

## BOARD OF COUNTY COMMISSIONERS

Eric Maxwell, Chairman  
Randy Ognio, Vice Chairman  
Steve Brown  
Charles W. Oddo  
Charles D. Rousseau

## FAYETTE COUNTY, GEORGIA

Steve Rapson, County Administrator  
Dennis A. Davenport, County Attorney  
Tameca P. White, County Clerk



140 Stonewall Avenue West  
Public Meeting Room  
Fayetteville, GA 30214

## AGENDA

March 9, 2017  
7:00 p.m.

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

Call to Order

Invocation by Commissioner Charles Rousseau

Pledge of Allegiance

Acceptance of Agenda

### PROCLAMATION/RECOGNITION:

### PUBLIC HEARING:

### CONSENT AGENDA:

1. Approval of the State Court Judge's request for authorization to submit the Fiscal Year 2018 Grant Application for the Fayette County DUI Court up to the award amount of \$137,300 to authorize 10% local match in the amount of \$13,730 utilizing DUI Court fund balance, and authorization for the Chairman to sign all grant-related documents. (pages 3-7)
2. Approval of staff's request to purchase Self-Contained Breathing Apparatus Cylinders as budgeted in the 2017 Capital Improvement Program to accept the low bid from Fisher Scientific Inc. for 188 cylinders at a cost of \$168,717.36 and allow for the appropriate disposal of all replaced cylinders. (pages 8-10)
3. Approval of the wording for the cornerstones at the Kenwood Park Monument and Memorial Garden honoring the late Commissioner Pota Estel Coston. (pages 11-14)
4. Approval of the Public Arts Committee's request for final project and budget approval for the 2nd Annual Chalk Art event and four additional Pop-Up chalk events. (pages 15-22)
5. Approval of the Public Arts Committee's request for final approval to develop a Lecture Series program in 2017 specific to Art and to approve an honorarium of \$75 to each speaker for a total of \$300.00. (pages 23-24)
6. Approval of the Public Arts Committee's request for final approval to participate in Fayetteville Main Street's Market Day in October, 2017. (pages 25-26)
7. Approval of the Public Arts Committee's request for final approval to develop art programs in partnership with the Southern Conservation Trust. (pages 27-28)

8. Approval of the Public Arts Committee's request for Concept Approval to develop the Church Street Park Mural project, in partnership with Southern Crescent Habitat and the Moms Club. (pages 29-31)
9. Approval of the Public Arts Committee's request for Concept Approval for Earth Day to assist in the development of a mural project and participate in the Earth Day event. (pages 32-33)
10. Approval of the Public Arts Committee's request for Concept Approval to assist in the development of an arts festival in Fayetteville at the Courthouse (Fall, 2017). (pages 34-35)
11. Approval of the Concept Approval Request to expand the Annual Scarecrow Competition. (pages 36-37)
12. Approval of the February 23, 2017 Board of Commissioners Meeting Minutes. (pages 38-55)

**OLD BUSINESS:**

**NEW BUSINESS:**

13. Consideration of a recommendation from the Selection Committee, comprised of Commissioner Steve Brown and Commissioner Charles Rousseau, to appoint John Tate to the Fayette County Zoning Board of Appeals for a three-year term beginning January 1, 2017 and expiring December 31, 2019. (pages 56-59)
14. Consideration of a recommendation from the Selection Committee, comprised of Commissioner Steve Brown and Commissioner Charles Rousseau, to appoint Therol Brown to the Fayette County Zoning Board of Appeals for a three-year term beginning January 1, 2017 and expiring December 31, 2019. (pages 60-63)
15. Consideration of a recommendation from the Selection Committee, comprised of Commissioner Steve Brown and Commissioner Charles Rousseau, to re-appoint Thomas "Tom" Waller to the Fayette County Zoning Board of Appeals for a three-year term beginning January 1, 2017 and expiring December 31, 2019. (pages 64-66)
16. Consideration of the Peachtree City annexation of 3.5 acres containing the Heritage of Peachtree City Assisted Living Facility, and the rezoning of said property from C-C (Community Commercial) to GR-14 (General Residential). (pages 67-99)

**PUBLIC COMMENT:**

**ADMINISTRATOR'S REPORTS:**

- A. Contract #940-P. Public Works Engineer of Record: Task Order #17, Culvert Design and Bid Services for Broome Boulevard (page 100)

**ATTORNEY'S REPORTS:**

**COMMISSIONERS' REPORTS:**

**EXECUTIVE SESSION:**

**ADJOURNMENT:**

In accordance with the Americans With Disabilities Act, accommodations are available for those who are hearing impaired and in need of a wheelchair. The Board of Commissioners Agenda and written material for each item is available on-line through the County's website at [www.fayettecountyga.gov](http://www.fayettecountyga.gov). This meeting will be telecast on Comcast Cable Channel 23 and on the internet at [www.livestream.com](http://www.livestream.com).

# COUNTY AGENDA REQUEST

Page 3 of 100

Department:

Presenter(s):

Meeting Date:

Type of Request:

## Wording for the Agenda:

Approval of the State Court Judge's request for authorization to submit the Fiscal Year 2018 Grant Application for the Fayette County DUI Court up to the award amount of \$137,300 to authorize 10% local match in the amount of \$13,730 utilizing DUI Court fund balance, and authorization for the Chairman to sign all grant-related documents.

## Background/History/Details:

In 2015, the Fayette County State Court was awarded a grant from the Criminal Justice Coordinating Council(CJCC) in the amount of \$74,389.00. The amount included 10% local match of the total funds in the amount of \$7,439.00.

In 2016(for Fiscal Year 2017), the Fayette County State Court applied for \$133,600.00 with CJCC and was awarded a grant in the amount of \$48,797.00. The amount included 10% local match of the total funds in the amount of \$4,880.00.

For the Fiscal year 2018 grant, the Fayette County State Court is applying for \$137,300 from CJCC. There is a required match of 10% estimated to be \$13,730.00. The grant award amount is estimated to be \$123,570. It is the court's expectation that the DUI Court DATE fund will assist with funding the match requirement. If approved the funds received will be used for the position of Court Coordinator, costs for Treatment, Surveillance, Lab, Defense Attorney and training required.

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

Approval of the State Court Judge's request for authorization to submit the Fiscal Year 2018 Grant Application for the Fayette County DUI Court up to the award amount of \$137,300 to authorize 10% local match in the amount of \$13,730 utilizing DUI Court fund balance, and authorization for the Chairman to sign all grant-related documents.

## If this item requires funding, please describe:

\$13,730 will be required to match the grant utilizing the DUI Court Fund Balance - Fund 214.

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:

NATHAN DEAL  
GOVERNOR



JAY NEAL  
EXECUTIVE DIRECTOR

At the direction of the Funding Committee under the Council of Accountability Court Judges (CACJ) the Criminal Justice Coordinating Council (CJCC) is pleased to announce that it is seeking applications for competitive funding for qualified new and existing Accountability Courts in the State of Georgia.

## State of Georgia Accountability Court Funding Program FY'18 Solicitation Packet

### Eligibility

Applicants are limited to local entities for new and existing Accountability Courts. Adult Felony Drug Court, Adult Mental Health Court, and Veterans Treatment Court submissions are limited to one application per circuit, per court type. State and Juvenile Court submissions are limited to one application per county, per court type (i.e. DUI, Family Dependency Treatment, Juvenile Drug, or Juvenile Mental Health Court).

### Deadline

Applications are due by 5:00 p.m. on Friday, March 17, 2017.

### Available Funding

The amount available for distribution will be determined by the legislature during the 2017 session. There is a 10% cash match requirement. Please *note: this match may likely increase every year.*

### Award Period

July 1, 2017 through June 30, 2018.

Release Date: February 13, 2017

THIS GRANT IS *NOT* INTENDED TO FUND YOUR PROGRAM 100%.



# State of Georgia Accountability Court Funding Program FY'18 Solicitation Packet

## **SECTION I: OVERVIEW AND INSTRUCTIONS**

### **Criminal Justice Coordinating Council**

The Criminal Justice Coordinating Council is designated by the Governor of Georgia as the State Administering Agency for criminal justice and victims' assistance programs. Created by the General Assembly (O.C.G.A. § 35-6A-2), the Council is comprised of twenty-four members representing various components of the criminal justice system.

### **Overview of the State of Georgia's Accountability Court Funding Program**

The Council of Accountability Court of Judge (CACJ) was created in 2015 by the Georgia Legislature and by Governor Nathan Deal to provide courts with the critical funding necessary to support the growth of Accountability Courts in Georgia to reduce the prison population.

### **How to Apply**

Interested applicants should review the FY'18 Solicitation Packet in its entirety, and submit the completed application, including the requested information and all required attachments, using the link on the Council's website at [cjcc.georgia.gov](http://cjcc.georgia.gov) on or before 5 p.m., March 17, 2017. **This form and provided budget detail are the only acceptable formats for submitting the narratives and budget for this funding year. Please note that the application format has changed significantly this year. It is recommended that applicants allow adequate time to complete the application. Applications must be submitted using the required format; scanned or handwritten copies of the application will not be accepted.** The CACJ will host an FY'18 instructional grant webinar on Wednesday, February, 22, 2017; interested applicants are encouraged to participate. Any application that does not adequately answer all applicable questions will be considered incomplete and will not be reviewed for funding.

### **Match Requirement (10 percent CASH match)**

Applicants must identify the source of the 10 percent non-state portion of the total project costs and how they will use match funds. Match is restricted to the same uses of funds as allowed for the state funds. Applicants may satisfy this match requirement with cash only (no in-kind services).

**Match Waiver:** The CACJ may waive the match requirement upon a determination of fiscal hardship. **To be considered for a waiver of match, a letter of request signed by the Authorized Representative or Program Judge must be submitted with the grant application defining the fiscal hardship.** Fiscal hardship is defined in terms related to reductions in overall budgets, furloughing or reductions in force of staff or other similar documented actions by the local governing authority which have resulted in severe budget reductions. A match waiver request must be submitted as a separate attachment to the application and titled as the "Match Waiver."

NOTE: You do NOT need to match every item you are requesting, but must supply a 10% match in the overall budget request. The match must be from one of the allowable categories.

**The formula for calculating the match is: Requested Grant Amount divided by 9 = Required Match**

**Example:**

10 percent match requirement: for a state award amount of \$100,000, match would be calculated as follows:

State Award/9 = Match

Ex. \$100,000/9 = \$11,111

## **SECTION II: SOLICITATION PROCESS**

Please read and understand the Certification for Accountability Court Funding attachment before completing the application. All accountability courts shall attend training and submit a proposed budget/narrative for all funds requested through this grant.

### **Existing Courts**

Complete all sections of the application, unless noted otherwise.

### **Implementation Courts**

Complete sections of the application to the best of your ability. The committee understands that you may not have all of the answers yet, but expects that you have thought through all of the issues related to each section of the application.

### **Application Review**

Applications will be reviewed and assessed by the CACJ Funding Committee members and its designated representatives who will consider the following:

1. Past compliance with all financial and programmatic reporting requirements;
2. Overall quality and completeness of the application;
3. Demonstration of clear, measurable and appropriate standards;
4. Demonstration of need including geographic location, local demographics, local statistics, other financial resources, etc.;
5. Adequate correlation between the cost of the project and the objective(s) to be achieved; and
6. Sharing resources among each accountability court within the circuit is strongly encouraged. All applications within each circuit will be reviewed together.

Only complete applications received by the deadline will be reviewed. **When an application is received by the CJCC, there is no commitment on the part of the CACJ Funding Committee to fund an application or to fund it at the amount requested.** All areas of the budget are subject to review and approval. Decisions related to these budget areas are based on both eligibility and reasonableness. The CACJ Funding Committee has full discretion to determine the reasonableness of budget items based on both objective and subjective decision-making tools. See "Restrictions on Use of Funds" subsection below to determine whether budget items requested are allowable prior to submitting your budget.

