to the aforementioned core elements, the CTP plan may incorporate the following five optional elements:

11. Airport Access
12. Subarea and/or Corridor Analysis
13. Traffic Calming Program
14. Health Impact Assessment (HIA)
15. Project Screening

The Subgrantee has expressed its intent to include optional elements 12, 13 and 15 in its consultant services contract. Subareas and corridors to receive special focus, additional needs to finalize an ongoing traffic calming program update already underway, as well as the anticipated number of projects to be screened for feasibility will be identified by the Subgrantee through its Request for Proposals (RFP) process. Other optional elements may be included in an RFP at the Subgrantee's discretion provided prior coordination occurs with ARC.

Each of the identified CTP elements will be addressed, but the distribution of resources dedicated to will be modified to match the relative importance of that element to the jurisdiction. The relative importance of each element will be identified in the RFP so that potential consultants have a clear understanding of priorities and can allocate resources accordingly.

A brief status report on the implementation of the previous Fayette County CTP shall be documented as part of Task 3.

Deliverables:

- *Inventory of Existing Conditions*
- *CTP Implementation Status Report*

Task 4: Assessment

Using data and information gathered in Task 3, elements of the transportation system will be assessed to determine both existing and potential future conditions. The assessment will address both strengths and shortcomings of the system and based on the ability of existing facilities and services to meet the community's needs. Because of the related nature of inventory and assessment activities, these two tasks may be combined for documentation purposes. The assessment process may use any combination of regional and local area travel demand models, analytical tools and methodologies which best suits the characteristics and issues of the study area and produces useful information in a cost-effective manner.

The use of scenarios which consider a range of possible alternative futures is encouraged. The scenarios may include various assumptions related to population and employment growth, land use patterns, technological innovations and other possibilities. The study area assessment should use the most recent Introduction to the Region's Plan and the Transportation System Assessment as a foundation for these efforts. The assessment should also give consideration to how well the study area's system performance aligns with the regionally defined goals, objectives and policies documented in The Atlanta Region's Plan Policy Framework.

In addition to data on transportation facilities and policies, Task 4 will include an assessment of how the county and its municipalities currently fund transportation. This will also incorporate transportation funding trends at the state and federal levels.

Deliverables:

- *Assessment of Current and Future Conditions*
- *Funding Trends Analysis*

Task 5: Recommendations

Recommendations may take a variety of forms and the precise outcomes will be dictated by the level of emphasis placed on each CTP element. Regardless of the unique needs and priorities of Fayette County, the following general outcomes will be achieved:

- Prioritized list of transportation investments, policies and action steps necessary to support the visions for economic development and strong communities established by the community. The project list associated with this vision does not have to be fiscally constrained.
- Five to ten year fiscally constrained action plan which reflects currently available funding sources and feasible policy actions that can be taken at the city/county level.
- Recommendations that have been vetted through a robust community engagement process and formally adopted by local government policy officials.
- Recommendations that leverage and complement regional facilities, services and programs to address local needs and priorities.
- Recommendations that knit together previous plans and projects identified at the community level through Livable Centers Initiative (LCI) studies, Community

Improvement District (CID) work programs, county/city Capital Improvement Programs (CIP), corridor studies, and other initiatives previously undertaken within the study area.

Deliverables:

- *Fiscally Unconstrained Long-Term Vision Project List*
- *Fiscally Constrained Short-Term Action Plan*

Task 6: Documentation

The use of innovative and creative approaches to documentation is encouraged. If hard copy documents are produced, ARC will be provided with one copy of each major interim deliverable and the final plan. If all documentation is web-based, relevant link(s) will be provided to ARC and the plan website will remain active for a minimum of five years or until the next update, whichever comes first. If it is desired to deactivate the site for any reason prior to either of these milestones, advance coordination with ARC is required so that electronic versions of plan documents can be archived appropriately.

To the extent possible, system inventory and assessment data, as well as the final project recommendations, should be mapped in ArcGIS. Relevant shapefiles will be provided to ARC upon completion of the CTP. Mapped information developed in other software, whether conceptual in nature or geographically accurate, will also be provided, in either the original source format or exported into an intermediate format usable by ARC.

The minimum required deliverables, as defined in this work program and which will collectively constitute the updated Fayette County CTP, are:

- Project Management Strategy
- Stakeholder Engagement and Outreach Strategy
- Inventory of Existing Conditions
- CTP Implementation Status Report
- Assessment of Current and Future Conditions
- Funding Trends Analysis
- Fiscally Unconstrained Long-Term Vision Project List
- Fiscally Constrained Short-Term Action Plan

Any additional interim deliverables can be prescribed at the discretion of the Subgrantee. The final plan may be presented as a single document or as a collection of inter-related documents. While key findings, observations and conclusions of the interim deliverables will be integrated into the final plan document(s), the contents of those interim deliverables do not need to be replicated in their entirety. They may be included in the final document(s) by reference if desired.

A copy of any adopting resolution(s) will also be provided to ARC.

SCHEDULE

Comprehensive plan updates, depending on the size of the jurisdiction, take up to 24 months to complete. The main scheduling consideration within this program is to ensure coordination with project sponsors to develop deadlines for project deliverables in order to meet deadlines for project calls in future Transportation Improvement Programs (TIP) and Regional Transportation Plans (RTP).

All work and services required under this subgrant agreement shall be completed on or before June 30, 2018.

ATTACHMENT B

COMPENSATION AND METHOD OF PAYMENT

I. Compensation: The total cost of the Project (as described in "Attachment A") is \$312,500. ARC's compensation to the Subgrantee will not exceed 80 percent of the actual costs incurred. However, in no event will the total compensation and reimbursement, if any, to be paid to the Subgrantee under this contract exceed the sum of \$250,000. All costs in excess of \$250,000 are to be paid by the Subgrantee.

A breakdown of this compensation is shown in Exhibit B-1, "Budget Estimate", which is attached to and made part of this contract for financial reporting, monitoring and audit purposes.

II. Method of Payment: The following method of payment replaces that specified in the main body of the contract.

A. Progress Payments: The Subgrantee shall be entitled to receive progress payments on the following basis. As of the last day of each month during the existence of this contract, the Subgrantee shall prepare an invoice for payment documenting work completed and costs incurred during the invoice period. This invoice shall be submitted to ARC along with the monthly report by the 10th of the following month. Any work for which reimbursement is requested may be disallowed at ARC's discretion if not properly documented, as determined by ARC, in the required monthly narrative progress report.

Upon the basis of its audit and review of such invoice and its review and approval of the monthly reports called for in the paragraph concerning "Reports" in the main body of the contract, ARC will, at the request of the Subgrantee, make payments to the Subgrantee as the work progresses but not more often than once a month. Invoices shall reflect 100% of the allowable actual costs incurred, be numbered consecutively and submitted each month until the project is completed. Reimbursement payments from ARC shall be at 80% of the approved invoiced costs.

Subgrantee's monthly invoices and monthly narrative progress reports are to be submitted to the ARC Executive Director or his authorized agent and must be received by him not later than the 10th day of the following month. ARC may, at its discretion, disallow payment of all or part of an invoice received after this deadline.

B. Final Payment: Final payment shall only be made upon determination by ARC that all requirements hereunder have been completed. Upon such determination and upon submittal of a final invoice, ARC shall pay all compensation due to the Subgrantee, less the total of all previous progress payments made.

Subgrantee's final invoice and summary document must be received by ARC no later than ten days after the project completion date specified in Paragraph 3 of the contract. ARC may, at its discretion, disallow payment of all or part of a final invoice received after this deadline.

III. Completion of Project: It is agreed that in no event will the maximum compensation and reimbursement, if any, to be paid to the Subgrantee under this contract exceed \$250,000 and that the Subgrantee expressly agrees that he shall do, perform and carry out in a satisfactory and proper manner, as determined by ARC, all of the work and services described in Attachment A.

IV. Access to Records: The Subgrantee agrees that ARC, the Concerned Funding Agency or Agencies and, if appropriate, the Comptroller General of the United States, or any of their duly authorized representatives, shall have access to any books, documents, papers and records of the Subgrantee which are directly pertinent to the project for the purpose of making audit, examination, excerpts and transcriptions.

The Subgrantee agrees that failure to carry out the requirements set forth above shall constitute a breach of contract and may result in termination of this agreement by ARC or such remedy as ARC deems appropriate.

V. ARC's Designated Agent. In accordance with Paragraph 5 of the main body of this contract, ARC's Executive Director hereby designates ARC's Director of the Center for Livable Communities, as his agent ("Cognizant Center Director") for purposes of this contract only, except for executing amendments hereto.

EXHIBIT B-1

Budget Estimate

Task 1: Project Management	\$15,000
Task 2: Engagement	\$30,000
Task 3: Inventory	\$65,000
Task 4: Assessment of Current and Future Needs	\$95,000
Task 5: Recommendations	\$80,000
Task 6: Documentation	\$27,500
Total Cost	\$312,500

ARC Share (80%)	\$250,000
Local Share (20%)	<u>\$62,500</u>
Total	\$312,500

* Note: The estimates listed above are preliminary and actual costs by task may vary so long as the total contract value does not increase. Any change to the budget estimates shown above must be requested in writing and approved by ARC's Cognizant Center Director.

Instructions for Execution of Contracts:

1. Have appropriate official sign both copies of the contract.
2. Complete and sign the Certification Regarding Debarment.
3. Complete, sign and notarize the Georgia Security and Immigration Compliance Act Affidavit.
4. Complete and sign the Contractor/Vendor Information form.
5. Return both signed originals of the contract, the completed Certification Regarding Debarment form, the completed Georgia Security and Immigration Compliance Act Affidavit and the completed Contractor/Vendor Information form.
6. ARC will return one original of the contract to the contractor once fully executed by ARC.

**CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY
AND VOLUNTARY EXCLUSION – LOWER TIER COVERED TRANSACTIONS AND LOBBYING**

1. DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION- LOWER TIER COVERED TRANSACTIONS

The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 49 CFR Part 29, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

The terms "covered transaction", "debarred", "suspended", "ineligible", "lower-tier covered transaction", "participant", "person", "primary covered transaction", "principal", "proposal", and "voluntarily excluded", as used in this clause have the meaning set forth in the Definitions and Coverage sections of rules implementing Executive Order 12549.

The prospective lower tier participant certifies that, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

Where the prospective lower tier participant is unable to certify to any of its statements in this certification, such prospective participant shall attach an explanation to this proposal.

2. LOBBYING

As required by **Section 1352, Title 31 of the U.S. Code** (as implemented at 49 CFR Part 20), the applicant certifies that to the best of his or her knowledge and belief that:

- (1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- (3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Statement for Loan Guarantees and Loan Insurance

The undersigned states, to the best of his or her knowledge and belief, that:

If any funds have been paid or will be paid to any persons for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

Submission of this statement is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above applicable certification(s).

NAME OF APPLICANT

AWARD NUMBER and/or PROJECT NAME

PRINTED NAME OF AUTHORIZED REPRESENTATIVE

TITLE OF AUTHORIZED REPRESENTATIVE

SIGNATURE OF AUTHORIZED REPRESENTATIVE

DATE

GEORGIA SECURITY AND IMMIGRATION COMPLIANCE ACT AFFIDAVIT

CONTRACTOR AFFIDAVIT

By executing this affidavit, the undersigned person or entity verifies its compliance with O.C.G.A. § 13-10-91, stating affirmatively that the individual, firm, or entity which is contracting with the Atlanta Regional Commission has registered with, is authorized to participate in, and is participating in the federal work authorization program commonly known as E-Verify, or any subsequent replacement program, in accordance with the applicable provisions and deadlines established in O.C.G.A. § 13-10-91.

The undersigned person or entity further agrees that it will continue to use the federal work authorization program throughout the contract period, and it will contract for the physical performance of services in satisfaction of such contract only with subcontractors who present an affidavit to the undersigned with the information required by O.C.G.A. § 13-10-91(b).

The undersigned person or entity further agrees to maintain records of such compliance and provide a copy of each such verification to the Atlanta Regional Commission within five (5) business days after any subcontractor is retained to perform such service.

E-Verify User Identification Number

Date of Authorization

Company Name

BY: Authorized Officer or Agent

Title of Authorized Officer or Agent of Contractor

Printed Name of Authorized Officer or Agent

SUBSCRIBED AND SWORN
BEFORE ME ON THIS THE

____ DAY OF _____, 201____

[NOTARY SEAL]

Notary Public

My Commission Expires: _____

CONTRACTOR/VENDOR INFORMATION

Legal name & address of
entity with which
ARC is to contract:

If different from above-
Legal name of Payee:
Payment Address:

(If additional addresses are needed, identify each and its purpose on the reverse of this page).

Legal entity status (please mark all that apply):

☐ Corporation ☐ Partnership ☐ Individual ☐ Sole Proprietor

☐ 501C3 ☐ 501C4 ☐ Other Non-profit (describe) _____

☐ State Government ☐ County/Local Government

Other(describe): _____

(Federal) Employer Identification Number: _____

OR

Social Security Number (for an individual): _____

Is this contractor/vendor an attorney/law firm? YES NO

Is this contractor/vendor debarred, suspended, ineligible or excluded from participation in federally funded projects? YES NO

Is this contractor/vendor a:

Disadvantaged Business Enterprise under 49 CFR Part 26? YES NO

Minority ☐ or Women ☐

If YES, attach a copy of current certification(s).

Is this contractor/vendor a Non-federal entity that expends \$500,000 or more in a year in Federal awards?
YES NO

If so, attach a copy of most recent single or program-specific audit conducted in accordance with the provisions of OMB Circular A-133.

Certified true and correct:

Name: _____
Title: _____

Signature: _____
Date: _____

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Approval of a request from Peachtree City to execute an Intergovernmental Agreement with Fayette County to share costs, not to exceed \$14,987.50, for maintenance work on the pedestrian bridge along Redwine Road near the entrance of the Preserves Subdivision and to authorize the Chairman to sign the agreement.

Background/History/Details:

The timber bridge was constructed as part of the Safe Routes to School path project and is now over four years old. The bridge needs to be sealed and some boards replaced. Peachtree City recently solicited bids for similar work on multiple projects and included this location as "additional work".

Although Holbrook Waterproofing has the overall low price, they are not the low bid for the "additional work" at \$29,975 (see table on page 1 of Agreement). However, none of the bidders would honor their quote for the additional work without award of the base bid. Both County and City staff have evaluated the bids and believe, if bid independently, the quotes would be considerably above JHC's low bid of \$16,000. Given the time required to re-bid this work, both County and City staff recommend the work be awarded with the base bid and the cost split.

The IGA was signed by Peachtree City's Council on June 16. The City is ready to issue a Notice To Proceed for the work upon the Board's approval of the Agreement.

The IGA is attached and a photograph of the bridge is provided on the last page of the backup file.

What action are you seeking from the Board of Commissioners?

Approval of a request from Peachtree City to execute an Intergovernmental Agreement with Fayette County to share costs, not to exceed \$14,987.50, for maintenance work on the pedestrian bridge along Redwine Road near the entrance of the Preserves Subdivision and to authorize the Chairman to sign the agreement.

If this item requires funding, please describe:

If approved, the work will be paid from the Road Department's Bridge Maintenance Services under Technical Services 10040220-521316 for the proposed FY2016-2017 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:

STATE OF GEORGIA

COUNTY OF FAYETTE

INTERGOVERNMENTAL AGREEMENT

This Agreement entered into this _____ day of _____ between the CITY OF PEACHTREE CITY, a municipal corporation lying wholly or partially within Fayette County, Georgia, hereinafter referred to as “The City”, and FAYETTE COUNTY, GEORGIA, a political subdivision of the State of Georgia hereinafter referred to as “The County”.

W I T N E S S E T H:

WHEREAS, the County had constructed a multi-use path bridge partially in the City and partially in the County, located on Redwine Road near the entrance of the Preserves Subdivision, hereinafter referred to as “the Bridge”; and,

WHEREAS, a location map of the Bridge is attached as Exhibit “A”; and,

WHEREAS, the City had bid out repair and maintenance work to various City bridges and included the Bridge as a potential add to the base bid; and,

WHEREAS, the City received bids as follows; and,

TIMBER BRIDGES SEALANT			
<u>CONTRACTOR</u>	<u>BASE BID</u>	<u>ADD'L WORK</u>	<u>TOTAL</u>
Beatty Construcion	\$ 69,500.00	\$ 26,460.00	\$ 95,960.00
Holbrook Waterproofing	\$ 25,845.00	\$ 29,975.00	\$ 55,820.00
JHC	\$ 68,800.00	\$ 16,000.00	\$ 84,800.00
Tomco	\$ 36,177.00	\$ 40,570.00	\$ 76,747.00

WHEREAS, City Staff is recommending approval of Holbrook Waterproofing as the lowest responsive bidder due to fact that the two lowest bidders for the additional work will not do the additional work separate from also being awarded the Base Bid.

NOW THEREFORE, for and in consideration of the premises contained herein, it is hereby agreed as follows:

1.

Should the City select Holbrook Waterproofing as the lowest responsive bidder, the County will pay the City 50% of the Additional Work line item from Holbrook Waterproofing in the not to exceed amount of \$14,987.50 upon the satisfactory completion of the Additional Work by Holbrook Waterproofing.

2.

The City and the County will jointly inspect the work on the Bridge performed by Holbrook Waterproofing. If the County has any issues with the work performed by Holbrook Waterproofing the County will advise the City and the City will work with the contractor to resolve the issues. In no event shall the County be responsible for paying an amount exceeding \$14,987.50.

3.

After the City and County have inspected and approved the work on the Bridge, the City will invoice the County for their share of the work as stated above. The County shall submit the payment due within thirty (30) days of receipt of the invoice from the City.

4.

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

5.

Should any provision of this agreement or application thereof to any person or circumstance be held invalid or unenforceable, the remainder of this agreement or the application

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

FAYETTE COUNTY, GEORGIA

By: _____
Charles W. Oddo, Chairman
Board of Commissioners

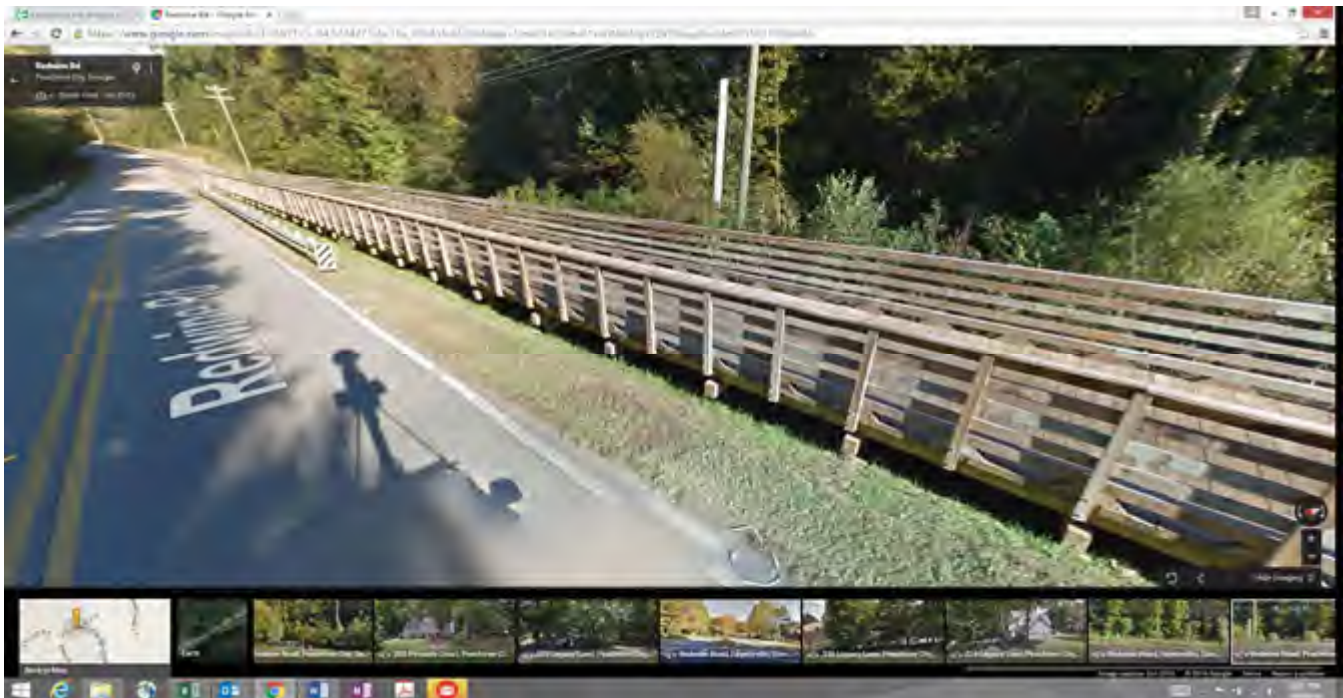
Attest:

CITY OF PEACHTREE CITY

By: _____
Vanessa Fleisch, Mayor

Attest:

Google Maps photo of Redwine Road Pedestrian Bridge over Camp Creek. Looking towards Fayetteville. Camp Creek is the boundary between Peachtree City and the unincorporated County.



COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Approval of staff's recommendation to add Flowers Field subdivision to Fayette County's Street Light Program.

Background/History/Details:

The property owners in the subdivision known as Flowers Field are petitioning the Board of Commissioners to add Flowers Field into the Fayette County Street Light Program.

The Board of Commissioners created Fayette County Street Light Districts in September 1983. The street light ordinance was amended in November 2014 to require a \$100 application fee and prepayment of two years worth of street light bills to cover the expenses incurred by Fayette County until the charges could be recouped with the tax bills. Flowers Field has paid Fayette County the required amounts and presented a petition representing 100% of the homeowners in Flowers Field.

There are six street lights located inside Flowers Field. The estimated monthly charge is \$73.50. Flowers Field has paid the \$100 application fee and the first 2 years prepayment for street lights. Each parcel will be assessed \$89 per year once it is added to the Property Tax Bill.

What action are you seeking from the Board of Commissioners?

Approval of staff's recommendation to add the Flowers Field subdivision to Fayette County's Street Light Program.

If this item requires funding, please describe:

These additional lights will cost \$73.50 per month per Coweta Fayette EMC. Flowers Field has prepaid the amounts required to become a street light district until the cost may be added onto the property tax bill and the county reimbursed.

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
PETITION FOR STREET LIGHTING**

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

EACH OF US DOES HEREBY PLEDGE AND CONSENT TO THE LEVYING OF A LIEN BY FAYETTE COUNTY AGAINST PROPERTY WE OWN FOR THE PURPOSE OF PAYMENT OF THE COST OF AND OPERATING THE STREET LIGHTS. THERE ARE 12 NUMBER OF LOTS CURRENTLY EXISTING IN STREET LIGHT DISTRICT Flowers Field, AND EACH OWNER AS SHOWN ON THE TAX RECORDS HAS AFFIRMATIVELY SIGNED THIS PETITION OR INDICATION FOR DISAPPROVAL IS NOTED HEREIN.

THIS PETITION REPRESENTS 1 AFFIRMATIVE VOTES, OR 100 % OF THIS DISTRICT TO BE EFFECTED IN THIS REQUEST. YOUR SIGNATURE ON THIS PETITION INDICATED THAT YOU HAVE READ AND FULLY UNDERSTAND THE REQUIREMENTS FOR APPROVAL OF A STREET LIGHT DISTRICT.

PERSONALLY APPEARED BEFORE ME, A NOTARY PUBLIC, THE UNDERSIGNED AFFIANT, WHO SAYS ON OATH THAT HE, SHE IS ONE OF THE SUBSCRIBING WITNESSES TO THE WITHIN INSTRUMENT; THAT EACH OF SAID WITNESSES SAY THE EXECUTION AND DELIVERY OF THE SAME BY EACH GRANTOR THEREIN FOR THE PURPOSE SET FORTH; AND THAT EACH OF SAID WITNESSES SIGNED THE SAME AS PURPORTED.

SWORN TO AND SUBSCRIBED BEFORE ME,

THIS 29th DAY OF January, 2016.

Dawn + Back

(SUBSCRIBING WITNESS)

Dawn M. Wilson

NOTARY PUBLIC

FAYETTE COUNTY, STATE OF GEORGIA



FAYETTE COUNTY STREET LIGHTING PROGRAM
SIGNATURE SHEET

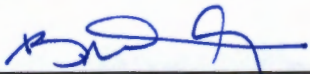
1-12

Lot #(s)

The Scarborough Group, Inc.
Property Owner(s) 105, 115, 125, 135, 145, 155, 165, 175, 185, 195, 205, 215

(All addresses) on Sunflower St.
(Street & No.)

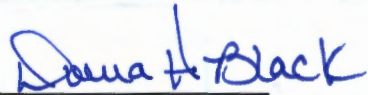
Yes No (Check yes or no for each Address signature)

Signature  Brent Scarborough

☒ ☐

Signature

☐ ☐


Witness

Lot #(s)

Property Owner(s)

(Street & No.)

Yes No (Check yes or no for each Address signature)

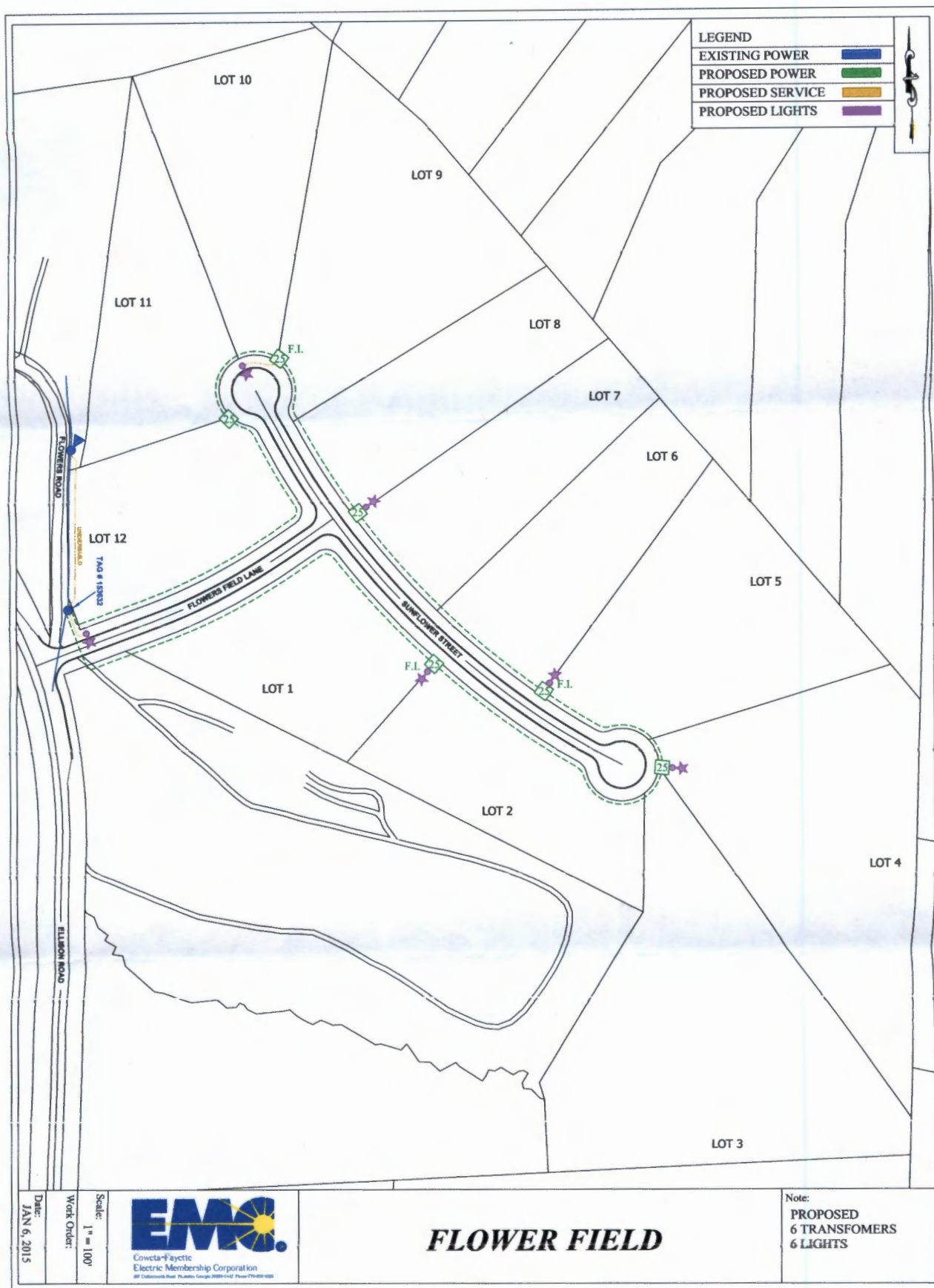
Signature

☐ ☐

Signature

☐ ☐

Witness



**COWETA-FAYETTE EMC
OUTDOOR LIGHTING AGREEMENT**

AGREEMENT made this 22nd day of September, 2015, between Coweta-Fayette Electric Membership Corporation (hereinafter called the lessor), and Scarbrough Group, Inc. (hereinafter called the lessee). The lessee desires to have lighting equipment installed in Fayette county, at Flowers Field.

WITNESSETH: The lessor agrees to lease to the lessee and the lessee agrees to lease from the lessor exclusively the lighting equipment as agreed upon by both parties but initially consisting of only one pole and service wire. If additional poles are needed, the lessee agrees to pay for same.

CONDITIONS OF SERVICE:

1. Lamp replacements will be made by the lessor. Lamps will be replaced at earliest convenient time.
2. The lessor shall assume the responsibility for ordinary maintenance of poles and equipment but replacement of poles, wires and fixtures caused by automobile or truck collisions or damage caused by vandalism will be re-placed by the lessor and billed to the lessee as a separate item on the monthly bill for service.
3. The lessee shall be a member in good standing of the Corporation and be bound by the provisions of the articles of incorporation and bylaws of the lessor and by such rules and regulations as may from time to time be adopted by the lessor.
4. This agreement shall become effective of the date service is first delivered hereunder by the lessor to the lessee, and shall remain in effect for a period of one (1) year and thereafter until terminated by either party giving to the other three months notice in writing.
5. PLEASE NOTE: The LESSEE shall be very careful in placing the light. The light cannot be changed to a new location without the LESSEE paying the extra cost for necessary changes. Based on the initial installation as specified in this agreement and for service from dusk to dawn the monthly charge including energy charge shall be:

With a contribution in aid of construction of \$225.00 per luminaire, for a total cost of \$1,350.00 the cost of service will be:

Number of Luminaries 6 at \$12.25 per month

TOTAL MONTHLY CHARGE \$73.50

MEMBER

COWETA-FAYETTE EMC

BY _____

BY _____

copy

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

June 7, 2016
7:00 p.m.

Call to Order

Chairman Oddo called the June 7, 2016 Board of Commissioners meeting to order at 6:59 p.m. Commissioner Brown and Chief Deputy Clerk Tameca White were absent from the meeting.

Invocation by Vice Chairman Randy Ognio

Vice Chairman Ognio offered the Invocation.

Pledge of Allegiance

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

Acceptance of Agenda

Commissioner Ognio moved to accept the Agenda. Commissioner Rousseau seconded the motion. The motion passed 4-0 with Commissioner Brown being absent.

PROCLAMATION/RECOGNITION:

There were no proclamation / recognition items on the Agenda.

PUBLIC HEARING:

- 1. Public Hearing on the County's proposed annual budget for Fiscal Year 2017 which begins July 1, 2016 and ends June 30, 2017.**

Chief Financial Officer Mary Parrott gave a six-minute PowerPoint presentation on the county's proposed annual budget for Fiscal Year 2017. She explained that the presentation included information providing a comparison of the recommended budget for Fiscal Year 2017 compared to the current Fiscal Year 2016 budget.

No one spoke in favor of or in opposition to the proposed annual budget.

County Administrator Steve Rapson stated this is the second year that Fayette County is doing a full rollback in the General Fund. He explained that from the taxpayers' perspective that is equivalent to not getting tax bills for \$1.4 million. He further explained that over the course of the last four budget cycles the county has rolled back about \$3 million to the taxpayers.

Commissioner Ognio pointed out that challenges to the budget included the Fair Labor Act. Mr. Rapson replied that it included about \$92,000 for the labor act that is currently under consideration. Commissioner Ognio added that another issue challenging the budget was the Title Ad Valorem Tax resulting in less money coming to Fayette County. Mr. Rapson replied that the expected shortfall was also incorporated in the proposed budget.

Commissioner Ognio stated that it was a challenge to balance the budget due to certain challenges beyond anyone's control and he commended staff for doing a good job. Chairman Oddo agreed.

This was the first Public Hearing and the Board did not vote on the proposed budget, but is expected to vote on the proposed budget after the second Public Hearing concludes on June 30, 2016. Copies of the request and PowerPoint presentation, identified as "Attachment 1," follow these minutes and are made an official part hereof.

CONSENT AGENDA:

Commissioner Barlow moved to approve the Consent Agenda. Commissioner Ognio seconded the motion. Discussion followed. The motion passed 4-0 with Commissioner Brown being absent.

- 2. Approval of staff's recommendation to provide funding of \$75,000.00 from General Fund Contingency for Fayette County's Criminal Justice Center's sidewalks to ensure compliance with Title II of the American Disabilities Act; and to award Mallett Consulting \$10,000.00 for project construction management and construction oversight, for an aggregate amount of \$85,000.00.**

Commissioner Ognio said it bothered him that sidewalks were not already connected when they built the Justice Center, and he said it was like backing up and working on issues that were not addressed in the past. County Administrator Steve Rapson agreed with that assessment and added that it was an issue due to findings based on the American Disabilities Act. It is noted that there were no sidewalks along Jimmie Mayfield Boulevard or along Lee Street at the time the Justice Center was constructed meaning there was no reason to construct sidewalks from the Justice Center to those public right-of-ways since neither Jimmie Mayfield Boulevard nor Lee Street had pedestrian facilities at that time. A copy of the request, identified as "Attachment 2," follows these minutes and is made an official part hereof.

- 3. Approval of staff's recommendation to award Fiscal Year 2017 property and casualty insurance coverage to OneBeacon in the amount of \$532,856.00, and to award both the Sheriff's Office accidental death and dismemberment insurance and Commissioners' travel accident insurance to The Hartford in the amount \$2,785.00, at an aggregate amount of \$535,641.00. A copy of the request, identified as "Attachment 3," follows these minutes and is made an official part hereof.**
- 4. Approval of staff's request to apply for a Georgia Emergency Management Agency grant in the amount of \$776,698.00 to mitigate the flooding of Antebellum Way and potential damage to surrounding homes and property.**

Commissioner Ognio stated he had visited the site on Antebellum Way and it definitely needs repair. He said the county is fortunate to get help in making the repair. He asked if the site was on the county's stormwater list and he was informed that it is on the stormwater list. A copy of the request, identified as "Attachment 4," follows these minutes and is made an official part hereof.

5. **Approval of staff's request to renew the contract with Midwest Employers Casualty Company in the amount of \$98,121.00, as outlined in "Option 1," for a one-year period beginning July 1, 2016 and ending June 30, 2017, and authorization for the Chairman to sign the contract and any associated documents. A copy of the request, identified as "Attachment 5," follows these minutes and is made an official part hereof.**
6. **Approval of staff's recommendation for the Fayette County Library to accept a Maintenance Repair Renovation Grant, in the amount of \$75,000.00, for converting outdoor globe lights to LED lighting, to utilize up to \$37,500.00 from the LED CIP project budget for the grant's 50 / 50 required match, and to authorize the County Administrator to signed the grant documentation and any related documents.**

Commissioner Ognio stated that there was a lot of money requested for outdoor LED lighting at the Library. He said he understood that the request was bid out but it was still very expensive. A copy of the request, identified as "Attachment 6," follows these minutes and is made an official part hereof.

7. **Approval of the disposition of tax refunds, in the aggregate amount of \$2,640.46, as recommended by the Tax Assessor's Office. A copy of the request, identified as "Attachment 7," follows these minutes and is made an official part hereof.**
8. **Approval of the May 26, 2016 Special Called Meeting Minutes.**
9. **Approval of the May 26, 2016 Board of Commissioners Meeting Minutes.**

OLD BUSINESS:

There was no Old Business item on the Agenda.

NEW BUSINESS:

10. **Consideration of a recommendation from the Selection Committee, comprised of Commissioners David Barlow and Charles D. Rousseau, to appoint Stephen Cox and Bradley Klinger to the Fayette County Recreation Commission for four-year terms each beginning April 1, 2016 and expiring March 31, 2020.**

Commissioner Barlow spoke about the qualifications of both Mr. Klinger and Mr. Cox to serve on the Recreation Committee.

Commissioner Rousseau moved to approve the recommendation from the Selection Committee, comprised of Commissioners David Barlow and Charles D. Rousseau, to appoint Stephen Cox and Bradley Klinger to the Fayette County Recreation Commission for four-year terms each beginning April 1, 2016 and expiring March 31, 2020. Commissioner Barlow seconded the motion. The motion passed 4-0 with Commissioner Brown being absent. A copy of the request, identified as "Attachment 8," follows these minutes and is made an official part hereof.

PUBLIC COMMENT:

No one spoke during Public Comment.

ADMINISTRATOR'S REPORTS:

- A. **Notice to Proceed for Bid #1123-A (Mid State Construction and Striping, Inc.):** County Administrator Steve Rapson briefed the Board on the Notice to Proceed for Bid #1123-A. He mentioned that this bid pertained to a Fiscal Year 2016 LMIG project. A copy of a letter pertaining to Invitation to Bid #1123-A, identified as "Attachment 9," follows these minutes and is made an official part hereof.

Second Public Hearing of the Fiscal Year 2017 Budget to be Held on June 30, 2016: County Administrator Steve Rapson reminded the Board that the second Public Hearing prior to adopting the proposed Fiscal Year 2017 Budget will be held on Thursday, June 30, 2016 at 7:00 p.m. He mentioned that the meeting was going to be held on an off-week from the regularly scheduled meetings and, therefore, it would be a Special Called Meeting.

Hot Air Balloon Festival to be Held on Saturday, June 11, 2016: County Administrator Steve Rapson stated that the Hot Air Balloon Festival would be held at McCurry Park on Saturday, June 11, 2016. He stated that Recreation Director Anita Godbee anticipates a large number of participants based on the numbers of calls she is receiving from people wanting to attend from other states.

ATTORNEY'S REPORTS:

Notice of Executive Session: County Attorney Dennis Davenport notified the Board that he had one item of Pending Litigation and review of the May 26, 2016 Executive Session Minutes for consideration in Executive Session.

COMMISSIONERS' REPORTS:

Chairman Oddo mentioned that Commissioner Brown was on vacation with his family and that he had sent a memo to the Board to that effect.

Commissioner Barlow:

Hot Air Balloon Festival: Commissioner Barlow thanked everyone for coming to the meeting. He said he was looking forward to the Hot Air Balloon event beginning at 10:00 a.m. on Saturday, June 11. He thought it would be a tremendous event and wanted to get the word out for everyone to participate. He asked who did the design and graphics for the event since the work was excellent, and he was informed that the work was done in-house. Commissioner Barlow anticipated that many people would attend and he said he would be there with his camera making a video.

Commissioner Ognio:

Voters Encouraged to Vote in July 2016 Runoff Elections: Commissioner Ognio reminded the audience that a runoff election was upcoming for a state seat, a federal seat, and the District Attorney. He stated that Fayette County could make the selections if the citizens turn out to vote. He explained that these are multi-county elections and if Fayette County turns out in high numbers then it can select who it wants in the offices. He stated that Fayette County had the highest voter turnout in the State of Georgia in 2014 and it would be nice to have that kind of turnout once again. He said he believed in the Fayette County voters and he informed the audience that early voting begins on July 5 with voting day being held on July 26, 2016.

Commissioner Barlow agreed with Commissioner Ognio stating that Judge Hankinson won three counties in the recent election but due to the large voter turnout in Fayette County, Judge Hankinson lost the election to Judge-elect Scott Ballard.

Commissioner Rousseau:

Compliments to Staff: Commissioner Rousseau gave kudos to the Finance Department for its work on the Fiscal Year 2017 budget. He further commended the various departments for working to provide quality services to Fayette County's citizens.

Remembrance of the Passing of Two Individuals: Commissioner Rousseau asked everyone to remember two people who recently passed away. He stated one person was a child who lived in Fayette County and he asked everyone to lift up the family during their prayers and moments of reflection. He also asked everyone to remember Muhammad Ali who served the nation in a different capacity by challenging the status quo based on his particular beliefs. Commissioner Rousseau stated that Muhammed Ali's actions should give everyone the courage to stand by their beliefs and to stand tall in the midst of adversity. He recognized the icon's legacy and his work for the country as a whole.

Chairman Oddo:

Recognition of the Anniversaries of D-Day and the Battle of Midway: Chairman Oddo stated that June 6, 1944 marked the Allied-invasion of Europe. He added that June 7, 1942 was the final day of the Battle of Midway that turned the tide in the Pacific resulting in the eventual defeat of Japan. He honored all the past veterans and thanked them for their service.

New Chairs for the Commissioners: Chairman Oddo stated that if it appeared that the Commissioners were sitting straighter, were more alert, and were talking faster then it had to do with their new, comfortable chairs.

EXECUTIVE SESSION:

Pending Litigation and Review of the May 26, 2016 Executive Session Minutes: Commissioner Barlow moved to recess into Executive Session. Commissioner Ognio seconded the motion. The motion passed 4-0 with Commissioner Brown being absent.

The Board recessed into Executive Session at 7:22 p.m. and returned to Official Session at 7:35 p.m.

Return to Official Session and Authorization to Sign the Executive Session Affidavit: Commissioner Ognio moved to return to Official Session and for the Chairman to sign the Executive Session Affidavit. Commissioner Barlow seconded the motion. The motion passed 4-0 with Commissioner Brown being absent. A copy of the Executive Session Affidavit, identified as "Attachment 10," follows these minutes and is made an official part hereof.

Approval of the May 26, 2016 Executive Session Minutes: Commissioner Ognio moved to approve the May 26, 2016 Executive Session Minutes. Commissioner Barlow seconded the motion. The motion passed 4-0 with Commissioner Brown being absent.

ADJOURNMENT:

Commissioner Ognio moved to adjourn the June 7, 2016 Board of Commissioners meeting. Commissioners Barlow seconded the motion. The motion passed 4-0 with Commissioner Brown being absent.

The June 7, 2016 Board of Commissioners meeting was adjourned at 7:35 p.m.

Floyd L. Jones, County Clerk

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 23rd day of June 2016. Referenced attachments are available upon request at the County Clerk's Office.

Floyd L. Jones, County Clerk

COUNTY AGENDA REQUEST

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 Steve Brown and Mr. Scott Wolfe to nominate Donald Sission, Taya Scott and Dr. Loida Bonney to the Fayette County Hospital Authority for appointment.

Background/History/Details:

The Fayette County Hospital Authority was established by the Fayette County Board of Commissioners on February 2, 2000 when it was determined that a Hospital Authority would serve the citizens through financing projects as provided by the Hospital Authorities Law. While the Hospital Authority has no operational or oversight authority it does provide the ability to issue tax-free bonds and is able to offer the hospital a low-cost opportunity for capital funding. The Hospital Authority is comprised of five volunteer members who serve for four-year terms. Appointments to the Hospital Authority comprise a distinguished blend of business and community leaders willing to serve voluntarily in support of the community through service on the authority.

Three potential appointees are nominated by the Fayette County Board of Commissioners for each vacant position. There are currently three vacant position. This nomination is one (1) of the three (3). Upon receiving the nominees, the Hospital Authority will either select a nominee or decline the nominees.

The Selection Committee, comprised of Commissioners David Barlow, Steve Brown and Scott Wolfe, interviewed nine (9) applicants to fill one(1) of three (3) vacancies on the Hospital Authority. If approved, the applicants will be provided to the Hospital Authority for possible appointment.

What action are you seeking from the Board of Commissioners?

Approval of a recommendation from the Selection Committee, comprised of Commissioners David Barlow and Steve Brown and Mr. Scott Wolfe to nominate Donald Sission, Taya Scott and Dr. Loida Bonney to the Fayette County Hospital Authority for appointment.

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:

3pm

APPLICATION FOR APPOINTMENT
Fayette County Hospital Authority

The Fayette County Hospital Authority was established by the Fayette County Board of Commissioners on February 2, 2000 when it was determined that a Hospital Authority would serve the citizens through financing projects as provided by the Hospital Authorities Law. While the Hospital Authority has no operational or oversight authority it does provide the ability to issue tax-free bonds and is able to offer the hospital a low-cost opportunity for capital funding.

The Fayette County Hospital Authority comprised of five volunteer members who serve for four-year terms. Appointments to the Hospital Authority comprise a distinguished blend of business and community leaders willing to serve voluntarily in support of the community through service on the authority. Potential appointees are nominated to the Hospital Authority by the Fayette County Board of Commissioners. Upon receiving nominees from the Fayette County Board of Commissioners, the Hospital Authority will either select a nominee or decline the nominees

Please take a few minutes to complete the form and answer the questions below 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 Friday, 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 DONALD E. Sisson
ADDRESS 175 ACTON DRIVE
FAYETTEVILLE, GEORGIA 30215-7401
TELEPHONE (day) [REDACTED]
(evening) [REDACTED]
(email address) [REDACTED]

Donald E. Sisson

Signature

March 24, 2016

Date

Donald E Sisson
175 Acton Drive
Fayetteville, Georgia 30215

Responses to Hospital Authority Questionnaire:

- 1, 25 years, 6 months
2. Utilizing my experience and education while providing service to the community.
3. 43 years of hospital and healthcare operations experience.
4. President, Home Mortgage Corporation, Atlanta, Georgia and President, DSM Management Inc./Amcare, Inc., Peachtree City, Georgia
5. None with Fayette County, however, I have worked with several Hospital Authorities in Georgia.
6. No.
7. No.
8. Yes.
9. Education and Experience
10. Providing a supporting role for the improvement of healthcare delivery in Fayette County.
- 11, None, to my knowledge.
12. No.
13. Resident and financial support of local organizations and groups.
14. Yes.
15. None, to my knowledge.

Donald E. Sisson
175 Acton Drive
Fayetteville, Georgia 30215

EDUCATION

Master of Business Administration, Georgia State University, 1973
Completed courses in Healthcare Administration and Finance.

Bachelor of Science, Indiana State University, Terre Haute, Indiana, 1967.
Majored in Economics and Finance and a Minor in Mathematics.

PROFESSIONAL EXPERIENCE

Home Mortgage Corporation Atlanta, Georgia <u>President and Chief Financial Officer</u>	2013 to Present
DSM Management Inc./AmCare Inc. Peachtree City, Georgia <u>President and Chief Financial Officer</u>	2005 to Present
American Medical Assurance Corporation Atlanta, Georgia <u>Vice President and Chief Financial Officer</u>	2000 to 2005
Hospital Corporation of America Nashville, Tennessee <u>Executive Vice President and Chief Financial Officer</u>	1982 to 2000
Hospital Affiliates International Nashville, Tennessee Vice President and Chief Financial Officer	1980 to 1982

Southern Health Services Atlanta, Georgia <u>Chief Financial Officer</u>	1978 to 1980
Clayton General Hospital (Southern Regional Medical Center) Riverdale, Georgia <u>Associate Administrator</u>	1973 to 1978
South Georgia Medical Center Valdosta, Georgia <u>Administrative Resident</u>	1972 to 1973
ServiceMaster Hospital Corporation Downer's Grove, Illinois <u>Regional Manager</u>	1969 to 1971

PERSONAL

Married since 1967, two children, daughter is Special Education Teacher in Coweta County and son is an Air Traffic Controller in Hampton, Georgia. Resident of Georgia since 1970.

175 Acton Drive
Fayetteville, Georgia 30215
March 24, 2016

Mr. Floyd Jones
County Clerk
Fayette County
140 Stonewall Avenue, West
Suite 100
Fayetteville, Georgia 30214

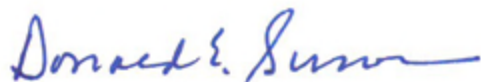
Dear Mr. Jones

Enclosed you will find the following documents required for the Fayette County Hospital Authority Application:

1. Completed Application
2. Responses to Questionnaire.
3. Current Resume.

Should you have questions please do not hesitate to contact me. I shall be looking forward to meeting with you in the near future.

Sincerely yours,



Donald E. Sisson

encs

June 2
10 am

APPLICATION FOR APPOINTMENT
Fayette County Hospital Authority

The Fayette County Hospital Authority was established by the Fayette County Board of Commissioners on February 2, 2000 when it was determined that a Hospital Authority would serve the citizens through financing projects as provided by the Hospital Authorities Law. While the Hospital Authority has no operational or oversight authority it does provide the ability to issue tax-free bonds and is able to offer the hospital a low-cost opportunity for capital funding.

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Please take a few minutes to complete the form and answer the questions below 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 Friday, 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 Taya Jackson Scott

ADDRESS 106 Dover Chase - Tyrone, Georgia 30290

TELEPHONE (day) [REDACTED]

(evening) [REDACTED]

(email address) [REDACTED]


Signature

March 22, 2016
Date

1. How long have you been a resident of Fayette County? *4 years & six months*
2. Why are you interested in serving on the Fayette County Hospital Authority?
The importance of social justice in education and health and wellness is a passion and the capacity in which I serve daily. For nearly 20 years, I have worked in various hospital systems, including but not limited to BJC Health (St. Louis, MO) Vanderbilt Children's Hospital, Metro Nashville Hospital Authority and Meharry Medical College (all in Nashville, TN). Our family's healthcare providers are located in the Fayette County area and it is my belief that excellence in quality of life is a clear focus of the Hospital Authority from firsthand knowledge.
3. What qualifications and experience do you possess for appointment to the Hospital Authority? *I possess a breadth and depth of knowledge in key strategic areas, which include but not limited to the following: UPL, strategic planning, integrated care delivery modeling, development of physician compensation plans, meaningful use integration, ACO and local networks (scalability), Hedis / PQRS programs, GME, Revenue Cycle Management and EHR at a hospital, contract negotiations, physician agreements, compliance, VA contracting/8ths modeling, clinical practice and academic health center settings. My knowledge base encompasses being a member of the Grady-Emory-Morehouse School of Medicine Medical Affairs Operations Committee that developed the integrated all-in model scope of services, particularly with a primary care focus. Also, I have experience with clinical trials and translational research that is community-based.*
4. List your recent employment experiences to include name of company and position.
Morehouse School of Medicine – Assistant Dean and Associate Vice President for Academic Financial Services (see attached resume) – July 2011 to present. Meharry Medical College (2008 – 2011) Senior Department Administrator; Vanderbilt – Children's hospital (2006 – 2007); Meharry College (2004-2006) involves the Metro Nashville Hospital Authority; Washington University in St. Louis (1996 – 2004)- Staffing Administrator for Anesthesiology (1996-2001; Diversity Manager in the Division of Biology & Biomedical Sciences (2001-2004)
5. Do you have any past experience relating to the Hospital Authority? *If so, please describe. Yes, the position at Meharry Medical College supplied > 90% of the physicians at Metro Nashville Hospital. I worked on the management team with developing the physician agreements; cost sharing modeling, data analytic, patient satisfaction strategies for uncompensated care/ underinsured and at-risk communities. This entailed innovative approaches to advance financial counseling models, Medicare reimbursement, etc.*
6. Are you currently serving on a commission/board/authority or in and elected capacity with any government? *No*

7. Have you attended any Hospital Authority meetings in the past two years and, if so, how many? *No, I have not, but planned to attend regardless of the outcome in the Board Selection*
8. Are you willing to attend seminars or continuing education classes at county expense? *Yes*
9. Based on the qualifications listed in Press Release, what qualifies you to be a member of the Hospital Authority? *My core values and life skills are integrity, good citizenship and stewardship, servant leader style, customer-service-focused and engineered for excellence in ensuring our community has access to the best care for the right price.*
10. What is your vision of the county's future related to the duties of the Hospital Authority? *My vision aligns with improving the quality of life in our Fayette County community that entails access to care with no barriers, make health equity a reality for all citizens, especially women and children and make sure our resources are stable through keen cost containment strategies. Positive patient outcomes and experiences are achievable with the right tactics.*
11. Would there be any possible conflict of interest between your employment or your family and you serving on the Hospital Authority? *No*
12. Are you in any way related to a County Elected Official or County employee? If so, please describe. *No*
13. Describe your current community involvement. *Currently, I am a member of the STEM Parent Group at Flat Rock Middle School, I serve as a mentor for the EL Connelly Elementary School in Atlanta. I have worked about 3 years as the Vice Chair of the Flat Rock AME CDC in Fayetteville. I have co-wrote a grant for Harvestime Church (located in Clayton County) to address recidivism issues, and this program has put returning citizens back to work with new lifelong skills (for becoming productive citizens).*
14. Have you been provided a copy of the county's Ethics Ordinance? *Yes*
15. Is there any reason you would not be able to comply with the Ethics Ordinance? *I will comply with the code of ethics.*

TAYA JACKSON SCOTT

106 Dover Chase • Tyrone, Georgia 30290

Objective

To secure a position as a candidate in TNU's Ed.D. In Leadership and Professional Practice

Education

Fontbonne University, St. Louis, MO

MBA, Organizational, Organizational Development / Effective Cultural Competency Modeling, 2002

Tennessee State University, Nashville, TN

BBA, Management and Accounting, 1990

Professional Experience

Morehouse School of Medicine

2011 to Present

Assistant Dean and Associate Vice President, Academic Financial Services

- Chief business officer for Academic Financial Services – responsibilities include BOT fiscal affairs and audit and investment committee, budgetary oversight of all missions, including the practice plan fiscal affairs, grants and contracts, contract management, academic projects and governing policies and procedures.
- Member of Leadership Council, Dean's Cabinet and Decanal Board of Advisors for Academic Leadership; key principal for the Grady Health System-Morehouse School of Medicine Health Affairs and Operations Council.
- Managed greater than \$150 million academic enterprise including endowment, sponsored project revenue and expenses for forecasting, fiscal reporting, which includes funding for residents and charitable contributions from the State of Georgia.
- Spearheaded operational excellence teams for faculty compensation plan to advance value-based business models and pay-for-performance initiatives for all missions.
- Defined and executed mission-based management principles that accurately realigned funding sources that led to providing available resources for the class expansion initiatives and increased scholarships for students (\$5M).
- Built strong strategic internal and external alliances with Grady Health System and other local institutions and health systems that resulted in operational excellence in resource management, improved processes and relations between Central Administration and Academic Affairs that rendered a \$30M contract for clinical services and increased slots by 15% for undergraduate/graduate medical trainees (UME/GME).
- Participated as Finance and Operations leader on Strategic Plan for the research team, which developed a novel concept of T^x™ for translational research, which will impact health equity policies.
- Involved in all aspects of building and operations for class expansion and assisted on a women's team that raised over \$250,000 in scholarships for MSM students.
- Achieved measurable success with at-risk students in Clayton and Fayette counties through participation on communication boards and local involvement with STEM programs.
- Procured greater than \$2M in grants for chronic disease management (i.e., HIV, breast cancer) via Vanderbilt and MSM collaboration and local collaborations.
- Had three presentations (2 orals and 1 poster) accepted at a national conference for work performed in faculty compensation and mission-based management at the Association of Academic Medical Centers – the Principal Business Officer's (PBO) and Group on Business Affairs (GBA), respectively in April 2015 (oral and poster) and September 2015 (oral).

Assistant Dean for Business and Financial Affairs

2011 to 2013

- Responsible for the management and coordination of the business and financial affairs of the academic unit and other areas for which the Dean and Executive Vice President was responsible. Served as principal business officer with responsibilities for business and financial planning and

management, and general administrative functions associated with the education, research, and academic support programs of the academic unit. Has supervisory responsibility for Controller for Morehouse Healthcare (MHC), as well as Department Administrators (~30+ staff).

- Chaired the mission-based management design teams that resulted in a realignment of resources to gain efficiencies in all missions. About \$3M was leveraged to assist with class expansion strategic initiatives by the Dean and Executive Vice President.
- Directed and co-wrote VA Center of Excellence grant for women at Fort McPherson (\$1.5M for three years). Since the grants inception, over 500 women have been served and physically and mentally healed through community-focused services.

Meharry Medical College

2008 to 2011

Department Administrator Senior

- Provide oversight and management of departmental operations (~\$10M), relating to education, patient care and research. Organized and served as the catalyst for the Department Administrator's Annual Retreat 2009 (now coined as the DA Summit). Developed internal research portfolio to govern productivity of clinician-scientists and solely basic scientists. Worked in concert with Chair to seize business outreach opportunities to highlight and improve health and educational disparities for underserved communities and minority populations. Provided oversight of administrative operations, as well as implement "career -pathing" initiatives for staff. Served as statistician for research projects (HPV and Digital Breast Mammography studies). Co-developed core competencies for student success in research and clinical rotations via blackboard.
- Built capacity by formulating team-based models.
 - Results Included: first lab administrative process flow / manual at Meharry Medical College, which received State of Tennessee Certification for Endocrine and Andrology laboratories for two facilities on the first attempt.
 - Developed internal comprehensive faculty Performa for clinician and physician scientists in Department of Obstetrics & Gynecology at Meharry.
 - Directed site visit and created a sustainability modeling for CenteringPregnancy® and received site accreditation in May 2011 (co-procured and administered >\$1M in funding).

Madisonville Community College

2007 to 2008

Program Coordinator / Instructor – TRIO Student Support Services

- **Public community college:** Researched, analyzed, and implemented educational theories for classroom instruction and evaluation. Researched, designed, and implemented curricula and classroom activities for TRIO project participants. Initiated blackboard development for online-Interactive focus groups (March 2008).
- Provided career advising/counseling/mentoring to program participants.
- Served as liaison between local business professionals and program participants. Provided assistance with budget management and developed grant spreadsheet. Served as Team Leader for diversity focus group that documented guidelines for diversity plan sent to Kentucky's CPE. Provided statistics on enrollment, contact hours versus eligible TRIO students. Served as substitute instructor for Marketing course.
- Seized summer employment opportunities for 5 at-risk teens for the Mayor's Office in Madisonville, KY.

Vanderbilt University Medical Center – Pediatrics

2006 to 2007

Senior Financial Analyst / Administrative Officer

- **Private academic institution / medical center:** Oversaw and administered the clinical and research enterprises for two divisions (\$12 million); supported and reinforced efforts of faculty and staff to sustain results from program and project implementation. Analyzed administrative/budget impact of implemented programs/projects. Provided input for long range operational projections of current and planned programs/projects that have financial impact on the University.
- Presented key quality measurements and relative value units to Division Chiefs and Clinical Leadership teams (i.e., coding reviews).
- Served as first Clinical and Research Administrator of two divisions with a revenue base of \$12 million and over \$5 million in federally funded projects. Developed integrated CQI model via shared toolbox and human capital strategies, which resulted in 90th percentile customer surveys and new compensation plan executed to clinician-scientists. The shared service model and POD initiatives were borne from this model.

Meharry Medical College**2004 to 2006**

Utilized business process reengineering and black belt strategies to enhance financial sustainability and human capital management. Worked on team that brokered a \$10M construction grant from the NIH to build the Center for Women's Health Research, which included all furniture, fixtures and equipment being fully paid for through investments and donations.

Washington University School of Medicine**1996 to 2004****Manager, Diversity Programs & Community Outreach / Staffing Administrator (1996 to 2001)**

- **Highly ranked academic private institution:** Developed and executed cross-cultural marketing and public relations strategies / recruitment models for Admissions and Records / Student Services and International Affairs. Wrote and edited publications, web pages and continuing minority supplements (~ \$3 million). Oversaw staffing services for Anesthesiology.
- Created and managed Biomedical Research Apprenticeship Program (BiomedRap) designed for providing summer biomedical research opportunities for talented minority high school students in Puerto Rico and the United States. Co-designed and co-developed the administration of web site (www.biomedrap.wustl.edu). Program now funded by National Science Foundation.
- Reduced primary expense category from 60% to 25%, saving funds of approximately \$74,000.
- Achieved profitable status through implementation of: cost reduction program, automated scheduling program and 50% increase in workforce efficiency.
- Wrote and directed poster for cultural competencies in the Division of Biology and Biomedical Sciences. Served as first author. Scott, T, Sullivan, B, Harris MD/PhD, D. Russell PhD, J. Connecting with People to Make a Positive Impact. Poster Presentation, Annual Meeting for the Group on Graduate, Research, Education and Training, Austin, TX: April 2004.

Awards and Honors

- Promoted to Associate Vice President of Academic Financial Services at Morehouse School of Medicine and received a mentorship accolades for work done with the administrative professionals group, 2013
- Co-wrote grant and received \$250,000 for Harvesttime Youth Promise Empowerment (HYPE) program in Riverdale, Georgia for prison-reentry (recidivism) programs from Metro United Methodist Urban Ministry, 2012
- Chancellor's Graduate Fellowship Mentor Award recipient, 2003

9:30am

APPLICATION FOR APPOINTMENT Fayette County Hospital Authority

The Fayette County Hospital Authority was established by the Fayette County Board of Commissioners on February 2, 2000 when it was determined that a Hospital Authority would serve the citizens through financing projects as provided by the Hospital Authorities Law. While the Hospital Authority has no operational or oversight authority it does provide the ability to issue tax-free bonds and is able to offer the hospital a low-cost opportunity for capital funding.

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Please take a few minutes to complete the form and answer the questions below 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 Friday, 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 Loida Bonney, MO, MPH

ADDRESS 750 Becky Court
Fayetteville, GA 30214

TELEPHONE (day) [REDACTED]

(evening) [REDACTED]

(email address) [REDACTED]

Loida Bonney
Signature

3/25/16
Date

APPLICATION FOR APPOINTMENT
Fayette County Hospital Authority

Loida Bonney, MD, MPH
750 Becky Court
Fayetteville, GA 30214


See attached scanned document with signature.

1. How long have you been a resident of Fayette County? I have been a resident for nearly 9 years.
2. Why are you interested in serving on the Fayette County Hospital Authority?
 - a. I have a long-term interest and passion for people's health and well-being. I believe that everyone deserves access to basic commodities necessary to maintain their health such as clean water, vaccinations, and safe foods. Hospitals are key components of the healthcare system and require appropriate funding to help keep the community healthy. I would love to serve in a capacity where I could help the county make decisions related to healthcare in the community.
 - b. I would like to serve because my knowledge in primary care medicine, public health, and healthcare experience will provide the board with continued expertise it needs from a physician board member. My public health training distinguishes me from most Fayette County practicing physicians and provides an important perspective for someone to serve on the Hospital Authority board.
3. What qualifications and experience do you possess for appointment to the Hospital Authority?
 - a. Physician actively practicing in Fayette County
 - b. Experience serving on multiple committees in medicine and public health. I served on two advisory committees to the State Medical Director in Rhode Island several years ago. Specifically, I was part of the Women's Health Advisory Committee and the Minority Health Advisory Committee. Most relevant to the Hospital Authority, I'll mention my experience on a grants review committee. Altogether, over the years, I have served on the following committees:

2015-2017 Fayette County Board of Health

2014-2016 Piedmont Fayette Hospital Clinic Clinical Review Council

2013 Faculty Education, Enrichment, and Development Conference, Research Track Co-Organizer and Co-Facilitator

2012/2013 Emory Medical Care Foundation Grant Review Committee

2012	Emory University Department of Medicine Faculty Development Committee
2012	Society for General Internal Medicine Disparities Task Force
2011	AIDS Clinical Trials Group Underrepresented Populations Committee
2011	AIDS Clinical Trials Group Women's Health Inter-Network Scientific Committee
2009	National Opinion Leader for SGIM HIV Prevention Project
2008	Clinical Workforce Meeting, HRSA HIV/AIDS Bureau, Rockville, MD
2008	Vaccine Expert Panel, Grady Memorial Hospital
2008	American College of Physicians Faculty Advisory Board
2006	Centers for AIDS Research (CFAR) Social and Behavioral Sciences Research Network (SBSRN) Conference: chosen to represent local CFAR as a mentee, Philadelphia, PA
2006 - 2007	Women's Health Advisory Committee, Rhode Island Department of Health
2006 - 2007	Minority Health Advisory Committee, Rhode Island Department of Health
2006 - 2007	HIV Prevention Conference Planning Committee, Centers for Disease Control and Prevention, Atlanta, Georgia

c. I have worked in several public health - type clinics where indigent and uninsured citizens are treated. I worked as a consultant at several Federally Qualified Health Centers, at Grady Hospital and Grady Primary Care Center, and currently am the Medical Director at the Fayette CARE Clinic. The Fayette CARE Clinic is a 501c3 non-profit organization with the mission to provide healthcare to the uninsured and underinsured of Fayette County.

4. List your recent employment experiences to include name of company and position.
 - a. Fayette CARE Clinic – Medical Director
 - b. Alpha Internal Medicine - Primary Care Physician
 - c. Emory University School of Medicine – Assistant Professor
 - d. Infectious Disease Program- HIV Physician
 - e. Attending Physician – Grady Memorial Hospital

5. Do you have any past experience relating to the Hospital Authority? If so, please describe. My past experience related to healthcare is stated above. For several years, I worked at Grady Memorial Hospital, which depends upon hospital authority funding. I do not have any specific experience with the Hospital Authority.
6. Are you currently serving on a commission/board/authority or in an elected capacity with any government?
I currently serve on the Fayette County Board of Health.
7. Have you attended any Hospital Authority meetings in the past two years and, if so, how many? I have not attended any Hospital Authority meetings in the past two years.
8. Are you willing to attend seminars or continuing education classes at county expense? Yes.
9. Based on the qualifications listed in Press Release, what qualifies you to be a member of the Hospital Authority?
 - 1) I have the ability to work effectively as a team member, and do so regularly as demonstrated by my position as Executive Medical Director at the Fayette CARE Clinic and my service on committees over the years.
 - 2) I have the political acumen sufficient to establish and maintain cooperative working relationships with diverse groups across the public spectrum.
 - 3) I have well-established and proven leadership within the community.
 - 4) I have prior experience working with the following:
 - a) Hospitals and health systems – please see above and see CV.
 - b) medicine in both private and public settings – Alpha Internal Medicine, Grady Memorial Hospital, Fayette CARE Clinic
 - d) Public health departments – as a member of two advisory committees in the State of Rhode Island and the Fayette County Board of Health,
 - 5) I have financial management skills including budgeting and cost management. These skills have been gained and honed in my experience as a principal investigator of several research grants and my role as Executive Medical Director at a non-profit health clinic.
 - 6) I am familiar with the hospital regulatory environment.
10. What is your vision of the county's future related to the duties of the Hospital Authority? My vision is to see Fayette County rise to the top in terms of Georgia County Health rankings. We have been at or near the top for years and demographic shifts including an aging population and a potential increase in numbers of patients

with limited access to health services threatens to lower our ranking. My goal as a Hospital Authority Board member would be to help keep the county healthy by advocating for projects that support primary care and preventive health access in our community. I would also advocate for hospital projects that help to maintain financial viability of our hospital - a great asset to our community

11. Would there be any possible conflict of interest between your employment or your family and you serving on the Hospital Authority? There is no conflict of interest. I am Executive Medical Director at the Fayette CARE Clinic. We serve the uninsured in the county and this is made possible through generous individual donors, corporate grants, and a strong relationship with Piedmont Healthcare Foundation. The Piedmont Fayette Hospital helps our patients by donating laboratory and imaging services.
12. Are you in any way related to a County Elected Official or County employee? No. I am not related to a County Elected Official or County employee.
13. Describe your current community involvement.
I am involved in the community as a practicing physician, medical director, mother of a child who attends school locally, and member of one of Fayette county's houses of worship.
14. Have you been provided a copy of the county's Ethics Ordinance? Yes.
15. Is there any reason you would not be able to comply with the Ethics Ordinance? No.

Curriculum Vitae

Loida E. Bonney, MD, MPH
750 Becky Court Fayetteville, GA 30214
[REDACTED]

Office Addresses:

Alpha Internal Medicine
745 S Glynn Street
Fayetteville, GA 30214

Telephone:

(770) 719-5490x216
(617) 721-5681 cell

Fax:

(770)-719-3113

Fayette C.A.R.E. Clinic, Inc
1260 Hwy 54 West, Suite 101
Fayetteville, GA 30214

(770) 719-4620
[REDACTED]

(770) 719-4622

Email address:

[REDACTED]

Citizenship:

United States citizen

Current Titles and Affiliations:

Academic Appointments

- I. Adjunct Assistant Professor of Medicine, Emory University School of Medicine (date of appointment: 5/4/2013)

WORK EXPERIENCE

- I Attending Physician, Grady Memorial Hospital Attending supervisor in Grady Memorial Hospital Primary Care Center, Attend in the Infectious Disease Program Family Clinic, Attend on the General Medicine Wards **07/2007-05/2013**
- II Associate Physician, Alpha Internal Medicine, Fayetteville, GA **05/2013 – present**
- III Executive Medical Director, Fayette C.A.R.E. Clinic, GA **4/2015-present**

Previous Academic and Professional Appointments

- I. Assistant Professor of Medicine, Emory University School of Medicine (07/2007-05/2013)
- II. Assistant Professor, Department of Behavioral Sciences Health Education, Rollins School of Public Health, Emory University (Date of joint/secondary appointment: 6/8/10)
- III. Visiting Assistant Professor
Department of Medicine, School of Medicine
University of California, San Francisco (6/1/2011 – 7/31/2011, 6/1/2012- 7/31/2012)

08/2005 – 06/2007	Consultant, Internal Medicine and Pediatrics, Providence Community Health Centers, Providence, Rhode Island
07/2005 – 06/2007	Fellow - Ryan White HIV Clinic, Miriam Hospital, Brown Medical School, Providence, Rhode Island
07/2002 – 06/2005	Residency in Internal Medicine/Pediatrics, Rhode Island Hospital, Hasbro Children's Hospital, Brown Medical School, Providence, Rhode Island
06/2001 – 06/2002	Internship in Internal Medicine/Pediatrics, Rhode Island Hospital, Hasbro Children's Hospital, Brown Medical School, Providence, Rhode Island

Professional Licenses and Board Certifications

2007	Composite State Board of Medical Examiners Georgia, Lic# 59375
2006	Diplomate, American Board of Pediatrics
2005-2008	Rhode Island Board of Medical Licensure and Discipline, Lic# MD11834
2005	Diplomate, American Board of Internal Medicine
2002	National Board of Medical Examiners: USMLE Steps I, II, III

Specialty Boards/Certification

2009-2015	American Academy of HIV Medicine Specialist
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Education

07/1992-5/1996	BA Natural Sciences/Public Health, <i>academic honors</i> Johns Hopkins University Baltimore, Maryland
07/1996 – 05/1999	MD State University of New York Health Sciences Center at Brooklyn, Downstate Medical Center, Brooklyn, New York
5/1999 – 5/2000	MPH Sociomedical Science/Health Promotion Disease Prevention, <i>GPA 3.75</i> Columbia University, New York, New York
05/2000 –05/2001	MD State University of New York Health Sciences Center at Brooklyn, Downstate Medical Center, Brooklyn, New York

Electronic Health Records

EPIC – Grady Health System, Fayette CARE Clinic/Piedmont Healthcare
Greenway Prime Suite – Alpha Internal Medicine

TRAINING

06/2001-06/2002	Internship in Internal Medicine/Pediatrics, Rhode Island Hospital/Hasbro Children's Hospital, Brown Medical School, Providence, Rhode Island
07/2002-06/2005	Residency in Internal Medicine/Pediatrics, Rhode Island Hospital, Hasbro Children's Hospital, Brown Medical School, Providence, Rhode Island
07/2005-06/2007	T32 Research Fellowship, Miriam Hospital, Brown Medical School, Providence, Rhode Island

Post Graduate Training

Leadership Fayette 1/2016 – 8/2016

Piedmont Leadership Academy: Transitions to Leadership 9/2014-11/2014

T32 Research Fellow, Miriam Hospital, Brown Medical School, Providence, Rhode
Island, 7/2005-06/2007

HIV Medicine Association Minority Clinical Fellowship, Grady Memorial
Hospital, Emory School of Medicine Atlanta, Georgia, 07/2007-06/2008

Intensive STD Training Course, STD/HIV Prevention Training Center, Hartford, Connecticut, **Two day training course** 2006 (Month unknown)

The Grant Institute, Harvard Conference Center, Boston, Massachusetts, **Three day seminar** 2006 (Month unknown)

Principles of STD/HIV Research, University of Washington, Seattle, Washington, 07/2005

Committee Memberships

2015	Fayette County Board of Health
2014-2016	Piedmont Clinic Clinical Review Council
2013	Faculty Education, Enrichment, and Development Conference, Research Track Co-Organizer and Co-Facilitator
2012/2013	Emory Medical Care Foundation Grant Review Committee
2012	Emory University Department of Medicine Faculty Development Committee
2012	Society for General Internal Medicine Disparities Task Force
2011	AIDS Clinical Trials Group Underrepresented Populations Committee
2011	AIDS Clinical Trials Group Women's Health Inter-Network Scientific Committee
2009	National Opinion Leader for SGIM HIV Prevention Project
2008	Clinical Workforce Meeting, HRSA HIV/AIDS Bureau, Rockville, MD
2008	Vaccine Expert Panel, Grady Memorial Hospital
2008	American College of Physicians Faculty Advisory Board
2006	Centers for AIDS Research (CFAR) Social and Behavioral Sciences Research Network (SBSRN) Conference: chosen to represent local CFAR as a mentee, Philadelphia, PA
2006 - 2007	Women's Health Advisory Committee, Rhode Island Department of Health

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2006 - 2007 Minority Health Advisory Committee, Rhode Island Department of Health

2006 - 2007 HIV Prevention Conference Planning Committee, Centers for Disease Control and Prevention, Atlanta, Georgia

Post Graduate Honors and Awards

2015 NAACP Community Services Award - to the Fayette C.A.R.E. Clinic

2004 The Edward Collins Memorial Fund Award: for work in Pediatric Advocacy

2003 ALANA Volunteer Appreciation Certificate: for mentorship of a minority college freshman

1999 Macy's Scholar: full scholarship to pursue a degree in public health

Membership in Societies

2010	American Public Health Association
2007- 2014	Society of General Internal Medicine
2007- 2014	HIV Medicine Association
2005 - 2006	Society for Adolescent Medicine
2003 - 2005	American College of Physicians
2001 - 2007	American Academy of Pediatrics

Research Focus

Dr. Bonney is interested in health disparities. Broadly, her focus has been in health services research among underserved populations including minority women, the incarcerated, and substance users. More specifically, her research focused on acceptance of the prophylactic Human Papillomavirus vaccine among minority women who traditionally suffer disproportionately from STDs, on how relocations of African American public housing residents affect biological and behavioral HIV risk, and on barriers and facilitators to HIV primary care for African American women in the Southeastern US.