Applications for funding will undergo several reviews. At any point during these reviews, a decision not to fund a project or any part thereof may be made. These decisions are within the complete discretion of the CACJ Funding Committee.

### **Funding Decisions**

All funding decisions related to CJCC applications received in response to this solicitation are made by the CACJ Funding Committee and are based on the availability of funding. The Council will inform the applicants of funding decisions through grant awards. Applicants should not make assumptions regarding funding decisions until they have received official written notification of awards or denials signed by the CJCC Council Director.

Once an award is made, the CACJ in conjunction with CJCC, maintains discretion to determine that a grantee is not compliant with applicable policies, and upon such a determination may terminate further funding and require reimbursement of grant funds to the CACJ.

### **Restrictions on Use of Funds**

For this grant period, grant funds will not be allowed to be used for: out of state training, any part of a salary or pay supplements for state or county paid employees, office space, utilities, furniture (existing courts only), incentives, monthly cell phone charges, case management software (including maintenance and upgrades), vehicles, weapons, office supplies (existing courts only), construction projects and grant administrative overhead.

### **Supplantation**

Funds must be used to supplement existing funds for program activities and cannot replace or supplant funds that have been appropriated for the same purpose

Generally, supplanting occurs when a local government or program reduces local or other available funds for an activity specifically because state funds are available (or expected to be available) to fund that same activity. When supplanting is not permitted, any State grant funds may not replace any local, or other available funds that have been appropriated or allocated for the same purpose. In those instances when a question of supplanting arises, the applicant or grantee will be required to substantiate that the reduction in non-state resources occurred for reasons other than the receipt or expected receipt of state funds.

## **SECTION III: POST-AWARD REQUIREMENTS**

### **Grant Acceptance**

Grantees wishing to accept FY'18 funding must submit signed Acceptance Letters and Special Conditions to the CJCC Office so it is *received* no later than 5 p.m., June 30, 2017. CACJ Funding Committee will assume your court rejects its FY'18 award if these acceptance documents are not received by this submission deadline.

### **Special Conditions**

At the time of the grant award, the CACJ Funding Committee will assign special conditions, as deemed appropriate for the program. The special conditions will outline the grantee's responsibilities, as well as state regulations that must be followed, as a condition of accepting the grant award for the approved program. The special conditions will be included in the award packet and must be reviewed, signed and returned to CJCC by 5 p.m., June 30, 2017 (see above).

**One fourth of all awarded funding must be requested in that quarter's SER each reporting period. This means that the expenditure must be paid by your local funding agency and CJCC reimbursement has been requested within that reporting period. Any unused funds each quarter end will be retained by the CJCC to be managed by the CACJ.**

**This is a reimbursement grant.** If awarded funds, your court will be required to submit check stubs and copies of invoices to CJCC for reimbursement on a quarterly basis.

**Training is made available to each court that accepts grant funding. Please see [www.gaaccountabilitycourts.org](http://www.gaaccountabilitycourts.org) for the training dates and required attendees.** Expenses for training will be reimbursed by the CACJ Funding Committee.

### **Reporting Requirements**

Recipients of this FY'18 grant award will be required to complete and submit SER and a CACJ Program Report, due no later than 15 days after each quarter end. Failure to submit reports in a timely fashion could result in a 10% penalty that will be based on the initial grant award. Subgrantees are given a 10-day grace before any action is taken. *Please note that the CACJ Program Report is scheduled to be replaced with an electronic report submission generated by the state approved case management systems during FY'18.*

- **SER (Sub-grant Expenditure Requests):** Reimbursement requests for expenses incurred during the grant period on either a monthly or quarterly basis. To request reimbursement, the recipient must submit a financial report within fifteen days of the month's end date, to their designated grant specialist.

# COUNTY AGENDA REQUEST

Page 8 of 100

Department:

Presenter(s):

Meeting Date:

Type of Request:

## Wording for the Agenda:

Approval of staff's request to purchase Self-Contained Breathing Apparatus Cylinders as budgeted in the 2017 Capital Improvement Program to accept the low bid from Fisher Scientific Inc. for 188 cylinders at a cost of \$168,717.36 and allow for the appropriate disposal of all replaced cylinders.

## Background/History/Details:

Fire & Emergency Services has Self-Contained Breathing Apparatus (SCBA) assigned to each Fire & EMS apparatus for use in hazardous conditions, i.e. building fires, gas leaks, carbon monoxide leaks, or other situations when the atmosphere is considered Immediately Dangerous to Life and Health (IDLH).

The SCBA uses cylinders of compressed air. This cylinder must be hydrostatically pressure tested every 5 years. Regulations regarding this testing are governed by the Department of Transportation (DOT). The guidelines limit the testing of cylinders of this type to 3 cycles, 15 years. There are no additional provisions for testing of the cylinders after this 15 year life cycle. At the end of the life cycle the cylinder must be removed from service and is no longer able to be refilled to the operating pressure.

This request is the first phase in the SCBA capital request project. This project will replace 188 SCBA cylinders. The following two phases are planned over the next several years for the replacement of the SCBA breathing air compressor and the replacement of the SCBA themselves.

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

Approval to accept the low bid from Fisher Scientific Inc. for 188 cylinders at a cost of \$168,717.36 and allow for the appropriate disposal of all replaced cylinders.

## 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:



*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: March 9, 2017

Subject: Requisition #564: Cylinders for Scott Breathing Apparatus

Fire/EMS employees use Scott self-contained breathing apparatuses (SCBA) in performance of their duties. Components of the apparatus include a frame, harness, regulator, face piece, and air cylinder. The air cylinders are 15 years old and at the end of their useful life, and must be replaced.

Fire/EMS submitted Purchase Requisition #564, for 184 cylinders. It specifies a proprietary product – Scott – due to safety concerns and requirements of the U.S. Occupational Safety & Health Administration (OSHA).

The Purchasing Department solicited price quotes from eleven vendors that sell products used by fire departments. Four companies provided quotes (please see attachment). Three vendors replied that they do not represent Scott SCBA and therefore could not submit a quote, and four were unresponsive. Of the four who submitted quotes, Fisher Scientific, LLC was the lowest at \$165,136.44 for 184 cylinders. After the prices were received, Fire/EMS determined that they need four additional cylinders. This brings the total price of the recommended purchase to \$168,717.36 for 188 cylinders.

Specifics are as follows:

<b>Contract Name</b>	Requisition 564: Cylinders for Scott Breathing Apparatus	
<b>Contractor</b>	Fisher Scientific, LLC	
<b>Not-to-exceed amount</b>	\$168,717.36	
<b>Budget:</b>		
<b>Org.</b>	37530550	Fire Services
<b>Object</b>	542520	Safety Equipment
<b>Project</b>	7270A	SCBA Breathing Apparatus
<b>Available Budget</b>	\$198,000.00	As of 2/20/2017

**Requisition #564**

<b>SCOTT BREATHING AIR CYLINDERS FOR SELF CONTAINED BREATHING APPARATUS</b>							
<b>Vendor</b>	<b>SCOTT 804722-01 4500 psi; 45 Minute; CGA Thread</b>			<b>SCOTT 804723-01 4500 psi; 60 Minute; CGA Thread</b>			<b>Total Price</b>
	<b>Quantity</b>	<b>Unit Price</b>	<b>Extended Price</b>	<b>Quantity</b>	<b>Unit Price</b>	<b>Extended Price</b>	
Fisher Scientific, LLC	180	\$895.23	\$161,141.40	4	\$998.76	\$3,995.04	\$165,136.44
Municipal Emergency Services, Inc. (MES)	180	\$911.87	\$164,136.60	4	\$1,017.33	\$4,069.32	\$168,205.92
American Safety & Fire House	180	\$945.00	\$170,100.00	4	\$1,055.00	\$4,220.00	\$174,320.00
Dana Safety Supply	180	\$1,067.61	\$192,169.80	4	\$1,191.06	\$4,764.24	\$196,934.04

Price quoted per original quantity requested

\$165,136.44

Add four 45-minute cylinders

3,580.92

Total Price

\$168,717.36

# COUNTY AGENDA REQUEST

Page 11 of 100

Department:

Presenter(s):

Meeting Date:

Type of Request:

## Wording for the Agenda:

Approval of the wording for the cornerstones at the Kenwood Park Monument and Memorial Garden honoring the late Commissioner Pota Estel Coston.

## Background/History/Details:

At the July 14, 2016 Board of Commission Meeting, the Board moved to accept a donation from private citizens, businesses, and community leaders for the installation of a Kenwood Park Monument and Memorial Garden in honor of late Commissioner Pota Coston.

Since the approval was made by the Board of Commissioners, a group of citizens, business, and community leaders of Fayette County officially joined to sponsor and fully fund the development of a monument and memorial garden at Kenwood Park. The organizers of the Momentum and Memorial Garden are at a point to move forward with the inscription on the cornerstones. As called for in the initial presentation, the cornerstones and brick pavers have been approved by the Recreation Commissioners.

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

Approval of the wording for the cornerstones at the Kenwood Park Monument and Memorial Garden Honoring Commissioner Pota Estel Coston.

## 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:



## Sample Hardscape



**Note: Etching & engraving requires advance approval from Recreation Commission**



# **POTA ESTEL COSTON**

**APRIL 23, 1958 IS MEMORABLE AS  
THE BIRTHDAY OF POTA ESTEL  
COSTON, THE FIRST AFRICAN  
AMERICAN FEMALE COMMISSIONER  
FOR FAYETTE COUNTY, GEORGIA.  
POTA GREW UP IN ELKINS, WEST  
VIRGINIA, WHERE HER LOVE OF  
FAMILY, CORE VALUES, COMMUNITY  
INVOLVEMENT AND STRONG WORK  
ETHIC WERE ESTABLISHED.**

**“POTA, WE WALK DOWN MEMORY LANE  
BECAUSE WE LOVE RUNNING INTO YOU.”**

**COSTON MEMORIAL COMMITTEE  
NONA HOUSTON, NATALIE MILNER,  
ERIKA WILSON-RADNEY,  
LELIA RICHARDSON**

**PARTNERS  
FORTITUDE EDUCATIONAL &  
CULTURAL DEVELOPMENT CENTER,  
MINNIE MILLER & ROSEMARY PHILLIPS**

**CONSULTANTS  
JAQUAYE BANKS, JEFF ELLIS,  
MATT JOHNSON, ANN JONES,  
CHARLES ROUSSEAU,  
& TERRENCE WILLIAMSON**

# COUNTY AGENDA REQUEST

Page 15 of 100

Department:

Presenter(s):

Meeting Date:

Type of Request:

## Wording for the Agenda:

Approval of the Public Arts Committee's request for final project and budget approval for the 2nd Annual Chalk Art event and four additional Pop-Up chalk events.

## Background/History/Details:

In 2016 the Public Arts Committee hosted its first Chalk Art event. Based on the success of the first event, we are requesting that the Chalk Art event become an annual tradition in Fayette. The Committee also desires to add Pop-Up style chalk art in a supporting role to other events. This is an art event that brings all ages and all artistic abilities together. Whether individuals or groups, everyone has fun creating their art in chalk. The Committee will be responsible to work with appropriate authorities to ensure all necessary preparations are completed prior to the event, such as closing a street, notifications, and meeting the requirements necessary for a public event, etc. This will also help build the awareness of art by having a presence at more local events.

The Committee will host Chalk Art at the following:

Tyrone / March 18 - Paws for a Purpose dog walk

County 2nd Annual Event / May 20-21, Shamrock Arts Celebration

Fayette County / June 17 - Balloons over Fayette

Fayetteville / September 30 - chalk event only

Peachtree City / November 4 - Hops and Props

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

Approval Public Arts Committee's request for final project and budget approval for the 2nd Annual Chalk Art event and four additional Pop-Up chalk events.