While she is no longer actively engaged in data collection with any current research protocols, she plays an integral role in securing and managing programmatic funding for the free and charitable care clinic where she serves as the Executive Medical Director.

Grant Support

a) Past Research Funding

U10 DA013720 Metsch (PI) del Rio (co-PI) 09/01/11 – 08/31/15
NIH/NIDA (Univ. of Miami)
Florida Node+ of the Drug Abuse Clinical Trials Network

The overall goal is to test and validate effective and efficient drug treatments that can be adopted by addiction treatment providers through the country

Role: Co-Investigator

UCSF Center for AIDS Prevention Studies

Training Program for Scientists Conducting Research to Reduce HIV/STI Health Disparities

Role: Visiting Professor

1R01DA032098-01

NIH/NIDA (Univ. of Miami)

Project RETAIN: Providing Integrated Care for HIV-infected Crack Cocaine users

This aim of this proposal is to conduct a study that will test, in a randomized experimental design, if a “Retention Clinic” that provides onsite evidence-based substance use/mental health, and patient navigation services to HIV-positive crack cocaine users in an HIV primary care setting will improve the HIV care outcomes of HIV-infected crack cocaine users.

Role: Co-investigator

NIH/NIDA (R01)

Public Housing Relocations: Impact on HIV Risk and Drug Use

Role: Co-Investigator

ACTG Minority HIV Mentorship Award

Role: Mentee

Co-Investigator – HIV Prevention Trials Network HIV Seroincidence Study HPTN (064) \$1,057,925, 9/1/08 – 9/30/10

Recipient - Center for AIDS Research Development Core, Development Funds, \$25,000, 7/1/08 – 6/30/10

Co-Investigator - R21 NIDA, Public Housing Relocations: Impact on Healthcare Access, Drug Use & Sexual Health, 4/1/09 – 9/1/10

Principal Investigator – Emory Medical Care Foundation, “Identifying Barriers to HPV Vaccination in Minority Women”, EMCF, \$23,930 7/1/08 – 6/30/09

Principal Investigator - American STD Association, “Identifying Barriers and Facilitators to HPV Vaccination in Minority Women”, Developmental Award, \$54,282/yr 7/1/08 – 6/30/10

Co-Principal Investigator CFAR03, Center for AIDS Research, "A Pilot Study of the Effects of the Atlanta Housing Authority Relocations on Drug Using Residents' HIV Risk", \$60,000, 6/1/08 – 5/31/09

Principal Investigator - American Academy of Pediatrics", Medical Homes Initiative for Incarcerated Adolescents", CATCH Grant, December 2003

Recipient - National Institutes of Drug Abuse, "Infectious Consequences of Drug Abuse", T32DA13911, 7/1/05- 6/30/07

b. Programmatic funding for Fayette CARE Clinic

2015 - 2016. Kaiser Permanente – CARE Pathway - \$75,000 awarded to institute a chronic care management program and report on quality improvements

2015. United Way/Kaiser Healthy Communities - \$18,000 awarded to increase provision of primary care to uninsured low income patients.

2016. United Way/Kaiser Healthy Communities – Screening CARE - \$13,000 awarded to begin routine HIV counseling and testing in the primary care setting

2015 – 2016. United Way Impact Fund - \$40,000 awarded to provide health care to uninsured low-income patients of Fayette County

2015. Coweta-Fayette EMC Operation Round Up - \$6500 awarded to support the partial salary of a front desk clerk

Formal Teaching Experience

Emory Out-Patient Experience, 2015/2016 1st year Med Stud- Mariah Barstow
Emory Out-Patient Experience, 2014-2015 1st year Med Studs – Katherine Penziner and Michael Appeadu

Emory Out-Patient Experience, 2013/2014 1st year Med Stud- Ilana Schwartz

Research Mentor 2012-2013

Kara Leverette, MD candidate

HIV Status Disclosure by Black Women in the Deep South

Mentor, 2011- 2013

Jennifer Grant, MD/PhD candidate,

Senior Resident Grand Round Preceptor, Spring 2012
Ambili Ramachandran
“HPV Vaccine”

Research Mentor, 2012
Natasha Travis, MD, FACP
“HIV Prevention and Testing in Caribbean Communities”

Mentor 2012
Schuyler Livingston, MD

Mentor, 2010-2012
Rupali Doshi, MD
“Engagement in HIV Care”

Research Mentor, 2011
Amaad B. Rana, BA candidate Emory University 2013
Scholarly Research and Inquiry at Emory (SIRE)
“A Call to Action: Assessment of HIV/AIDS and STI Resources at Student Health Services at Historically Black Colleges and Universities”

Research Mentor, 2009 – 2011
Anna Acosta, MD
Knowledge Level about HPV among an Underserved Latina Population in Metro Atlanta: New Opportunities for Targeted Interventions

Senior Resident Grand Round Preceptor, 2010
M. Susanna Castejon, MD
Global Health Care

Thesis Advisor, 2010
Masters of Public Health, BSHE
Student: Nirali Desai
Title: “Health Belief Model Constructs and HPV Vaccine Acceptance: A Test of a Mental Health Mediation Model”

Thesis Advisor, 2010
Masters of Public Health, Global Health
Student: Meryl Ann Goodwin
Title: “Barriers to the HPV Vaccine among Latina Women in Atlanta, Georgia: A Comparison of Younger and Older Women”

Primary Care Resident Lecture Series HIV and Primary Care
Emory University School of Medicine, Atlanta, Georgia, 2009, 2011

Teaching Attending, Inpatient internal medicine wards, Primary Care Center

Emory University School of Medicine, Atlanta, Georgia 2007-2013

Guest Lecturer, HC 209 Public and Community Health, Stonehill College, Easton, MA, 2007 “HPV Vaccine and Health Disparities: Will Policy Shape Health Outcomes?”

Fellowship Mentor, Medical Resident Research Elective, Sabrina Assoumou, MD, Project: Pediatricians Intend to Implement Reminder/Recall Systems to Enhance Human Papilloma Virus Vaccination among Adolescents, 2006

Supervising Resident, Brown University, Biomed 463 Acting Internship in Pediatrics 2004

Supervising Resident, Brown University, Biomed 450 Core Clerkship in Pediatrics 2002 – 2005

Supervising Resident, Brown University, Biomed 301 Core Clerkship in Internal Medicine, 2002 – 2005

Clinical Service

07/2007 – 05/2013	Attending supervisor in Grady Memorial Hospital Primary Care Center , Attend in the Infectious Disease Program Family Clinic Attend on the General Medicine Wards
05/2013 – present	Primary Care Physician, Alpha Internal Medicine

Manuscript/Abstract Reviewer

Journal of Health Care for the Poor and Underserved
AIDS Research and Human Retroviruses
Journal of Studies on Alcohol and Drugs
Southern Society of General Internal Medicine
Journal of General Internal Medicine
American Public Health Association
Postdoctoral Fellow Research Symposium, Poster Judge
Emory University Spring 2011
Department of Medicine Research Day, Poster Judge
Emory School of Medicine, Fall 2012
Health Disparities Research Abstract Reviewer
SGIM 36th Annual Meeting, Denver 2013

Lectureships, Seminar Invitations, and Visiting Professorships

Loida Bonney, MD, MPH, Hannah Cooper, ScD, Josalin Hunter-Jones MSW, MPH, Monique Martin, MPH, Mary Kelly, PhD, Connie Karnes, MA, Richard Rothenberg, MD, MPH Impact of Public Housing Relocations: Are changes in neighborhood conditions related to STIs among relocating residents? March 7th 2013 Georgia State Health Disparities Summit.

Barriers to HIV Care for women and potential solutions. Panelist and workshop facilitator. White House LGBT Conference on HIV/AIDS. Morehouse School of Medicine, Atlanta, GA, April 19, 2012.

“Entering and Remaining: HIV Workforce Member Perspective” Presentation to the IOM Committee on HIV Screening and Access to Care. Institute of Medicine, Washington, DC, September 27, 2010.

“Pathways: The HIV Medicine Minority Clinical Fellowship” Presentation at the HRSA HAB Clinical Workforce Meeting, Rockville, MD, September 15, 2008.

“Perspectives: Experiences in Haiti. Did we help?” Loida Bonney and Minesh Shah Emory at Grady Social Medicine Lecture Series. Steiner Auditorium, Grady Memorial Hospital, July 23, 2010.

“HIV and Primary Care” 10th Annual African American Outreach Initiative”. Loudermilk Center, Atlanta, Georgia, March 15, 2009.

“Adult Vaccinations: What’s old? What’s new?” Primary Care Grand Rounds. Steiner Auditorium, Grady Memorial Hospital, April 30th, 2008.

“For the Best Sexual Health...” MET High School Health Fair, May 1, 2006.

An Update on Human Papilloma Virus.” State of Rhode Island and Providence Plantations Department of Health, Office of Primary Care and The Health Committee of the Rhode Island Commission on Women. Providence Rhode Island Cannon Building. January 12, 2006

“Human Papilloma Virus: Now There is a Vaccine.” Department of Health, Office of Primary Care Provider Breakfast. Crown Plaza Hotel, Warwick, Rhode Island, November 8, 2005.

Human Papilloma Virus: Now There is a Vaccine.” State of Rhode Island and Providence Plantations Department of Health, Family Health Supervisors Meeting. Providence, Rhode Island Department of Health, September 22, 2005.

HIV 101” Academic Model for Prevention and Treatment of HIV, Social Worker/Case Manager Conference. Eldoret, Kenya, April 2005.

Service and Volunteer Work

2013	Question and Answer: Alzheimer's disease, Fayetteville, GA
2013	Health Fair: Ask the Doctor, Fayetteville, GA
2012	Improving your Health in 2012 Mini Lecture Series
2012	National Quality Center In+Care Campaign, Partners in Care Webinar: Reaching Out to Keep our Friends in Care. Physician Panelist
2012	Division of General Medicine Research Forum Co-Director
2007 - 2011	Volunteer Attending Physician, Fayette Care Clinic
2010	Adventist Medical Evangelism Network Haiti Mission Trip
2008	Ask the Doctor, Prevention Partners, Inc.
2004 - 2013	Church Health Ministries Team
2002- 2003; 2005 - 2006	African American Latino Asian Native American (ALANA) Student Mentor, Brown University

Bibliography

Linton SL, Cooper HLF, Luo R, Karnes CC, Renneker K, Haley DF, Hunter-Jones J, Ross Z, **Bonney L**, Rothenberg R. People and places: relocating to neighborhoods with better economic and social conditions is associated with less risky drug/alcohol network characteristics among African American adults in Atlanta, GA. Drug and Alcohol Dependence. In press.

Linton SL, Cooper HLF, Luo R, Karnes CC, Renneker K, Haley DF, Dauria EF, Hunter-Jones J, Ross Z, Wingood G, Adimora AA, **Bonney L**, Rothenberg R. Changing places and partners: longitudinal associations of neighborhood conditions with sexual network turnover among African American adults relocated from public housing in Atlanta, Georgia. Archives of Sexual Behavior. In press.

Impact of public housing relocations: are changes in neighborhood conditions related to STIs among relocaters? Cooper HL, Haley DF, Linton S, Hunter-Jones J,

Martin M, Kelley ME, Karnes C, Ross Z, Adimora AA, del Rio C, Rothenberg R, Wingood GM, **Bonney LE**. Sex Transm Dis. 2014 Oct; 41(10):573-9

Changes in Exposure to Neighborhood Characteristics are Associated with Sexual Network Characteristics in a Cohort of Adults Relocating from Public Housing. Cooper HL, Linton S, Haley DF, Kelley ME, Dauria EF, Karnes CC, Ross Z, Hunter-Jones J, Renneker KK, Del Rio C, Adimora A, Wingood G, Rothenberg R, **Bonney LE**. AIDS Behav. 2014 Aug 24

Human papillomavirus awareness among HIV-infected drug users in two urban areas. Rosa-Cunha I, Hooton TM, Cardenas GA, Del Rio C, **Bonney LE**, Pereyra M, Metsch LR. Int J STD AIDS. 2014 Dec;25(14):992-6.

Cooper HLF, Hunter-Jones J, Kelley ME, Karnes C, Haley D, Ross Z, Rothenberg R, **Bonney LE**. The Aftermath of Public Housing Relocations: Relationships between Changes in Local Socioeconomic Conditions and Depressive Symptoms in a Cohort of Adult Relocaters. Journal of Urban Health. 2014 Apr; 91(2):223-41.

Margaret DeMoss, **Loida Bonney**, Jennifer Grant, Robin Klein, Carlos del Rio, Judith C. Barker, Perspectives of Middle-Aged African American Women in the Deep South on Antiretroviral Therapy Adherence. AIDS Care. AIDS Care 2014 May ; 26(5): 532-537.

Cooper, HL; Bonney, LE; Ross, Z; Karnes, C; Hunter-Jones, J; Kelley, M; Rothenberg, R. The Aftermath of Public Housing Relocation: Relationship to Substance Misuse Drug and Alcohol Dependence. Drug and Alcohol Dependence. 2013 In press

Acosta AM, **Bonney LE**, Fost M, Green VL, del Rio C. HPV Knowledge Among a Marginalized Population [Letter]. Preventing Chronic Disease 2013;10:13008.DOI: <http://dx.doi.org/10.5888/pcd10.130888>

Cooper HLF, Wodarski S, Cummings J, Hunter-Jones J, Karnes C, Ross Z, Druss B, **Bonney LE**. Public housing relocations in Atlanta, Georgia, and declines in spatial access to safety net primary care. Health and Place. 2012. 18: 1255-1260. DOI: 10.1016/j.healthplace.2012.08.007

L.E. Bonney, Hannah LF Cooper, Angela M. Caliendo, Carlos del Rio, MD, Josalin Hunter-Jones, Deanne F. Swan, Richard Rothenberg, MD, MPH, Benjamin Druss, MD. 2012. Access to health services and sexually transmitted infections in a cohort of relocating African American public housing residents: An association between travel time and infection. Sexually Transmitted Diseases. 39 (2):116-21

L.E. Bonney, C. Del Rio. 2009, An HIV/AIDS fellowship program for minority physicians. Journal of the National Medical Association. 101 (12): 1297-1298

L.E. Bonney, J.G. Clarke, E. M. Simmons, Josiah Rich. 2008, Sexual Risk Behaviors and STI Racial Disparities among Incarcerated Women. Journal of the National Medical Association. 100(5): 553-558.

L.E. Bonney, Del Rio, C. 2008, Challenges facing the US HIV/AIDS Medical Care System. Future HIV Therapy. 2(2): 99-104.

L.E. Bonney, J.S. Rose, J.G. Clarke, M. R. Hebert, C. Rosengard, & M. Stein. 2007, Correlates of Acceptance of a Hypothetical Gonorrhea Vaccine by Incarcerated Women. Sexually Transmitted Diseases, 34(10): 778-782.

Lally MA, Lemei KD, **Bonney LE**, Zimet GD, 2007, Letter to the Editor in response to: Vaccination: an opportunity to enhance early adolescent preventative services. Journal of Adolescent Health. 40(4): 384.

S.A. Tedeschi, **L.E. Bonney**, R. Manalo, et.al. 2007, Vaccination in Juvenile Correctional Facilities: State Practices, Hepatitis B, and the Impact on Anticipated Sexually Transmitted Infection Vaccines. Public Health Reports. 122(1): 44-48.

L.E. Bonney, M. Lally, D.R. Williams, M. Stein, T. Flanigan. 2006, Where to Begin Human Papillomavirus Vaccination? Lancet Infectious Diseases, 6(7): 389-390.

Book Chapter

Access to Culturally Competent Care for Patients Living with HIV/AIDS, Jodie Dionne-Odom, **Loida E. Bonney** and Carlos del Rio. HIV/AIDS in US Communities of Color. Springer New York, 2009.

Abstracts

Cummings J, Ko M, Allen L, Bonney L, Hunter Jones J, Karnes C, Cooper H. Public housing relocations and changes in access to health care. Panel presentation at the Academy Health Annual Meeting Disparities Interest Group. Baltimore, Maryland. June, 2013.

Bonney LE, Cooper HLF, Hunter-Jones J, Martin M, Kelley M, Karnes, C, Rothenberg R. Impact of public housing relocations: Are changes in neighborhood conditions related to STIs among relocators? 141st Annual Meeting of the American Public Health Association, 2013

Hunter-Jones J, Haley DF, Cooper HL, Bonney LE, Wingood GM, Rothenberg R, Karnes C, Ross Z, Adimora A. Public Housing Relocations in Atlanta: How do Changes in Census Tract Conditions Impact Depression and Sexual Health? First Annual Atlanta Studies Symposium 2013

Cooper HLF, Bonney LE, Haley D, Hunter-Jones J, Rothenberg R. Public Housing Relocations and Biobehavioral Risks of HIV among Substance Misusers: A Longitudinal Multilevel Study of African-American Adults. 75th Annual meeting of the College on Problems of Drug Dependence Annual Meeting. June 16 2013.

Cummings J, Ko M, Allen L, **Bonney L**, Hunter Jones J, Karnes C, Cooper H. Public housing relocations and changes in access to health care. Panel presentation at the Academy Health Annual Meeting Disparities Interest Group. Baltimore, Maryland. June, 2013.

Bonney LE, Cooper HLF, Hunter-Jones J, Martin M, Kelley M, Karnes, C, Rothenberg R. Impact of public housing relocations: Are changes in neighborhood conditions related to STIs among relocaters? 141st Annual Meeting of the American Public Health Association 2013

Hunter-Jones J, Cooper HLF, **Bonney LE**, Kelley ME, Karnes C. Impact of public housing relocations: Are changes in neighborhood conditions related to depression among relocating adults? 141st Annual Meeting of the American Public Health Association 2013

Hunter-Jones J, Haley DF, Cooper HL, **Bonney LE**, Wingood GM, Rothenberg R, Karnes C, Ross Z, Adimora A. Public Housing Relocations in Atlanta: How do Changes in Census Tract Conditions Impact Depression and Sexual Health? First Annual Atlanta Studies Symposium 2013

Cooper HLF, **Bonney LE**, Haley D, Hunter-Jones J, Rothenberg R. Public Housing Relocations and Biobehavioral Risks of HIV among Substance Misusers: A Longitudinal Multilevel Study of African-American Adults. 75th Annual meeting of the College on Problems of Drug Dependence Annual Meeting. June 16 2013.

Margaret DeMoss, **Loida Bonney**, Jennifer Grant, Robin Klein, Carlos del Rio, Judith Barker "I'm going to kill HIV." Perspectives of African American Women in the Deep South on Antiretroviral Therapy Adherence. Poster Presentation for the Society for General Internal Medicine Annual Meeting, Denver Colorado, April 24-27, 2013

Loida Bonney, Kara Leverette Jennifer Grant, Margaret DeMoss, Judith Barker "They don't understand it." Perceived Ignorance as a Deterrent to Disclosure of HIV Status in a Sample of Black Women in the South. Poster Presentation for the Society for General Internal Medicine Annual Meeting, Denver Colorado, April 24-27, 2013

Jennifer Grant, **Loida Bonney**, Judith Barker, Gina Wingood The cycle of substance abuse, prostitution and psychological distress and its effect on health seeking behavior among HIV positive black women. Oral Presentation for the Society for General Internal Medicine Annual Meeting, Denver Colorado, April 24-27, 2013

Knowledge and Perceptions of HIV Clinical Trials in Underrepresented Populations in the United States (US) J. Castillo-Mancilla, S. Cohn, S. Krishnan, M. Cespedes, M. Floris-

Moore, G. Schulte, G. Pavlov, D. Mildvan, K. Y. Smith; and the **Underrepresented Populations Survey Group**. International Aids Conference. July 2-27, 2012 Washington, DC.

Loida Bonney, Michael Fost, Yun F. Wang, Victoria L. Green, Gina Wingood, Carlos del Rio, Richard Rothenberg, A Study of African American and Latina Women and Human Papillomavirus Vaccine: Lessons Learned. Oral Presentation at the 19th International Society for STD Research Conference. July 10-13th, 2011, Quebec, Canada. [Left meeting early]

Level of HPV knowledge in an underserved Latina population in metro-Atlanta: New opportunities for targeted interventions. Anna Acosta, **Loida Bonney**, Michael Fost, Victoria L. Green, Carlos del Rio. Poster Presentation at Society for General Internal Medicine 34th Annual Meeting, May 4-7, 2011, Phoenix, AZ.

Emily Dauria, Melanie Wolfgang, Terrika Barham, **Loida Bonney**, and Hannah LF Cooper. Nature of partnership development and maintenance among impoverished African-American men and women living in a violent community. Oral presentation at the 138th American Public Health Association Annual Meeting. November 6 – 10th, 2010, Denver, CO.

Loida Bonney, Hannah LF Cooper, and Josalin Hunter-Jones. Travel time to health care provider is associated with testing positive for Gonorrhea, Chlamydia, or Trichomonas in a sample of public housing residents. Oral presentation at the 138th American Public Health Association Annual Meeting. November 6 – 10th, 2010, Denver, CO.

Nirali Desai, **Loida Bonney**, Victoria L. Green, and Gina M. Wingood. A theory-based approach to assessing predictors of HPV vaccine acceptance among a sample of African-American women in the South. Poster presentation at the 138th American Public Health Association Annual Meeting. November 6 – 10th, 2010, Denver, CO.

Loida E. Bonney, MD, MPH, Meryl Goodwin, Nirali Desai, Victoria L. Green, MD, MBA, JD, Carlos del Rio, MD. Barriers to the HPV Vaccination among Latina women attending an indigent neighborhood health center in Atlanta: An opportunity to decrease health disparities. Poster presentation at the Society for General Internal Medicine 33rd Annual Meeting. April 28th – May 1st 2010, Minneapolis, MN.

Hannah Cooper ScD, Stephanie Wodarski MA, Emily Dauria MA, Josalin Hunter-Jones, **Loida Bonney**. Public housing relocations: Changes in neighborhood conditions, and in alcohol and other drug abuse patterns. Poster presentation at the American Association of Geographers Annual Meeting, April 14-18 2010, Washington, DC.

Isabella Rosa-Cunha, Thomas M. Hooton, Gabriel Cardenas, Carlos Del Rio, **Loida Bonney**, Lisa Metsch. "HPV Knowledge Among HIV-Infected Drug Users in Two Urban Areas" Poster presentation, Infectious Disease Society of America 47th Annual Meeting, October 29 – November 1, 2009, Philadelphia, PA.

Loida E. Bonney, Hannah Cooper, Tanisha S.Grimes, Richard Rothenberg, Angela Caliendo, Carlos Del Rio. "Sexually Transmitted Infections in Public Housing Residents Scheduled for Relocation." Poster presentation, Infectious Disease Society of America 47th Annual Meeting, October 29 – November 1, 2009, Philadelphia, PA.

Tanisha Grimes, **Loida Bonney**, Hannah Cooper. "Reaching the Relocating" Lessons Learned From Recruitment Strategies of Relocating Public Housing Residents Into a Biobehavioral HIV Risk Study." Poster presentation, National Conference on Health Communication, Marketing and Media, August 11 – 13, 2009, Atlanta, GA.

Bonney LE, Rosa-Cuhna I, Wingood G, Metsch L, del Rio C. *Preventing HPV Infection in HIV-Positive Women*. Oral Presentation, National Medical Association Annual Meeting, Atlanta, GA, July 2008.

L.E. Bonney, F. Gillani, G. Zimet, M.A. Lally. HPV and HPV Vaccine Attitudes Differ by Race and Ethnicity in a Sample of Young Women. Presentation as a Poster, IDSA 45th Annual Meeting. San Diego, California, October 4 –7, 2007.

L.E. Bonney, S. Assoumou, M. Stein, S. E. Reinert, T.P. Flanigan, M.A. Lally. Pediatricians Intend to Implement Reminder/Recall Systems to Enhance Human Papilloma Virus Vaccination Among Adolescents. AAP Futures of Pediatrics Conference, Orlando, Florida, June 29 – July 1, 2007.

L.E. Bonney, E.M. Simmons, J.G. Clarke, J.D. Rich, HPV and HIV in Underserved Populations. New England Regional Health Disparities Conference, Foxwoods, Connecticut, April 2 – 4, 2007.

L.E. Bonney, J.G. Clarke, E. M. Simmons, et.al. Sexual Risk Behaviors Do Not Explain Sexually Transmitted Infection Disparities by Race/Ethnicity: Vaccine Implications. Presentation as a Poster, 2nd Annual Vaccine Renaissance Conference, Providence, Rhode Island, June 2006.

L.E. Bonney, J.S. Rose, J.G. Clarke, M. R. Hebert, C. Rosengard, M. Stein. Correlates of Acceptance of a Hypothetical Gonorrhea Vaccine by Incarcerated Women. Presentation as a Poster, 2006 CDC/STD Prevention Conference, Jacksonville, Florida, May 2006.

L.E. Bonney. "Predictors of Pediatricians' and Family Practitioners Intent to Deliver HPV Vaccines –Project Planning Phase" Division of Immunology, Miriam Hospital, Providence, Rhode Island. Presentation as Poster, 2005 Second Northeast Regional Advocacy Conference, Hasbro Children's Hospital, Brown Medical School, September 2005, Providence, Rhode Island.

COUNTY AGENDA REQUEST

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 Steve Brown and Mr. Scott Wolfe to nominate Dr. Mark Morehart, Therol Brown and James Oliver, Jr. to the Fayette County Hospital Authority for appointment.

Background/History/Details:

The Fayette County Hospital Authority was established by the Fayette County Board of Commissioners on February 2, 2000 when it was determined that a Hospital Authority would serve the citizens through financing projects as provided by the Hospital Authorities Law. While the Hospital Authority has no operational or oversight authority it does provide the ability to issue tax-free bonds and is able to offer the hospital a low-cost opportunity for capital funding. The Hospital Authority is comprised of five volunteer members who serve for four-year terms. Appointments to the Hospital Authority comprise a distinguished blend of business and community leaders willing to serve voluntarily in support of the community through service on the authority.

Three potential appointees are nominated by the Fayette County Board of Commissioners for each vacant position. There are currently three vacant position. This nomination is two (2) of the three (3). Upon receiving the nominees, the Hospital Authority will either select a nominee or decline the nominees.

The Selection Committee, comprised of Commissioners David Barlow, Steve Brown and Scott Wolfe, interviewed nine (9) applicants to fill one(1) of three (3) vacancies on the Hospital Authority. If approved, the applicants will be provided to the Hospital Authority for possible appointment.

What action are you seeking from the Board of Commissioners?

Approval of a recommendation from the Selection Committee, comprised of Commissioners David Barlow and Steve Brown and Mr. Scott Wolfe to nominate Dr. Mark Morehart, Therol Brown and James Oliver, Jr. to the Fayette County Hospital Authority for appointment.

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:

June 2
10:30am ~~3:00pm~~

Mark A. Morehart, M.D.
180 Treeside Terrace
Fayetteville, GA 30214



March 16, 2016

Floyd Jones, County Clerk
140 Stonewall Avenue West, Suite 100
Fayetteville, GA 30214

Dear Mr. Jones,

I am applying for a position with the Fayette County Hospital Authority. Enclosed are my application and resume.

Thank you for your responsiveness and assistance with questions I asked you regarding this position. Thanks also for providing me Charles Oddo's contact information. I reached Mr. Oddo via telephone and he provided me valuable insights regarding the Hospital Authority. I appreciate him taking the time to talk with me.

Please let me know if you need any further information to complete my application. I look forward to the interview process.

Sincerely,



Mark A. Morehart, M.D.

APPLICATION FOR APPOINTMENT
Fayette County Hospital Authority

The Fayette County Hospital Authority was established by the Fayette County Board of Commissioners on February 2, 2000 when it was determined that a Hospital Authority would serve the citizens through financing projects as provided by the Hospital Authorities Law. While the Hospital Authority has no operational or oversight authority it does provide the ability to issue tax-free bonds and is able to offer the hospital a low-cost opportunity for capital funding.

The Fayette County Hospital Authority comprised of five volunteer members who serve for four-year terms. Appointments to the Hospital Authority comprise a distinguished blend of business and community leaders willing to serve voluntarily in support of the community through service on the authority. Potential appointees are nominated to the Hospital Authority by the Fayette County Board of Commissioners. Upon receiving nominees from the Fayette County Board of Commissioners, the Hospital Authority will either select a nominee or decline the nominees

Please take a few minutes to complete the form and answer the questions below 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 Friday, 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 Mark A. Morehart

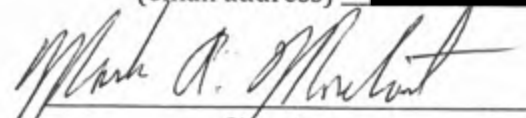
ADDRESS 180 Treeside Terrace

Fayetteville, GA 30214

TELEPHONE (day) [REDACTED]

(evening) [REDACTED]

(email address) [REDACTED]


Signature

03/16/2016
Date

1. How long have you been a resident of Fayette County?
Since December, 2015.
2. Why are you interested in serving on the Fayette County Hospital Authority?
I want to assist in promoting outstanding healthcare for Fayette County residents and make a tangible contribution as a county resident.
3. What qualifications and experience do you possess for appointment to the Hospital Authority?
My qualifications include prior positions in department directorship, medical staff leadership, and hospital board of directors membership. My background includes experience in private practice, academia, and international practice.
4. List your recent employment experiences to include name of company and position.
-Columbia Anesthesia Group/Magnolia Anesthesia, PLLC-Anesthesiologist
-Global Medical Staffing-Anesthesiologist
-Oregon Health and Sciences University (OHSU)-Assistant Professor, Department of Anesthesiology/Director of Out-of-Operating Room Anesthesia Services/Medical Director of Salmon Creek Anesthesia Providers (OHSU subsidiary)
5. Do you have any past experience relating to the Hospital Authority? If so, please describe.
I am new to the county so I have not been directly involved with the Hospital Authority. However, I have been involved with oversight of financial matters at other healthcare organizations.
6. Are you currently serving on a commission/board/authority or in an elected capacity with any government?
No.
7. Have you attended any Hospital 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. Based on the qualifications listed in the Press Release, what qualifies you to be a member of the Hospital Authority?

I am a recently retired physician. I held many clinical and administrative leadership roles during my career. I participated in departmental management in both private practice and academia. My hospital work included a period wherein I participated in hospital leadership retreats for 7 consecutive years for development of management strategy including financial matters. I was in a leadership role at a hospital that transitioned from a county governed facility to a for-profit organization. I also served as a partner in a medical practice with duties that included fiduciary responsibilities as a retirement plan trustee.

10. What is your vision of the county's future related to the duties of the Hospital Authority?

My vision for the Hospital Authority is to act in a timely and fiscally responsible fashion to ensure the future funding needs of hospital projects in Fayette County.

11. Would there be any possible conflict of interest between your employment or your family and you serving on the Hospital Authority?

No.

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

No.

13. Describe your current community involvement.

I am scheduled to begin serving soon as a Meals on Wheels driver after completion of orientation. My wife and I have joined as members of Friends of The Fayette County Library. As a recently arrived county resident, I continue to look for other service opportunities.

14. Have you been provided a copy of the county's Ethics Ordinance?


Yes.

15. Is there any reason you would not be able to comply with the Ethics Ordinance?

No.

Mark A. Morehart, M.D.

180 Treeside Terrace
Fayetteville, GA 30214



Profile

I am a recently retired physician seeking a board seat with the Fayette County Hospital Authority. I have abundant experience with issues in healthcare administration including department directorship, medical staff leadership, and hospital board of director membership. My background includes experience in private practice, academia, and international practice.

Career Highlights

- I accepted a request of the Department Chairman to become director of a floundering anesthesia department at a satellite hospital. I successfully restored department effectiveness and repaired the department's relationship with the hospital and surgical staff via institution of effective recruitment and management reforms (OHSU/Legacy Salmon Creek Hospital).
- I successfully persuaded the hospital administration and medical staff to found an Operating Room Committee to promote efficiency and effectively address scheduling concerns (OHSU/Legacy Salmon Creek Hospital).
- As Director of Out-of-Operating Room Anesthesia Services, I successfully developed relationships with department managers and integrated additional anesthesia personnel to expand utilization of anesthesia services at sites outside of the Operating Room suite. I authored a Procedure Manual which served to effectively familiarize anesthesia providers new to individual sites. The manual was also utilized as a teaching source when resident anesthesiologists were later included in providing care at these sites (OHSU).
- I participated as a medical staff leader in a community hospital's process of transitioning from the oversight of a county board to management by a for-profit hospital chain (Chester Regional Medical Center).
- I served as a medical staff officer holding multiple positions and later as a member of the hospital's board of directors. I thus participated in annual hospital retreats involving development of management strategy for 7 consecutive years (Piedmont Medical Center).
- I founded and served as Director of Acute Pain Services which promoted more effective pain care for patients in settings such as postoperative periods, cancer-related pain, and other medical conditions. This service included an Anesthesiologist consultant and a Pain Management Nurse (Piedmont Medical Center).
- I requested and was granted permission to provide clinical anesthesia services at the Portland Veterans Administration Hospital which allowed me the opportunity to provide direct care of service veterans (OHSU).
- I worked at a public hospital in New Zealand which allowed me to observe and participate in medical care as provided in another country (Global Medical Staffing).

Work History

Columbia Anesthesia Group/Magnolia Anesthesia, PLLC 2009-2014

- Anesthesiologist at Vancouver, WA healthcare facilities
- Provided clinical care services as part of a large private practice anesthesiology group

Global Medical Staffing 2008-2009

- Anesthesiologist at Wairarapa hospital in Masterton, New Zealand
- Provided clinical anesthesia care services for a public District Health Board in New Zealand on a time-limited assignment

Oregon Health and Sciences University (OHSU) 2005-2008

- Assistant Professor, Department of Anesthesiology-OHSU in Portland, OR
- Department of Anesthesiology member, Portland Veterans Administration Hospital
- Director of Out-of-Operating Room Anesthesia Services-OHSU
- Medical Director of Salmon Creek Anesthesia Providers (OHSU subsidiary)

Magnolia Anesthesia, LLC 2001-20005

- Director of Anesthesia at Chester Regional Medical Center (CRMC) in Chester, SC
- Vice-Chief of Medical Staff at CRMC

Anesthesia Associates of Rock Hill, PA (AARH) 1987-2001

- Hospital Board of Directors at Piedmont Medical Center (PMC) in Rock Hill, SC
- Medical staff leadership positions including Chief of Staff, Vice-Chief of Staff, and Secretary-Treasurer at PMC
- Director of Acute Pain Services at PMC
- Vice-President of AARH

Education

St. Mary's University, San Antonio, TX 1979

B.S. Biology, Summa Cum Laude

University of Texas-Southwestern Medical School, Dallas, TX 1983

Doctor of Medicine

University of Louisville Affiliated Hospitals, Louisville, KY 1984

Internship-Internal Medicine

University of Arkansas for Medical Sciences, Little Rock, AR 1986

Residency-Anesthesiology

10aw

APPLICATION FOR APPOINTMENT
Fayette County Hospital Authority

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Please take a few minutes to complete the form and answer the questions below 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 Friday, 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 THEROL R. BROWN

ADDRESS 282 EBENEZER RD
FAYETTEVILLE, GA 30215

TELEPHONE (day) [REDACTED]

(evening) [REDACTED]

(email address) [REDACTED]

Therol R Brown
Signature

3-23-16
Date

1. How long have you been a resident of Fayette County? *70 yrs*
2. Why are you interested in serving on the Fayette County Hospital Authority?
TO SERVE THE CITIZENS OF FAYETTE Co. & TO JOIN AN EXCELLENT TEAM OF LEADERS.
3. What qualifications and experience do you possess for appointment to the Hospital Authority? *I HAVE EXPERIENCE IN WORKING WITH BOARDS, BOTH AS A BOARD MEMBER; AS EXECUTIVE SECY ON A BOARD; AND AS AN EXEC DIR. WORKING FOR A Bd.*
4. List your recent employment experiences to include name of company and position.
GA. DOT - 30 yrs - Sr. Management Roles; Dir. of GA Hwy Cont. Assoc - 8 yrs. Pres. of my own consulting firm - 10 yrs.
5. Do you have any past experience relating to the Hospital Authority? If so, please describe. *No*
6. Are you currently serving on a commission/board/authority or in and elected capacity with any government? *No*
7. Have you attended any Hospital 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. Based on the qualifications listed in Press Release, what qualifies you to be a member of the Hospital Authority? *I HAVE AN INTEREST & DESIRE TO SERVE. I CAN & WILL BE A "TEAM PLAYER". I HAVE DEMONSTRATED LEADERSHIP SKILLS; & I AM CAPABLE OF MAKING DIFFICULT BUSINESS DECISIONS.*
10. What is your vision of the county's future related to the duties of the Hospital Authority? *TO CONTINUE TO PROVIDE EXCELLENT MEDICAL CARE FOR OUR CITIZENS. CONTINUE TO GROW & EXPAND SPECIALTIES; TO INSURE THAT WELL QUALIFIED STAFF ARE RECRUITED & RETAINED.*
11. Would there be any possible conflict of interest between your employment or your family and you serving on the Hospital Authority? *No*
12. Are you in any way related to a County Elected Official or County employee? If so, please describe. *No*
13. Describe your current community involvement. *PARTICIPATED IN FAYETTE FORWARD. REPRESENT COWETA-FAYETTE EMC (AS A BOARD MEMBER) AT VARIOUS CIVIC EVENTS INCLUDING NUMEROUS Ch. of Commerce Activities.*
14. Have you been provided a copy of the county's Ethics Ordinance?
Yes
15. Is there any reason you would not be able to comply with the Ethics Ordinance?
No

1:30pm

APPLICATION FOR APPOINTMENT
Fayette County Hospital Authority

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

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NAME JAMES T. OLIVER JR.

ADDRESS 115 ARDEN CT. PEACHTREE CITY, GA 30269

TELEPHONE (day) [REDACTED]

(evening) [REDACTED]

(email address) [REDACTED]


Signature


Date

1. Residency: I have resided fulltime in Fayette county for 18 years.
 2. Interest in serving: My interest in serving is twofold: a desire to be able to share my skills and perspectives with a team tasked with an important duty and to increase my community involvement with the time I am now able to devote.
 3. Qualifications and experience: I believe my experience with years of working with Bankers and Bonding authorities in structuring the borrowing and repayment needs of my company is a great asset; in addition I have served on several boards in years past: two stints on the Leadership Clayton board, Chairman of the City of Fayetteville Planning and Zoning committee and a building committee on local projects for the Archdiocese of Metro Atlanta.
 4. Employment experience: I am Chairman and CEO of the Amesbury family of companies: we are private residential and commercial investors and developers in the Southeast.
 5. Past Hospital Authority experience: Limited.
 6. Presently serving: Not on a board in a public capacity.
 7. Hospital Authority attendance in past two years: Several meetings in years past with Southern Regional hospital.
 8. Willingness to attend continuing education: Yes.
 9. Qualifications: I have an understanding of the relationship between the credit ratings given to the borrowing institution and the cost of that money to the borrowing entity: borrowers such as Piedmont Hospital must maintain investment grade bond ratings to obtain the most favorable borrowing rates in the open credit market.
 10. County vision: I believe the hospital will continue to grow as our population continues to expand; the task is to increase the hospitals outreach and infrastructure needs in a measured and fiscally responsible manner. I also believe county leaders will continue to cultivate a close relationship with the various hospital and county development boards to aid and encourage quality residential and commercial development around Piedmont Fayette Hospital.
 11. Conflicts: I don't anticipate any.
 12. Related to anyone serving: No
 13. Current community involvement: Presently my involvement is limited to church and social committees.
 14. Provided county Ethics ordinance: Yes.
 15. Problem in Complying with Ethics ordinance: No.
-

COUNTY AGENDA REQUEST

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 Steve Brown and Mr. Scott Wolfe to nominate Timothy Etson, Sr., Lavonia Stepherson and Charles Oddo to the Fayette County Hospital Authority for appointment.

Background/History/Details:

The Fayette County Hospital Authority was established by the Fayette County Board of Commissioners on February 2, 2000 when it was determined that a Hospital Authority would serve the citizens through financing projects as provided by the Hospital Authorities Law. While the Hospital Authority has no operational or oversight authority it does provide the ability to issue tax-free bonds and is able to offer the hospital a low-cost opportunity for capital funding. The Hospital Authority is comprised of five volunteer members who serve for four-year terms. Appointments to the Hospital Authority comprise a distinguished blend of business and community leaders willing to serve voluntarily in support of the community through service on the authority.

Three potential appointees are nominated by the Fayette County Board of Commissioners for each vacant position. There are currently three vacant position. This nomination is three (3) of the three (3). Upon receiving the nominees, the Hospital Authority will either select a nominee or decline the nominees.

The Selection Committee, comprised of Commissioners David Barlow, Steve Brown and Scott Wolfe, interviewed nine (9) applicants to fill one(1) of three (3) vacancies on the Hospital Authority. If approved, the applicants will be provided to the Hospital Authority for possible appointment.

What action are you seeking from the Board of Commissioners?

Approval of a recommendation from the Selection Committee, comprised of Commissioners David Barlow and Steve Brown and Mr. Scott Wolfe to nominate Timothy Etson, Sr., Lavonia Stepherson and Charles Oddo to the Fayette County Hospital Authority for appointment.

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:

10:30am

APPLICATION FOR APPOINTMENT Fayette County Hospital Authority

The Fayette County Hospital Authority was established by the Fayette County Board of Commissioners on February 2, 2000 when it was determined that a Hospital Authority would serve the citizens through financing projects as provided by the Hospital Authorities Law. While the Hospital Authority has no operational or oversight authority it does provide the ability to issue tax-free bonds and is able to offer the hospital a low-cost opportunity for capital funding.

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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 Timothy Demorris Etson, Sr.

ADDRESS 304 Deauville Way
Fayetteville, Georgia 30214

TELEPHONE (day) [REDACTED]

(evening) [REDACTED]

(email address) [REDACTED]

Timothy D. Etson
Signature

March 18, 2016
Date

1. How long have you been a resident of Fayette County?
Since 2000, for a total of almost 16 years.

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

I want to use my experience in grants, budgeting and emergency mg to help my community.

3. What qualifications and experience do you possess for appointment to the Hospital Authority?

I have a background of over 18 years in public service to help in efficiency.

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

Department of Homeland Security (FEMA - Emergency Management Specialist)

5. Do you have any past experience relating to the Hospital Authority? If so, please describe. No

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

No

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

Yes - one (1)

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

Yes - I am a strong proponent for continuing education.

9. Based on the qualifications listed in Press Release, what qualifies you to be a member of the Hospital Authority? I work well as a team member, I have a strong political acumen because of my education and work experience, I am a proven leader in the community working with youth groups, and my background in public health.

10. What is your vision of the county's future related to the duties of the Hospital Authority? I believe the county's future related to the duties of the Hospital Authority, hinges on it being a center of excellence in the healthcare industry for the Flint River Area.

11. Would there be any possible conflict of interest between your employment or your family and you serving on the Hospital Authority?

No

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

No

13. Describe your current community involvement.

I work with the Flint River Council of Boy Scouts of America, Youth Sports, my sons' schools, and Morehouse School of Medicine.

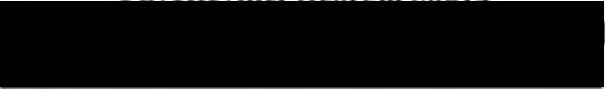
14. Have you been provided a copy of the county's Ethics Ordinance?

Yes

15. Is there any reason you would not be able to comply with the Ethics Ordinance?

No

TIMOTHY D. ETSON, Ph.D.
304 Deauville Way
Fayetteville, Georgia 30214



Fayette County Board of Commissioners
C/O Mr. Floyd Jones
140 Stonewall Avenue West
Suite 100
Fayetteville, Georgia

Greetings Mr. Jones

I am applying for a position on the Fayette County Hospital Authority. The attached curriculum vitae and resume will provide you with details concerning my education, administrative skills, experience, and accomplishments.

My professional background includes serving as an Emergency Management Program Specialist for the U.S. Department of Homeland Security/FEMA, Grants Administrator for the Georgia Emergency Management Agency, Adjunct Professor for Herzing University, Policy Analyst for the Governor's Office of Planning and Budget, and Grants Manager for the Georgia Department of Community Affairs.

I have a Doctorate in Political Science with a Public Administration sub-field and a Master of Public Administration Degree from Clark Atlanta University.

During my over eight years with the U.S. Department of Homeland Security/FEMA in Atlanta, Georgia, I have served in the key roles of Program Manager, Administrator, Public Assistance Infrastructure Branch Director, and Incident Management Assessment Team Public Assistance Lead.

I am confident that I would bring energy, insight, dedication, excellent verbal and written communications skills, and proven administrative abilities to position on the Fayette County Hospital Authority.

Should my qualifications be of interest, I would appreciate the opportunity of a personal interview to discuss with you how my knowledge, professional skills, and proven abilities can be an asset to the Fayette County Hospital Authority. Should you need additional information at the present time, I will gladly respond on request.

Thank you for your time and consideration. I look forward to your response.

Sincerely,



Timothy D. Elson

Attachments: Curriculum Vitae, and resume

TIMOTHY D. ETSON, Ph.D.

Knowledge, Skills, and Ability (KSA) Volunteer Member, Fayette County Hospital Authority

(1) An ability to work effectively as a team member

I led and supervised team members in a complex project where I was responsible for planning, organizing, and managing resources to achieve the successful completion of facilitating a debris hotline and contract review assignment for the State of Kentucky after the Ice Storms (FEMA-1818-DR-KY) that began on February 5, 2009. The hotline received 225+ calls statewide in which 15%+ were for technical advisement. Part of the process included providing an analysis and communicating with applicants regarding what areas they could improve their debris disposal process. I worked with some of the applicants by meeting with the Green River Development District, a seven county district, and fostered a question and answer session on debris issues. During the absence of the Public Assistance Infrastructure Branch Director, I was appointed to serve as the ***Acting Public Assistance Infrastructure Branch Director***

I served as the ***Public Assistance Infrastructure Branch Director*** for the State of Alabama after the floods, straight line winds, and tornadoes (FEMA-1835-1836-1842-DR-AL) that began on May 2, 2009. I managed seven teams that covered twenty seven counties. I was responsible for the direct management of a fifty member team including two Deputy Public Assistance Officers where my major functions included establishing and maintaining positive and ethical behaviors during interpersonal and interagency interactions that included cultivating professional relationships with coworkers and others to exchange information and work effectively. I resolved problems and issues and made effective decisions by assessing the impact of alternatives on the overall operation and work unit. I also prepared written reports and other documents including a briefing on the Wiregrass Medical Center in Geneva County that was submitted to the Federal Coordinating Officer (FCO). This medical center had an estimated \$4M in damages and was a critical facility of high visibility.

I served as the ***Public Assistance Infrastructure Branch Chief*** for the State of Alabama after Tropical Storm Ida (FEMA-1866-DR-AL) during the winter of 2009 and during the severe floods (FEMA-1870-DR-AL) that began on January 4, 2010. The preliminary damage assessment totaled an estimated \$28M on both disasters for reconstruction costs. Managed five teams that covered sixteen counties. Directly managed a thirty five member team including three Deputy Public Assistance Officers. One of my major tasks was to determine the eligibility of the beaches in Baldwin County. My responsibilities typically consisted of managing several complex projects simultaneously while meeting prescribed time limits and project deadlines. I was also responsible for briefing the FCO daily on the current climate of the Public Assistance Branch.

During late summer of 2010, I served in a ***leadership*** capacity during Hurricane Earl for the State of North Carolina (FEMA-3314-EM-NC) that began on September 1, 2010. The Emergency Declaration was to aid the state for reimbursement costs for emergency protective measures that totaled an estimated \$500K. Managed five teams to cover thirty five applicants. Directly managed a 16 member team that included two Deputy Public Assistance Officers. One of my major tasks was to keep administrative costs low while keeping customers satisfied. To accomplish this, I utilized the "Lean" business strategy in the workflow process that delivered quality project worksheets and services while using the minimum materials, equipment, space, labor, and time.

Continued to next page...

During the spring of 2011, I served in a *leadership* capacity during multiple storms, tornados, straight-line winds, and associated flooding disasters for the State of Tennessee (FEMA-1965-DR-TN) (FEMA-1974-DR-TN) (FEMA-1978-DR-TN) (FEMA-1979-DR-TN) (FEMA-3321-EM-TN) - (FEMA-4005-DR-TN) that began on February 28, 2011. The Major and Emergency Declarations were to aid the state for reimbursement costs for all of FEMA's reimbursement programs including temporary and permanent work that totaled an estimated \$135M. Managed eight teams to cover 125 applicants. Directly managed a sixty five member team including four Deputy Public Assistance Officers. One of my major tasks was working on the FCO's Task Force to investigate avenues for potential disposal of damaged and destroyed mobile homes in Shelby County (Memphis) caused by long-term flooding.

In 2012, I served a one year rotation as the *Public Assistance Lead* on the Region IV Incident Management Assistance Team II (IMAT) for the January 23, 2012 tornados. My focus was on providing the IMAT Team Lead with reports regarding recognizance and site visits from areas that were impacted by tornados. During "Super Storm Hurricane Sandy", I was deployed to Concord, New Hampshire to serve in FEMA-3360-EM-NH. I met with the Recovery Officer and the State Coordinating Officer about Preliminary Damage Assessment Strategy (PDAs) for November, 1, 2012. Also, I worked with the Crew Leader for Region I for the State to conduct assessments for Debris and Emergency Protective Measures. I also met with local officials in requesting counties to obtain damage estimates. I was instrumental in sending out four teams to conduct PDAs in ten (10) counties. I worked with the State Coordinator with organizing the process. In response to the recovery process in New York, I was assigned to the Lower Hudson Valley area to lead as a Public Assistance Coordinator Crew Leader to work with a team of three project specialists in Sullivan and Ulster Counties. During this deployment, I worked with the City of Kingston which was the hardest hit area in my assigned territory to plan its strategy on how the leaders proposed to repair its waste water treatment plant and other facilities.

Continued to next page...

(2) Political acumen sufficient to establish and maintain cooperative working relationships with diverse groups across the public spectrum.

I have formed effective partnerships between Federal, State, and local officials over the past twelve years that includes being involved with human development projects in academia and the State of Georgia. As a *Policy Analyst* for the Office of Planning and Budget, I have assisted with budgetary analysis of agencies and programs assigned to the Human Resource Division that required a strict understanding of management studies and program evaluations as well as the ability to apply crucial judgment in all phases of conducting legal and other research. An example would be in 2002 when I conducted research based on site visits to Public Health Programs throughout Georgia to determine the feasibility and viability of programs such as Babies Can't Wait, Children First, and the Georgia Fatherhood Program. At several key junctures, I collaborated with state and local program personnel and used my critical thinking and analysis skills to accurately proceed with analyzing the data including identifying and evaluating alternatives and developing recommendations in order to make a determination of continuing funding for these programs. The results of this research were presented by my Division Director who relayed the information to the Governor's Policy Director that in turn enabled the aforementioned programs to maintain their same level of funding and avoid potential cuts.

As a *Grants Manager* at GEMA, I attended a variety of Certified Emergency Management Training Programs from October, 2005 to October, 2007. During my matriculation, I learned that the roles and responsibilities between Federal, State, and local emergency planning/management officials are very complex. This has provided me insight into gaining the understanding that this knowledge of the dynamics of the working relationship of these groups is a significant step. It increases my knowledge and aids me in enhancing my understanding of what it takes to become an effective emergency management program specialist who is prepared to confront the devastation the cuts across economic, social, and racial lines in the aftermath of a major crisis. My critical judgment regarding the most appropriate model for organizing and applying how to effectively utilize the knowledge base of the officials in each group is a result of my taking these classes. The results of this matriculation have provided me the knowledge base and have prepared me to work with a cross section of officials because I have gained the knowledge to advance to a position of increasing responsibility and authority in a variety of organizational settings in the expanding area of homeland security and emergency management. Most recently, my training has helped me to gain the designation of Advanced Certified Emergency Manager in the State of Georgia.

Continued to next page...

(3) Well-established and proven leadership within the community.

As a member of the Atlanta Club of Frontiers International in 2003, I energized the organization by implementing two programs: The Speakers Series and an Essay Contest. Both events were held in conjunction with the Carver Eastside Boys and Girls Club. The Speakers Series utilized the talent pool of the organization's network to speak on their knowledgeable topics. Under my leadership, a diverse group that included attorneys, past and current college presidents, and city councilmen shared their expertise with students that ranged in age from ten to seventeen years. This event allowed students to think in-depth about their career choices and factor in how being good students can lay the foundation for attaining future career goals.

The Essay Contest featured a topic that allowed the students to think critically, however, their response was to be presented in a creative manner. Thirty five-plus contestants covering three divisions participated in this contest. The Carver Eastside Boys and Girls Club, the contest sponsor, provided prizes to the "Top Three" in each division. Both projects were so successful that the Atlanta Club of Frontiers International was named by the Metro Atlanta Area Boys and Girls Club as the "Volunteer Organization of the Year".

Before the implementation of the Speakers Series and the Essay Contest, the Atlanta Club of Frontiers International was not as actively involved with the Carver Eastside Boys and Girls Club. Previously, the Atlanta Club of Frontiers International was an annual contributor of up to \$1,000. to the Carver Eastside Boys and Girls Club, but the interaction with the young club members was nonexistent. Through the implementation of the two aforementioned programs, each Atlanta Club of Frontiers International member had an opportunity to participate, some for the first time, visit the club, and interact with young people at the club.

Currently, I serve on the Flint River Boy Scout Council Steering Committee of the S.T.E.M. program, which is the Boy Scout of America's renewed emphasis on promoting science and technology fields where American students seriously lag their counterparts around the world. (Three-fourths of America's fastest growing occupations require significant math and science preparation, yet less than 15 percent of high school graduates are prepared to pursue scientific or technical training in college, according to one study.)

Continued to next page...

(4) College teaching experience.

As an *Adjunct Professor* at Herzing College and *Teaching Assistant* at Clark Atlanta University, I prepared and delivered lectures to students enrolled in undergraduate economics and political science courses. I gave assignments, graded papers, and participated in assigning final grades. I was responsible for planning, conducting, and evaluating the highest quality of instructional activities achievable for students. I fully utilized my ability to communicate with students and work with specific faculty members on department related assignments where I ensured that assigned tasks were fully understood and completed in a timely manner.

(6) Understanding of current research methods and approaches.

During FEMA-4166-DR-SC (March 2014), I assisted in providing training and education in the field of disaster and emergency management, and other training and education in support of the Federal Emergency Management Agency's mission. I helped to develop the training and education programs which were implemented by the Joint Field Office to cover all organizational components, policies, authorities, and guidelines in the disaster including debris preparedness and field operational elements. A key responsibility of this position included the design and implementation of a comprehensive Emergency Related Training and Education System to professionalize the new staff of the South Carolina Emergency Management Division. As the Infrastructure Branch Director, I assisted in the development and administration of a comprehensive program of emergency management training and education courses for the Federal, State, and local agencies.

As an Infrastructure Branch Director, I also directed the Joint Field Office's resources in support of Human Capital Learning and Development training and education initiatives as appropriate and implemented by the Federal Coordinating Officer. As the Infrastructure Branch Director, I had the responsibility for the development and delivery of training and education courses as well as training developed for deployment within State and local emergency management training and education requested by the South Carolina Emergency Management Division staff which included the interaction between the Federal, State, and local levels of government. I was also responsible for policy development, oversight, and management.

Other duties and key responsibilities included resources to be expended, timing of major events, and priority of project and plans. I helped to develop organizational plans, utilized and secured resources, applied state-of-the-art technology to satisfy the operational requirements of FEMA and the agency's training and education programs. I assisted in providing leadership in incorporating emergency management core competencies into the Joint Field Office agenda as appropriate. I was also responsible for overseeing the development and delivery of a broad range of disaster related courses, training, and education programs in support of all organizational and strategic components outlined by the State of South Carolina. I was responsible for taking the leadership role in seeking and implementing innovative and effective training and education delivery options.

I was responsible for directing the review, evaluation, and effectiveness of training and education programs for the staff and overseeing the implementation of training programs through the Joint Field Office. Other major training and educational duties included directing and managing a professional and clerical staff assigned to the disaster. Other emergency management assignments performed included duties as required to support the implementation of the disaster's policies and programs.

As a Program Manager for the State of Alabama, I represented the leadership at a debris pilot program and debris management plan writing orientation for the Poarch Creek Band of Indians in Atmore, Alabama. The orientation was in the form of a two day conference and symposium with key officials within and outside the tribe as well as FEMA representatives to discuss major considerations within the training and education program of debris operations.

Continued to next page...

(7) Previous service as a board member for business or professional organizations.**2010 to Present Active Parent and Assistant Cub Master of Pack 282 and Troop 282**

Work with young men, ages 6 through 18, in the local Boy Scout Program in activities such as the pack and district Pinewood Derbies, summer day camps, and food drive in which the pack works with the troop in collecting food items. In 2013, we collected the most food items in the Fayetteville District. Responsible for attending District Council meetings where ideals are exchanged and camping trips are held two times per year. I have attended the University of Scouting training classes. Currently, serve as a Registered Merit Badge Counselor in the following subject areas: Public Speaking, Emergency Preparedness, Scholarship, Reading, Citizenship in the World, Citizenship in the Nation, and Citizenship in the Community. I also serve as a parent volunteer during Boy Scout Summer Camps and participate in parent committee meetings as well as research merit badge days to provide information to the troop for Eagle Scout awards. Most recently I became a member of the Science Technology Engineering and Mathematics Committee for the Flint River District.

2011 to Present Fayette County Georgia Youth Basketball Association

Serve as a coach in the training of fundamental basketball skills to the 6 and under age group. Previously served as the 8 and under tournament group coordinator. Currently serve on the Board of Directors for an organization that serves boys and girls, ages 5 through 18. Served as a coach for the 8 and under age group from 2013 to 2014. Currently serve as a coach for the 10 and under age group, 2014 to 2015 and coordinator for the 8 and under age group.

2003 to Present Freelance Writer - Member of Washington, D.C. National Press Club

Serve as a contributing writer for various magazines and the student newspaper on youth development issues. Have also created a self-published book of poems, speeches, and essays.

2012 to 2015 Carolyn Davis C'77 Memorial Scholarship for Spelman College Students

Established by Timothy and Angela Etson, the scholarship pays tribute to the late Carolyn Davis from the Spelman College Class of 1977. This annual scholarship provides financial assistance to deserving students with financial needs. The scholarship was initiated in August, 2012 and will be funded through a \$15,000 pledge commitment from Timothy and Angela Etson. The pledge is payable in \$5,000 increments in May, 2013, May, 2014, and May, 2015. Spelman College has full authority to make annual awards based on the selection criteria detailed in the scholarship agreement. One (1) award of \$5,000 will be made each academic year. The first scholarship will be awarded in the 2014 - 2015 academic year. Eligible candidates must major in one of the following disciplines: Child Development, Economics, Political Science, Psychology, Sociology, or Dual Degree Engineering. Candidates must be from Georgia or New York, maintain a 3.0 minimum cumulative grade point average, and demonstrate financial need as determined by the Office of Financial Aid.

TIMOTHY DEMORRIS ETSON
304 Deauville Way
Fayetteville, Georgia 30214

PRESENTATION OF QUALIFICATIONS

PROFESSIONAL OBJECTIVE

A responsible career position that will utilize my education, professional skills, extensive experience, and proven abilities as well as provide upward mobility commensurate with achievements.

SUMMARY OF QUALIFICATIONS

Experience	<p><i>8.0 years as an Emergency Management Program Specialist for the U.S. Department of Homeland Security/FEMA.</i></p> <p><i>2.5 years as a Grants Administrator for the Georgia Emergency Management Agency.</i></p> <p><i>3+ years as an Adjunct Professor for Herzing College of Business and Technology.</i></p> <p><i>2.5 years as a Policy Analyst for the Governor's Office of Planning and Budget.</i></p>
Education	<p>Ph.D. CLARK ATLANTA UNIVERSITY, Atlanta, Georgia Major: Political Science - Subfield: Public Administration Defended Dissertation September 23, 2011</p> <ul style="list-style-type: none">1 Pi Sigma Alpha National Political Science Honor Society2 Alpha Epsilon Lambda Graduate Student's Honor Society <p>Master of Public Administration CLARK ATLANTA UNIVERSITY, Atlanta, Georgia Graduated: 1999</p> <ul style="list-style-type: none">3 Pi Alpha Alpha National Honor Society for Public Affairs and Administration <p>Bachelor of Science SOUTH CAROLINA STATE UNIVERSITY, Orangeburg, South Carolina Major: Economics - Minor: Mathematics Graduated: 1988</p>
Professional Training	<p>Campus Emergencies Awareness Level at Louisiana State University. All-Hazards Higher Education Conference at Emergency Management Institute. Contracting Officer's Representative Course Executive Leadership Summit at Hampton University. Project Management Principles National Planners Course</p>

TIMOTHY D. ETSON

Resume - Page Two -

- Certification** Advanced Certified Emergency Manager by the Georgia Certified Emergency Manager Program - Grant Application Reviewer by the U.S. Department of Housing and Urban Development.
- Strengths** Excellent communications skills, both oral and written...
Excel in training, motivating, developing, and directing team spirit and effort...
Detail oriented... Quickly identify and institute resolution to demanding problems...
Decisive... Exemplify confidence in ability to make calculated decisions...
Very thorough from inception to completion of any assigned project...
Strong organization and planning skills... Effective time management...
Always complete projects in a timely manner - Meet deadlines...
Perform well in a demanding, fast-paced, stressful environment...
Career/Goal/Achievement driven... Thrive on daily challenges...
Committed to the highest of professional standards in any career endeavor...
- Associations** American Society for Public Administration, Boy Scouts of America, Toastmasters.


PROFESSIONAL EXPERIENCE

- February, 2008
to Present **Emergency Management Specialist**
U.S. DEPARTMENT OF HOMELAND SECURITY/FEMA, Atlanta, Georgia
Delegate authority to individuals, groups/divisions, and teams while serving as the Public Assistance Branch Lead during deployments to Joint Field Offices. Formulate and direct plans and programs for administration of Public Assistance Program while operating in compliance with all laws, regulations, and policies during deployments to Joint Field Offices. Coordinate activities related to the Fire Management Assistance Grant Program. Establish and monitor closings of open disaster grants that are currently on the NEMIS, and EMMIE Systems. Also responsible for special projects, public presentations, training, and maintaining effective work processes.
- June, 2005
to Feb., 2008 **Grants Administrator**
GEORGIA EMERGENCY MANAGEMENT AGENCY, Atlanta, Georgia
Provided assistance to local governments in obtaining terrorism grants for the Public Assistance Division. Monitored compliance with grant policies and procedures. Conferred with Terrorism Division to plan and initiate grant programs concerning organizational, operational, and functions of grants and oversaw their executions. Conducted extensive research in compiling information needed to generate reports, complete projects, and respond to questions and concerns. Analyzed problems, questions, and issues and developed resolutions. Reviewed expenditures of grant funds to ensure funds were spent according to regulations.

- REFERENCES** Available upon request.

Timothy D. Etson

304 Deauville Way, Fayetteville, GA 30214



EDUCATION:

Bachelor of Science, Economics, South Carolina State University, Orangeburg, SC
Master of Arts, Public Administration, Clark Atlanta University, Atlanta, GA
Ph.D., Political Science, Clark Atlanta University, Atlanta, GA

HONORS AND AWARDS:

Flint River District Boy Scouts of America Wood Badge Leadership Training, 2015
Assistant Cub Master Award, Pack 282, 2012- 2013
Alpha Epsilon Lambda Graduate Students' Honor Society, 2012
Fayette County Youth Basketball Association, Volunteer Coach, 2011 – 2012, 2013 - Present
Hampton University, "On the Road to the Presidency", Executive Leadership Summit, 2010
Pi Sigma Alpha, National Political Science Honor Society, 2006
Student Government Association, Book Scholarship, 2006-2007
Ford Foundation Political Science Department Tuition Grant, 2006-2007
CIGNA-HealthCare Scholarship, 2006-2007
Pi Alpha Alpha National Honor Society for Public Affairs and Administration, 1998
Public Administration Department Scholarship, Clark Atlanta University, 1997-1999

ASSOCIATION MEMBERSHIPS:

National Conference of Black Political Scientists
Toastmasters International
American Society for Public Administration
Flint River District, Boy Scouts of America Merit Badge Counselor
Flint River District, Boy Scouts of America STEM Committee
Clark Atlanta University Public Administration Department Advisory Board
South Carolina State University Real Estate Foundation Board of Directors
Morehouse School of Medicine Environmental Health Advisory Committee

PROFESSIONAL EXPERIENCE:

Emergency Management Program Specialist Department of Homeland Security/FEMA, Atlanta, GA	2008- Present
Grants Administrator Georgia Emergency Management Agency, Atlanta, GA	2005- 2008

Timothy D. Etson

Page Two

TEACHING EXPERIENCE:

Teaching Assistant

2005 - 2006

Clark Atlanta University, Atlanta, GA

- Prepare and deliver lectures to students enrolled in undergraduate political science courses
- Give assignments, grade papers and participate in the assigning of the final grade.
- Plan, conduct, and evaluate the highest quality of instructional activities achievable for students involved.
- Work with specific faculty on a department-related assignment..

I am prepared to teach the following courses:

- American Government
- Comparative Politics
- Public Policy
- Urban Politics
- Political Theory

PROFESSIONAL PRESENTATIONS:

How the City of Chicago Can Save Dollars by Managing Risk with the Formation of a Captive Insurance Company, Georgia Chapter of American Society for Public Administration, Kennesaw, GA, March 2000

Addressing Recent Challenges in Balancing Budgets in Economies, Conference of Minority Public Administrators, Jackson, MS, February 2002

Universities Thrive Where Illiteracy Still Prevails, National Conference of Black Political Scientists, Atlanta, GA, March 2006

How has Hurricane Katrina and Sandy Impacted the Federal Emergency Management Agency since the implementation of the Recovery Acts, Southeastern Conference for Public Administration, Atlanta, GA, September 2014

The Politics of Black Male Enrollment in Georgia's Public Colleges and Universities, Southeastern Conference for Public Administration, Atlanta, GA, September 2014

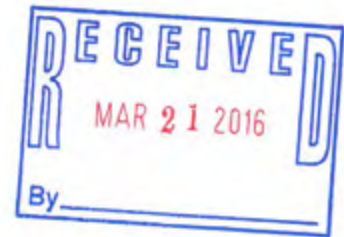
The Federal Emergency Management Agency Public Assistance Program, Morehouse School of Medicine, Atlanta, GA, November 2014

The Role of Environmental Health Science in FEMA's Public Assistance Program, Eastern Kentucky University, Environmental Sciences Department, Richmond, KY, March 2015

PUBLICATIONS AND PAPERS:

- "How has Hurricane Katrina and Sandy Impacted FEMA since the implementation of the Recovery Acts", 2014 in progress.
- "*The Politics of Black Male Enrollment in Georgia's Public Universities*", 2011, Dissertation
- "*Sharing the Responsibility: Increasing Black Male Student Enrollment*", 2003, Black Issues in Higher Education.
- "*How the City of Chicago Can Save Dollars by Managing Risk with the Formation of a Captive Insurance Company*", 1999, Master of Public Administration degree Exit Paper.

3:30pm



APPLICATION FOR APPOINTMENT
Fayette County Hospital Authority

The Fayette County Hospital Authority was established by the Fayette County Board of Commissioners on February 2, 2000 when it was determined that a Hospital Authority would serve the citizens through financing projects as provided by the Hospital Authorities Law. While the Hospital Authority has no operational or oversight authority it does provide the ability to issue tax-free bonds and is able to offer the hospital a low-cost opportunity for capital funding.

The Fayette County Hospital Authority comprised of five volunteer members who serve for four-year terms. Appointments to the Hospital Authority comprise a distinguished blend of business and community leaders willing to serve voluntarily in support of the community through service on the authority. Potential appointees are nominated to the Hospital Authority by the Fayette County Board of Commissioners. Upon receiving nominees from the Fayette County Board of Commissioners, the Hospital Authority will either select a nominee or decline the nominees

Please take a few minutes to complete the form and answer the questions below 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 Friday, 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 LAVONIA W. Stepherson

ADDRESS 440 NORA DRIVE

FAYETTEVILLE, GA 30214

TELEPHONE (day) [REDACTED]

(evening) SAME

(email address) [REDACTED]

Lavonia W. Stepherson
Signature

3/21/2016
Date

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

Since March, 2013

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

Throughout my work career I have been a Patient and Healthcare advocate working with or providing services for members of our society who have healthcare issues, physical, mental disability and behavioral health problems. I am an advocate for, delivery of quality professional services to all of the people who live in our community.

3. What qualifications and experience do you possess for appointment to Fayette County Hospital Authority?

Served:

Risk Director Dorminy Medical Center (2004-2005)

5 years South Georgia Community Service Board (2007-2012)

5 years South Georgia Regional Council (2007-2012)

25+ years Registered Nurse experience

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

2014 WIA Intake Case Manager, AVPRIDE, Youth Workforce Development Program.

I provide support services for all youth 16-21 who meet income requirements or have a disability. The goal is for our students to graduate from high school, obtain a post-secondary education, or graduate from college and become gainfully employed.

5. Do you have any past experience relating to the Fayette County Hospital Authority? If so, please describe.

In the past I served 5 years on the Behavioral Health Service of South Georgia Community Board which provided healthcare and disability services within the counties of Ben Hill, Berrien, Brooks, Cook, Echols, Irwin, Lanier, Tift and Turner. The Board provided a range of services to children, adults and families with mental illness, addictive disease and individuals with Developmental Disabilities.