## If this item requires funding, please describe:

Funding request is \$2,000 for the five events. Detail on attached FCPAC Project Request Form and attachments.

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 PUBLIC ARTS COMMITTEE - PROJECT REQUEST FORM

Project Code:  PAC Approval

Project Name:

Estimated Total Cost:  Estimated Useful Life:

**Project Description:**

The Public Arts Committee hosted the first Chalk Art event in May, 2016. Based on the success of the first event, the Committee desires to expand on the original two-day event and add several PopUp Chalk Art events. This is an event that brings together all ages and all skill levels. Guidelines are already established. Designs must be family friendly. Each person is given a space and some chalk and they create their own piece of art. Chalk Art is not permanent, however, the works of art with chalk are quite beautiful.

The Committee will work with the appropriate local authorities to ensure all necessary preparations are completed prior to the event, such as street closing, notifications and other requirements, etc.

The two-day chalk event will be in Tyrone at a new festival they are planning in May. Other one-day events will take place in Tyrone (March/Paws for a Purpose dog walk); Fayette (June/Balloons over Fayette), Fayetteville (September/chalk event only) and Peachtree City (November/Hops and Props). See Attached for details on each event and budget.

Department:

Department Contact(s):

Start Date (estimate):  Completion Date (estimate):

**Additional comments:**

**Anticipated Costs - Direct & Indirect**

Materials	\$ Amount
Tyrone / March 18, Paws for a Purpose	\$150
County 2nd Annual / May 20-21, Tyrone Arts Festival	800
Fayette County / June 17, Balloons Over Fayette	210
Fayetteville / September 30 - chalk event only	480
Peachtree City, Hops and Props / November 4	100
Contingency for all events	260
<b>Total project cost</b>	<b>\$2,000</b>

Expenses	
Labor	Hours
<b>Total Labor Hours</b>	<b>0.0</b>

Equipment	Hours
<b>Total Equipment Hours</b>	<b>0.0</b>

**FAYETTE COUNTY PUBLIC ARTS COMMITTEE****CHALK ART PROJECTS 2017****Tyrone Paws for a Purpose Event**

Budgeted items include:

Baby Wipes --\$20 (1 case)

First Aid kit --\$10

Water—4 cases \$20

Advertising--\$100

<b>Running Total</b>	<b>\$150.00</b>
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Existing inventory to be used

4 boxes of Color Splash Chalk

10 Boxes of Crayola Chalk

Use of 1 (one) 6' table

Use of Chalk Art Signs

Use of Chalk lines/chalk

Use of Sandwich board signs

**Fayette County 2<sup>nd</sup> Annual Chalk Art Festival hosted by Tyrone Arts Festival**

Budgeted items include:

Chalk – 40 boxes Crayola (48count) 5.00/box (inc.tax) — \$250

Duct Tape (2 rolls) \$10

Water—10 cases \$50 (or in-house if the Water System can provide this)

Advertising---\$200

Banner signs for event (2)—3'x6' \$250.00

Baby Wipes-- \$40 (2 cases)

<b>Running total</b>	<b>\$800.00</b>
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Existing inventory to be used

50 Boxes of Color Splash Chalk

10 Boxes of Crayola Chalk

First Aid kit

Use of existing Chalk Art Signs

Use of existing Volunteer lanyards

Use of existing Chalk lines/chalk/tape measure

Use of existing Uline tarps

Use of Sandwich board signs

**Balloons Over Fayette Event**

Budgeted items include:

Baby Wipes --\$40 (2 cases)

Water—4 cases \$20

Advertising---\$150

<b>Running total</b>	<b>\$210.00</b>
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Existing inventory to be used

4 large Boxes of Color Splash Chalk

25 Boxes of Crayola Chalk

First Aid kit

Use of Sandwich board signs

Use of existing Chalk Art Signs/banner

Use of existing Volunteer lanyards

Use of existing Chalk lines/chalk/tape measure

**Fayetteville Fall Event**

25 boxes of Crayola Chalk \$5.00/box (inc tax) —\$150.00

Baby Wipes --\$40 (2 cases)

Water—4 cases \$20

Handicap port-a-john - \$120

Advertising ---\$150

<b>Running total</b>	<b>\$480.00</b>
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Existing inventory to be used

Remaining Boxes of Color Splash Chalk

Remaining boxes of Crayola Chalk

First Aid kit

Use of existing Chalk Art Signs/banners

Use of existing Volunteer lanyards

Use of existing Chalk lines/chalk/tape measure

Use of existing Uline tarps

Use of Sandwich board signs

Use of 2 6' tables

**Peachtree City Event Hops and Props**

Use existing inventory and supplies

Advertising--\$100

<b>Running total</b>	<b>\$100.00</b>
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<b>Contingency for all events</b>	<b>\$260.00</b>
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<b>Grand Total for all events</b>	<b>\$2000.00</b>
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**FAYETTE COUNTY PUBLIC ARTS COMMITTEE****Paws for A Purpose Pop Up Chalk Event****Dates: March 18, 2017****Time: 12pm-4pm****Location: Shamrock Park, Tyrone**

Guidelines:

In conjunction with Paws for A Purpose event which will include vendors, informational booths, and a dog walk showcasing man's best friend, Chalk Artists of all ages are invited to create a chalk drawing of their favorite dog. Participants will be given a designated space no larger than 4 X 4 to create art featuring dogs. Chalk will be provided for the event to be shared with all participants. Artists are also welcome to bring additional materials provided they are of an **NON**-permanent type. All chalk **MUST** be waterbased. All supplies must be presented at check-in for inspection.

**Fayette County 2<sup>nd</sup> Annual Chalk Arts Festival at the Shamrock Arts Celebration in Tyrone****Date: May 20-21, 2017****Time 11am-5pm and 1pm-5pm****Location: Shamrock Park**

Guidelines:

Building on the success of last year's event, Fayette County's signature chalk event invites artists of all ages to the 2<sup>nd</sup> Annual Chalk Art Festival hosted by the Shamrock Arts Celebration. Artists of all ages are invited to come and create a unique chalk drawing. Creativity is encouraged, but art must be suitable for viewers of all ages. Artists will be given one (1) 8x8 space and 2 days in which to create your best work of art. You can work individually or in a group. You are welcome to bring your own materials to add variety (i.e. charcoal will give you a black color, chalk pastels will make it brighter/more vivid, etc.). Participants may bring their own chalk.

One box of chalk will be provided for each participant. Chalk **MUST** be waterbased.

If you choose to bring your own materials, only water-soluble materials are permitted. Permanent media are prohibited. All supplies must be presented at check-in for inspection.



### Balloons Over Fayette Chalk Mural

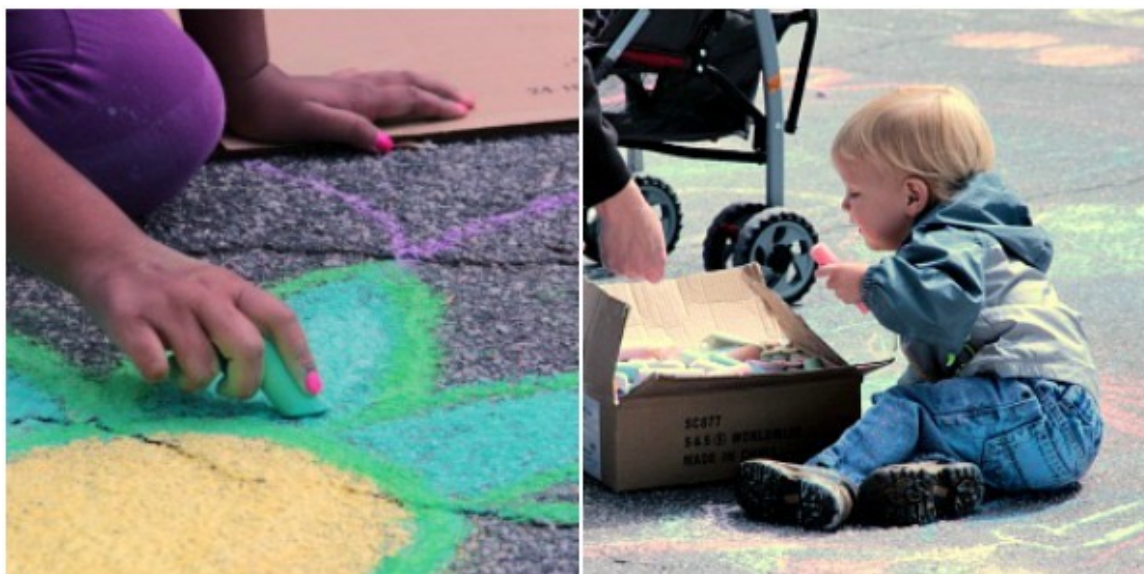
**Date:** June 17, 2017

**Time:** 3pm-8pm

**Location:** Whitewater School Complex

#### Guidelines

Artists of all ages are invited to participate in a community chalk mural project. Walk up and chalk! Use your creativity to add to a fun mural featuring Hot Air Balloons in Fayette County. Chalk will be provided for the event to be shared with all participants. Artists are also welcome to bring additional materials provided they are of a **NON**-permanent type. All chalk **MUST** be waterbased. All supplies must be presented at check-in for inspection.





## Fall Chalk Event In Fayetteville

**Dates: September 30, 2017**

**Time: 10am-4pm**

**Location: Lee Street, Downtown Fayetteville**

### Guidelines:

Calling all chalk artists to Downtown Fayetteville to create their best Fall themed chalk art. Artists will be given 1 (one) 6x6 space in which to create a unique work of art.

Creativity is encouraged but the art must be appropriate for viewers of all ages.

One box of chalk will be provided for each participant. You are welcome to bring your own materials to add variety (i.e. charcoal will give you a black color, chalk pastels will make it brighter/more vivid, etc.). Participants may bring their own chalk. Chalk **MUST** be waterbased.

If you choose to bring your own materials, only water-soluble materials are permitted.

Permanent media are prohibited. All supplies must be presented at check-in for inspection.

There will also be a designated "Community Area/Free Zone" for all ages to walk up and chalk.

Chalk will be provided for this space also.



2016 Chalk by  
Mike D. and Blaze from Saville Studios



2016 Chalk by Erica Webb

2016 Chalk by  
Fawne DeRosia



**Chalk in Peachtree City - Hops and Props (tentative)**

**Date: November 4, 2017**

**Time: 5:00pm**

**Location: Dixie Wing Museum**



2016 Chalk by Heather Cap and Donna Thompson at Hops and Props event

# COUNTY AGENDA REQUEST

Page 23 of 100

Department:

Presenter(s):

Meeting Date:

Type of Request:

## Wording for the Agenda:

Approval of the Public Arts Committee's request for final approval to develop a Lecture Series program in 2017 specific to Art and to approve an honorarium of \$75 to each speaker for a total of \$300.00.

## Background/History/Details:

The Public Arts Committee would like to pursue offering lectures or workshops that would focus on topics of interest to both visual and performing artists as well as art enthusiasts. Based on the interest of local/regional artists and the success of recent workshops, a lecture series could be used to bring an educational aspect to our offerings to the community. Additionally, this could provide opportunities for artists to mentor and network with others in Fayette and the surrounding counties. Throughout the Southern Crescent, educational opportunities are limited. Lectures could cover any topics of interest to visual or performing artists, as well as topics specific to art collectors and enthusiasts.

This would also provide an opportunity to partner with our libraries and other entities to host these events and continue to build a community that supports and appreciates art.

The Arts Committee will schedule four (4) lectures for 2017.

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

Approval of the Public Arts Committee's request for final approval to develop a Lecture Series program in 2017 specific to Art and to approve an honorarium of \$75 to each speaker for a total of \$300.00.