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

Yes

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

One

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

Yes

9. Based on the qualifications listed what qualifies you to be a member of the Hospital Authority?

- Graduate Georgia Academy for Economic Development
- Involvement in health related charities
- Served as Fayette County Hospital Authority Board Member

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

- Provide community with patient centered care
- Patient First
- Continuous Improvement
- Sound Financial system
- Professional providers of quality care
- Free community services to public (Health screenings, education resources, Health Fairs)
- Involvement in health related charities

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

No

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

No

13. Describe your current community involvement.

Fayette County Hospital Authority

Southside Support Inc. Executive Board

Member Cornerstone Baptist Church

National Alliance on Mental Illness NAMI

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

Yes

15. Is there any reason you will not be able to comply with the County's Ethics Ordinance?

No

Lavonia W. Stepherson

440Nora Drive
Fayetteville, GA 30214

QUALIFICATIONS SUMMARY

Results-oriented professional with twenty-five years of progressive responsibility in health, manufacturing and educational environments. Proficient in developing and implementing programs to quality and outcome standards. Transferable skills include:

CAREER SKILLS/KNOWLEDGE

Program Coordinator	Case Management	Clinical/Staff Training	Financial Analysis
Cost Management	Employee recruitment	Investigation/Litigation	Networking
Staffing strategies	Benefits administration	Accounts payable/receivable	
Supervision	General Management	Human Growth & Development	

EDUCATION

Wayne State University, Detroit, Michigan
Bachelors of Science, Nursing

Georgia Academy for Economic Development
Fitzgerald, Georgia

Highland Park Community College, Detroit, Michigan
Associate of Science, Nursing

PROFESSIONAL EXPERIENCE

WIA Intake Case Manager AVPRIDE

2014

- Conduct customer intake procedures and facilitate intensive services including but not limited to: student case management, assessment, career guidance. Maintain accurate, complete case records based on standards set forth by WIA Guidelines

Director of Certified Literate Community Program (CLCP) Wiregrass Georgia Technical College

2007-2012

- Gather and measure data to define community literacy goals
 - Develop, present and implement strategic and operational plans to CLCP Executive Board of Directors
 - Create partnerships with community organizations, civic leaders, industry leaders and business owners on behalf of literacy programs
 - Establish Executive Board of Directors for Irwin, Ben Hill, Wilcox, Coffee, Atkinson, Berrien, Brooks, Cook, Echols and Lanier counties
 - Coordinate and supervise CLCP operations throughout 11 county area
 - Submit reports to state certifying agency
-

Interim Occupational Health	2005-2006
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Occupational Health Nurse

- Provided education and counseling for employees with health, family and emotional issues
- Managed and provided health services employees for with injuries and illness
- Served as a case manager for employees with work related injuries

Dorminy Medical Center	2004 -2005
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RiskDirector

- Coordinated investigations of incidents involving actual or potential injury to external and internal customers.
- Coordinated activities of one or more departments in formulating, revising, or administering organizational policies

Lawnwood Medical Center	2003-2004
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Home Visiting Case Manager

- Reinforced teaching of infant health and psychosocial assessment of family readiness.
- Analyzed assessment data for postpartum complication based on risk factors.
- Identified high-risk postpartum clients and infants based on analysis and synthesis of clients needs during home visits.
- Formulated intervention plans to prevent disequilibrium in transition to parenthood.
- Served as community advocate on behalf of high risk babies and their families

Children Medical Services	2002-2003
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Registered Nurse Specialist

- Planned and implemented care for HIV exposed children
- Provided continuum of care to infant and HIV/AIDS Moms/Dads
- Established and maintained open relationships within four county areas, St. Lucie, Martin, Okeechobee and Indian River
- Provide counseling and support to families in relation to their needs.

St. Lucie County Schools	2000 to 2002
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Migrant Health Care Manager

- Represented migrant students as a team member with other health professionals within the School Health District.
- Developed and conducted migrant community information programs.
- Conducted epidemiological investigation activities related to communicable diseases and other health problems.
- Monitored contractual agreements and analyze trends in migrant health policies that affected migrant health resources.

APPLICATION FOR APPOINTMENT

Fayette County Hospital Authority

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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 CHARLES W. ODDO

ADDRESS 255 MILLHAVEN LANDING

FAYETTEVILLE, GA 30215

TELEPHONE (day)

(evening)

(email address)

coddo@fayettecountyga.gov

Charles W. Oddo

3/25/2016

Signature

Date

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

46 years on June 21

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

To facilitate communications between FCHA and the Board of Commissioners on behalf of our citizens, as well as to provide a means of supporting and enhancing the first-class medical facilities and services Fayette County has become known for as it transforms into a regional medical center.

3. What qualifications and experience do you possess for appointment to the Hospital Authority?

My background is in general business administration, and after 40+ years I understand the difficulties and successes. Particularly, I communicate well with others, which will be critical to the success of the Authority. From a public standpoint, I am in my fourth year on the Board of Commissioners, two as Vice Chair, and in my 2nd year as Chair. To have public and private perspectives will help in focusing and achieving the goals of the Hospital Authority.

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

Since 1980, I have worked in family enterprises: Oddo Publishing, Inc., Oddo Brothers CPAs, GTOs Fabulous 50's Drive In Restaurant, Agricultural (Christmas trees and cattle). Prior to 1980, a short time with NCR Systemedial (printing). The past 17 years have been primarily with Oddo Brothers CPAs, concentrating on business operations.

5. Do you have any past experience relating to the Hospital Authority? If so, please describe.

Yes. I have served on the Hospital Authority since 2014.

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

Yes. Fayette County Board of Commissioners and the Atlanta Regional Commission.

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

Yes. All.

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

Yes.

9. Based on the qualifications listed in Press Release, what qualifies you to be a member of the Hospital Authority?

I have always been able to work well with others in private business. Since 2013, I have been able to use the same experience and skill set as a member of the Board of Commissioners. I have been able to build and enhance relations between the county and local municipal and state leaders, as well as build bridges between diverse political groups. The balancing requires patience and endurance, but the rewards are very satisfying.

10. What is your vision of the county's future related to the duties of the Hospital Authority?

Over the last few years, Piedmont Fayette Hospital has transformed into a regional hospital serving areas outside of Fayette County. To continue to be a leader it must expand services where it can while honing the specialties incorporated, such as its recent partnership with MD Anderson in its new Cancer Center. Serving on both the FCHA and BOC will enable more efficient communications between both bodies, and consequently more efficient and successful outcomes.

11. Would there be any possible conflict of interest between your employment or your family and you serving on the Hospital Authority?

No.

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

I currently serve as Chairman on the Board of Commissioners.

13. Describe your current community involvement.

On behalf of the Board of Commissioners, I reach out to as many citizens and citizens groups as possible, offering support from and access to their local government.

14. Have you been provided a copy of the county's Ethics Ordinance?

Yes.

15. Is there any reason you would not be able to comply with the Ethics Ordinance?

No.

COUNTY AGENDA REQUEST

Department: Board of Commissioners

Presenter(s): Commissioners Oddo and Rousseau

Meeting Date: Thursday, June 23, 2016

Type of Request: New Business #15

Wording for the Agenda:

Consideration of a recommendation from the Selection Committee, comprised of Chairman Charles Oddo and Commissioner Charles Rousseau to nominate Charlie Cave, Robert Johnson, Samuel Patton, Heather Cap and Donna Rosser to the Fayette County Public Arts Committee to serve a term of one (1) year beginning June 1, 2016 and expiring May 31, 2017.

Background/History/Details:

The Public Arts Committee was established in 2014 with the purpose of finding ways to use art to enhance the County's reputation, to contribute to the civic environment, and to enrich the lives of citizens and visitors through the involvement of amateur and professional artists.

On March 10, 2016 the Board of Commissioners approved an ordinance to provide for an advisory committee to be known as the Fayette County Public Arts Committee, to provide for terms of office, the initial membership, the filling of vacancies, the taking of an oath, the requirement of regular meetings, the removal of members, and compensation and qualifications of officers.

The PAC position was posted and twenty-two applicants applied. Interviews for the 11 positions were conducted and the Selection Committee is recommending these applicants for appointment to this committee in accordance to the ordinance; to serve a term of one (1) year expiring May 31, 2017.

What action are you seeking from the Board of Commissioners?

Approval of a recommendation from the Selection Committee, comprised of Chairman Charles Oddo and Commissioner Charles Rousseau to nominate Charlie Cave, Robert Johnson, Samuel Patton, Heather Cap and Donna Rosser to the Fayette County Public Arts Committee to serve a term of one (1) year beginning June 1, 2016 and expiring May 31, 2017.

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:

10am

APPLICATION FOR APPOINTMENT
Fayette County Public Arts Committee

Fayette County's Public Arts Committee has been established by the Fayette County Board of Commissioners. The purpose of the Public Arts Committee is to make recommendations to the Board of Commissioners of Fayette County as to find ways to use art to enhance the County's reputation, to contribute to the civic environment, to enrich the lives of citizens and visitors through the involvement of amateur and professional artists, and to integrate public arts throughout Fayette County. The Public Arts Committee aims to acquire, cultivate, and perform responsible stewardship of public arts, to enhance the dignity of Fayette County through the commitment to artists and their disciplines as integral elements of economic vitality and development. Fayette County's Public Arts Committee offers opportunities and support to citizens, emerging students, amateur and professional artists, arts education resources, and public beautification arts projects. Its mission is to change the way the Fayette County community approaches arts and culture. The goal of the Fayette County Public Arts Committee is to become a leader in the arts through conceptualizing, implementing, organizing, and executing art projects and programs for the citizens.

The Public Arts Committee will meet on the third Monday of each month, however, the meeting times and location are to be determined.

Please take a few minutes to complete the form and answer the questions below 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 Friday, April 22, 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 CHARLES M. CAVE (CHARLIE)
ADDRESS 145 DOWNY BROOK LANE
FAYETTEVILLE, GA. 30215
TELEPHONE (day) [REDACTED]
(evening) [REDACTED]
(email address) [REDACTED]

Charles M. Cave
Signature

22 Apr. 2016
Date

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

23 YEARS

2. Why are you interested in serving on the Fayette County Public Arts Committee?
To help to attract artists and other professionals to our county to build a great arts program to attract businesses and families to want to live here.
3. What qualifications and experience do you possess for appointment to the Public Arts Committee?
A great love for my county to make us a county everyone would like to live in. My art ability is limited but I am a good person to help raise money.
4. List your recent employment experiences to include name of company and position.
• Promovision - Sales Agent • State Bank of Georgia - Business Mgr.
• Fayette Newspaper - Ad Consultant • WERS Radio - Sales Mgr.
5. Do you have any past experience relating to the Public Arts Committee? If so, please describe.
Served on the Arts Committee since it was established.
6. Are you currently serving on a Committee/board/authority or in an elected capacity with any government?
YES - Fayette County Board of Equalization
7. Have you attended any Public Arts Committee meetings in the past two years and, if so, how many?
YES - All of them
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 Public Arts Committee?
I am a visionary wanting Fayette County to be a county that all types of talent and businesses and families would want to live here. Having an Arts Committee and a great building would enhance that attraction.
10. Would there be any possible conflict of interest between your employment or your family and you serving on the Public Arts Committee?
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.
• Kiwanis Club • CASA • Fayette County BOE.
• United Way • Chamber of Commerce (Ambassador)
13. Have you been provided a copy of the county's Ethics Ordinance?
YES
14. Is there any reason you would not be able to comply with the Ethics Ordinance?
NO

10:30am

APPLICATION FOR APPOINTMENT
Fayette County Public Arts Committee

Fayette County's Public Arts Committee has been established by the Fayette County Board of Commissioners. The purpose of the Public Arts Committee is to make recommendations to the Board of Commissioners of Fayette County as to find ways to use art to enhance the County's reputation, to contribute to the civic environment, to enrich the lives of citizens and visitors through the involvement of amateur and professional artists, and to integrate public arts throughout Fayette County. The Public Arts Committee aims to acquire, cultivate, and perform responsible stewardship of public arts, to enhance the dignity of Fayette County through the commitment to artists and their disciplines as integral elements of economic vitality and development. Fayette County's Public Arts Committee offers opportunities and support to citizens, emerging students, amateur and professional artists, arts education resources, and public beautification arts projects. Its mission is to change the way the Fayette County community approaches arts and culture. The goal of the Fayette County Public Arts Committee is to become a leader in the arts through conceptualizing, implementing, organizing, and executing art projects and programs for the citizens.

The Public Arts Committee will meet on the third Monday of each month, however, the meeting times and location are to be determined.

Please take a few minutes to complete the form and answer the questions below 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 Friday, April 22, 2016.

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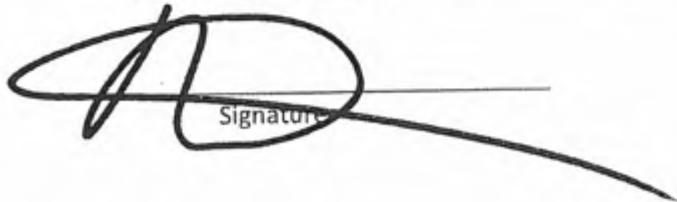
NAME Robert Johnson

ADDRESS 105 Gateway Pt

TELEPHONE (day) [REDACTED]

(evening) [REDACTED]

(email address) [REDACTED]


Signature

April 17, 2016
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 Public Arts Committee?
I'd love to share my talents and artistic expertise with the FayetteCounty community.
3. What qualifications and experience do you possess for appointment to the Public Arts Committee? I am a professional visual artist and digital designer.
4. List your recent employment experiences to include name of company and position.
Weather Channel , Director of Photography Weather Channel, UX/UI Designer Clayton State University , Photo Instructor
5. Do you have any past experience relating to the Public Arts Committee? If so, please describe. none.
6. Are you currently serving on a Committee/board/authority or in an elected capacity with any government? No.
7. Have you attended any Public Arts Committee meetings in the past two years and, if so, how many? None.
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 Public Arts Committee? Arts can distinguish a community like Fayette county, I see us enhancing the lives of our residents with public arts .
I see us engaging the community with local artist, performing arts and public art works and events.
10. Would there be any possible conflict of interest between your employment or your family and you serving on the Public Arts Committee? non
11. Are you in any way related to a County Elected Official or County employee? If so, please describe. My Wife is a teacher at JC booth Middle School
12. Describe your current community involvement. I am on the Fayette County American Cancer Society Relay for Life Board.
I am the official photographer
13. Have you been provided a copy of the county's Ethics Ordinance?
Yes.
14. Is there any reason you would not be able to comply with the Ethics Ordinance?
No.

Robert W. Johnson

Greater Atlanta Area | [REDACTED] [REDACTED]

Digital Communicator / Visual Storyteller / Photographer

Creative, technically savvy digital communications manager. Known for drawing from a diverse set of skills – from photography, video, multimedia, writing, and social media – to craft engaging and compelling content. A skillful and savvy collaborator who works easily with a diverse group of people, personalities, and skill sets across an organization for one common goal and objective. M.S., New Media; B.F.A., Photographic Illustration. Core competencies include:

- **Digital communications:** At The Weather Channel, led strategy for photographic imagery across all platforms and business units. Drove user experience (UX) and engagement. Strategy was successful in increasing page views when users originally visited the site during severe weather events. At CNN.com, one of five team members who launched the award-winning CNN.com photos blog. Maintained digital photo library with more than 50K images.
- **Visual storytelling:** Described by the VP of Design at The Weather Channel as having the “vision, understanding, and experience to tell great, compelling, human stories through his unique visual style.” Traveled to Louisiana during Hurricane Isaac to personally shoot original images of the storm. Edited photos and uploaded them on our website. This drove millions of page views – a Weather Channel record.
- **Photography:** Professional photographer for 20+ years. At The Weather Channel, managed photographic marketing materials for long-form TV shows. Personally shot many of the photos – anchors, on-camera meteorologists, and stills. At Lockheed Martin, served as principal photographer at their site in Syracuse; site produced surveillance equipment for the U.S. Navy.

Professional Experience

1994 – Present | Robert Johnson Photography | Atlanta, Georgia

Freelance Photographer / Adjunct Instructor

- Produce video and photography for commercial and retail clients. Please visit website to see portfolio.
- Currently teaching a photography class at Clayton State University. Also serve as adjunct instructor at Westwood College. Develop curriculum and course content at both schools.
- Served as Adjunct Online Instructor at Art Institute of Pittsburgh from 2008 to 2012. Facilitated courses such as Digital Imaging for Web and Multimedia, Web Imaging Techniques, Computer Animation for Multimedia, Web and Interactive Authoring, and Interactive Project Management.

2012 – 2014 | The Weather Channel | Atlanta, Georgia

Director of Still Photography

- Led brand strategy for photographic imagery across Weather Channel’s platforms and business units.
- Implemented a digital asset management system with 7000+ images. Managed and produced diverse genres of photography and video from editorial, event, photojournalistic, and fine art photography.
- Directed the image strategy for our website as well as our flagship apps intended for mobile devices.
- Drove user experience (UX) and engagement with rich photography. Strategy was successful in increasing page views when users originally visited the site during severe weather events.
- Traveled to Louisiana during Hurricane Isaac to personally shoot original images of the storm. This was the first time weather.com had its own original photography in the midst of a landfalling hurricane. Edited photos and uploaded them on our website. This drove millions of page views – a Weather Channel Record.
- Negotiated with and hired photographers for storm coverage and other photographic projects.
- Managed photographic marketing materials for long-form TV shows. Personally shot many of the photos – anchors, on-camera meteorologists, and stills. Some project budgets were in the \$100K range.

2005 – 2012 | CNN.com | Atlanta, Georgia

Associate Producer and Photo Editor – Multimedia

- One of five team members who launched the award-winning CNN.com photos blog.
- Produced and contributed to editorial direction of CNN.com/photos.
- Drew millions of monthly visitors by presenting unique angles to the news stories.

- Served as principal photographer; produced distinctive photo essays, galleries, and multimedia presentations.
- Coached CNN TV producers and writers to obtain compelling images from field.
- Served as field producer for multimedia enterprise stories.
- Pitched ideas at daily editorial meetings. Led planning in visual multimedia storytelling.
- Collaborated with Time Warner business partners including *Time*, *Money*, and TBS.
- Coordinated projects with graphic design team and webmasters.
- Maintained digital photo library with more than 50K images.

1999 – 2005 | Lockheed Martin | Syracuse, New York

Multimedia Design Engineer

- Designed and developed multimedia applications, systems, and products involving computer graphics and interactive computing for PC's and web-based training applications.
- Developed with Java-based object-oriented multimedia.
- Produced story boards and wire frames for multimedia manuals, and collaborated with subject matter experts.
- Maintained digital photo library with 4000 images.
- Created process for executing and planning digital photographic shoots.
- Served as principal photographer.

Education

M.S., New Media | Syracuse University, S.I. Newhouse School of Public Communications | 2005

B.F.A., Photographic Illustration | Rochester Institute of Technology, College of Imaging Arts and Sciences | 1994

Professional Development

- Webmaster, 1999
- Kiplinger Social Media Fellowship, 2011
- Kalish photo editing workshop, 2012

Affiliations

- National Association for Multi-Ethnicity in Communications (NAMIC) – Current
- National Association of Black Journalists (NABJ) – Current

Honors and Awards

- Featured Lecturer at Rochester Institute of Technology Careers in Motion, 2014
- Social Media Fellow in the Kiplinger Program in Public Affairs Journalism, 2011
- Keynote speaker, "Chipping Away at Intolerance," at young leaders conference in Prague, Czech Republic, 2010
- Member of CNN's Peabody for coverage of the gulf oil crisis, 2010
- Member of CNN's Peabody for coverage of the 2008 election coverage, 2009
- Member of CNN's Peabody for coverage of hurricane Katrina and aftermath, 2005

Technical Skills

Adobe Creative Suite (Photoshop, Bridge, Lightroom, InDesign, Acrobat, Premier), Adobe Omniture, PhotoMechanic, WordPress, FinalCut Pro, Jira, Omnigraph, Agile (software development), Mac and PC, Microsoft Office (Word, Excel, PowerPoint, Outlook), Microsoft Visio, Microsoft Project, content management systems (CMS), DSLR video, HTML coding (basic), large production management, photography, video and still lighting, web analytics.

8:30am

APPLICATION FOR APPOINTMENT
Fayette County Public Arts Committee

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

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NAME Samuel Patton

ADDRESS 374 Hampton Rd

Fayetteville, Ga. 30215

TELEPHONE (day) [REDACTED]

(evening) Same as above

(email address) [REDACTED]

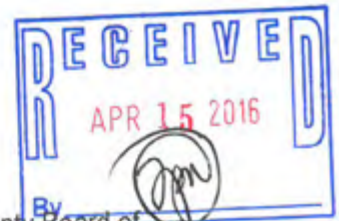
Samuel Patton
Signature

4.22.16
Date

1. How long have you been a resident of Fayette County?
27 years
2. Why are you interested in serving on the Fayette County Public Arts Committee?
I want to help the County display the best art we can get.
3. What qualifications and experience do you possess for appointment to the Public Arts Committee? *The County is beautiful, and I want to help display that beauty.*
Photographer and want to help the County display photos of the County.
4. List your recent employment experiences to include name of company and position.
Fayette County Clerk of Courts office. Deputy Clerk
5. Do you have any past experience relating to the Public Arts Committee? If so, please describe.
I was on the last Committee
6. Are you currently serving on a Committee/board/authority or in an elected capacity with any government? *Just the former Art Committee*
7. Have you attended any Public Arts Committee meetings in the past two years and, if so, how many? *Most of them.*
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 Public Arts Committee?
I want to help the County display its beauty through photography. One day, it might be cool to have a building for the display of the County's art.
I love Fayette County
10. Would there be any possible conflict of interest between your employment or your family and you serving on the Public Arts Committee?
NO
11. Are you in any way related to a County Elected Official or County employee? If so, please describe.
I am a Fayette County employee and have a step uncle in the FCSO
12. Describe your current community involvement.
I attend the BOC meetings and am involved with the Fayette Co. Republican Party as Photography
13. Have you been provided a copy of the county's Ethics Ordinance?
Yes
14. Is there any reason you would not be able to comply with the Ethics Ordinance?
NO

May 20
10am

APPLICATION FOR APPOINTMENT
Fayette County Public Arts Committee



Fayette County's Public Arts Committee has been established by the Fayette County Board of Commissioners. The purpose of the Public Arts Committee is to make recommendations to the Board of Commissioners of Fayette County as to find ways to use art to enhance the County's reputation, to contribute to the civic environment, to enrich the lives of citizens and visitors through the involvement of amateur and professional artists, and to integrate public arts throughout Fayette County. The Public Arts Committee aims to acquire, cultivate, and perform responsible stewardship of public arts, to enhance the dignity of Fayette County through the commitment to artists and their disciplines as integral elements of economic vitality and development. Fayette County's Public Arts Committee offers opportunities and support to citizens, emerging students, amateur and professional artists, arts education resources, and public beautification arts projects. Its mission is to change the way the Fayette County community approaches arts and culture. The goal of the Fayette County Public Arts Committee is to become a leader in the arts through conceptualizing, implementing, organizing, and executing art projects and programs for the citizens.

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Please take a few minutes to complete the form and answer the questions below 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 Friday, April 22, 2016.

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

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NAME Heather Cap

ADDRESS 105 Cottage Circle Fayetteville, GA 30215

TELEPHONE (day) [REDACTED]

(evening) same

(email address) [REDACTED]

Heather Cap
Signature

4/15/16
Date

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

I have lived in Fayette County since June 2014.

2. Why are you interested in serving on the Fayette County Public Arts Committee?

I believe that arts enrich our lives as individuals and as communities. As a working professional artist of more than 20 years, I would love to be a part of a committee whose mission is bringing a strong arts presence to all members of our community, enhancing the quality of both the arts community and Fayette County.

3. What qualifications and experience do you possess for appointment to the Public Arts Committee?

I have spent 23 years working professionally in the theatre/film business. These industries are unique in the sense that they are truly collaborative, many people working toward a common goal. I believe my ability to work with all people toward one vision is one of my biggest assets. I am also experienced in many different types of arts, visual as well as performing, and am able to work in groups or alone in a lead position or in a supporting role.

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

I own my own business called No Business Like Sew Business, LLC. I do the management, accounting, and physical work related but not limited to upholstery, draperies, clothing alterations, and other specialty sewing. I am a member of Local 479, and have worked on several films and television series.

I am a freelance theatre artisan and have recently worked at the Alliance Theatre and Horizon Theatre in the props department.

Please see my attached resume for a more detailed list of my past employment.

5. Do you have any past experience relating to the Public Arts Committee? If so, please describe.

No.

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

No.

7. Have you attended any Public Arts Committee meetings in the past two years and, if so, how many?

Yes, I have only been able to attend 1 in the last few months.

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 Public Arts Committee?

I would like to see more arts events, both professional and non-professional. I would like to see members of our already established arts community working alongside our student and non-professional artists to help build their skills. I

would like to see things like a community use makerspace, an arts district, and events that use our history to draw from and new ideas to implement them.

10. Would there be any possible conflict of interest between your employment or your family and you serving on the Public Arts Committee?

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 am a small business owner, I am a mother of 2 that volunteers at Cleveland Elementary, I am a Girl Scout volunteer, I have recently donated my time and sewing expertise to Rachel's Ray of Hope Prom event, providing low/no cost alterations to prom dresses for girls in the community. I regularly attend a book club and a knitting group, and have signed up to be a dog walker with the Fayette County Animal Shelter.

13. Have you been provided a copy of the county's Ethics Ordinance?

Yes.

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

No.

HEATHER CAP

105 Cottage Circle
Fayetteville, GA 30215



Owner/Operator No Business Like Sew Business, LLC 2011-present
Custom upholstery, draperies, alterations, costumes, and other specialty sewing.

FILM

Draper	Game of Silence, Season 1	Sony Productions	2016
Draper	Barbershop: The Next Cut	MGM	2015
Draper	The Fundamentals of Caring	Netflix	2015

PROPS ARTISAN

ARIZONA THEATRE COMPANY

2000-05/2009-14

Responsible for all areas of soft goods including upholstery, window treatments, dyeing and distressing fabrics. Assist with research of period/modern props and furniture, construction of hand, paper, specialty props, and shopping. Construction of scenic soft goods, including masking and specialty drapes. Assist in transfer of productions between Tucson and Phoenix. Maintain and improve shop equipment and facilities.

PROP MASTER

UNIVERSITY OF ARIZONA

Nov99-Feb00

Supervised undergraduate and graduate students in the research, building, and purchasing of props, and set dressing. Attended all design meetings, production meetings, and technical rehearsals. Coordinated with professors and students

PROP MASTER

CHILDSPLAY

1999-2000

Purchased, built, and rented all props for 4 children's productions in two theatres. Attended all production meetings and technical rehearsals. Worked closely with designers, directors, and stage managers to produce quality productions for children.

PROP MASTER

MUSIC THEATRE OF WICHITA

1999-2000

Supervised a staff of four artisans and rotating apprentices, implemented designs for three shows, produced daily work schedules, work calls, and construction assignments, coordinated all stage load-ins, strikes, truck packs, rentals and return of props, worked closely with designers, directors, and choreographers to mount large shows within extreme time constraints and within budget.

PROP MASTER

THE CHILDREN'S PLAY HOUSE

1998-1999

Planned and implemented designs, budgets, construction and maintenance of all rehearsal and show props. Worked closely with other designers and directors to produce the desired effects within budget and time constraints.

PROPS ARTISAN

THE CLEVELAND PLAY HOUSE

1996-1999

Responsible for all areas of soft goods including upholstery, window treatments, dyeing and distressing fabrics. Assist with research of period props and furniture, construction of paper and hand props. Coordinate with prop master and designers on materials, fabric treatment and selection. Maintain and improve shop equipment and facilities.

PROPS ARTISAN**AMERICAN PLAYERS THEATRE**

1996-1999

Assist the prop master and designers with faux finishing, stripping and refinishing furniture for a large outdoor theatre. Specialty projects include foam carving, fabric dyeing and painting.

COSTUME CRAFTS**SANTA FE STAGES**

1996-1998

Coordinated with shop supervisor and designers on construction of all hats, shoes, jewelry, purses, and other specialty crafts. Also responsible for all dyeing, distressing, and painting of fabrics and finished costumes. Attending fittings and working with actors and designers in order to achieve both artistic goals and comfort.

COSTUME CRAFTS/STITCHER ALABAMA SHAKESPEARE FESTIVAL 1994-1996

Assisted crafts master in implementing jewelry, masks, armor, painting and dyeing fabric. Worked with milliner constructing and decorating hats and specialty headgear. Worked with two drapers constructing and altering clothing in accordance with designs.

ASSOCIATED SKILLS

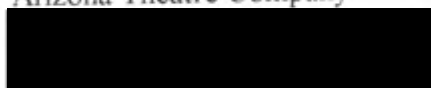
Budgeting and time/cost estimating, shop health and safety, excellent communication skills. Knowledgeable in Microsoft Office/Excel/Outlook, Adobe, Photoshop and online photo editing programs. Experienced in all types of fabric construction, dyeing and painting fabrics. Scenic painting/staining techniques. Experienced with full head casting and body molds. Mask construction including latex, paper mache, foam, plastic and leather. Soft sculpture, foam carving, and puppetry. Knitting and crocheting. Valid AZ driver's license and can drive a manual automobile. Fingerprint clearance card from Arizona. Punctual and patient.

EDUCATION

Bachelor of Arts in Theatre; DeSales University, May 1993

REFERENCES

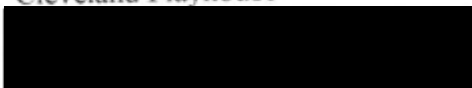
David Ira Goldstein
Artistic Director
Arizona Theatre Company



Drew Boughton
Production Designer/Art Director
Current-The Man in the High Castle



Joe Martin
Production Manager
Cleveland Playhouse



Vicki Smith
United Scenic Artists, Local 829
Scenic Designer

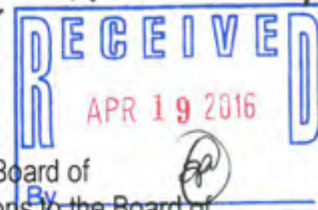


Erica Black
Managing Director
Actors Theatre of Phoenix



Additional references available on request.

~~Form~~
APPLICATION FOR APPOINTMENT
Fayette County Public Arts Committee



Fayette County's Public Arts Committee has been established by the Fayette County Board of Commissioners. The purpose of the Public Arts Committee is to make recommendations to the Board of Commissioners of Fayette County as to find ways to use art to enhance the County's reputation, to contribute to the civic environment, to enrich the lives of citizens and visitors through the involvement of amateur and professional artists, and to integrate public arts throughout Fayette County. The Public Arts Committee aims to acquire, cultivate, and perform responsible stewardship of public arts, to enhance the dignity of Fayette County through the commitment to artists and their disciplines as integral elements of economic vitality and development. Fayette County's Public Arts Committee offers opportunities and support to citizens, emerging students, amateur and professional artists, arts education resources, and public beautification arts projects. Its mission is to change the way the Fayette County community approaches arts and culture. The goal of the Fayette County Public Arts Committee is to become a leader in the arts through conceptualizing, implementing, organizing, and executing art projects and programs for the citizens.

The Public Arts Committee will meet on the third Monday of each month, however, the meeting times and location are to be determined.

Please take a few minutes to complete the form and answer the questions below 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 Friday, April 22, 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 Donna Rosser
ADDRESS 105 Whitehall Place
Fayetteville, GA 30215
TELEPHONE (day) [REDACTED]
(evening) (cell) [REDACTED]
(email address) [REDACTED]

Donna Rosser
Signature

4/18/16
Date

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

Since April, 1998

2. Why are you interested in serving on the Fayette County Public Arts Committee?

I have a strong interest in developing arts & cultural programs/events in Fayette County to benefit the county residents, engage students and amateurs in the pursuit of arts, and attract visitors to the county to enjoy these opportunities and experience other Fayette County amenities; e.g. restaurants, shops, concerts, etc. I also seek to raise awareness among students and amateurs concerning their rights and duties as artists; preparing them to move on to the next step with their work, if they desire.

3. What qualifications and experience do you possess for appointment to the Public Arts Committee?

- Founded and led Fayette Photo Club (2006-present)
- Taught creativity and photography since 2006 at various locations including The National Archives Southeast, Clayton State, Columbus State, and Serenbe Photography Center.
- Executive director of Serenbe Photography Center (7/2011-12/2012)
- Developed educational programming for all levels of photographic artists
- Worked with the family of Barry Goldwater to manage an exhibition of the senator's photography; brought in Jeff Hullinger of 11Alive for a story on this exhibit. (2011)
- Developed and directed Nature Undisturbed Photography Competition (2009-2013)
- Partnered with Cochran Gallery, LaGrange Art Museum, and LaGrange College for exhibitions
- Partnered with Jackson Fine Art, Jeffrey Goldstein, and John Bennette (noted NYC collector/curator) to curate and create an event/exhibition of Vivian Maier prints (2012) attracting visitors from the Carolinas and Tennessee
- Exhibited works (photography and paintings) internationally at Chris Beetles Fine Photographs in London, the Georgia Capitol, DC Metro, Denver Airport, Hartsfield-Jackson International Terminal among various other national locations and have works in public and private collections (2005-present)
- Appeared on the 2012 HGTV Green Home Special (mini photo lesson with host)
- Juried and judged photography competitions
- Earned a certificate from UCLA's Writers' Program in Creative Nonfiction (2015)
- Nominated for UCLA's Allegra Johnson Prize in Memoir (2015)
- I have a vast network of arts professionals (local and national – visual arts and writing)
- I collect art (since I was a child) and know many artists willing to participate in exhibitions and events
- And I mentor artists moving their work and career forward

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

Resume and artist work history is attached with all recent and relevant experiences. I left the workforce when I had children and became a committed volunteer. After my children were older, I began to pursue my art as my business. For over 10 years I have built a registered trademark brand through my work (knocking on doors and beating the bushes), by utilizing the web (building my own website and blog), and social media marketing.

5. Do you have any past experience relating to the Public Arts Committee? If so, please describe.

I became aware of the Public Arts Committee in August, 2014 when the call for the water plant mural was issued. I offered to assist the committee to secure a juror for the entries but was told my help was not needed. Then, again, in August, 2015, I contacted the committee when the call for photographers was issued. I offered guidance on writing calls that are favorable to artists and entities issuing calls. I also offered any help I could give to facilitate events. At this time I began to notice the projects completed and in the works from this committee and voiced my concerns over the small nature of the projects and how it would benefit the county and residents to widen the scope, to think bigger and broader. It would be my goal as a member of the committee to work to make Fayette County known for the arts and attract many from the metro area and beyond as well as build a strong local coalition for the arts.

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

- Executive Board for Pike Historic Preservation's photo festival, SlowExposures
- SlowExposures Advisory Committee
- Arts and Architectural Committee in Fayetteville
- Fayette County Art Collective

7. Have you attended any Public Arts Committee meetings in the past two years and, if so, how many?

I have attended five committee meetings.

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 Public Arts Committee?

A benefit to Fayette County are projects that are wide and reach out to all art enthusiasts as well as professionals. My vision includes:

- Events centered on locations in Fayette County to attract artists from outside of the county as well as involve those who reside here while also bringing those not participating in to see the artists in action
- Nationally-known artists visiting the area; exhibiting, speaking, perhaps an artist-in-residence program. Arts professionals involved to lecture, judge, jury, and educating the general public interested in the cultural arts and those living in Fayette County pursuing the arts as a career, or, simply looking to move beyond 'just a hobby' and/or personal growth.
- Local citizens coming together in the joy of art, spawning groups of collectors and enthusiasts, like book clubs, creating discussion groups, and art lovers among a growing community of artists – start a 'young collectors club' for young professionals looking to build an art collection for their business or home
- Encourage county businesses to develop art collection programs
- Initiate a Fayette County permanent collection
- Developing a pathway for students to hone experience/skills of exhibiting their works and meeting the public
- Creation of art in public spaces on permanent display to attract visitors and inspire locals
- Boost the profile of Fayette County Art via social media and establish a web presence
- Build a fundraising arm of the committee to plan and hold activities to help fund future endeavors
- Set realistic budgets from the conception of a project to promote conscientious spending and ensuring the county receives the biggest bang for their bucks, and, submit projects at the beginning stage to the BOC for approval prior to spending

10. Would there be any possible conflict of interest between your employment or your family and you serving on the Public Arts Committee?

No, I have stated publicly that my involvement in the committee, or any other county arts group, would preclude me from exhibiting my work in Fayette County or any exhibit connected to the groups I work with now and in the future. I would like to see all members of the committee adhere to the tenet that their personal work/business cannot benefit in any way from their committee involvement.

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.

A few months ago I, along with a few other concerned citizens, began a grassroots arts group to create local events for everyone. Most of my art/ art volunteer activities take me out of Fayette County. I would love to work for the arts in my home county.

13. Have you been provided a copy of the county's Ethics Ordinance?

Yes.

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

No.

Donna Rosser – The Barefoot Photographer®
donna@thebarefootphotographer.com

Skills

- Creative thinker, mentor, entrepreneur
- Social media, national network, and local community outreach
- Extensive volunteer work (school, Boy & Girl Scouts, sports, Meals on Wheels); received Extra Miler Award from Saddleback District, Boy Scouts, Orange County, CA; organizer, den leader, troop leader, Pack Committee Chair (1990-2004)
- Preschool program developer and instructor; Redan Methodist Church (1990-93)
- Property & casualty (personal and commercial) licensed insurance agent, prior to family, with Accredited Advisor in Insurance (AAI) designation (1985-88)
- Detail attentive; maintained accounting records for multi-million dollar accounts at Marine Corps Base Quantico (1982-1985)

Experience

2003 to present Owner/Creator of The Barefoot Photographer®

- Brand creation/trademark protection for my photography – fine art, workshops, lectures
- Marketing the brand via social media, blogging, press releases, etc.
- Lead/teach workshops (2006-present) at various locations; Clayton State University, National Archives Southeast, Columbus State University, Serenbe, and Turnipseed Farms
- Create, implement, and manage annual juried photography exhibit; Nature Undisturbed, to raise awareness and fundraise for Southern Conservation Trust (2009-2013)
- Create, implement, and manage Fayette Photo Club (2006-present)
- Secure exhibit opportunities to showcase work; curate
- Mentor/consult with photographers or creatives looking to get their work 'out there'
- Create and show fine art photography
- Advisory Committee and Executive Board for SlowExposures Photography Festival

7/2011 to 12/2012 Executive Director, Serenbe Photography Center

- Managed all photography center activities including budget
- Developed and implemented marketing efforts for workshops and other Center offerings
- Maintained newsletter, Facebook, and Twitter social media outreach
- Developed and managed membership program, lead monthly member meetings/salon
- Developed and managed program offerings to grow the Center via tuition, memberships, rentals, and fundraising
- Coordinated and managed the activities of Center volunteers, interns, and employees furthering the Center's programs
- Secured, curated, and managed the installation of exhibits at Serenbe Photography Center and offsite in collaboration, e.g. Cochran Gallery in partnership with LaGrange Art Museum, Barry Goldwater Photographs of the American West, and the Vivian Maier exhibit at SPC, courtesy of Jackson Fine Art and Jeffrey Goldstein.
- Represented the Center, established and maintained communication and outreach with Center constituents, including artists, funders, members, business neighbors, schools, photography clubs, and other organizations or individuals who are or may become stakeholders in the Center, and attended community and arts-related events as the representative of the Center
- Represented the Center on HGTV 2012 Green Home Special

Exhibitions

2008

Southeastern Flower Show, Juried Photography Show, Atlanta, GA
Viewpoint: Variations on Landscape, Dogwood Gallery, Tyrone, GA
Slow Exposures, Juried Photography Exhibition, Concord, GA
Arts Clayton, Juried Photography Competition, Jonesboro, GA
Dogwood Gallery, exhibiting artist, Tyrone, GA

2009

Southeastern Flower Show, Juried Photography Show, Atlanta, GA
Dogwood Gallery, exhibiting artist, Tyrone, GA
Nature Undisturbed, Dogwood Gallery, Tyrone, GA
A Few of My Favorite Things, solo exhibit, A Novel Experience, Zebulon, GA
Slow Exposures, Juried Photography Exhibition, Williamson, GA
Arts Clayton, Juried Photography Competition, Jonesboro, GA
The Art Chamber event at Beyond the Door, Senoia, GA
Winter Wonderland, Arts Clayton Gallery, Jonesboro, GA

2010

Odyssey 2010: A Digital Art Show, Arts Clayton Gallery, Jonesboro, GA
Puppy Love, Juried Photography Exhibition, A Novel Experience, Zebulon, GA
Arts Clayton Gallery 2010 Juried Art Competition, Arts Clayton Gallery, Jonesboro, GA (acrylic painting)
Dogwood Gallery, exhibiting artist, Tyrone, GA
Instructor's Show, Serenbe Photography Center, Palmetto, GA
Simple Pleasures, Senoia, GA
Southern Memories Part One, Curator John A Bennette, Molena, GA
Visions of Old Glory, A Novel Experience, Zebulon, GA
Cemeteryscapes, LeCirque, New Orleans, LA
Blue Ridge Nature Juried Photography Exhibit, Blue Ridge, GA
Annual Juried Photography Competition, Arts Clayton Gallery, Jonesboro, GA
Picture Purr-fect, A Novel Experience, Zebulon, GA
Select Georgia Artists, Georgia Capitol, Governor's Office, Atlanta, GA

2011

25th Anniversary exhibit of past winners, Arts Clayton Gallery, Jonesboro, GA
Dogwood Gallery, exhibiting artist, Tyrone, GA
Puppy Love, juried photography exhibition, A Novel Experience, Zebulon, GA
The Arrangement, Vermont Photography Space, Essex Junction, VT
2011 Arts Clayton Annual Juried Show and Competition – acrylic painting, Jonesboro, GA
Southeastern Flower Show Photography Competition, Atlanta, GA
Cathedral of St. Philip Inspiration House, Atlanta, GA
Signature Piece for *Arte Gras* Gala, Arts Clayton Gallery, Jonesboro, GA

In Celebration of March, Internat'l Women's Month, Women in Focus, Westin, Sundial, Atlanta, GA

Center Forward, the Center for Fine Art Photography, Ft. Collins, CO – permanent collection

History and Heritage, Arts Clayton Gallery, Jonesboro, GA

Select artists, Governor's Office, Georgia Capitol, Atlanta, GA

Simple Pleasures, Newnan, GA

In Your Dreams, APG Gallery, Atlanta, GA

Visions of Old Glory 2011, Zebulon, GA

Southern Memories: Part Two, Molena, GA

SlowExposures, Concord, GA

Academy of Fine Arts, Juried Photography Exhibition, Lynchburg, VA

Illumination: Interpreting Light and Life with Photography, Women in Focus, Mason Murer, Atlanta, GA

Six Southern Viewpoints, The Art House Gallery, Buckhead, Atlanta, GA

Art Kudos 2011, online international exhibit, artkudos.com

Instructor Exhibition, The Gallery at Serenbe, Chattahoochee Hills, GA

The Bedroom, online exhibit, Profotio.com

Roswell Photographic Society Juried Show, Roswell, GA

Arts Clayton 2011 Juried Photography Competition, Jonesboro, GA

Picture Purr-fect, A Novel Experience, Zebulon, GA

Nature, Linus Gallery, Pasadena, CA

Thanks Any/Way, Tin Barn Vinyards, Sonoma, CA

FotoWeekDC, Crystal City Metro exhibit, Alexandria, VA

2012

Dogwood Gallery, exhibiting artist

Winter, A Smith Gallery, Johnson City, TX

Puppy Love, A Novel Experience, Zebulon, GA

2012 Arts Clayton Annual Juried Show and Competition (mixed media), Jonesboro, GA

Diptychs, April issue, South x Southeast photomagazine

Domestic, solo exhibit, A Novel Experience, Zebulon, GA

Travel America, Arts Clayton Gallery, Jonesboro, GA

Picturing Georgia exhibit, Maynard Jackson International Terminal, Atlanta, Airport

Exhibiting artist, Dogwood Gallery, Tyrone, GA

FStop Magazine, Issue #51, Group, *The Portrait*

Art Kudos 2012, online international art exhibit, artkudos.com

TPS 21, The International Competition, Texas Photographic Society

SlowExposures, Concord, GA

Belongings, fall issue, South x Southeast photomagazine

Arts Clayton 2012 Juried Photography Competition, Jonesboro, GA

Jane Jackson Selects, Atlanta Photography Group Gallery, Atlanta, GA

Barbie Beach, exhibit with Anne Berry, Serenbe

Road, Castell Gallery; juried by Wm. Hunt, Asheville, NC

In Transit, Kiernan Gallery, Lexington, VA

Enchantment 2012 Platestopixels.com, juror Blue Mitchell

2013

Dogwood Gallery, exhibiting artist
Vermont PhotoPlace, *Birds: Real and Imagined*
Vermont PhotoPlace; *Lines Crossed and Walked and Otherwise*
The Family a juried exhibition; Detroit Center for Contemporary Photography, Detroit, Michigan
Vermont PhotoPlace; *The Magic of Light*
*E*mer*gence*, Lightbox Gallery, Astoria, Oregon
TPS 22, The International Competition, Texas Photographic Society
Shots magazine, spring 2013
Love & Lust, Open to Interpretation selections for 2014 publication
Black & White magazine, Single Image Awards issue
Santa Fe Workshops *Animals* winners' exhibit
Photo Democracy Award exhibit, Chris Beetles Fine Art, London, UK
SlowExposures 2013
Fin, Fur, Feather, and Foliage; Invitational curated by John A. Bennette
Barbie Beach and Beyond; collaboration with Anne Berry, Cochran Gallery, LaGrange, GA
The Sky's the Limit, Nashville, TN
Double Exposure with Dale Niles, Dogwood Gallery, Tyrone, GA
MobileMagic, August & November, Lightbox Gallery, Astoria, OR
Winter, Feature Shoot, online group exhibit

2014

Mainland, The Kiernan Gallery, Lexington, VA
ArtFields, Lake City, SC
LaGrange National XXVIII, Lamar Dodd Art Center, LaGrange College, GA
Holland International Image Circuit
More Trees, Johnson City, TX
Puppy Love, A Novel Experience, Zebulon, GA
Hipstamatic, A Smith Gallery, Johnson City, TX
Animals, New York Center for Photographic Art, NY, NY
North Valley Art League National Juried Show, Carter House Gallery, Redding, CA
SlowExposures, Concord, GA
Critters, A Smith Gallery, Johnson City, TX
One Shot Competition, International Photo Awards, first place
Next, Castell Gallery, Asheville, NC
MobileMagic VI, VII, IX, XI, & XII, Lightbox Photographic, Astoria, OR

2015

Marvelous Things, Photoplace Gallery, VT
Water, A Smith Gallery, Johnson City, TX
Issue #14 Vine Leaves Literary Journal
TPS 24, The International Competition, Texas Photographic Society (honorable mention)
Still, A Smith Gallery, Johnson City, TX
Fishing for Iconography, Johnson City, TX
SlowExposures, Concord, GA
Morning Walk, (solo), Rankin Arts Photography Center, Columbus, GA

Director's Cut, Atlanta Photography Group Gallery, Atlanta, GA
Fossils of Light and Time, curated by Elizabeth Avedon, Detroit Center for Contemporary Photography
Illuminate, The Center for Fine Art Photography, Fort Collins, CO

2016

The Abstract Image, Southeast Center for Photography, Greenville, SC
Puppy Love, A Novel Experience, Zebulon, GA
Family Photography Now, book by Sophie Howarth and Stephen McLaren, Thames & Hudson publisher
Faux, The Center for Fine Art Photography, Fort Collins, CO

Recognition

2008

Purchase Award, *Window Service*, *Slow Exposures*

2009

Show Photo, *Nature Undisturbed*
First Place, *Fork #1*, Arts Clayton
Patrons' Award, *Adopt a Shelter Dog*, Arts Clayton

2010

Second Place, *Walking the Dog Puppy Love*
Honorable Mention, *Adopt a Shelter Dog Puppy Love*
First Place, *July 7th* Arts Clayton
Honorable Mention, *Epiphany*, Arts Clayton

2011

Finalist, National Geographic Magazine, Nature – *Serendipity*
Third Place, 2nd edition Julia Margaret Cameron Award, Nature single image – *Serendipity*
Serendipitous Snake, honorable mention, SlowExposures
Untitled (dogs on bed), honorable mention, Profotio

2012

Second Place, SlowExposures – *Family Tree*
Honorable Mention, International Photography Awards – *Serendipity* (Wildlife)

2013

Black & White Magazine Single Image Award Issue #95 – *January*
Photo Democracy Award – *Serendipity* and *Turnipseed Pots*
3rd, Animals, Santa Fe Workshops – *Serendipity*
Honorable Mention, International Photography Awards – *Coop* (Culture)
Honorable Mention, International Photography Awards – *Wolfie* (Wildlife)
Honorable Mention, SlowExposures – *Uncle Walter's Silver*
Nominee, Black and White Spider Awards – *Coop* and *Leaf Study #6*
Merit of Excellence Award, Still Life, Black and White Spider Awards – *Uncle Walter's Silver*

2014

Director's Choice, *Mainland*, The Kiernan Gallery – *Stars Over Low Tide*
First Place, Place Category, International Photography Awards One Shot – *East Beach*

2015

Honorable Mention (5), International Photography Awards; Landscape, *Love Puddle*, Portrait, *Virginia*, Wildlife, *Skink*, Fine Art/Still Life, *Exam Room*, and Trees, *Jekyll Tree*.

Television

April 2012, HGTV Green Home Special

Speaking

The National Archives, Southeast
Nature Undisturbed Photography Exhibit
Dogwood Gallery
Simple Pleasures Photography Competition
Encore! Fayette
Fayette County Schools
Cobb Photographic Society
Georgia Nature Photographers Association
Popular Culture Association of the South/American Culture South
PTC & Fayette Garden Club (multiple)

Publications/Writing

State by State Gardening Newsletter (online); photographing your garden
Georgia Gardening magazine; feature on Turnipseed Nursery
Lifestyles magazine; feature stories on local artists, art collector
Fayette Woman magazine; how to select a portrait photographer
Fayette Woman (online); 365 photo project
Moonshine Arts Journal (online)
The Barefoot Photographer Blog

Directorships

Nature Undisturbed Juried Photography Exhibit and Sale (2009-2013)
Serenbe Photography Center (2011-2012)

COUNTY AGENDA REQUEST

Department: Board of Commissioners

Presenter(s): Commissioners Oddo and Rousseau

Meeting Date: Thursday, June 23, 2016

Type of Request: New Business #16

Wording for the Agenda:

Consideration of a recommendation from the Selection Committee, comprised of Chairman Charles Oddo and Commissioner Charles Rousseau to nominate Jeffrey Mellin, Roshier Sbaja, Tina Brown, Donna Thompson, Vicki Turner and Richard Brown to the Fayette County Public Arts Committee to serve a term of two (2) years beginning June 1, 2016 and expiring May 31, 2018.

Background/History/Details:

The Public Arts Committee was established in 2014 with the purpose of finding ways to use art to enhance the County's reputation, to contribute to the civic environment, and to enrich the lives of citizens and visitors through the involvement of amateur and professional artists.

On March 10, 2016 the Board of Commissioners approved an ordinance to provide for an advisory committee to be known as the Fayette County Public Arts Committee, to provide for terms of office, the initial membership, the filling of vacancies, the taking of an oath, the requirement of regular meetings, the removal of members, and compensation and qualifications of officers.

The PAC position was posted and twenty-two applicants applied. Interviews for the 11 positions were conducted and the Selection Committee is recommending these applicants for appointment to this committee in accordance to the ordinance; to serve a term of two (2) years expiring May 31, 2018.

What action are you seeking from the Board of Commissioners?

Approval of a recommendation from the Selection Committee, comprised of Chairman Charles Oddo and Commissioner Charles Rousseau to nominate Jeffrey Mellin, Roshier Sbaja, Tina Brown, Donna Thompson, Vicki Turner and Richard Brown to the Fayette County Public Arts Committee to serve a term of two (2) years beginning June 1, 2016 and expiring May 31, 2018.

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:

9:30am

APPLICATION FOR APPOINTMENT Fayette County Public Arts Committee

Fayette County's Public Arts committee has been established by the Fayette County Board of Commissioners. The purpose of the Public Arts Committee is to make recommendations to the Board of Commissioners of Fayette County as to find ways to use art to enhance the County's reputation, to contribute to the civic environment, to enrich the lives of citizens and visitors through the involvement of amateur and professional artists, and to integrate public arts throughout Fayette County. The Public Arts Committee aims to acquire, cultivate, and perform responsible stewardship of public arts, to enhance the dignity of Fayette County through the commitment to artists and their disciplines as integral elements of economic vitality and development. Fayette County's Public Arts Committee offers opportunities and support to citizens, emerging students, amateur and professional artists, arts education resources, and public beautification arts projects. Its mission is to change the way the Fayette County community approaches arts and culture. The goal of the Fayette County Public Arts Committee is to become a leader in the arts through conceptualizing, implementing, organizing, and executing art projects and programs for the citizens.

The Public Arts Committee will meet on the third Monday of each month, however, the meeting times and location are to be determined.

Please take a few minutes to complete the form and answer the questions below 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 Friday, April 22, 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 Jeffrey T. Mellin
ADDRESS 206 Brunswick Dr., Tyrone, GA 30290
TELEPHONE (day) [REDACTED]
(evening) [REDACTED]
(email address) [REDACTED]

Jeffrey T. Mellin
Signature

4-17-16
Date

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

2. Why are you interested in serving on the Fayette County Public Arts Committee?
Since retiring three years ago, I have tried as an individual to expand the appreciation of the Arts through my involvement with the 4H Clubs sponsored by UGA Extension Office and my involvement in other projects outlined below. By joining the Fayette County Arts Committee I will be joining with likeminded Fayette County Citizens and be able to support previously established programs and offer new ones that will involve the citizens, students, artists and the residents who participate in the educational opportunities available at the Fayette County Makerspace and Center for the Arts.
3. What qualifications and experience do you possess for appointment to the Public Arts Committee?
- Director of Sale of the Georgia World Congress Center Authority
 - Master Gardener for the last 3 years
 - Co-Produced the rededication of the Fayette County Veterans Memorial
 - Helped to develop the Tyrone Community Garden
 - Co-Chair of the Fayette County Monarch Butterfly Trail
 - Helped to secure the green house at the old Fayette County High School for use by the UGA Extension Volunteers and Fayette County 4H
 - Currently working to establish a Fayette County Makerspace and Fayette County Arts Center
4. List your recent employment experiences to include name of company and position.
I retired three years ago from the Georgia World Congress Center Authority
5. Do you have any past experience relating to the Public Arts committee? If so, please describe.
My wife of 34 years has been Executive Director of Bay County, Florida Arts Alliance; she has also been a teacher of Porcelain China Painting and competes annually in Porcelain China Painting Competitions winning numerous State and National Awards. In our marriage I have assisted in helping to plan state conventions and teaching workshops. Through the years I have helped to develop strategic strategies to attract young artists to this discipline and keep older artists engaged.
6. Are you currently serving on a Committee/board/authority or in an elected capacity with any government?
No
7. Have you attended any Public Arts Committee 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 Public Arts Committee?

I am aware of the recent announcement of the intent to build a Performing Arts Center in Fayette County and of the group that is trying to establish a Makerspace and Center for the Arts at the Tyrone Elementary School. These projects should be considered when establishing a new vision for the committee. These proposed projects coupled with past and current projects should help the committee to formulate a new vision and long range goals that will impact all the citizens of Fayette County.

10. Would there be any possible conflict of interest between your employment or your family and you serving on the Public Arts Committee?

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.

UGA Extension volunteer, member of the Fayette County Master Gardeners Association, Committee member for the 2016 Veterans Day Dinner, Committee member for the Fayette County Monarch Butterfly Trail, Advisor to the Tyrone Community Garden, Participant in 4H Programs.

13. Have you been provided a copy of the county's Ethics Ordinance?

Yes

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

No

APPLICATION FOR APPOINTMENT
Fayette County Public Arts Committee

11am

Fayette County's Public Arts Committee has been established by the Fayette County Board of Commissioners. The purpose of the Public Arts Committee is to make recommendations to the Board of Commissioners of Fayette County as to find ways to use art to enhance the County's reputation, to contribute to the civic environment, to enrich the lives of citizens and visitors through the involvement of amateur and professional artists, and to integrate public arts throughout Fayette County. The Public Arts Committee aims to acquire, cultivate, and perform responsible stewardship of public arts, to enhance the dignity of Fayette County through the commitment to artists and their disciplines as integral elements of economic vitality and development. Fayette County's Public Arts Committee offers opportunities and support to citizens, emerging students, amateur and professional artists, arts education resources, and public beautification arts projects. Its mission is to change the way the Fayette County community approaches arts and culture. The goal of the Fayette County Public Arts Committee is to become a leader in the arts through conceptualizing, implementing, organizing, and executing art projects and programs for the citizens.

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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 Rosier (Roger) Sibaja

ADDRESS 583 Crabapple Lane, Peachtree City, GA 30269

TELEPHONE (day) [REDACTED]

(evening) [REDACTED]

(email address) [REDACTED]

[Signature]
Signature

20 APR 16
Date

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

2. Why are you interested in serving on the Fayette County Public Arts Committee?
I believe there is a very strong community of artists in Fayette County. They are a valuable resource for our community, and can provide a positive cultural and educational impact on our County.
3. What qualifications and experience do you possess for appointment to the Public Arts Committee? **Leadership:** *I served in numerous leadership positions as commissioned officer in the US Army. **Entrepreneur:** I have run a web design company, and currently a photography studio in Tyrone GA. **Artist:** My wife and I have operated Gobi Photography for several years and won have numerous awards throughout the State for our photography, and participate in many fine art shows. **Educator:** I have planned and executed training for small groups, to several thousand participants. I have a Bachelors in Business and a Masters in Computer Information Systems. I am currently completing my last course in a Masters programs for Adult Training and Development. **Government:** My last 5 years in the Military were in the Acquisition Corps as a contracting officer. I held a 5 million dollar warrant, coordinating with both US and foreign governments to finalize contracts for goods and services.*
4. List your recent employment experiences to include name of company and position.
20 years in the US Army as Engineer, Communications Officer, and a DAWIA Level II qualified contracting Officer. Two years with General Dynamics as a Data Analyst. Two years with Installation Command as a Data Analyst and Information Management Officer.
5. Do you have any past experience relating to the Public Arts Committee? If so, please describe. *No past experience relating to the Committee*
6. Are you currently serving on a Committee/board/authority or in an elected capacity with any government?
No
7. Have you attended any Public Arts Committee 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 Public Arts Committee?
I want to see the committee lead Fayette County to becoming a leading cultural arts center in Georgia. My vision for an Arts Center in our county, is that it would be self-sustaining, provide an incentive for younger citizens to become involved in our community, and provide a place that everyone can further their personal education through the arts, to

include technology trends in the arts.

10. Would there be any possible conflict of interest between your employment or your family and you serving on the Public Arts Committee?

No

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

None

12. Describe your current community involvement.

My wife and I own Gobi Photography, and the Photographers Playground, providing both professional services and Arts education. I am Vice President of the Fayette Photographic Society, I am a member of the Fayette Chamber of Commerce, FAACE (Fine Arts and Crafts Entrepreneurs), Georgia Nature Photographers Association.

13. Have you been provided a copy of the county's Ethics Ordinance? - Yes

14. Is there any reason you would not be able to comply with the Ethics Ordinance? - No

APPLICATION FOR APPOINTMENT
Fayette County Public Arts Committee

11:30am

Fayette County's Public Arts Committee has been established by the Fayette County Board of Commissioners. The purpose of the Public Arts Committee is to make recommendations to the Board of Commissioners of Fayette County as to find ways to use art to enhance the County's reputation, to contribute to the civic environment, to enrich the lives of citizens and visitors through the involvement of amateur and professional artists, and to integrate public arts throughout Fayette County. The Public Arts Committee aims to acquire, cultivate, and perform responsible stewardship of public arts, to enhance the dignity of Fayette County through the commitment to artists and their disciplines as integral elements of economic vitality and development. Fayette County's Public Arts Committee offers opportunities and support to citizens, emerging students, amateur and professional artists, arts education resources, and public beautification arts projects. Its mission is to change the way the Fayette County community approaches arts and culture. The goal of the Fayette County Public Arts Committee is to become a leader in the arts through conceptualizing, implementing, organizing, and executing art projects and programs for the citizens.

The Public Arts Committee will meet on the third Monday of each month, however, the meeting times and location are to be determined.

Please take a few minutes to complete the form and answer the questions below 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 Friday, April 22, 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 Tina Brown
ADDRESS 102 Walnut Grove Road
Peachtree City, GA 30269
TELEPHONE (day) [REDACTED]
(evening) same
(email address) [REDACTED]

[Signature]
Signature

3/17/2016
Date

Tina B. Brown

102 Walnut Grove Rd • Peachtree City, GA 30269 • [REDACTED]

Experience

Clothes Less Traveled

Board Member/ HR Consultant

Ongoing

Boys & Girls Clubs of West GA

HR Consultant

Ongoing

Frito-Lay, Inc. (PepsiCo)

Senior Group Leader, Human Resources

Perry, GA

August 2004 to July 2006

- Led HR staff of 5 to provide HR generalist support for Frito-Lay's largest manufacturing facility with a union-free workforce consisting of 1100 team members and producing 11% of the company's volume at the lowest cost.
- Led site as member of the 5-person leadership team.
- Facilitated the people planning process for the division, including 9 manufacturing plants and 5 Sales Operations Regions.
- Co-Sponsor, with the Division Vice President, the division diversity and inclusion initiative.
- Led college recruiting efforts for 9 manufacturing plants and sales operations within the division.
- Mentored 2 HR professionals in other facilities.
- Certified Change Leadership trainer for the Operations Division.
- Was brought in to support headquarters restructuring effort Dec, 2005.
- Was tapped as part of the communication team for 3 corporate RIF events.

Delta Air Lines, Inc.

General Manager, Human Resources

Atlanta, GA

May 2002 to August 2004

- Provided HR Generalist leadership and partnership for the CFO organization and corporate support areas; 1600 exempt employees to include the CFO and other senior officers.
- Change agent for building effective organizational structures during multiple restructuring efforts resulting in approx. 20% reduction in labor cost.
- Facilitated people planning process for the senior vice president level through the manager level with specific focus on creative retention for key positions.
- Advised and partnered to provide active and creative leadership development.
- Recruited and staffed executive and management level positions. Managed the MBA recruiting and rotation program.
- Led and developed team of three HR professionals.
- Partnered with leadership to implement Market-Based Pay, the Strategic Benefits Review, and the Delta Workforce Reduction Program.

Tropicana Products, Inc. (PepsiCo)

Human Resources Manager—Organizational Capability, Operations

Bradenton, FL

August 2001 to May 2002

- Implemented high performance work systems strategy for four sites covering approximately 3000 employees.
- Assessed, designed and implemented leadership accountability processes & tools consistent with PepsiCo leadership imperatives for the Bradenton manufacturing leadership and HR staff.
- Served as organizational capability consultant to Labor Management Committee.
- Enrolled leadership in the organization's people strategy by linking corporate initiatives such as the performance management program, organizational health surveys, 360° feedback surveys, inclusion surveys, Q4 place to work initiatives, training and development, individual development plans, on-boarding programs, people planning, etc.

Human Resources Manager

January 2001 to August 2001

- Provided HR generalist leadership and partnership to a 375-employee distribution center and transportation department within Tropicana Operations.
- Served as change agent within client group's high performance work systems initiative.
- Exceeded diversity objectives through creative sourcing and targeted selection.
- Participated in the grievance resolution process resulting in only 2 grievances and no arbitrations.
- Utilized DDI certification to facilitate management and team development.
- Administered employee opinion survey and co-wrote action plans for improvement.
- Performed salary and bonus planning for FY2001.

International Paper

Human Resources Manager

Hendersonville, NC

August 1999 to January 2001

- Strategic member of the leadership team of a 125 employee union-free folding carton plant.
- Facilitated career development, performance evaluation, and performance-based reward systems for salaried employees.
- Performed annual salary forecasting for the plant.
- Managed employment process in conjunction with affirmative action plan goals. Wrote annual AAP.
- Developed and implemented a six-month performance evaluation system for hourly employees.
- Developed communications plan including closed-circuit television.
- Championed a plant-wide team to design the work systems approach.
- Championed the employee opinion survey, facilitated the development of the action plan and monitored progress.
- Participated in Union Avoidance Training through Positive Management Leadership, Sinclair Group.

Tina B. Brown

102 Walnut Grove Rd • Peachtree City, GA 30269 • [REDACTED]

Labor Relations Supervisor

Savannah, GA
August 1996 to August 1999

- Participated in contract negotiations for two PACE locals and four craft locals covering approximately 2500 employees. Performed financial analysis of the current contract, company proposals, and union agenda items. Coordinated and was responsible for portions of the strike contingency plan. Coordinated and implemented the negotiated random drug testing program. Implemented and supported negotiated team concept plans at various stages in five operating departments, all with pay for skills systems.
- Participated on a task force to evaluate Lean Maintenance implementation.
- Implemented a mill-wide behavior based safety program in preparation for OSHA VPP application.
- Implemented a mill-wide plan for meeting and maintaining OSHA requirements on ergonomics.
- Prepared second, third and fourth step grievance answers.

Human Resources Coordinator

January 1996 to August 1996

- Analyzed industry and area employer wage and benefit data as well as labor agreement language in preparation for negotiations.
- Participated in panel interviews for non-exempt and exempt positions.
- Conducted a study of discipline consistency for the site across four divisions.

Education

University of South Carolina
Master of Human Resources
BS in Business Administration

Columbia, SC
December, 1995
May, 1992

References

Available upon request

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

My family and I move to Fayette County in June of 2013

2. Why are you interested in serving on the Fayette County Public Arts Committee?

I feel strongly that the arts play a critical role in developing minds, cultures and communities. I would like to see us using art to bring our citizens together, showcase our local talent, and create natural gathering points for our citizens and those coming from outside of our county. I feel we have a gaping opportunity in our county and I would like to be part of developing a vision both short and long term.

3. What qualifications and experience do you possess for appointment to the Public Arts Committee?

I have a 10 year working history with various large corporations which provided me many opportunities to develop my leadership and organizational building capabilities. I have received numerous training sessions on building high performance work teams and facilitating the change management process over the years. I am skilled at facilitating large group discussions on contentious topics and getting results seen as beneficial to all parties.

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

I have attached my resume for more detail, however I have worked in various Human Resources leadership positions for numerous companies over my career to include International Paper, Delta Airlines and PepsiCo. For PepsiCo, I worked my way to an executive level position where I led the HR function for Frito Lay's largest manufacturing facility covering over 1000 employees and was asked to mentor many of my peers. It is that coaching and consensus building that I feel will be most beneficial to the FCPAC. When it became apparent that our son was a special needs learner, I left work in order to home school our son. I am happy to report that the Fayette County School system has embraced him and he is doing well under their leadership (now in 7th grade at JC Booth). With our son more independent, I have slowly taken on more volunteer opportunities within the community to include joining the board of Clothes Less Traveled, a successful non-profit here in Fayette County and served in an advisory capacity to the Executive Board of the Boys and Girls Clubs of West Georgia. I have also been attending the Public Arts Committee meetings more frequently. I am also an amateur photographer, but firmly believe that if I were to serve on the committee, I should not be eligible to bid or participate as an artist on any public art projects in order to maintain objectivity.

5. Do you have any past experience relating to the Public Arts Committee? If so, please describe.

Other than attending meetings and attempting to share ideas with the leadership of the committee, I have no formal involvement with the FCPAC.

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

no

7. Have you attended any Public Arts Committee meetings in the past two years and, if so, how many?

Yes. I have attended since November of 2015

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 Public Arts Committee?

The FCPAC should serve as an advisory board for the Board of Commissioners. We should develop a Vision, Mission and Road Map and present it to you for ideas/feedback/approval. In pursuit of that vision, we would seek out the best projects, obtain proposals, develop budgets and manage risk, all with your prior approval. Ultimately, I want Fayette to be a destination of choice for visitors and new/current residents who appreciate the link between art and building a community proud of our unique talents.

10. Would there be any possible conflict of interest between your employment or your family and you serving on the Public Arts Committee?

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 currently sit on the board of Clothes Less Traveled and serve in an advisory capacity on Human Resource issues with the Boys & Girls Clubs of West GA.

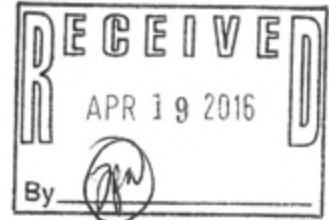
13. Have you been provided a copy of the county's Ethics Ordinance? yes

14. Is there any reason you would not be able to comply with the Ethics Ordinance? no

April 19, 2016

3:00pm

Chairman Charles Oddo
Fayette County, Board of Commissioners
140 Stonewall Avenue
Fayetteville, GA 30214



Dear Chairman Oddo:

As you are aware I have a strong interest in the arts for our community. I would like to submit my application for consideration as a member of the newly formed Public Arts Committee. I believe I have both the arts and business backgrounds that combined will make me a well-qualified candidate for the Committee.

I look forward to having you and Commissioner Rousseau review my information and then speaking with you concerning this position.

Regards,

Donna Thompson

cc Commissioner Charles Rousseau

APPLICATION FOR APPOINTMENT
Fayette County Public Arts Committee

Fayette County's Public Arts Committee has been established by the Fayette County Board of Commissioners. The purpose of the Public Arts Committee is to make recommendations to the Board of Commissioners of Fayette County as to find ways to use art to enhance the County's reputation, to contribute to the civic environment, to enrich the lives of citizens and visitors through the involvement of amateur and professional artists, and to integrate public arts throughout Fayette County. The Public Arts Committee aims to acquire, cultivate, and perform responsible stewardship of public arts, to enhance the dignity of Fayette County through the commitment to artists and their disciplines as integral elements of economic vitality and development. Fayette County's Public Arts Committee offers opportunities and support to citizens, emerging students, amateur and professional artists, arts education resources, and public beautification arts projects. Its mission is to change the way the Fayette County community approaches arts and culture. The goal of the Fayette County Public Arts Committee is to become a leader in the arts through conceptualizing, implementing, organizing, and executing art projects and programs for the citizens.

The Public Arts Committee will meet on the third Monday of each month, however, the meeting times and location are to be determined.

Please take a few minutes to complete the form and answer the questions below 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 Friday, April 22, 2016.

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

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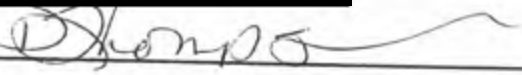
APPLICATION FOR APPOINTMENT Fayette County Public Arts Committee

NAME Donna Thompson

ADDRESS 105 Lofty Eagle Lane, Fayetteville, GA 30214

TELEPHONE - [REDACTED]

(email) [REDACTED]

Signature 

Date 4-19-2016

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

22 years

2. Why are you interested in serving on the Fayette County Public Arts Committee?

I believe Fayette County is at a critical crossroads. We are seeing substantial growth, yet we are significantly lagging with regard to a viable arts and cultural program. Artists must leave our County to participate in events. Students have no connection to professional artists. There are few art installations and no arts center. While this is a great place to live, there is little that draws citizens into the community and even less that draws visitors into the County.

Surrounding counties have public art programs, art events and art facilities. It brings vitality and visitors to their community. It engages their residents and benefits their businesses. It provides a better quality of life that benefits everyone. Fayette needs this type of energy. We need a well-defined, carefully thought out plan that not only creates opportunities for the Arts and promotes the Arts, but also defines the character of our community.

I have a special interest in exhibiting and guiding artists in how to present, promote and exhibit their work. This also involves protecting their work. Thus, I want to see a Public Arts Committee that is committed to not only bringing Art and Art events to our community, but also developing educational programs and mentoring capabilities with our artists at all levels.

The possibilities are endless if we are committed, resourceful and accountable. I want to be part of this type of arts initiative.

3. What qualifications and experience do you possess for appointment to the Public Arts Committee?

Art Related

- * photographer and encaustic artist
- * exhibit photography and awarded at local to international levels
- * instructor in photography and encaustics
- * created and manage a photography group in Fayette County
- * directed fifteen photography exhibits in the past five years
- * juried photography exhibits
- * art collector
- * member, Board of Directors, Arts Clayton, Inc.

Business Related

- * business owner/consultant, 15 years
- * employed by Fortune 500 corporation, 23 years
- * strong project management, strategic planning, fiscal and leadership skills
- * extremely organized and detail oriented
- * developed educational programs

Please see attached resume for more detail.

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

- * StarLight Creations, Inc., 15 years, CEO/Owner - business consultant, photographer/artist; instructor
- * Coca-Cola USA, 23 years, Executive Assistant - Sales & Marketing; National Accounts

5. Do you have any past experience relating to the Public Arts Committee? If so, please describe.

Citizen attendee at meetings and arts Advocate.