## If this item requires funding, please describe:

The funding would consist of an honorarium of \$75 to each speaker at the four events for a total of \$300.

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 PUBLIC ARTS COMMITTEE - PROJECT REQUEST FORM

Project Code:  PAC Approval

Project Name:

Art Lecture Series in 2017

Estimated Total Cost:

Estimated Useful Life:

### Project Description:

The Public Arts Committee would like to pursue offering lectures or workshops that would focus on topics of interest to both visual and performing artists as well as art enthusiasts. Based on the interest of local/regional artists and the success of recent workshops, a lecture series could be used as an educational opportunity in addition to providing opportunities for artists to mentor and network with others in Fayette and the surrounding counties. Throughout the Southern Crescent, these opportunities are limited. Lectures could cover any topics of interest to visual or performing artists, as well as topics specific to art collectors and enthusiasts.

The Arts Committee will schedule four lectures in 2017.

Department:

Public Arts Committee

Department Contact(s):

Donna Thompson, Chairwoman

Start Date (estimate):

immediate

Completion Date (estimate):

ongoing

### Additional comments:

### Anticipated Costs - Direct & Indirect

Materials	\$ Amount
Honorarium for four speakers (\$75 x 4 events)	\$300
<b>Total project cost</b>	<b>\$300</b>

Expenses	
Labor	Hours
<b>Total Labor Hours</b>	<b>0.0</b>

Equipment	Hours
<b>Total Equipment Hours</b>	<b>0.0</b>

# COUNTY AGENDA REQUEST

Page 25 of 100

Department:

Presenter(s):

Meeting Date:

Type of Request:

## Wording for the Agenda:

Consideration of the Public Arts Committee's request for final approval to participate in Fayetteville Main Street's Market Day in October, 2017.

## Background/History/Details:

The Arts Committee participated in the Fayetteville Main Street Market Day and Trick or Treat event in 2016. Last year in addition to the trick or treating, the Arts Committee had an information booth where we talked to people about the Committee and had coloring sheets available for the children. There were over 100 coloring pages completed by the children. This is a great event for the community.

The Arts Committee also announced the winners of the Scarecrow Competition during the Costume Contest. This afforded additional publicity for the Scarecrows.

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

Approval Public Arts Committee's request for final approval to participate in Fayetteville Main Street's Market Day in October, 2017.

## If this item requires funding, please describe:

Funding includes booth space fee, copying for coloring sheets and candy.

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 PUBLIC ARTS COMMITTEE - PROJECT REQUEST FORM**

Project Code:  PAC Approval

Project Name:

Fayetteville Market Day October 28, 2017

Estimated Total Cost:

Estimated Useful Life:

**Project Description:**

The Arts Committee participated in the Fayetteville Main Street Market Day and Trick or Treat event in 2016. Last year in addition to the trick or treating, the Arts Committee had an information booth where we talked to people about the Committee and had coloring sheets available for the children. There were over 100 coloring pages completed by the children. This is a great event for the community.

The Arts Committee also announced the winners of the Scarecrow Competition during the Costume Contest. This afforded additional publicity for the Scarecrows.

Department:

Department Contact(s):

Start Date (estimate):

Completion Date (estimate):

**Additional comments:**

**Anticipated Costs - Direct & Indirect**

Materials	\$ Amount
booth space cost	\$20
coloring sheets on cardstock / 4 clipboards	50
trick or treat candy	80
<b>Total project cost</b>	<b>\$150</b>

Expenses	
Labor	Hours
<b>Total Labor Hours</b>	<b>0.0</b>

Equipment	Hours
<b>Total Equipment Hours</b>	<b>0.0</b>

# COUNTY AGENDA REQUEST

Page 27 of 100

Department:

Presenter(s):

Meeting Date:

Type of Request:

## Wording for the Agenda:

Consideration of the Public Arts Committee's request for final approval to develop art programs in partnership with the Southern Conservation Trust.

## Background/History/Details:

Having the Southern Conservation Trust (SCT) in our community is a tremendous benefit in many ways. The Public Arts Committee would like to develop a partnership with SCT. There are several key opportunities. SCT has offered assistance with the Birdhouse Project - both from an educational aspect, as well as a location to offer learn/build/paint events for Birdhouses. SCT has assisted in the development of Guidelines for the Birdhouse Project in an advisory capacity. The Trust will also be a recipient for donated Birdhouses for public spaces.

SCT can also be utilized for art workshops and classes that focus on nature, with the artists able to leave the classroom and go direct into natural spaces. This is a perfect fit for the Trust properties and photography shoots and plein air painting events. There is also the potential to partner with SCT and bring art opportunities to their events and properties. Other art opportunities with SCT include: painted path markers, painted turtle nesting area markers, artwork made from fallen trees or recycled materials that would be displayed at the Trust properties, and involvement with the annual fundraising event.

Building a partnership with SCT will not only increase the presence of art in the community, but it will also bring a stronger awareness of art and nature and the SCT properties.

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

Approval of the Public Arts Committee's request for final approval to develop art programs in partnership with the Southern Conservation Trust.

## 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:

The Committee would like approval to proceed with those types of projects. If a project is identified that requires funding, the Committee will return to the Commissioners for approval.

## FAYETTE COUNTY PUBLIC ARTS COMMITTEE - PROJECT REQUEST FORM

Project Code:  PAC Approval  Feb. 20, 2017

Project Name:

Partnership with Southern Conservation Trust

Estimated Total Cost:

Estimated Useful Life:

### Project Description:

Having the Southern Conservation Trust (SCT) in our community is a tremendous benefit in many ways. The Public Arts Committee would like to develop a partnership with SCT. There are several key opportunities. SCT has offered assistance with the Birdhouse Project - both from an educational aspect, as well as a location to offer learn/build/paint events for Birdhouses. SCT has assisted in the development of Guidelines for the Birdhouse Project in an advisory capacity. The Trust will also be a recipient for donated birdhouses for public spaces. SCT can also be utilized for art workshops and classes that focus on nature, with the artists able to leave the classroom and go direct into natural spaces. Photography shoots and plein air painting events can be hosted at many of the Trust properties. There is also the potential to partner with SCT and bring art opportunities to their events and properties. Building a partnership with SCT will not only increase the presence of art in the community, but it will also bring a stronger awareness of art and of nature and the SCT properties. Additional projects: painted path markers, turtle nesting area markers, annual fundraising event.

Department:

Public Arts Committee

Department Contact(s):

Donna Thompson, Chairwoman

Start Date (estimate):

immediate / planning

Completion Date (estimate):

ongoing

### Additional comments:

UPDATE (2/20/17) - The Arts Committee would request approval to proceed with projects that require no additional funding at this time. The Birdhouse project has approved funding. Lectures and Workshops require no funding. If a specific project requires funding, the Committee would return for approval for that specific event/programs.

### Anticipated Costs - Direct & Indirect

Materials	\$ Amount
<b>Total project cost</b>	<b>\$0</b>

Expenses	
Labor	Hours
<b>Total Labor Hours</b>	<b>0.0</b>

Equipment	Hours
<b>Total Equipment Hours</b>	<b>0.0</b>



# COUNTY AGENDA REQUEST

Page 29 of 100

Department:

Presenter(s):

Meeting Date:

Type of Request:

## Wording for the Agenda:

Consideration of the Public Arts Committee's request for Concept Approval to develop the Church Street Park Mural project, in partnership with Southern Crescent Habitat and the Moms Club.

## Background/History/Details:

The Arts Committee was approached by Southern Crescent Habitat to assist with the development of a mural at the Church Street Park. This park is being revitalized by Habitat and the Moms Club, both non-profit groups. The playground equipment has been replaced, landscaping updated and the addition of picnic table and benches. They also installed a fence surrounding the park. Habitat stated they would like a mural on the fence. The approximate area is 72 feet in length and approximate 6 ft high. There would be a Call to Artists issued. The Moms Club and Habitat want to select the design along with the approval of government agencies. The proposed design is to have three sections with the sections focused on children, teens and adults. The project would include the Call to Artist, selection of the design, approvals from respective authorities. The project costs would include plywood/nails to provide a surface suitable for the mural (to be placed on the inside of the fence) and artist fee. Habitat said their Construction Department would cover costs for paint.

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

Approval of Concept to develop the Church Street Park Mural project, in partnership with Southern Crescent Habitat and the Moms Club.

## If this item requires funding, please describe:

Funding costs would include plywood, nails, artist fee for development of design.

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 PUBLIC ARTS COMMITTEE - PROJECT REQUEST FORM

Project Code:  PAC Approval

Project Name:

Estimated Total Cost:  Estimated Useful Life:

**Project Description:**

The Arts Committee was approached by Southern Crescent Habitat to assist with the development of a mural at the Church Street Park. This park is being revitalized by Habitat and the Moms Club, both non-profit groups. The playground equipment has been replaced, landscaping updated and the addition of picnic table and benches. They also installed a fence surrounding the park. Habitat stated they would like a mural on the fence. The approximate area is 72 feet in length and approximate 6 ft high. There would be a Call to Artists issued. The Moms Club and Habitat want to select the design along with the approval of government agencies. The proposed design is to have three sections with the individual sections focused on children, teens and adults. The project would include the Call to Artist, selection of the design, approvals from respective authorities. The project costs would include plywood/nails to provide a surface suitable for the mural (to be placed on the inside of the fence) and artist fee. Habitat said their Construction Department would cover costs for paint.

Department:

Department Contact(s):

Start Date (estimate):  Completion Date (estimate):

**Additional comments:**

**Anticipated Costs - Direct & Indirect**

Materials	\$ Amount
<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>
<b>Total project cost</b>	<b>\$0</b>

Expenses	
Labor	Hours
<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>
<b>Total Labor Hours</b>	<b>0.0</b>

Equipment	Hours
<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>
<b>Total Equipment Hours</b>	<b>0.0</b>

## Church St. Mural Vision

The tallest section of the fence is the part we are going to be putting the mural on. There will be plywood applied to the inside of that section to ensure there are no gaps. Only the middle portion of the tallest section of the fence is to be painted (roughly 9 sections long).

There will be three different concepts that flow together, each concept to be around 3 sections in length (each section is divided by the fence posts; each section length roughly 10 ft.). The three concepts will include one of three seasons: summer, spring and/or fall. Each concept will include a different fun activity that can be done at the park (picnic, basketball, playing on playground, etc.) during one of the three seasons. We would like each concept to contain children, teens and adults intermingled.

The idea is to have the three concepts to flow together nicely. We would also like to have bright colors represented. Whatever artist is chosen to work on and design the mural our staff team and the MOMS Club would like to be involved in the planning process.

Concept 1: spring (playing basketball/hopscotch/jump rope/etc. on the basketball courts)

Concept 2: summer (activities on the playground equipment)

Concept 3: fall (picnic scene)



**\*\*We really like the bright colors in this photo!\*\***

# COUNTY AGENDA REQUEST

Page 32 of 100

Department:

Presenter(s):

Meeting Date:

Type of Request:

## Wording for the Agenda:

Consideration of the Public Arts Committee's request for Concept Approval for Earth Day to assist in the development of a mural project and participate in the Earth Day event.

## Background/History/Details:

Earth Day is April 22, 2017. The County-wide program will be held at the Stonewall Complex in 2017. The Arts Committee was approached by the Earth Day Committee to participate in a joint project developing a mural made from recycled materials. There would be a Call to Artists in Fayette County for a design concept. The Earth Day Committee will make the final selection of the design to be used. The mural design would be transferred to a study material attached to poles at the Earth Day Event. The recycled materials would be attached to the mural during the event. This project is designed for citizen involvement. There will be Arts Committee members on-site to assist with the creation of the mural. The mural would be "built" as the day progresses. The final mural will be on display at the Stonewall Complex and there is interest in moving the mural to another location after the event.