My interest in the the Public Arts Committee began when a photography call was issued in 2015. I was concerned with the legal agreement for the project and the potential implications for photographers who would be required to sign. I attended meetings and was surprised at the scope of projects. I began researching and analyzing information about the Committee. I asked about art exhibits and educational events and offered assistance. There was no interest.

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

* No service with any government entity.

7. Have you attended any Public Arts Committee meetings in the past two years and, if so, how many?

* Attended FCPAC meetings for eight (8) months in addition to BOC meetings.

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 Public Arts Committee?

I believe the Public Arts Committee should establish strategies to develop a diverse arts and cultural environment that will create an identity for Fayette County and inspire creativity and innovation. The Committee should be responsible for creating opportunities to utilize the Arts to vitalize, or perhaps revitalize, specific areas in our County.

Personally, I would like to see Fayette County become proactive with regard to the Arts, incorporating the concept of public art into the planning process and recognizing its importance to our community. If we realize the potential value of a Balloon Festival to bring visitors here for a one-day event, then we should understand the importance of the Arts, which could be a cornerstone in our community. This could be accomplished by performing arts, murals, sculpture, exhibits, art education, functional and interactive art.

Specific to business objectives -

- * build a Committee of individuals dedicated to developing a viable Arts program
- * identify the unique qualities and characteristics of our community
- * define public art and how it can be best utilized in different areas of our County
- * establish goals and strategies that will result in a definitive plan for long-range program development
- * pursue a percent for the Arts impact fee and other sources of funding
- * partner with businesses and developers and determine how the Arts can best benefit economic development and be an economic driver

- * utilize State and National organizations for learning
- * identify individuals outside the Committee with expertise in various art mediums and performance specialties as well as business professionals to assist with developing plans or events

Specific to art objectives:

- * provide exhibit opportunities for artists, both residents and those outside the County
- * develop curriculum for educational opportunities for artists
- * establish a resource organization to mentor artists in their business pursuits
- * identify locations for public art installations (sculpture, functional and interactive art)
- * find locations where art groups can meet at little to no expense
- * establish a collectors club, to educate the public about collecting art and assist with special opportunities to collect
- * develop art installations and events that would bring visitors to our County, thereby benefitting local businesses
- * determine methods to utilize the Arts to engage residents and visitors in the Arts experience (as a destination)
- * partner with businesses to host art events

10. Would there be any possible conflict of interest between your employment or your family and you serving on the Public Arts Committee?

No. I am highly sensitive to professionalism and conflict of interest. I do not believe those serving on a public arts committee should participate in any of the projects that are juried or limited in number of participants, nor should any member's business receive an exclusive or preferential benefit from the committee's projects. Also, when selections are made, for participation in an event or for awards, there should be someone outside the Committee to make selections - an independent judge/juror. This provides transparency for the Committee and eliminates any conflict of interest.

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.

- * created and manage a photography group in Fayette County, three years
- * partnered with two other citizens to create Fayette County Art Collective; we are currently developing art events and educational opportunities
- * art-related volunteer work and curating exhibits
- * volunteer, Atlanta Boxer Rescue & Boxerstock

13. Have you been provided a copy of the county's Ethics Ordinance?

- * Yes.

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

- * No.

Donna C. Thompson
P. O. Box 1876
Fayetteville, GA 30214
[REDACTED]

CEO

StarLight Creations, Inc.

January 2002 – Present

Business Consulting, Creative Services and Photography

Work with clients to assess their current business practices, develop business strategies and marketing plans. Create brochures, flyers, marketing and advertising materials. Utilize photography to assist clients with images that will deliver added impact to their marketing and promotional materials.

Photography/Artist - exhibit in juried competitions at local, regional and international level. Received numerous awards. Handle all printing of art. Handle framing of work.

Commercial Photography - marketing/promotional materials, events, photo restoration, greeting cards, dog shows, dog sports, other client work

Instructor - teach photography and encaustics. Have a special interest teaching other artists how to prepare, present and exhibit their art.

Exhibit Curator/Director - Managed fifteen exhibits since 2012. Organize all aspects of production for art exhibits.

Director

Southern Crescent Photography Group

May 2013 - Present

Empowering photographers to develop their best skills and talents.

Lead monthly meetings with photographers including open critique and educational programs. Coordinate group shoots at various locations. Mentor members who represent a variety of skill levels. Philosophy is to constructively encourage and teach.

Director

Puppy Love Juried Photography Show

September, 2012 - Present

Manage all aspects of exhibit, including: selection of juror; issuing call for entry; managing entries; communicating with host gallery, photographers, juror and rescue organization.

Handle press releases and promotion of event. Schedule judging. Plan and host reception.

Planning and on-site management of program and awards at reception. This show benefits a dog rescue organization.

Patient Advocate, Forum Manager and Blogger

June, 2009 - Present

Research and review medical information, engage patients in interactive discussions, manage support group.

Dog Trainer/Behavioral Consultant

January 2002 – Present

Work as a professional dog trainer with focus on recreational sports including agility and Rally obedience. Utilize positive reinforcement in training. Instruct basic and advanced obedience skills, agility, rally obedience, clicker and puppy classes in addition to Canine Good Citizen evaluations. Instruct conformation classes, train and show dogs in AKC conformation events. AKC Canine Good Citizen Evaluator

Member of APDT - Association of Professional Dog Trainers

CEO

StarLight Creations, Inc.

August 2000 – January 2002

Designer/Educator

Developed educational programs for children in sewing. Created lesson plans and patterns for sewing classes that were taught to children and adults. Instructed special needs students. Designed and created heirloom christening gowns and other heirloom and contemporary gift items.

Martha Pullen / Viking Licensed Teacher

Taught at Martha Pullen School of Art Fashion Children's School

Executive Assistant

Coca-Cola USA

November 1977 – August 2000

Field Sales, Sales and Marketing, National Accounts

Extensive executive level experience in planning, project management, budget management, customer relations, meeting/event planning and communications. Strong analytical and problem solving skills. Very detail oriented.

Work in Customer Management required developing relationships with top five management at corporations nationally and internationally. Assisted with all aspects of project management with customers in addition to customer and consumer complaints and managing employees as executive traveled approximately 85% of the time. Comprehensive knowledge of customers, plans, promotions, issues and contracts was critical. Participated with annual strategic planning process for department. Worked with highly confidential and restricted projects.

Director / Producer (Volunteer)

Lifeweek Youth Camp

January 1992 – December 1994

Directed Production Services Group for a large church-sponsored youth camp attended by approximately 2,400 students from 71 churches. Coordinated all stage events, including speakers, musicians, props, equipment, announcements, talent competition and scheduling. Managed audio/visual services which included cameras, spotlights and audio. Responsible for writing scripts, maintaining schedule and handling any issues that arose during the time the students were in the auditorium.

APPLICATION FOR APPOINTMENT
Fayette County Public Arts Committee

May 20
9 am

Fayette County's Public Arts Committee has been established by the Fayette County Board of Commissioners. The purpose of the Public Arts Committee is to make recommendations to the Board of Commissioners of Fayette County as to find ways to use art to enhance the County's reputation, to contribute to the civic environment, to enrich the lives of citizens and visitors through the involvement of amateur and professional artists, and to integrate public arts throughout Fayette County. The Public Arts Committee aims to acquire, cultivate, and perform responsible stewardship of public arts, to enhance the dignity of Fayette County through the commitment to artists and their disciplines as integral elements of economic vitality and development. Fayette County's Public Arts Committee offers opportunities and support to citizens, emerging students, amateur and professional artists, arts education resources, and public beautification arts projects. Its mission is to change the way the Fayette County community approaches arts and culture. The goal of the Fayette County Public Arts Committee is to become a leader in the arts through conceptualizing, implementing, organizing, and executing art projects and programs for the citizens.

The Public Arts Committee will meet on the third Monday of each month, however, the meeting times and location are to be determined.

Please take a few minutes to complete the form and answer the questions below 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 Friday, April 22, 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 - Vicki Turner

ADDRESS - 206 Ebenezer Church Road, Fayetteville, GA 30215

TELEPHONE -

(Email address)

Signature

Date

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

43 Years

2. Why are you interested in serving on the Fayette County Public Arts Committee?

As a local Artist, I would like to encourage public interest in the arts and help to implement and provide Art Education through planned and approved Public Art projects. I enjoy working with adults and adolescents to plan and manage projects.

3. What qualifications and experience do you possess for appointment to the Public Arts Committee?

I have worked as a Commercial Artist for 32 years and as a Fine Art painter for about 45 years.

Working and volunteering in the community has been my passion for many years. I have worked with community leaders and currently serve on several boards: Piedmont Healthcare Foundation, Metro Fayette Kiwanis Club, Fayetteville Main Street, Fayette Fire Foundation, and FAACE – Fine Arts and Crafts Entrepreneurs.

Current Committees: Chamber Ambassador, Chamber Government Affairs, Fayetteville AAAG, Piedmont Fayette Golf, Piedmont Gala committee, Public Arts, Member of the Society of Fire Arts and on going painting classes.

Past Boards: Fayette Chamber of Commerce, Piedmont Fayette Hospital, The Business Women of Fayette and Coweta, and Fayette Senior Services.

I am a member of the Fayetteville First United Methodist Church.

2006 - 2016 (Art Judge) for Lynn Westmorland's Congressional Art Competition committee for his district.

2015 - Community Logo Designs – Southern Crescent Tennis Association and Fayette Fire Foundation

Current - Artwork hanging in the Community: Fayetteville Main Street Banner Art - Hwy 54, Fayette Senior Services and Arbor Terrace.

Awards: I have received several service awards from the Chamber over the years: 2015 Ambassador of the Year, 2006 Business Person of the Year, 2005 Dream Builders Award, 2001 Chet Wells Award, and in 1997 Ambassador of the Year.

Featured in February/March 2006 edition of the Arts & Expression Magazine. In April of 2007, cover for Fayette Woman Magazine, my art was featured. In 2008, I was chosen by Congressman Lynn Westmoreland to paint a Christmas tree ornament for the White House's "State" tree in Washington D.C. and I traveled to Washington for the special artist reception hosted by First Lady Laura Bush at the White House. In April 2009, my "Blue Ribbon" painting of the oldest Courthouse in the State of Georgia is featured on

the front of the 2010 Fayette County Chamber of Commerce History Book.

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

**AIS Computers 1982- 2008 - Creative Director/ Marketing Director
Turner Design Concepts – Current – Paintings/Logos**

5. Do you have any past experience relating to the Public Arts Committee? If so, please describe.

Served on the committee from the beginning. Worked closely with the Steve Brown and County Intern to help plan for first projects.

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

Public Arts Committee

7. Have you attended any Public Arts Committee meetings in the past two years and, if so, how many?

I have attended approximately 21 regular meetings over 2 years. I have spent many hours working on projects and planning for meetings.

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

Yes, local. Out of State – not sure

9. What is your vision of the county's future related to the duties of the Public Arts Committee?

Provide a vision for the Public Arts in Fayette County. Work with local businesses, community members and elected officials to explore and provide excellent projects. Everyone has an idea! Collect ideas and adopt the best.

10. Would there be any possible conflict of interest between your employment or your family and you serving on the Public Arts Committee?

I could have a conflict if the meeting date falls on an existing meeting date.

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.

My weeks/months are filled with serving on boards and committees throughout the community, and I have been doing this for 33 years. All listed above.

13. Have you been provided a copy of the county's Ethics Ordinance?

Yes

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

No



APPLICATION FOR APPOINTMENT
Fayette County Public Arts Committee

Fayette County's Public Arts Committee has been established by the Fayette County Board of Commissioners. The purpose of the Public Arts Committee is to make recommendations to the Board of Commissioners of Fayette County as to find ways to use art to enhance the County's reputation, to contribute to the civic environment, to enrich the lives of citizens and visitors through the involvement of amateur and professional artists, and to integrate public arts throughout Fayette County. The Public Arts Committee aims to acquire, cultivate, and perform responsible stewardship of public arts, to enhance the dignity of Fayette County through the commitment to artists and their disciplines as integral elements of economic vitality and development. Fayette County's Public Arts Committee offers opportunities and support to citizens, emerging students, amateur and professional artists, arts education resources, and public beautification arts projects. Its mission is to change the way the Fayette County community approaches arts and culture. The goal of the Fayette County Public Arts Committee is to become a leader in the arts through conceptualizing, implementing, organizing, and executing art projects and programs for the citizens.

The Public Arts Committee will meet on the third Monday of each month, however, the meeting times and location are to be determined.

Please take a few minutes to complete the form and answer the questions below 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 Friday, April 22, 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 _____

ADDRESS _____

TELEPHONE (day) _____

(evening) _____

(email address) _____

Signature _____

Date _____

1. How long have you been a resident of Fayette County?
2. Why are you interested in serving on the Fayette County Public Arts Committee?
3. What qualifications and experience do you possess for appointment to the Public Arts Committee?
4. List your recent employment experiences to include name of company and position.
5. Do you have any past experience relating to the Public Arts Committee? If so, please describe.
6. Are you currently serving on a Committee/board/authority or in an elected capacity with any government?
7. Have you attended any Public Arts Committee meetings in the past two years and, if so, how many?
8. Are you willing to attend seminars or continuing education classes at county expense?
9. What is your vision of the county's future related to the duties of the Public Arts Committee?
10. Would there be any possible conflict of interest between your employment or your family and you serving on the Public Arts Committee?
11. Are you in any way related to a County Elected Official or County employee? If so, please describe.
12. Describe your current community involvement.
13. Have you been provided a copy of the county's Ethics Ordinance?
14. Is there any reason you would not be able to comply with the Ethics Ordinance?

Richard Brown

118 Hickory Drive

Peachtree City, Ga. 30269



1. I have been a resident of Fayette County since 2005
2. I am interested in serving on the public arts committee, because I am an advocate for the arts. Our community is lacking in the art area. For living in such a wonderful community there is a void in our cultural diversity and art is way to bridge this gap.
3. I am currently a visual arts teacher at MD Roberts middle school fine arts magnet program in Clayton County. I also taught art in Jersey City, New Jersey. I have been an active advocate for art in Peachtree City. I have many colleagues in the county and surrounding counties who are in the art community, locally, nationally and internationally. I have a business 32 potts (studio potter). I sell my ware at the Peachtree City farmers market, Browns Antique and

Sarabs Home and Design. I also perform throwing demos and sell my ware at Williams Sonoma at the Avenue in Peachtree City. I am currently featured in the current Guide to Peachtree City. I have been working with local artist and artisans to start a working community art space. As an artist I work with all mediums and take multiple classes to become a better artist. I recently completed a sculpting class with Cherrylion Studios in Atlanta. I have a great relationship with Arts Clayton and Clayton State University's art department. I have had multiple shows in Peachtree City and have made numerous awards for Peachtree City Tri, and marathons.

4. I currently work for Clayton County public schools at MD Roberts (11th year)
5. My experience with the Public Arts Committee, I attended the first few meetings. I was there when they had their first meeting
6. N/A
7. I have attended 3 in the last 2 years.
8. I am willing to attend seminars.
9. My vision for the committee is to really get the community involved both young and old. Have gatherings for our local artist to get together and collaborate. Have our local schools have their work on display everywhere. Have our local artist do demos for the public.
10. There will be no conflict of interest.
11. I am not related to any county official or employee.

12. I am currently a vendor and manager of the Peachtree City farmers Market. I have done pottery classes in the community, and taught workshops for Girl Scouts to receive their pottery badge. I was a member of the community garden in Peachtree City.

13. Yes

14. No

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Consideration of the Fayetteville annexation of 29.63 acres east of Price Road Estates Subdivision, and the rezoning of said property from R-40 (Single-Family residential) to RTHC-PUD (Residential Townhouse Condominium).

Background/History/Details:

The City of Fayetteville has notified Fayette County of an application to annex 29.63 acres east of Price Road Estates Subdivision. The City has also notified the County of its intention to rezone the property from R-40 (Single-Family District) to RTHC-PUD (Residential Townhouse Condominium).

The county's governing authority may either "object" to the annexation, by majority vote, or choose not to object to the annexation request.

Per Section 36-36-113 of the Georgia Code, Fayette County must deliver their objection to the annexation by certified mail or statutory overnight delivery not later than the end of the thirtieth calendar day following receipt of the notice. The deadline for delivery of an objection is June 28, 2016.

On June 17, 2016 the City submitted a reconfigured layout for the subject property reducing the number of lots (see attached memo and concept plans).

What action are you seeking from the Board of Commissioners?

Based on the reconfigured concept plan, Staff recommends that the County not object to the proposed annexation.

If this item requires funding, please describe:

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:

To: Board of Commissioners

From: Pete Frisina

Date: June 8, 20156

Re: Fayetteville Annexation Request for Highland Properties, LLC - Parcel 05-17-025 – 29.5 acres.

Fayetteville has received a request for annexation of the above-referenced. The annexation notice from Fayetteville indicates the intent to annex and rezone 29.5 acres from R-40 in unincorporated Fayette County to Residential townhouse-condominium district (R-THC) in the City of Fayetteville. The letter of Intent states that there are approximately 54 lots/homes planned on the subject property.

History

The subject property is included in the Preliminary Plat for the Price Road Estates Subdivision. This section of the preliminary plat indicates 20 lots.

General Description

The subject property is 29.5 acres east of the Price Road Estates Subdivision. The proposed annexation would not create an island. The subject property abuts the following:

Direction	Acreage	Zoning	Use	Comprehensive Plan
North (City of Fayetteville)	32.53	C-3	Undeveloped	Neighborhood Mixed Use (City of Fayetteville)
East (City of Fayetteville)	11.1	R-THC	Undeveloped	Neighborhood Mixed Use (City of Fayetteville)
(Fayette County - Kingswood Subdivision)	2.585	R-40	Undeveloped	Low Density Residential (1Unit/ 1 to 2 Acres)
	1.262	R-40	Single-Family Residence	
	1.256	R-40	Single-Family Residence	
	1.19	R-40	Single-Family Residence	
	1.01	R-40	Single-Family Residence	
South	2.99	A-R	Undeveloped	Low Density Residential (1 Unit/1 to 2 Acres)
	1.00	A-R	Undeveloped	
	11.0	A-R	Single-Family Residence	

Direction	Acreage	Zoning	Use	Comprehensive Plan
West (Price Road Estates Subdivision – Phase 1)	1.86	R-40	Single-Family Residence	Low Density Residential (1 Unit/1 to 2 Acres)
	1.40	R-40	Single-Family Residence	
	1.41	R-40	Single-Family Residence	
	1.43	R-40	Single-Family Residence	
	1.67	R-40	Single-Family Residence	
	1.83	R-40	Single-Family Residence	
	1.01	R-40	Single-Family Residence	
	1.58	R-40	Single-Family Residence	
	1.50	R-40	Single-Family Residence	
	1.25	R-40	Single-Family Residence	

Current County Land Use

The subject property is designated as Low Density Residential (1 Unit/1 to 2 Acres) on the Fayette County Future Land Use Plan map.

DEPARTMENTAL COMMENTS

Planning and Zoning: The letter of Intent states that there are approximately 54 lots/homes planned on the subject property. It appears on the Concept Plan that some of these lots are split between the annexation area and the City. As previously mentioned, the preliminary plat for Price Road Estates Subdivision indicates twenty R-40 lots. As the subject property is currently zoned R-40 and is proposed for R-THC zoning in Fayetteville, the annexation and rezoning will result in a substantial change in the density/intensity of the property (see State Law below).

Fire/EMS: Opposed the annexation due to the loss of Fire/EMS Tax revenues.

Water System: This is the City of Fayetteville's service area.

Public Works/Engineering:

The parcel proposed for annexation is land locked except for a small amount of road frontage on Tributary Way. Connecting to this road, however, requires crossing Perry Creek which has significant environmental and economic challenges. As proposed, access would be across City property and connect to State Route 92. GDOT would review and approve the conditions for ingress and egress.

Although outside the limits of the annexation parcel, Engineering offers the two comments for the larger Concept Plan:

- * The western-most entrance should instead be connected to the Ingles parking lot and use the existing driveway. The parking lot is stubbed for future connection to the parcel and the exiting drive is properly aligned across from an entrance on the north side of 92.

- * Sidewalks or multi-use path should be considered as part of the development to further path connection already established in the area.

Environmental Health: Environmental Health has no objections to the proposed annexation. If approved, it is assumed based on proposed concept density that the project would be served by public sewer.

Environmental Management:

Floodplain	The property DOES contain floodplain and FLOODWAY per FEMA FIRM panel 13113C0112E.
Wetlands	The property MAY contain wetlands.
Watershed	There ARE State Waters subject to the County watershed protection buffers and setbacks. Perry Creek has a minimum watershed buffer of 200 feet from wrested vegetation or 100 feet from the base flood elevation, whichever is greater and an additional 50 foot setback from the buffer. This also applies to the unnamed stream that joins Perry Creek for 1000 feet from the confluence. From that point this tributary would be subject to a minimum watershed buffer of 100 feet from wrested vegetation or 50 feet from the base flood elevation, whichever is greater, and an additional 50 foot setback from the buffer.
Groundwater	The property IS NOT within the groundwater recharge area, as delineated on the Georgia Department of Natural Resources' 1992 Ground-Water Pollution Susceptibility Map of Georgia (Hydrologic Atlas 20).
Stormwater	The development of this property is subject to all stormwater best management practices for new development.

Sheriff's Office:

STATE LAW

**TITLE 36. LOCAL GOVERNMENT
PROVISIONS APPLICABLE TO MUNICIPAL CORPORATIONS ONLY
CHAPTER 36. ANNEXATION OF TERRITORY
ARTICLE 7. PROCEDURE FOR RESOLVING ANNEXATION DISPUTES**

36-36-113. Objection to annexation; grounds and procedures

- (a) The county governing authority may by majority vote to object to the annexation because

of a material increase in burden upon the county directly related to any one or more of the following:

- (1) The proposed change in zoning or land use;
 - (2) Proposed increase in density; and
 - (3) Infrastructure demands related to the proposed change in zoning or land use.
- (b) Delivery of services may not be a basis for a valid objection but may be used in support of a valid objection if directly related to one or more of the subjects enumerated in paragraphs (1), (2), and (3) of subsection (a) of this Code section.
- (c) The objection provided for in subsection (a) of this Code section shall document the nature of the objection specifically providing evidence of any financial impact forming the basis of the objection and shall be delivered to the municipal governing authority by certified mail or statutory overnight delivery to be received not later than the end of the thirtieth calendar day following receipt of the notice provided for in Code Section 36-36-111.
- (d) In order for an objection pursuant to this Code section to be valid, the proposed change in zoning or land use must:
- (1) Result in:
 - (A) A substantial change in the intensity of the allowable use of the property or a change to a significantly different allowable use; or
 - (B) A use which significantly increases the net cost of infrastructure or significantly diminishes the value or useful life of a capital outlay project, as such term is defined in Code Section 48-8-110, which is furnished by the county to the area to be annexed; and
 - (2) Differ substantially from the existing uses suggested for the property by the county's comprehensive land use or permitted for the property pursuant to the county's zoning ordinance or its land use ordinances.

36-36-114. Arbitration panel; composition and membership

- (a) Not later than the fifteenth calendar day following the date the municipal corporation received the first objection provided for in Code Section 36-36-113, an arbitration panel shall be appointed as provided in this Code section.
- (b) The arbitration panel shall be composed of five members to be selected as provided in this subsection. The Department of Community Affairs shall develop three pools of arbitrators, one pool which consists of persons who are currently or within the previous

six years have been municipal elected officials, one pool which consists of persons who are currently or within the previous six years have been county elected officials, and one pool which consists of persons with a master's degree or higher in public administration or planning and who are currently employed by an institution of higher learning in this state, other than the Carl Vinson Institute of Government. The pool shall be sufficiently large to ensure as nearly as practicable that no person shall be required to serve on more than two panels in any one calendar year and serve on no more than one panel in any given county in any one calendar year. The department is authorized to coordinate with the Georgia Municipal Association, the Association County Commissioners of Georgia, the Council of Local Governments, and similar organizations in developing and maintaining such pools.

- (c) Upon receiving notice of a disputed annexation, the department shall choose at random four names from the pool of municipal officials, four names from the pool of county officials, and three names from the pool of academics; provided, however, that none of such selections shall include a person who is a resident of the county which has interposed the objection or any municipal corporation located wholly or partially in such county. The municipal corporation shall be permitted to strike or excuse two of the names chosen from the county officials pool; the county shall be permitted to strike or excuse two of the names chosen from the municipal officials pool; and the county and municipal corporation shall each be permitted to strike or excuse one of the names chosen from the academic pool.
- (d) Prior to being eligible to serve on any of the three pools, persons interested in serving on such panels shall receive joint training in alternative dispute resolution together with zoning and land use training, which may be designed and overseen by the Carl Vinson Institute of Government in conjunction with the Association County Commissioners of Georgia and the Georgia Municipal Association, provided such training is available.
- (e) At the time any person is selected to serve on a panel for any particular annexation dispute, he or she shall sign the following oath: "I do solemnly swear or affirm that I will faithfully perform my duties as an arbitrator in a fair and impartial manner without favor or affection to any party, and that I have not and will not have any ex parte communication regarding the facts and circumstances of the matters to be determined, other than communications with my fellow arbitrators, and will only consider, in making my determination, those matters which may lawfully come before me."

36-36-115. Meetings of arbitration panel; duties; findings and recommendations; compensation

- (a) (1) The arbitration panel appointed pursuant to Code Section 36-36-114 shall meet as soon after appointment as practicable and shall receive evidence and argument from the municipal corporation, the county, and the applicant or property owner and shall by majority vote render a decision which shall be binding on all parties to the dispute as provided for in this article not later than the sixtieth day following such appointment. The meetings of the panel in which evidence is submitted or arguments of the parties are

made shall be open to the public pursuant to Chapter 14 of Title 50. The panel shall first determine the validity of the grounds for objection as specified in the objection. If an objection involves the financial impact on the county as a result of a change in zoning or land use or the provision of maintenance of infrastructure, the panel shall quantify such impact in terms of cost. As to any objection which the panel has determined to be valid, the panel, in its findings, may establish reasonable zoning, land use, or density conditions applicable to the annexation and propose any reasonable mitigating measures as to an objection pertaining to infrastructure demands.

(2) In arriving at its determination, the panel shall consider:

- (A) The existing comprehensive land use plans of both the county and city;
 - (B) The existing land use patterns in the area of the subject property;
 - (C) The existing zoning patterns in the area of the subject property;
 - (D) Each jurisdiction's provision of infrastructure to the area of the subject property;
 - (E) Whether the county has approved similar changes in intensity or allowable uses on similar developments in other unincorporated areas of the county;
 - (F) Whether the county has approved similar developments in other unincorporated areas of the county which have a similar impact on infrastructure as complained of by the county in its objection; and
 - (G) Whether the infrastructure or capital outlay project which is claimed adversely impacted by the county in its objection was funded by a county-wide tax.
- (3) The county shall provide supporting evidence that its objection is consistent with its land use plan and the pattern of existing land uses and zonings in the area of the subject property.
- (4) The county shall bear at least 75 percent of the cost of the arbitration. The panel shall apportion the remaining 25 percent of the cost of the arbitration equitably between the city and the county as the facts of the appeal warrant; provided, however, that if the panel determines that any party has advanced a position that is substantially frivolous, the costs shall be borne by the party that has advanced such position.
- (5) The reasonable costs of participation in the arbitration process of the property owner or owners whose property is at issue shall be borne by the county and the city in the same proportion as costs are apportioned under paragraph (4) of this subsection.
- (6) The panel shall deliver its findings and recommendations to the parties by certified mail or statutory overnight delivery.

- (b) If the decision of the panel contains zoning, land use, or density conditions, the findings and recommendations of the panel shall be recorded in the deed records of the county with a caption describing the name of the current owner of the property, recording reference of the current owner's acquisition deed and a general description of the property, and plainly showing the expiration date of any restrictions or conditions.
- (c) The arbitration panel shall be dissolved on the tenth day after it renders its findings and recommendations but may be reconvened as provided in Code Section 36-36-116.
- (d) The members of the arbitration panel shall receive the same per diem, expenses, and allowances for their service on the committee as is authorized by law for members of interim legislative study committees.
- (e) If the panel so agrees, any one or more additional annexation disputes which may arise between the parties prior to the panel's initial meeting may be consolidated for the purpose of judicial economy if there are similar issues of location or similar objections raised to such other annexations or the property to be annexed in such other annexations is within 2,500 feet of the subject property.

36-36-116. Appeal

The municipal or county governing authority or an applicant for annexation may appeal the decision of the arbitration panel by filing an action in the superior court of the county within ten calendar days from receipt of the panel's findings and recommendations. The sole grounds for appeal shall be to correct errors of fact or of law, the bias or misconduct of an arbitrator, or the panel's abuse of discretion. The superior court shall schedule an expedited appeal and shall render a decision within 20 days from the date of filing. If the court finds that an error of fact or law has been made, that an arbitrator was biased or engaged in misconduct, or that the panel has abused its discretion, the court shall issue such orders governing the proposed annexation as the circumstances may require, including remand to the panel. Any unappealed order shall be binding upon the parties. The appeal shall be assigned to a judge who is not a judge in the circuit in which the county is located.

36-36-117. Annexation after conclusion of procedures; remedies for violations of conditions

If the annexation is completed after final resolution of any objection, whether by agreement of the parties, act of the panel, or court order as a result of an appeal, the municipal corporation shall not change the zoning, land use, or density of the annexed property for a period of one year unless such change is made in the service delivery agreement or comprehensive plan and adopted by the affected city and county and all required parties. Following the conclusion of the dispute resolution process outlined in this article, the municipal corporation and an applicant for annexation may either accept the recommendations of the arbitration panel and proceed with the remaining annexation process or abandon the annexation proceeding. A violation of the conditions set forth in

this Code section may be enforced thereafter at law or in equity until such conditions have expired as provided in this Code section.

36-36-118. Abandonment of proposed annexation; remedies for violations of conditions

If at any time during the proceedings the municipal corporation or applicant abandons the proposed annexation, the county shall not change the zoning, land use, or density affecting the property for a period of one year unless such change is made in the service delivery agreement or comprehensive plan and adopted by the affected city and county and all required parties. A violation of the conditions set forth in this Code section may be enforced thereafter at law or in equity until such period has expired. After final resolution of any objection, whether by agreement of the parties, act of the panel, or any appeal from the panel's decision, the terms of such decision shall remain valid for the one-year period and such annexation may proceed at any time during the one year without any further action or without any further right of objection by the county.

Summary

As the subject property is currently zoned R-40 in the County and is proposed for R-THC zoning in Fayetteville with 54 lots, the annexation and rezoning will result in a substantial change in the density/intensity of the property. Staff and two (2) of the Board of Commissioners met with the Fayetteville City Manager and Director of Community Development concerning the change in the density/intensity of the property associated with this annexation. It was suggested to the City that a reduction in density should be considered. On June 17, 2016 a revised concept plan was submitted to the County by the City indicating a reduction in the number of lots from 54 to 39 lots (developer indicated to staff that 15 lots were eliminated) which still results in an increase in the density/intensity of the property. However his reduction in lots also resulted in a greater portion of the annexed area being included in an undeveloped Common Area providing a better buffer to existing lots in the Kingswood Subdivision to the east and eliminated a portion of a street crossing a stream. Given the reduction in the number of lots, an increase in the amount of the annexed area being included in an undeveloped Common Area, the elimination of a street crossing a stream, and the difficulty in accessing the annexation area from the County (see Public Works/Engineering comments above), Staff recommends that the County not object to the annexation. Please note that Fire/EMS is opposed due to the loss of revenue.



City of Fayetteville

240 Glynn Street South • Fayetteville, Georgia 30214
Telephone (770) 461-6029 • Facsimile (770) 460-4238

www.fayetteville-ga.gov



MAYOR
Edward J. Johnson, Jr.

COUNCIL
Scott Stacy,
Mayor Pro Tem
Kathleen Brewer
Paul C. Oddo, Jr.
Harlan Shirley
James B. Williams

CITY MANAGER
Ray Gibson

CITY CLERK
Anne Barksdale

June 17, 2016

Director of P&Z - Fayette County
Attn: Pete Frisina
140 Stonewall Avenue W. Suite 202
Fayetteville, GA 30214

Dear Mr. Frisina:

The City of Fayetteville has recently received a revised submittal plan for the annexation/rezoning of parcel 0517 025 currently zoned R-40 (Single Family Residential) in Fayette County. The applicant is still seeking RTHC-PUD (Residential Townhouse Condominium) zoning for this property, but has reconfigured the layout and reduced the proposed number of lots for the parcel.

The revised submittal was verified for accuracy and officially accepted by City staff on June 17, 2016. If accepted by the County, the City of Fayetteville will ensure the property is developed according to the revised configuration submitted.

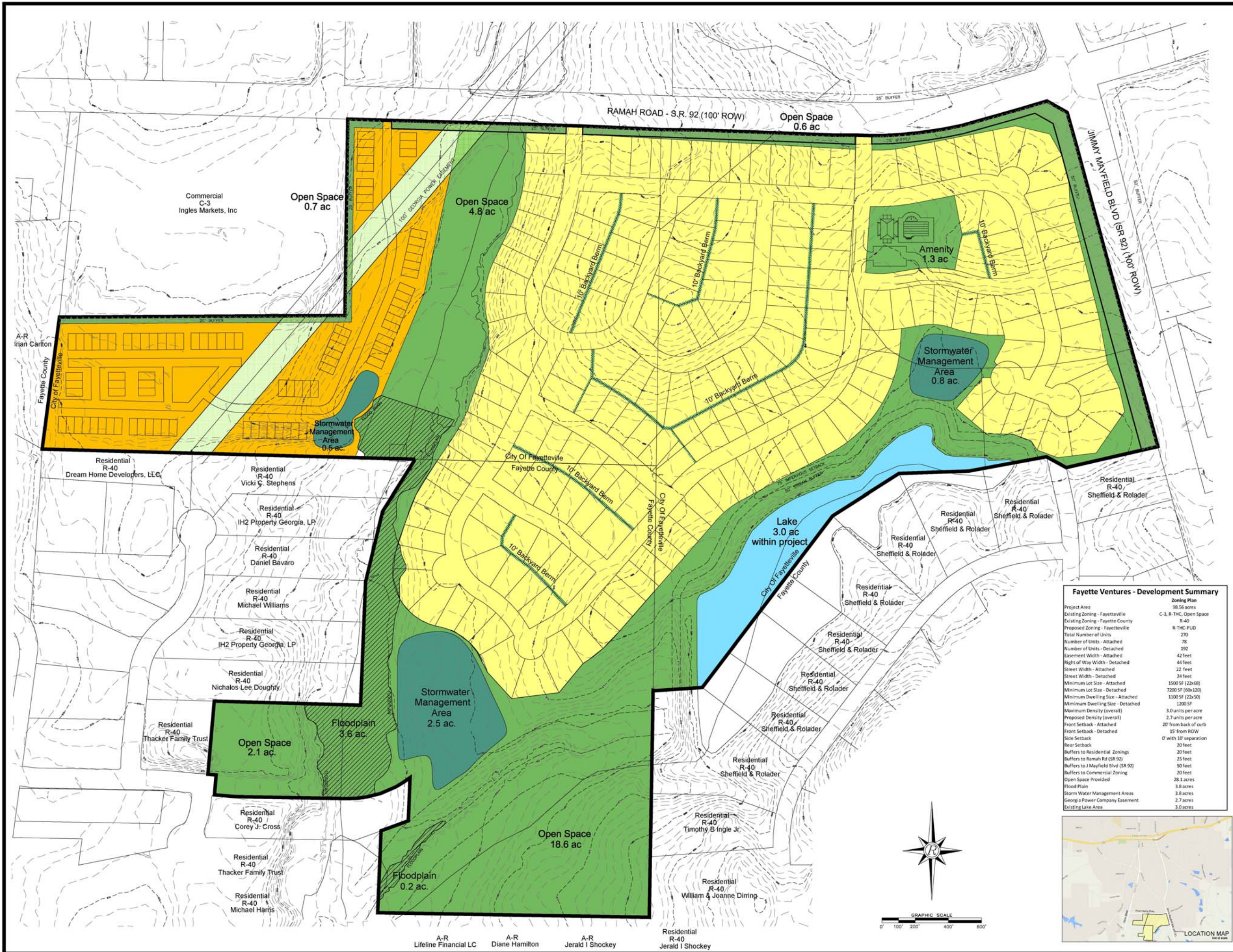
I have enclosed a copy of the revised plan for your review.