The Arts Committee would also have access to a booth space and could utilize for a Birdhouse event or other art project designed specifically for Earth Day.

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

Approval of the Public Arts Committee's request for Concept Approval for Earth Day to assist in the development of a mural project and participate in the Earth Day event.

## If this item requires funding, please describe:

Will determine funding for final project submission.

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 PUBLIC ARTS COMMITTEE - PROJECT REQUEST FORM

Project Code:  PAC Approval

Project Name:

Estimated Total Cost:  Estimated Useful Life:

**Project Description:**

Earth Day is April 22 and the County-wide program will be held at the Stonewall Complex in 2017. The Arts Committee was approached by the Earth Day Committee to participate in a joint project developing a mural made from recycled materials. The idea is to create a Call to Artists in Fayette County for a design concept. The Earth Day Committee will make the final selection of the design to be used. The mural design would be transferred to a sturdy material that would be attached to poles for creation and display at the Earth Day event. Citizens could bring recycled materials as identified by the planners of the mural and place those items in the mural. There will be Arts Committee members on-site to assist with the creation of the mural. The mural would be "built" as the day progresses. The final mural will be on display at Stonewall and there is interest in moving the mural to another location after the event.

The Arts Committee would also have access to a booth space and could utilize for a Birdhouse event or other art project designed specifically for Earth Day.

Department:

Department Contact(s):

Start Date (estimate):  Completion Date (estimate):

**Additional comments:**

**Anticipated Costs - Direct & Indirect**

Materials	\$ Amount
<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>
<b>Total project cost</b>	<b>\$0</b>

Expenses	
Labor	Hours
<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>
<b>Total Labor Hours</b>	<b>0.0</b>

Equipment	Hours
<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>
<b>Total Equipment Hours</b>	<b>0.0</b>

# COUNTY AGENDA REQUEST

Page 34 of 100

Department:

Presenter(s):

Meeting Date:

Type of Request:

## Wording for the Agenda:

Consideration of the Public Arts Committee's request for Concept Approval to assist in the development of an arts festival in Fayetteville at the Courthouse (Fall, 2017).

## Background/History/Details:

The Arts Committee has been asked by many citizens if the annual Art Show was going to return to the Courthouse area. The City of Fayetteville is interested in hosting an event. The Arts Committee would like to pursue a partnership with Fayetteville to bring an art event back to the Courthouse in the Fall. There is the potential for fine arts and crafts vendors, entertainment, food vendors along with a exhibit of student art. There is also the potential to partner with the Chalk Art event scheduled for late September, which would bring added value to both events. This event has the potential to build and become an annual event.

The Citizen newspaper (2/22/2017) front page article regarding a Fayetteville survey detailing six things new and long-time residents want included "#4. more festivals and events."

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

Approval of the Public Arts Committee's request for Concept Approval to assist in the development of an arts festival in Fayetteville at the Courthouse (Fall, 2017).

## If this item requires funding, please describe:

The only funding known at this time would be for a specific project led by the Arts Committee. There is the potential to have overall costs covered by City of Fayetteville.

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 PUBLIC ARTS COMMITTEE - PROJECT REQUEST FORM**

Project Code:  PAC Approval  Feb. 20, 2017

Project Name:

Fayetteville Festival

Estimated Total Cost:  Estimated Useful Life:

**Project Description:**

The Arts Committee has been asked by many citizens if the annual Art Show was going to return to the Courthouse area. The City of Fayetteville is interested in hosting an event. The Arts Committee would like to pursue a partnership with Fayetteville to bring an art event back to the Courthouse in the Fall. There is the potential for fine arts and crafts vendors, entertainment, food vendors along with a exhibit of student art. There is also the potential to partner with the Chalk Art event scheduled for late September, which would bring added value to both events. This event has the potential to build and become an annual event.

The Citizen newspaper (2/22/2017) front page article regarding a Fayetteville survey detailing six things new and long-time residents want included "#4. more festivals and events."

Department:  Public Arts Committee

Department Contact(s):  Donna Thompson, Chairwoman  
 Jeff Mellin, project leader

Start Date (estimate):  Completion Date (estimate):

**Additional comments:**

**Anticipated Costs - Direct & Indirect**

Materials	\$ Amount
<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>
<b>Total project cost</b>	<b>\$0</b>

Expenses	
Labor	Hours
<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>
<b>Total Labor Hours</b>	<b>0.0</b>

Equipment	Hours
<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>
<b>Total Equipment Hours</b>	<b>0.0</b>



# COUNTY AGENDA REQUEST

Page 36 of 100

Department:

Presenter(s):

Meeting Date:

Type of Request:

## Wording for the Agenda:

Consideration of the Concept Approval Request to expand the Annual Scarecrow Competition.

## Background/History/Details:

This will be the fourth year of the Scarecrow Competition. It allows participants from across Fayette County to create a Scarecrow for display in October. In 2017 the Arts Committee would like to expand the Scarecrow Competition to include a preliminary competition in the Cities and Unincorporated County. There will be three winners selected from each of those and they will advance to the County-wide Scarecrow Competition at the Stonewall Complex. The preliminary competitions would be at the cost of the municipality and the Committee would seek approval from each. Cost would include posts and prizes for the three local winners. The Arts Committee would be responsible for the posts and prizes for unincorporated County and County-wide. Some posts are in storage for this event. Preliminary prizes can be donated gift cards. By expanding the competition the event will have more participation and be more inclusive as a County-wide event.

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

Approval of the Concept for the expanded Annual Scarecrow Competition.

## If this item requires funding, please describe:

Funding would include some additional posts and prize awards for the County-wide competition.

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 PUBLIC ARTS COMMITTEE - PROJECT REQUEST FORM**

Project Code:  PAC Approval  Feb. 20, 2017

Project Name:

Scarecrow Competition

Estimated Total Cost:

Estimated Useful Life:

**Project Description:**

This will be the fourth year of the Scarecrow Competition. It allows participants from across Fayette County to create a Scarecrow for display in October. In 2017 the Arts Committee would like to expand the Scarecrow Competition to include a preliminary competition in the Cities and Unincorporated County. There will be three winners selected from each of those and they will advance to the County-wide Scarecrow Competition at the Stonewall Complex. The preliminary competitions would be at the cost of the municipality and the Committee would seek approval from each. Cost would include posts and prizes for the three local winners. The Arts Committee would be responsible for the posts and prizes for unincorporated County and County-wide. Some posts are in storage for this event. Preliminary prizes can be donated gift cards. By expanding the competition the event will have more participation and be more inclusive as a County-wide event.

Department:

Public Arts Committee

Department Contact(s):

Donna Thompson, Chairwoman  
Jeff Mellin and Heather Cap, project leaders

Start Date (estimate):

Completion Date (estimate):

October, 2017

**Additional comments:****Anticipated Costs - Direct & Indirect**

Materials	\$ Amount
<b>Total project cost</b>	<b>\$0</b>

Expenses	
Labor	Hours
<b>Total Labor Hours</b>	<b>0.0</b>

Equipment	Hours
<b>Total Equipment Hours</b>	<b>0.0</b>

**BOARD OF COUNTY COMMISSIONERS**

Eric Maxwell, Chairman  
 Randy Ognio, Vice Chairman  
 Steve Brown  
 Charles W. Oddo  
 Charles D. Rousseau

**FAYETTE COUNTY, GEORGIA**

Steve Rapson, County Administrator  
 Dennis A. Davenport, County Attorney  
 Tameca P. White, County Clerk



140 Stonewall Avenue West  
 Public Meeting Room  
 Fayetteville, GA 30214

**MINUTES**

February 23, 2017  
 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 2<sup>nd</sup> and 4<sup>th</sup> Thursday of each month at 7:00 p.m.

**Call to Order**

Chairman Eric Maxwell called the February 23, 2017 Board of Commissioners meeting to order at 7:02 p.m.  
 All members of the Board were present.

**Invocation by Vice Chairman Randy Ognio**

Vice Chairman Randy Ognio introduced Pastor Wayne Turner from the Fayette Bible Church to offer the Invocation.

**Pledge of Allegiance**

Vice Chairman Ognio led the audience and the Board in the Pledge of Allegiance.

**Acceptance of Agenda**

Vice Chairman Ognio moved to accept the agenda. Commissioner Brown seconded. The motion passed 5-0.

**PROCLAMATION/RECOGNITION:**

1. **Proclamations in appreciation of U.S. Congressman Lynn Westmoreland and Georgia House Representatives John Yates for their service and dedication to Fayette County.**

Chairman Maxwell stated that former Representative Lynn Westmoreland was unable to attend. Commissioner Charles Oddo presented former Representative John Yates with a proclamation on behalf of the Board and the citizens of Fayette County. Mr. Yates gave comments and thanked the Board and the citizens for the honor. A copy of the request, identified as "Attachment 1," follows these minutes and is made an official part hereof.

**PUBLIC HEARING:**

Community Development Director Pete Frisina read the *Introduction to Public Hearings for the Rezoning of Property*. A copy of the Introduction to Public Hearings for the Rezoning of Property, identified as "Attachment 2," follows these minutes and is made an official part hereof.

2. **Consideration of Petition No. 1262-17, Mahmoud J. Amercani & Hadia Youssef, Owner, and Randy M. Boyd, Agent, request to rezone 14.39 acres from A- R to R-80 to develop a Single-Family Residential Subdivision on property located in Land Lot(s) 26 & 39 of the 5th District and fronting on Seay Road.**

Mr. Frisina briefed the Board regarding this petition. He stated that this petition was a companion to item #3 on the agenda. He stated that both petitions were recommended for approval by staff and the Planning Commission.

Mr. Randy Boyd, agent for the petitioners, stated that this property was on the south side of Seay Road and approximately a fourth of a mile from the intersection of Seay Road, Harp and Highway 92. He stated that the property was split back in the summer of last year. He stated that the request was to take one lot from A-R to R-80 and to develop four lots that would include the existing home. He stated that the owners are brother and sister and the plan was to build houses for the children of the sister. He stated that this was an area of the Comprehensive Land Use Plan that was designated for low density residential and their density was 3.6 acres and within the Comprehensive Plan. He asked that the Board would approve this request.

No one spoke in favor or in opposition of this petition.

Vice Chairman disclosed that his parents lived on this road, but that there was no relationship, financial or any kind, to this petition.

Commissioner Brown moved to approve Petition No. 1262-17, Mahmoud J. Amercani & Hadia Youssef, Owner, and Randy M. Boyd, Agent, request to rezone 14.39 acres from A- R to R-80 to develop a Single-Family Residential Subdivision on property located in Land Lot(s) 26 & 39 of the 5th District and fronting on Seay Road. Vice Chairman Ognio seconded. The motion passed 5-0. A copy of the request, identified as "Attachment 3," follows these minutes and is made an official part hereof.

3. **Consideration of Petition No. RP-061-17, Mahmoud J. Amercani & Hadia Youssef, Owner, and Randy M. Boyd, Agent, request to add 4 lots to the Minor Subdivision Plat of J.K. Singletary and Patricia A. Singletary on property located in Land Lot(s) 26 & 39 of the 5th District and fronting on Seay Road.**

No one spoke in favor or in opposition of this petition.

Commissioner Oddo moved to approve Petition No. RP-061-17, Mahmoud J. Amercani & Hadia Youssef, Owner, and Randy M. Boyd, Agent, request to add 4 lots to the Minor Subdivision Plat of J.K. Singletary and Patricia A. Singletary on property located in Land Lot(s) 26 & 39 of the 5th District and fronting on Seay Road. Commissioner Brown seconded. The motion passed 5-0. A copy of the request, identified as "Attachment 4," follows these minutes and is made an official part hereof.