Please direct any comments or questions concerning this application to Brian Wismer, Director of Community Development.

Sincerely,

Julie Brown
Senior Planner

Cc: Mayor, City Council
Ray Gibson, City Manager
Brian Wismer, Director of Community Development
Chris Hindman, Director of Public Services



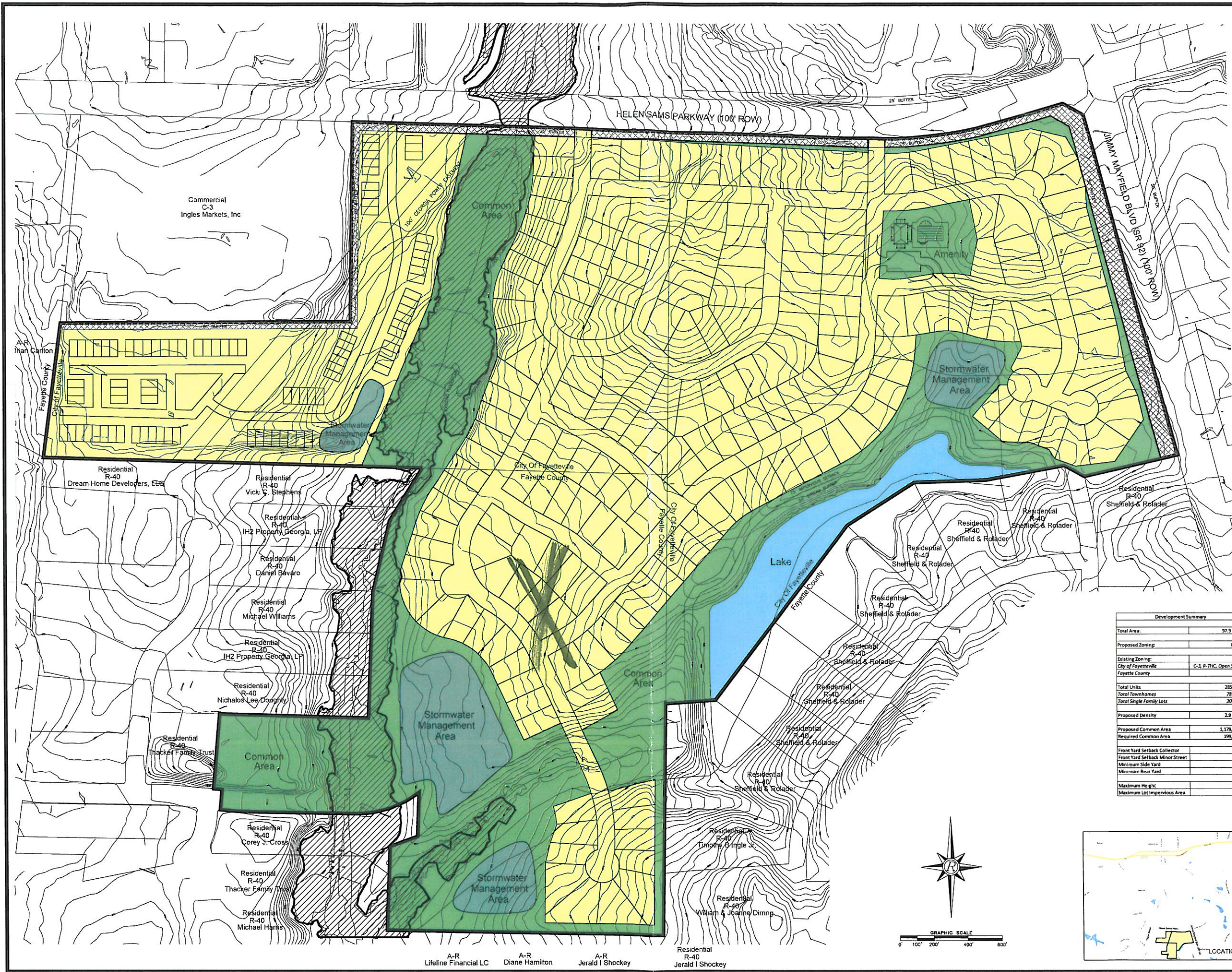
Fayette Ventures - Development Summary	
Project Area	98.56 acres
Existing Zoning - Fayetteville	C-3, R-THC, Open Space
Existing Zoning - Fayette County	R-40
Proposed Zoning - Fayetteville	R-THC-PUD
Total Number of Units	270
Number of Units - Attached	78
Number of Units - Detached	192
Easement Width - Attached	42 feet
Right of Way Width - Detached	44 feet
Street Width - Attached	22 feet
Street Width - Detached	24 feet
Minimum Lot Size - Attached	1500 SF (22x68)
Minimum Lot Size - Detached	7200 SF (60x120)
Minimum Dwelling Size - Attached	1100 SF (22x50)
Minimum Dwelling Size - Detached	1200 SF
Maximum Density (overall)	3.0 units per acre
Proposed Density (overall)	2.7 units per acre
Front Setback - Attached	20' from back of curb
Front Setback - Detached	15' from ROW
Side Setback	0' with 10' separation
Rear Setback	20 feet
Buffers to Residential Zonings	20 feet
Buffers to Ramah Rd (SR 92)	25 feet
Buffers to J Mayfield Blvd (SR 92)	50 feet
Buffers to Commercial Zoning	20 feet
Open Space Provided	28.1 acres
Flood Plain	3.8 acres
Storm Water Management Areas	3.8 acres
Georgia Power Company Easement	2.7 acres
Existing Lake Area	3.0 acres



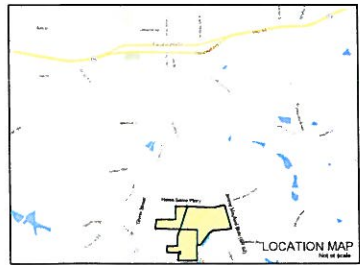
NO.	DATE	REVISIONS



MAY 24 2016



Development Summary	
Total Area:	97.9 Acres
Proposed Zoning:	R-THC
Existing Zoning:	City of Fayetteville Fayette County
Total Units:	285 Units
Total Townhomes:	78 Units
Total Single Family Lots:	207 Lots
Proposed Density:	2.9 Du/ac
Proposed Common Area:	1,179,815 sq ft
Required Common Area:	199,500 sq ft
Front Yard Setback Collector:	35 ft
Front Yard Setback Minor Street:	30 ft
Minimum Side Yard:	20 ft
Minimum Rear Yard:	30 ft
Maximum Height:	35 ft
Maximum Lot Impervious Area:	75%



REVISIONS	
NO.	DATE

ANY CHANGES TO THIS PLAN SHALL BE MADE BY THE CLIENT AND APPROVED BY THE CITY OF FAYETTEVILLE AND THE FAYETTE COUNTY BOARD OF COMMISSIONERS. THE CLIENT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF FAYETTEVILLE AND THE FAYETTE COUNTY BOARD OF COMMISSIONERS. THE CLIENT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF FAYETTEVILLE AND THE FAYETTE COUNTY BOARD OF COMMISSIONERS.

Zoning Map

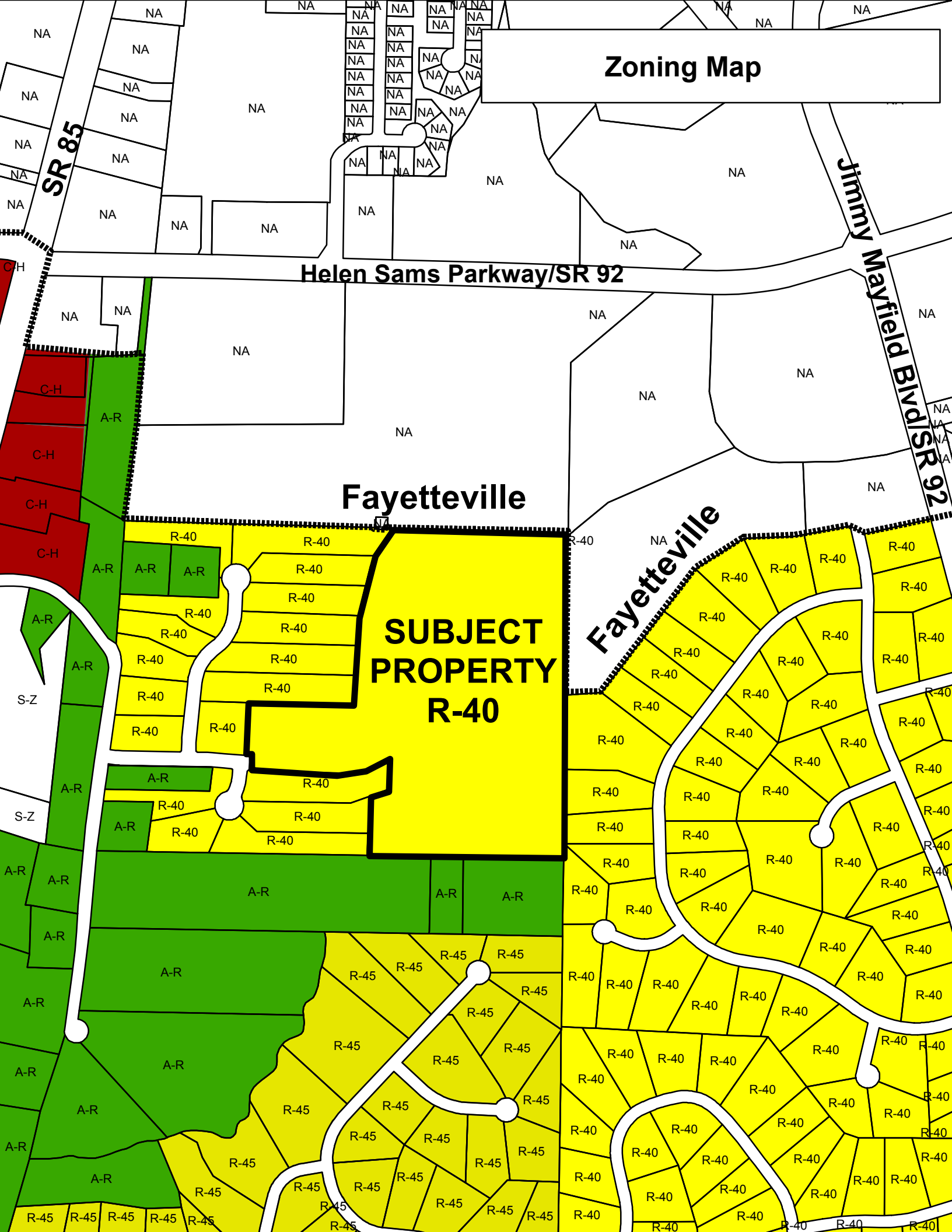
Helen Sams Parkway/SR 92

Jimmy Mayfield Blvd/SR 92

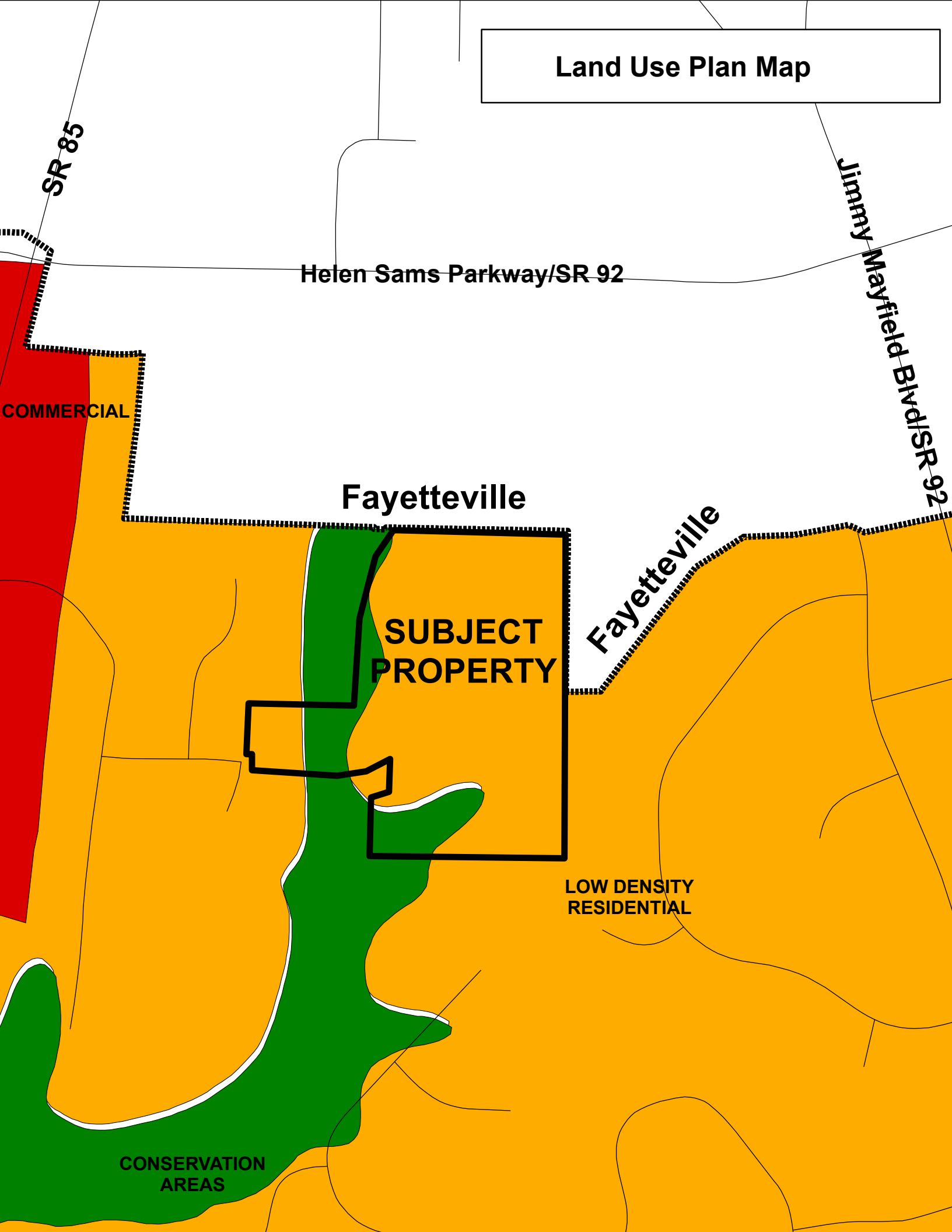
Fayetteville

Fayetteville

**SUBJECT
PROPERTY
R-40**



Land Use Plan Map



SR 85

Helen Sams Parkway/SR 92

Jimmy Mayfield Blvd/SR 92

COMMERCIAL

Fayetteville

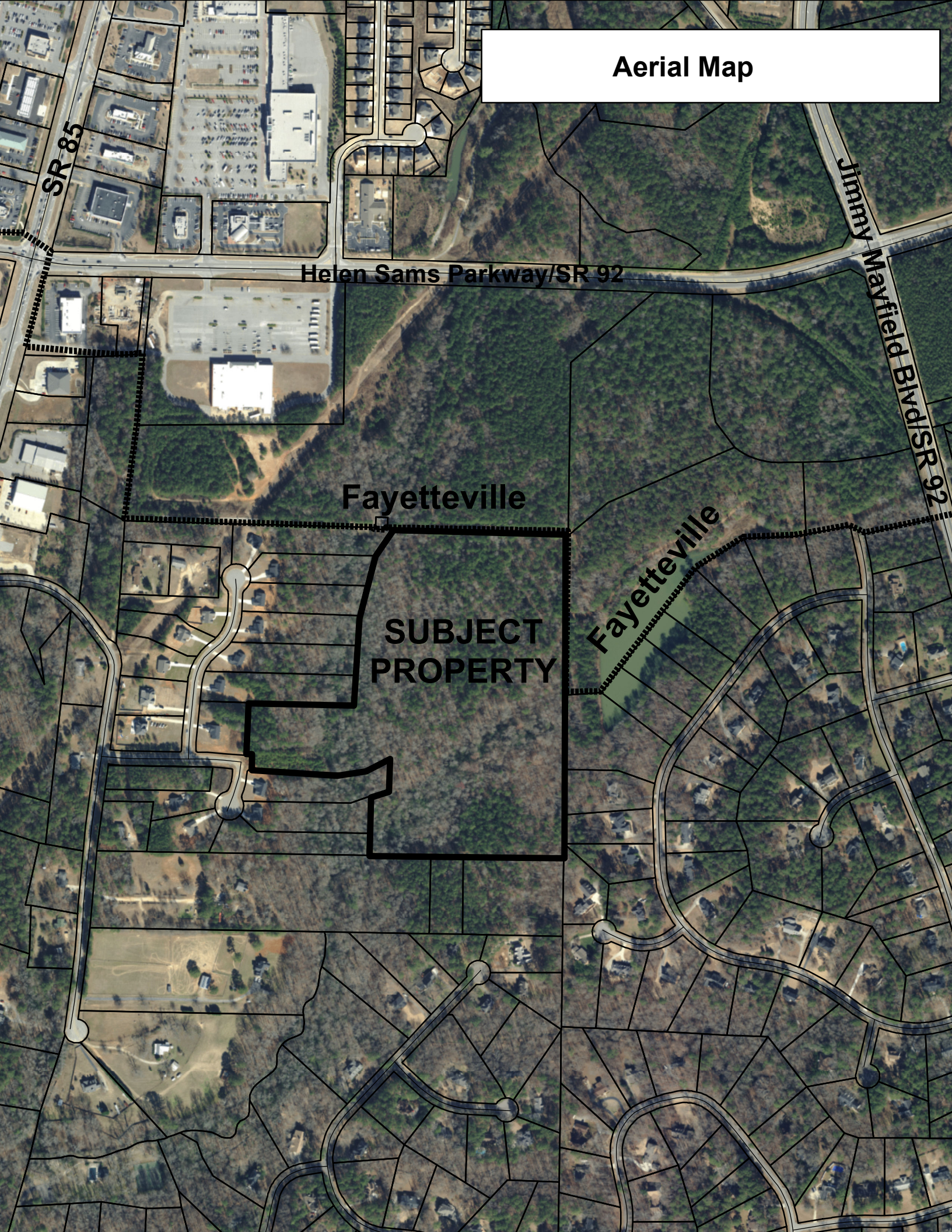
SUBJECT
PROPERTY

Fayetteville

LOW DENSITY
RESIDENTIAL

CONSERVATION
AREAS

Aerial Map



Helen Sams Parkway/SR 92

Fayetteville

SUBJECT
PROPERTY

Fayetteville

SR 85

Jimmy Mayfield Blvd/SR 92



City of Fayetteville

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Harlan Shirley
James B. Williams

CITY MANAGER
Ray Gibson

CITY CLERK
Anne Barksdale

May 25, 2016

Certified Mail
No. 7014 0150 0000 8310 5216

Fayette County Board of Commissioners
Attn: Mr. Charles Oddo, Chairman
140 Stonewall Avenue W. Suite 100
Fayetteville, GA 30214

Dear Mr. Oddo:

The City of Fayetteville has recently received an application for the annexation/rezoning of a parcel currently zoned R-40 (Single Family Residential) in Fayette County. The applicants' submittal was verified for accuracy and officially accepted by City staff on May 25, 2016. The applicant is seeking RTHC-PUD (Residential Townhouse Condominium) zoning for this property. The property is located near Highway 92 and Jimmy Mayfield Blvd. (**parcel 0517025 See attached location map.**)

I have enclosed a copy of the completed annexation/rezoning application, a legal description of the property, a location map, and a completed Staff Annexation Review Form.

The Planning and Zoning Commission will hold a public hearing on June 28, 2016 to make a recommendation on this application. The Mayor and City Council will hold their public hearing to consider the application on Thursday, July 21, 2016.

Please direct any comments or questions concerning this application to Brian Wismer, Director of Community Development.

Sincerely,

Ray Gibson
City Manager

Cc: Mayor, City Council
Brian Wismer, Director of Community Development
Chris Hindman, Director of Public Services



ANNEXATION & REZONING APPLICATION

File#: 16-022 (to be filled in by City Staff)

TO: The Mayor and Council

The undersigned hereby respectfully requests that the City of Fayetteville Zoning Map be amended as described below:

1. This is a request for:
☒ Annexation & Rezoning/Zoning Map Amendment
Fees \$1,750.00

ALL LEGAL FEES ASSOCIATED WITH THESE ZONING ACTIONS AND DEVELOPMENT AGREEMENTS WILL BE THE RESPONSIBILITY OF THE APPLICANT ALONG WITH THE REQUIRED APPLICATION FEES.

2. Give exact information to locate the property for which you propose a change:

Tax District Number: 1 Tax Map Number: _____

Parcel Number: 0517 025 Size of subject property: 29.5 Acres

3. What is the current Fayette County zoning on this property? R40

4. What new zoning do you propose for this property? AR-RTHC-PUD

(Under item 7, explain your reason(s) for your rezoning request)

5. Do you own all of the property proposed for this zoning change? () Yes (✓) No
If no, each property owner must sign an individual application.

6. Is this property subject to an Overlay District? Check those that may apply:

() Corridor Overlay District () Main Street District
() Historic Preservation District () Ground Water Recharge Area
() Watershed Protection

- ◆ Applications will not be considered complete until all items have been supplied. **Incomplete applications will NOT**
- ◆ **be placed on the Planning & Zoning Commission agenda and will be returned to the applicant.**
- ◆ All items must be reviewed and approved by Staff & must be in compliance with current City Ordinances.
- ◆ The City shall have five business days in order check applications for completeness.

7. Intent of Rezoning / Annexation Request: (Detailed Description of Development)
(Attach a separate sheet if necessary)

Staff's Signature: Julie Brown Date: 5.24.16
Notary Public: _____

Signature of Applicant: Andrew E Howard Manager and Owner
5100 Highland Park Dr NE
Printed Name: Andrew E Howard Telephone Number: [REDACTED]

Address: 6255 Barfield Road Suite 140
Agent/Owner Atlanta, Ga 30328
(Name/Address/Telephone/E-mail): [REDACTED]

The completed application will be reviewed by the Planning & Zoning Commission at a regularly scheduled monthly meeting, upon which, they will make a recommendation to Mayor and Council. The recommendation will be presented as a public hearing at two consecutive City Council meetings before a vote is taken for approval or denial.

FOR PLANNING & ZONING DEPT. USE ONLY

File No. 14-022 Posting Notice Date: PtZ 6.8.16
Amount Received: _____ Legal Ad Date: PtZ 6.8.16 + 6.15.16
P&Z Meeting Date: June 28 City Council 6.29.16 + 7.20.16
City Council 1st Reading: July 21 City Council 2nd Reading: Aug 4
All annexation and rezoning must go to City Council for two readings for final approval or denial.

Date Completed Application Was Received: 5.24.2016
(Official Date Stamp)

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EXHIBIT "A"

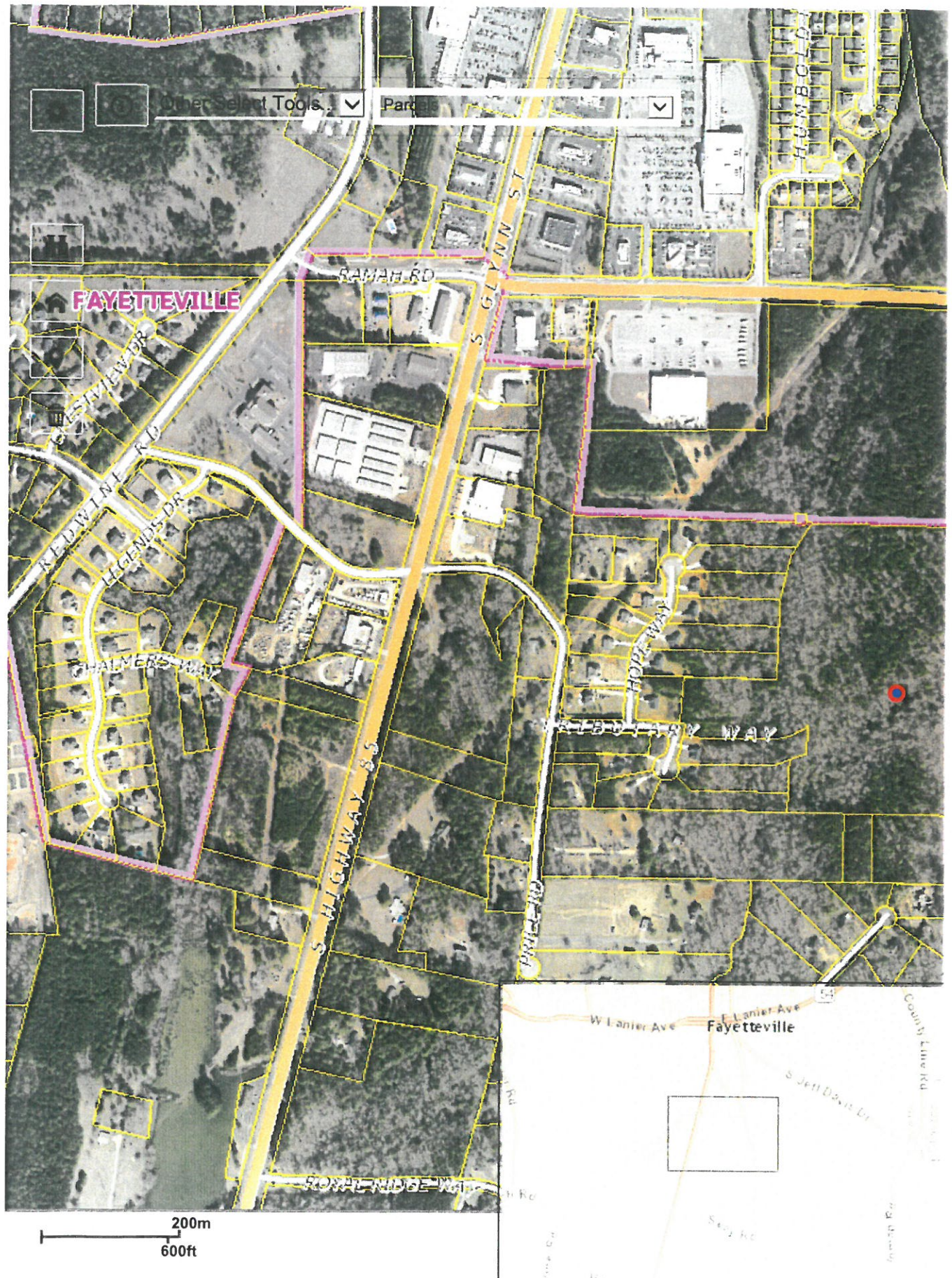
LEGAL DESCRIPTION

This tract or parcel of land lying and being Land Lot
70 of the 5th Land District of Fayette County, Georgia.
Said parcel is more particularly described as:

Beginning at a 1/2 " rebar monumenting the Northeast corner of
lot 6 of Price Road Estates Subdivision Phase I as shown on
that plat of survey recorded in plat book 43, page 142-143;

thence S 88°26'05" E a distance of 747.63' to a 1/2 in rebar;
thence S 01°20'26" W a distance of 649.41' to a 1/2 in rebar;
thence S 01°04'28" W a distance of 317.98' to a point;
thence S 01°04'28" W a distance of 169.98' to a 1/2 in rebar;
thence S 01°21'03" W a distance of 159.88' to a 1/2 in rebar;
thence S 00°11'53" W a distance of 60.79' to a 1/2 in rebar;
thence N 89°10'38" W a distance of 566.93' to a 1/2 in rebar;
thence N 88°48'02" W a distance of 265.18' to a 1/2 in rebar;
thence N 02°20'13" E a distance of 246.90' to a 1/2 in rebar;
thence N 69°58'28" E a distance of 87.33' to a 1/2 in rebar;
thence N 02°20'13" E a distance of 130.33' to a 1/2 in rebar;
thence to a curve turning to the right with an arc length of
of 203.52', with a radius of 300.00', with a chord bearing
S 71°33'11" W, and a chord length of 199.64' to a 1/2 in rebar;
thence N 89°00'42" W a distance of 322.23' to a 1/2 in rebar;
thence to a curve turning to the right with an arc length of
20.86', with a radius of 300.00', with a chord bearing of
N 87°01'09" W, and a chord length of 20.86' to a 1/2 in rebar;
thence N 85°01'37" W a distance of 56.65' to a 1/2 in rebar;
thence N 04°58'23" E a distance of 60.00' to a 1/2 in rebar;
thence N 85°01'37" W a distance of 24.93' to a 1/2 in rebar;
thence N 04°58'23" E a distance of 221.08' to a 1/2 in rebar;
thence S 88°23'16" E a distance of 440.59' to a 1/2 in rebar;
thence N 02°20'13" E a distance of 371.72' to a 1/2 in rebar;
thence N 13°37'01" E a distance of 217.80' to a 1/2 in rebar;
thence N 32°04'25" E a distance of 184.55' to a 1/2 in rebar
and the point of beginning.

Said tract containing 29.61 acres.



STAFF ANNEXATION REVIEW FORM

1. Describe the location of the area to be annexed or attach a clear map indicating the location.

Hwy 92 & Jimmy Mayfield / Parcel 0517025 (See attached map.)

2. How many landowners/parcels will be included?

One parcel #0517025

3. How does the City propose to designate this area on its future land use map and/or zoning map if the annexation occurs?

High Density Single Family

4. Refer to sections of the city development ordinances that identify permitted uses for this proposed land use classification.

- **Sec. 94-160. - Residential townhouse-condominium district (R-THC).**

In the residential townhouse-condominium district, single-family dwellings, townhouses and condominiums, with lot area, yard, setback, dwelling size, and height requirements as specified in article V, are permitted.

5. Describe the development plans for the area proposed to be annexed (if the property owner(s) in the area initiated specific development proposals).

Applicant proposes to develop a new residential community "The Meadows". The development will include 5 adjoining parcels already located in the City of Fayetteville.

Form completed by: Brian Wismer, Director of Community Development

Signature: Brian Wismer Date: 5-25-2016

Letter of Intent for Annexation and Zoning

29.63 acres on Hope Way, Fayette County

A request is placed before the Commission to annex and zone parcel 0517 025 from R-40 in Fayette County to Single Family Residential in the City of Fayetteville. The tract is 29.63 acres with limited access on Hope Way in Price Road Estates.

We propose to annex the property into the City of Fayetteville as an extension of the "Southside Masterplan" area (circa 2002). The intent is for this site to be combined with several parcels owned and under contract by the applicant for a new residential area for Fayetteville, adding households to the demographic in support of the existing commercial uses in the area. The adjoining parcels will be addressed by a separate application since they are currently within the city limits.

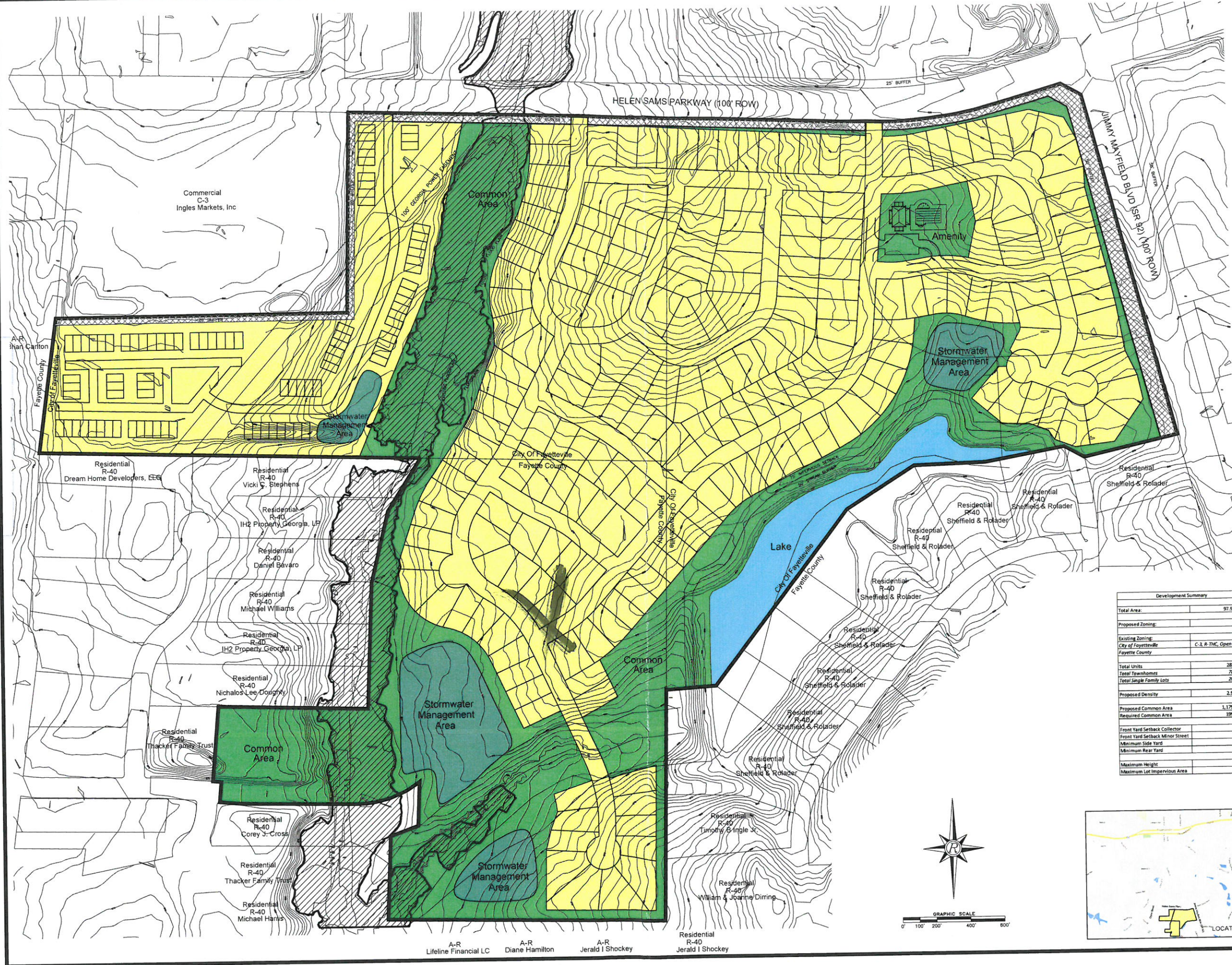
The proposed plan contains approximately 54 homes on the 29.63 acre site for a density of 1.8 units/acre. The homes will be single-family detached homes that will gain access not through Price Rd Estates, but through proposed connections to the north onto the 92 Connector.

The proposed project shares an eastern property line with 4 lots in Kingwood. One of these is vacant, and one shares only a short section of property line with our parcel. There are two vacant lots to the south, and a small area to the south that is an uninhabited portion of large tract. There are 9 lots in separated by a creek, its buffer, and open space.

Applicant:

Rolader and Sheffield Ventures, LLLP
Robert F. Rolader, Managing Member
270 North Jeff Davis Drive
Fayetteville, GA 30214
Office (770) 461-0478

RECEIVED
MAY 24 2016



Development Summary	
Total Area:	97.9 Acres
Proposed Zoning:	R-THC
Existing Zoning:	City of Fayetteville Fayette County
Total Units:	285 Units
Total Townhomes:	78 Units
Total Single Family Lots:	207 Lots
Proposed Density:	2.9 Du/ac
Proposed Common Area:	1,179,815 sq ft
Required Common Area:	199,500 sq ft
Front Yard Setback Collector:	35 ft
Front Yard Setback Minor Street:	30 ft
Minimum Side Yard:	20 ft
Minimum Rear Yard:	30 ft
Maximum Height:	35 ft
Maximum Lot Impervious Area:	75%

NO.	DATE	DESCRIPTION	REVISIONS

ANY CHANGES OR ALTERATIONS MADE TO THE WRITTEN IMPROVEMENTS OF INFRASTRUCTURE, INCLUDING BUT NOT LIMITED TO, THE LOCATION, SIZE, AND SHAPE OF ANY LOT, SHALL BE KEPT ON FILE FOR VERIFICATION OF ANY CHANGES.

Fayette Co Board of Commissioners
140 Stonewall Ave W. Suite 100
Fayetteville, GA 30214
Attn: Mr. Charles Oddo

1st NOTICE
2nd NOTICE
RETURNED