4. **Consideration of staff's request to adopt Resolution 2017-03 pertaining to the "Fayette County 2016 Annual Report on Fire Services Impact Fees, including Comprehensive Plan Amendments for Updates to the Capital Improvements Element and Short-Term Work Program (FY2017- FY2021)" and to transmit the document to the Atlanta Regional Commission and the Department of Community Affairs for Regional and State review prior to adoption.**

Mr. Frisina stated that this was the annual report that was due to Atlanta Regional Commission (ARC) and to the Department of Community Affairs (DCA) for Regional and state review of the impact fees. He thanked the Finance Department for the financial information and Chief Scarborough who helped to get things on track.

Commissioner Brown moved to approve Resolution 2017-03 pertaining to the "Fayette County 2016 Annual Report on Fire Services Impact Fees, including Comprehensive Plan Amendments for Updates to the Capital Improvements Element and Short-Term Work Program (FY2017- FY2021)" and to transmit the document to the Atlanta Regional

Commission and the Department of Community Affairs for Regional and State review prior to adoption. Commissioner Oddo seconded.

Commissioner Brown stated that the impact fees are fees that are levied on new construction. He stated that the fees go to infrastructure and in this case it goes to Fire and EMS.

Commissioner Rousseau noted a change to be made to the dollar amount. He stated that the comma was in the wrong place. Staff noted the change.

Commissioner Brown moved to approve Resolution 2017-03 pertaining to the "Fayette County 2016 Annual Report on Fire Services Impact Fees, including Comprehensive Plan Amendments for Updates to the Capital Improvements Element and Short-Term Work Program (FY2017- FY2021)" and to transmit the document to the Atlanta Regional Commission and the Department of Community Affairs for Regional and State review prior to adoption. Commissioner Oddo seconded. The motion passed 5-0. A copy of the request, identified as "Attachment 5," follows these minutes and is made an official part hereof.

#### **CONSENT AGENDA:**

Vice Chairman Ognio requested to remove Item #5 and Commissioner Rousseau requested to remove Item #8. Commissioner Oddo moved to approve the Consent Agenda with the exception of items #5 and #8 for discussion. Vice Chairman Ognio seconded. The motion passed 5-0.

**5. Approval of staff's recommendation to make enhancements to the Heritage Park Water fountain at a cost of \$60,000.**

Director of Building and Grounds Carlos Christian briefed the Board on options listed for this agenda item. He stated that the fountain was built by Building and Grounds staff in 1996 and that staff had tried to maintain the water fountain over the years. He stated that the granite stone had been cracking and the granite becomes slippery when wet. He stated that repairs are difficult because of the way it was designed. He stated that staff was proposing a medium grade granite and to include a rough finish to the granite to provide a safer surface for anyone who stands or sits on it. He stated that one of the options included a cast stone façade with a trim and base and the second option was the brick inlay façade and the cast stone trim and base. He stated that staff's preferred option was Option #1. He stated that staff would do the work on this project. He stated that the project would also include resetting and leveling the brick pavers around the fountain. He stated that the other part would be the installation of the LED lights inside the water fountain. He stated that staff was asking the Board to approve setting the budget to \$60,000 and the selection of Option #1.

County Administrator Steve Rapson stated that since both projects have cast stone he wanted to clarify that staff's recommendation was Option #1. He stated that the funding for the project had already been established at \$125,000 so there was not additional funding being requested. He asked the Board to give staff latitude on this project because once the project starts there may be other needed repairs discovered.

Commissioner Brown stated that he would like to see skateboard deterrent installed on the edge of the fountain to prevent skateboards from riding along the edge of the fountain. He stated that he would highly suggest that the Board consider adding these as part of the fountain. He stated that he would rather not use granite on the fountain because of the difficulty in maintaining it. He suggested using a pre-cast concrete. He also spoke of his concern of having the annual Christmas tree placed on top of the fountain. He stated that he had suggested placing it at the Old Courthouse instead.

He stated that part of the wear and tear comes from placing that metal tree bottom on the fountain. He concluded that the pre-cast would be maintenance free and would eliminate having to replace the granite later.

Mr. Christian stated that the cost for the skateboard deterrents would be approximately \$1,000. He stated that he kept the granite finish because choosing a different material would change the look of the water fountain and require more cost.

Vice Chairman Ognio stated that if granite was used he would like to see the overhang of the fountain reduced. He stated that it overhangs quite a bit and that he believes that was one of the problems with it breaking off. He stated that he worries about the skateboard deterrents being a trip hazard when there are events where people walk along the fountain. He stated that the LED lighting might be underpriced in the proposal. He stated that he was concerned with the wiring associated with getting the LED lights to work increasing the price.

Mr. Christian stated that staff considered that. He stated that was one reason for the façade and staff does not believe that would be an issue. He stated that staff proposed that the lip of the fountain be reduced in the proposal submitted.

Mr. Rapson stated that staff can look into the skateboard deterrents and that staff had not asked the City of Fayetteville to move the Christmas tree. He stated that last year when the topic was addressed the Mayor of Fayetteville was present and stated that the city was not interested in moving the tree. He stated that staff tried to keep the project consistent with the material that was currently there.

Commissioner Oddo stated that staff had been working on the pricing for a long time. He stated that staff had gotten the price down substantially from where it was.

Commissioner Brown stated that the County had to be able to maintain the fountain.

Commissioner Oddo moved to approve staff's recommendation, Option #1, to make enhancements to the Heritage Park Water fountain at a cost of \$60,000 and to have staff evaluate the skateboard deterrents and include if needed. Vice Chairman Ognio seconded. Discussion followed.

County Attorney Dennis Davenport stated that evaluating the skateboard deterrents and moving forward with them if deemed necessary would mean an increase to the dollar amount and although, understood, he would be more comfortable if it was stated for the record.

Commissioner Oddo amended the motion to approve staff's recommendation, Option #1, to make enhancements to the Heritage Park Water fountain at a cost of \$65,000 and to have staff evaluate the skateboard deterrents and include, if needed. Vice Chairman amended second. The motion passed 5-0. A copy of the request, identified as "Attachment 6," follows these minutes and is made an official part hereof.

6. **Approval of staff's recommendation for a.) Board execution of the Construction Agreement between GDOT and Fayette County for PI #0012623 for the resurfacing of 85 Connector, Ebenezer Road and Brook Woolsey Road; b) BOC approval of GDOT oversight; and c.) BOC to approve the low bid from C.W. Matthews Co, Inc. for Bid #1236-B Resurface Three Roads in the amount of \$1,076,040.76.** A copy of the request, identified as "Attachment 7," follows these minutes and is made an official part hereof.
7. **Approval of staff's recommended mid-year budget amendments to the fiscal year 2017 budget.** A copy of the request, identified as "Attachment 8," follows these minutes and is made an official part hereof.

8. **Approval of a recommendation from the Water Committee to approve the request from the Radio Controlled Sailboat Club for the use of Lake McIntosh Park on October 26 through October 28, 2017 and for the parking fee to be waived for the participants.**

Commissioner Rousseau asked Mr. Rapson if he had a number of the attendance to this event in the past years. Mr. Rapson stated that the first year was basically the participants and the second year there was about 12-15 patrons to show up. He stated that staff was anticipating the number of attendants to be closer to 30 to 35 this year.

Commissioner Brown stated that the people present were the people who were participating.

Commissioner Rousseau stated that the information stated that people from "around the country" attended and it raised an antenna for him. He stated that if there was a sizable turnout for attendance then he might not want to waive the fee. He stated since there was not a large attendance he would approve.

Commissioner Rousseau moved to approve the request from the Radio Controlled Sailboat Club for the use of Lake McIntosh Park on October 26 through October 28, 2017 and for the parking fee to be waived for the participants. Commissioner Brown seconded. The motion passed 5-0. A copy of the request, identified as "Attachment 9," follows these minutes and is made an official part hereof.

9. **Approval of a recommendation from the Water Committee to approve the request from Peachtree City Rowing Club to close Lake McIntosh Park for the scrimmage on March 11, 2017.** A copy of the request, identified as "Attachment 10," follows these minutes and is made an official part hereof.
10. **Approval of the February 9, 2017 Board of Commissioners Meeting Minutes.**

#### **OLD BUSINESS:**

11. **Consideration of Commissioner Brown's request to allow a van pool to be utilized in a county parking lot for physical disabled Fayette County residents. This item was tabled at the February 9, 2017 Board of Commissioners meeting.**

Commissioner Brown moved to table this item to the March 23, 2017 Board of Commissioners meeting. Vice Chairman Ognio seconded. Discussion followed.

Commissioner Oddo stated that he voted in opposition the last time this was on the agenda and he would be voting in opposition again.

Commissioner Brown moved to table this item to the March 23, 2017 Board of Commissioners meeting. Vice Chairman Ognio seconded. The motion passed 4-1 with Commissioner Oddo voting in opposition. A copy of the request, identified as "Attachment 11," follows these minutes and is made an official part hereof.

#### **NEW BUSINESS:**



**12. Consideration of a recommendation from the Selection Committee, comprised of Commissioner Charles Oddo and Commissioner Steve Brown to nominate Jennifer Johnson to the Fayette County Public Arts Committee to serve an unexpired one (1) year term beginning immediately and expiring May 31, 2017.**

Commissioner Oddo stated that he and Commissioner Brown met some wonderfully talented artist. He stated that he would like to make a motion to have Jennifer Johnson serve a full term to expire May 31, 2019.

Mr. Davenport stated that this was a two year term and that the Board has not had this type of motion before. He stated that the policy had been to evaluate every term for the person sitting in the seat as well as any new applicants. He stated that to approve this motion would be a departure of evaluating every seat when the term was up.

Commissioner Brown stated that these are all unexpired terms for the committee. He stated that it was advertised as fulfilling an unexpired term and it should stay that way.

Mr. Davenport stated that the Board created the seats to serve staggered terms and this should not be an issue once the unexpired terms have been served.

Commissioner Oddo stated that this was one of the items that he brought up last meeting that he wanted staff to review. He stated that it makes little sense to have someone for three months and then advertise it again.

Commissioner Brown stated that generally the Board would just reappoint the person.

Commissioner Oddo stated that the issue was re-advertising and having people take the time to come interview knowing that the Selection Committee would reappoint the person.

Chairman Maxwell stated that the issue was that this was advertised as an unexpired term.

Vice Chairman Ognio asked Mr. Davenport if there was a "cleaner" way to handle this issue.

Mr. Davenport stated that it was possible to have another short term seat on another board as well. He stated that he would have to revert to the policy this Board put into place. He stated that the Board wanted to evaluate every seat that came up and not just the person in the seat, but any potential applicant that wanted to apply for that seat to be considered every time the term was up. He stated that the Board had applied that policy consistently and to do differently now would be a departure from that policy. He stated that the Board could decide to change the policy, but whatever the decision he advised that the Board be consistent.

Commissioner Brown suggested reviewing the term expirations three months prior to the end of the term. He suggested discussing this at the Board Retreat.

Mr. Davenport stated that an idea way to look at this appointment could have been to advertise for two positions, one to fulfill the unexpired term and one to fulfill the two year term.

Commissioner Rousseau stated that he was in agreeance with that approach. He stated that he was going to ask if the individual was comfortable applying knowing that the term would expire in three months. He asked if it was possible for the Board to wait to appoint for this position in three months.

Mr. Davenport stated that knowing that the applicant pool had been interviewed already, the Board could look at this from the perspective of using the same pool of applicants for the two year term.

Commissioner Brown stated that there was currently a term being advertised with the same dilemma. He suggested leaving this appointment as is and having this conversation at the Board Retreat.

Commissioner Rousseau asked if the applicant was fully aware that they would only be serving three months. Commissioner Oddo stated that he did not recall the conversation during the interview.

Mr. Davenport stated that there are more seats on this committee coming due in three months. He stated that the time to advertise for them would be now.

Commissioner Oddo stated that he would defer to the policy for now and that the Board does need to evaluate the policy regarding the appointments.

Commissioner Oddo moved to appoint Jennifer Johnson to the Fayette County Public Arts Committee to serve an unexpired one (1) year term beginning immediately and expiring May 31, 2017. Commissioner Brown seconded.

Public Arts Committee Chairperson Donna Thompson stated that the committee needs the appointments because there had been an issue with not having a quorum for the meetings. She stated that if the upcoming position application deadline was March, then that person would only be on the committee for one or two meetings.

Commissioner Rousseau directed staff to have options for the Board to review and to advertise for the position immediately.

Commissioner Oddo moved to appoint Jennifer Johnson to the Fayette County Public Arts Committee to serve an unexpired one (1) year term beginning immediately and expiring May 31, 2017. Commissioner Brown seconded. The motion passed 5-0. A copy of the request, identified as "Attachment 12," follows these minutes and is made an official part hereof.

**13. Consideration of a recommendation from the Selection Committee, comprised of Commissioner Charles Oddo and Commissioner Steve Brown to nominate Martha Aikin to the Fayette County Public Arts Committee to serve an unexpired two (2) year term beginning immediately and expiring May 31, 2018.**

Commissioner Oddo moved to appoint Martha Aikin to the Fayette County Public Arts Committee to serve an unexpired two (2) year term beginning immediately and expiring May 31, 2018. Vice Chairman Ognio seconded. The motion passed 5-0. A copy of the request, identified as "Attachment 13," follows these minutes and is made an official part hereof.

**14. Consideration of a recommendation from the Selection Committee, comprised of Commissioner Charles Oddo and Commissioner Steve Brown to nominate Kate LaFoy to the Fayette County Public Arts Committee to serve an unexpired two (2) year term beginning immediately and expiring May 31, 2018.**

Commissioner Oddo moved to appoint Kate LaFoy to the Fayette County Public Arts Committee to serve an unexpired two (2) year term beginning immediately and expiring May 31, 2018. Commissioner Brown seconded. The motion passed 5-0. A copy of the request, identified as "Attachment 14," follows these minutes and is made an official part hereof.

**15. Consideration of staff's recommendation to extend the hours of the McCurry Park football complex on May 5, 2017 to facilitate the Fayette County Relay for Life Event.**

Parks and Recreation Director Anita Godbee briefed the Board about the Relay for Life Event. She stated that the components of the Relay for Life consist of the Open Ceremonies, Survivors Lap, Caregivers Lap, Illuminating Ceremony and Closing Ceremony. Volunteers for the Relay for Life made comments regarding the event.

Commissioner Oddo moved to approve to extend the hours of the McCurry Park football complex on May 5, 2017 to facilitate the Fayette County Relay for Life Event. Vice Chairman Ognio seconded. The motion passed 5-0. A copy of the request, identified as "Attachment 15," follows these minutes and is made an official part hereof.

**16. Consideration of staff recommendations for maintenance and repair of the Fayette County Administrative Building's parking lot.**

Public Works Director Phil Mallon briefed the Board regarding the Administrative Building's parking lot and the staff parking lot behind the building. He stated that there are two options and that both options include the removal of some trees. Mr. Mallon presented the proposed options to the Board.

He stated that staff was proposing three new landscape islands and to extend the existing island. He stated that under the preferred option the county would lose 15 parking spaces. He then presented Option 2 which includes losing 35 parking spaces. He stated that the cost to either option was practically the same at \$113,000 versus \$110,000 and both options include milling up the old asphalt and resurfacing the front and back of the building and restriping.

Commissioner Oddo asked Mr. Mallon to clarify why we would be losing the parking spaces. Mr. Mallon explained the drawing that was presented with the agenda item. He continued that staff would be working with the City of Fayetteville to complete the parking spaces by the gazebo so that the area was consistent. Commissioner Brown asked if the city would pay for their portion. Mr. Rapson stated yes. Mr. Mallon stated that after reviewing the records the parking spaces may be county property.

Mr. Davenport stated that the cost to the county could decrease if those parking areas do belong to the city. Mr. Rapson confirmed that was correct.

Commissioner Brown stated that he would be in favor of taking the asphalt from some of the larger specimen trees and foregoing some of the parking spaces and gently taking the top layer of asphalt back to create a large greenspace.

Mr. Mallon stated that could be done.

Commissioner Oddo stated that he noticed on occasions that the parking lot was totally full. He stated that in either options we would be losing parking spaces.

Mr. Mallon stated that staff could do what was being asked without losing additional spaces other than the ones presented.

Commissioner Rousseau asked where this project was on the project list. Mr. Mallon stated that the Road Department was ready to begin upon approval. Commissioner Rousseau asked what the turnaround time was. Mr. Mallon stated March or April. Commissioner Rousseau asked if the remaining funds from the fountain could be "co-mingled".

Mr. Rapson stated that staff's recommendation was to move forward with Option #1 and pull the \$113,350 out of Project Contingency and when the fountain was complete, the funds that were left would roll back to Project Contingency.

Commissioner Brown moved to try to adhere to the plans in Option #1 with the provision that the islands are enlarged, that staff removes the tree closes to Highway 54 and attempts to save the existing tree canopy, and that the funds come from the Project Contingency fund. Commissioner Oddo seconded. The motion passed 5-0. A copy of the request, identified as "Attachment 16," follows these minutes and is made an official part hereof.

**17. Consideration of staff recommendation to complete maintenance and repair work to Fayette County's Administrative Building (CIP 6565B).**

Mr. Christian stated that there was an approved Capital Improvement Project (CIP) for maintenance and repair work for the Administrative Building. He stated that staff worked to keep the scope as originally submitted with the CIP. He stated that it was discovered that there are structural issues in the rear catwalk and front handrails that had to be addressed. He stated that additional monies had to be spent to keep those repairs. He stated that staff was doing the repairs in-house. He stated that staff would like to move forward with pressure washing the building, painting the exterior and replacing some of the awnings and replacing the signs around the building to bring uniformity to the signs.

Mr. Rapson stated that it would also include the light poles being sanded and repainted and the leveling of the brick on the sidewalks. He stated that the in-house staff that was doing the welding on the catwalk and the handrails saved the county roughly \$150,000. He stated that it was an awesome reflection of the staff at the County.

Vice Chairman Ognio stated that he would rather look at replacing the poles. He asked if there was funds in LED lighting to have the poles replaced. Mr. Rapson stated that the poles could be replaced. He stated that there was \$738,000 in Project Contingency that could be used for the poles. Mr. Christian stated that the staff could evaluate how much that would cost.

Vice Chairman Ognio stated that staff could just place new poles on the pedestal and put in LED lights.

Mr. Rapson stated that he would recommend moving ahead with this project and having staff come back with details for the light poles so that this project was not delayed.

Commissioner Brown moved to approve Capital Improvement Project 6565B as budgeted for \$264,400 for the maintenance and repair work to the Fayette County's Administrative Building from the Capital Improvement Project fund. Vice Chairman Ognio seconded. Discussion followed.

Commissioner Oddo asked if the light poles were brought back at a later time would staff have to tear up the parking lot. Mr. Christian stated that staff should be able to bring back lights that fit on the existing base. Commissioner Oddo asked staff to verify that the parking lot would not have to be affected before moving forward.

Commissioner Brown moved to approve Capital Improvement Project 6565B as budgeted for \$264,400 for the maintenance and repair work to the Fayette County's Administrative Building from the Capital Improvement Project fund. Vice Chairman Ognio seconded. The motion passed 5-0. A copy of the request, identified as "Attachment 17," follows these minutes and is made an official part hereof.

**18. Consideration of staff's recommendation to submit an application for a \$400,000 grant available from the State Road and Tollway Authority's Georgia Transportation Infrastructure Bank (GTIB) for Fayette County SPLOST Project R-5F, the intersection of State Route 92 and Veteran's Parkway/Westbridge Road.**

Transportation Engineer Joseph Robison introduced himself as a new employee and briefed the Board. He stated that the State Road and Tollway Authority's Georgia Transportation Infrastructure Bank helps local communities complete projects. He stated that the Town of Tyrone and Newnan are two jurisdictions that have taken advantage of this grant. He stated that the Engineering Department came up with projects that would fit with the criteria of the program. He stated that the \$400,000 grant represents roughly 25% of the construction cost. He asked for Board approval on this project.

Vice Chairman Ognio welcomed Mr. Robison aboard and that it would be great to get the grant to help with the project.

Vice Chairman Ognio moved to approve to submit an application for a \$400,000 grant available from the State Road and Tollway Authority's Georgia Transportation Infrastructure Bank (GTIB) for Fayette County SPLOST Project R-5F, the intersection of State Route 92 and Veteran's Parkway/Westbridge Road. Commissioner Brown seconded. The motion passed 5-0. A copy of the request, identified as "Attachment 18," follows these minutes and is made an official part hereof.

**19. Consideration of staff's recommendation to declare eight (8) pieces of Road Department equipment and three (3) vehicles as not serviceable, to advertise these pieces of equipment & vehicles for sale on GovDeals with the estimated values set as a reserve and for all proceeds to be returned to Vehicle Replacement Fund.**

Road Department Director Steve Hoffman briefed the Board regarding this item. He stated that staff was seeking approval to surplus eight pieces of equipment and three vehicles. He stated that the funds would be returned to the Vehicle Replacement Fund.

Vice Chairman Ognio asked would they be placed on GovDeals with a minimum price. Mr. Hoffman stated yes.

Commissioner Rousseau stated that he visited the yard and this would help staff in clearing out equipment.

Vice Chairman Ognio stated that this would not stop the paving of dirt roads, but would move from the large quantity dirt moving. Mr. Hoffman stated that was correct.

Vice Chairman Ognio moved to approve to declare eight (8) pieces of Road Department equipment and three (3) vehicles as not serviceable, to advertise these pieces of equipment & vehicles for sale on GovDeals with the estimated values set as a reserve and for all proceeds to be returned to Vehicle Replacement Fund. Commissioner Brown seconded. The motion passed 5-0. A copy of the request, identified as "Attachment 19," follows these minutes and is made an official part hereof.

**20. Consideration of the County Attorney's recommendation to approve the disposition of tax refunds, as requested by John Stevens, Jr. for tax years 2014 and 2015 in the aggregated amount of \$4,274.43.**

Mr. Davenport stated that this tax refund request had to do with the square footage of a residence being substantially less than what was on the property tax card which yielded an error in the assessment of the value. He stated that the error in 2014 was \$2,155.95 and in 2015 it was \$2,118.48 for a total of \$4,274.43. He stated that the request was made for 2013 but that the request for 2013 was beyond the three year statute with regard to tax refund request.

Commissioner Oddo moved to approve disposition of tax refunds, as requested by John Stevens, Jr. for tax years 2014 and 2015 in the aggregated amount of \$4,274.43. Vice Chairman Ognio seconded. The motion passed 5-0. A copy of the request, identified as "Attachment 20," follows these minutes and is made an official part hereof.

**21. Consideration of the County Attorney's recommendation to approve the disposition of tax refunds, as requested by Richard Hand for tax years 2014 and 2015 of this request in the aggregated amount of \$234.71.**

Mr. Davenport stated that the tract of the property was 2.88 acres and there was a substantial amount of the property condemned to be used by the Georgia Department of Transportation. He stated that when a government authority such as GDOT condemns property and goes through the court hearing process and gets an order of condemnation, the only way the taxing authority was made aware was for the order to be filed with the deed records to show that the property was removed from the taxpayers' deed. He stated that process did not occur. He stated that the tax bills were sent with the same acreage of 2.88 acres to the taxpayer who dutifully paid the bills even though a good bit of the property was owned by GDOT. He stated that the request was to seek refunds for 2009 to 2015. He stated that consistent with the last recommendation, anything beyond 2014 was an excess of the three year window for statute of limitations for tax refund request. He stated that he recommended approval for the total amount of \$234.71.

Mr. Buddy Hand stated that he was just trying to help his father request the refund.

Chairman Maxwell asked if he understood the recommendation from the County Attorney. He asked Mr. Davenport to further explain.

Commissioner Brown moved to approve the disposition of tax refunds, as requested by Richard Hand for tax years 2014 and 2015 of this request in the aggregated amount of \$234.71 with denial of all other years. Vice Chairman Ognio seconded. The motion passed 5-0. A copy of the request, identified as "Attachment 21," follows these minutes and is made an official part hereof.

**22. Discussion regarding the approval of the Standard Utility Agreement for a water line relocation for the State Route 54 Road (PI 721440) project.**

Commissioner Brown made a presentation regarding the discussion on State Route 54 East widening and McDonough Road widening. He stated that the Board had asked a lot of questions of GDOT since 2013 and the Board had received very little in the way of answers. He stated that the County was asked to sign paperwork regarding the movement of utilities in the excess of \$1 million related to the Hwy 54 East widening project. He stated that he asked to have this contract placed on the agenda because he would like to see if he could get the Board to possibly reconsider. He shared his concerns regarding this project. He stated that GDOT talks about "logical termini" in the road projects. He stated that depending on where the termini rest it would determine what to expect from the projects. He stated that the idea was to take existing state routes that form a loop around Highway 85 and supercharge the capacity of the existing state route so that the right-of-way would not be a problem because the road structure already exist. He stated that the capacity could not be expanded on Highway 54 because there are historical buildings, a massive church and GDOT stalled at that point. He stated that with volume and increase in capacity would follow. He stated that a letter was submitted in 2014



with the SR 920 concerns and the Board did not receive any answers back from GDOT. He stated that it was important to note that the logical termini for Phase I was I-75 and Phase II was Fayetteville. He stated that GDOT states on the document that the primary purpose was to increase capacity and the reason was to offload traffic off of I-75 and move it east/west. He further presented information provided. He stated that GDOT had not answered concerns related to the construction of county property and services with the McDonough Road project. He stated that GDOT had not answer the questions regarding future traffic solutions, answers to why the county was paying for the build-up of traffic congestion in the County's system, was the County responsible for large increases in residential housing densities in other counties, why was the County being asked to pay anything when GDOT was receiving additional annual tax revenue from a sales tax that the legislature voted for in 2016 and lastly why was there a delay in GDOT projects that were important to the County. He stated that he would suggest that the Board not sign the agreement until GDOT can tell the Board what was the solution at the other end of the termini.

Mr. Wayne Turner stated that he lives on McDonough Road he attended the meeting in July 2013. He stated that because of the cemetery east of where he lives, the road comes over and cuts off a third of his front lawn. He stated that part of his front lawn would be on the other side of the street. He stated that he could not see having more traffic there because the capacity was already heavy.

Chairman Maxwell asked Mr. Rapson to explain the letter that was received from GDOT.

Mr. Rapson stated that in 2015 there was an issue that the County had been requested to move the utilities out of the Georgia 54 right-of-way because it was a state route and the County had waterlines there. He stated that was presented to the Board in February and approved with a 3-2 vote with Commissioner Brown and Vice Chairman Ognio voting in opposition. He stated that being presented was the standard utility agreement that aligns the cost associated with the moving of the utility. He stated that part of the reason it took so long to receive was because GDOT was working on the cost estimate and in this case when the County first received notification of the cost at over \$2.1 million. He stated that the County had set aside \$1.3 million. He stated that GDOT agreed to let the County use the contractor, Shockley, to reduce the \$2.1 million contract to what was being presented at \$1,289,446.19. He stated that this was two different projects being discussed.

Chairman Maxwell asked Mr. Davenport what would be consequence if he did not sign the agreement.

Mr. Davenport stated that two years ago the Board told GDOT that they believed the estimate was too high. He stated that over the past year and a half GDOT went back and later came back with new numbers. He stated that if the Board had not asked them to do that then the agreement may have been signed about a year ago. He stated that in that context the County was saying that we are willing to pay to move the waterlines out of the state right-of-way. He stated that it was state right-of-way, they are widening the road and they are asking the County to move the utility. He stated that if the Board were to tell GDOT "we will not sign this agreement", it would be more than just refusing to move the waterline out of the right-of-way it was the actual year and a half time that GDOT spent to work with the County at the County's request. He stated that if the County did not move the waterline he suspect that GDOT would still remove the waterline and bill the County the \$2.1 million instead of the \$1.289 million. He stated that they could probably do that because a lack of cooperation could provide punitive action on the part of GDOT.

Mr. Rapson stated that McDonough Road was a temporary state route that would be designated a state route after this project.

Commissioner Brown stated that it was easy to view these projects as separate, but that GDOT was treating these projects as a single entity because they do work in combination with each other. He stated that he would stress that the Board look at what Atlanta Regional Commission (ARC) put together in the diagram and see that they could not get it pass Fayetteville. He stated that the County should see the red flags. He stated that he see the projects as one in the same. He stated that he would not want the Chairman to sign the document until someone at GDOT can explain what happens beyond the logical termini for both of the projects. He stated that he was not saying to object the project but to wait until the Board could get those answers from GDOT.

Commissioner Oddo stated that it was his understanding that the Highway 54 project was approved and that GDOT had purchased all the right-of-way. He stated that the projects are two separate projects and the County would be risking money and a critical relationship. He stated that he was not sure what the Board was going to be voting on because most of the backup was McDonough Road. He stated that there had been movement on this project. He stated that these are two different projects and the agreement was approved and therefore he did not see a reason not to sign the agreement.

Vice Chairman stated that he was in agreement with Commissioner Brown. He stated that GDOT cannot explain where the traffic would go and if more traffic was moved through the intersection faster it would be worse. He stated that this was not coming from the County's area DOT, but from the Clayton/Henry DOT. He stated that to promote the project would be crazy without a traffic plan to move the traffic through. He stated that the County already does not receive funds to improve the current road system, but they want to add more traffic. He stated that one issue that was a concern was that one person cannot decide not to sign something that was passed without the Board making a recommendation not to sign it. He stated that there are legitimate issues addressed and until GDOT provides the answer to where the traffic would go there should be a motion not to sign the document.

Commissioner Rousseau stated that the document in front of him states that the Board was executing an agreement entered into between the County and Georgia Department of Transportation, GDOT. He asked was the vote mentioned in the documentation properly conducted in 2015. Mr. Davenport stated that it was. Commissioner Rousseau stated that the Board at that time agreed to enter into an agreement. He stated that procedurally the Board was finalizing a vote. He stated that he and Chairman Maxwell were not present at the time that the agreement was approved and if the question was to be educated about this project it could have been done by pulling staff together to get the information. He stated that it was procedurally inappropriate for the Board to intertwine an agreement dully adopted by the Board to try to "cherry pick" another issue because there was an opening. He stated that the Board members should conduct the business fairly and do it with integrity. He stated that the Board should do this first and then bring back the other issue later. He stated that the public who was watching, according to the agenda, would think this was about Highway 54 and the traffic, but instead it was about executing a document that the Board authorized to be done. He stated that he was calling a procedural issue to only vote on the issue about signing the agreement that the Board approved. He cautioned people not to be misled. He asked the Board to stop this discussion and execute the agreement as approved. He stated that this Board was obligated to carry out the mission that the Board approved to be done. He stated that the Board raised some legitimate questions regarding cost and the new amount came back and so the Board did not get the option to hold signing the agreement because there was an opening. He stated that for him it was an ethical issue. He stated that the Board needs to be careful when it gets that deep into something because there was an opening. He stated that the public was misled when things like this happens. He stated that he was not saying that it was anyone's intention to do it but when the public was barely educated of the nuances of these projects it had a tendency to misled them.

Chairman Maxwell asked Mr. Davenport if a vote was taken does anyone have the right to have the item reconsidered at a later date. Mr. Davenport stated that the Board's procedures does not prohibit any item from coming back to the Board at any time on any issue. He stated that because of the delay it created an opportunity for this issue to come back up again because there was not a hard deadline provided for the agreement to be signed; although as stated by Commissioner Rousseau it was something that was agreed upon two years ago. He stated that the agreement was properly before the Board because there was nothing to prohibit the Board from voting in a different direction.

Chairman Maxwell stated that he was trying to address Commissioner Rousseau's issues of mixing the two projects. He stated that his concern was that he received a document, with an amount of \$1.3 million and he wanted to know what he was being asked to sign. He stated that it was approved in February 2015 and it should have been signed when Commissioner Oddo was Chairman, ideally. He stated that he was not against the document one way or the other. He stated that he wanted to bring it to the Board so that he could learn more about the project.

Commissioner Rousseau stated that he was in disagreement of the Chairman not signing the agreement. He stated that the Chairman had an obligation to sign the agreement first and then to discuss.

Mr. Davenport stated that the document was brought before the Board properly. He stated that the Board had competing interest that had to be resolved within the body. He stated that there was a vote to sign an agreement, but there was not an agreement to sign for two years. He stated that Commissioners have the prerogative to put any item on the agenda about any issue. He stated that if there was a Commissioner that wanted to address an issue that was voted on two years ago regarding an agreement that had not been signed, by no fault of the Board, there was nothing that crossed any legal lines to prevent it from being brought back to the Board. He stated that if the Board does not want it to come back on an agenda, then the agreement would be signed based on the vote that was taken two years ago.

Commissioner Rousseau stated that his issue was the starting point. He stated that once the issue related to cost was out of the way, and the parties were in agreement, then the document should have been signed.

Mr. Davenport stated that was accurate, but it had to be viewed in the context of what was allowed by the internal procedures.

Commissioner Brown stated that there was nothing unethical about what was done. He stated that he was doing something that can be done with any issue.

Commissioner Rousseau stated that the reason he brought in the word "ethic" was to differentiate between the road issue and the moving of the utility. He stated to mix those becomes a dangerous component. He stated that the ethic issue was mixing the two projects. He stated that the issue for him was that this agenda item was about executing a document that was dully voted on and not about the road widening project. He stated that it was not a County road, it was a state road and that the County was in their right-of-way. He stated that the County would do the same if any other individual was in the County's right-of-way. He apologized and stated that he wanted to be clear about using the word "ethic".

Chairman Maxwell stated that he got a legal opinion and was told that he was moving forward in the scope of his authority. He stated that he did not know how that caused him to be accused of an ethical situation. He stated that he did not know what this issue had to do with ethics.

Commissioner Brown moved to request that the Chairman not sign the document pending further information from the Georgia Department of Transportation on how the County was to respond to the increasing number of traffic volume that would follow after the widening Highway 54 East and to have a vote after that information was received. Vice Chairman Ognio seconded. Discussion followed.

Commissioner Oddo stated that he also sees this as an issue of integrity of the Board. He stated that if agreements cannot be relied upon, then that would speak to the Board and could cause problems down the road. He stated that when he served as Chairman he had to sign agreements that he did not agree with but because it was approved by the Board he would have to sign. He stated that when GDOT widens the road the County will have to move the utilities. He stated that not signing the agreement could cost the county substantially more to move the utilities.

Commissioner Brown stated that he worked with GDOT over 20 years in different jurisdictions and that GDOT takes very seriously what the local jurisdictions want. He stated that this project was one of the most important decisions that the Board would make including its relation to the McDonough Road decisions that are forthcoming. He stated that it would affect land development, traffic congestion and quality of life. He stated that whatever was decided would be a mile post and a change in direction for this county.

Commissioner Oddo stated that there was more information to analyze regarding McDonough Road. He stated that it would affect the road whether it was four lanes or not four lanes. He stated that the County was growing and would keep growing. He stated that doing nothing was not an option. He stated how dangerous the McDonough Road was currently.

Commissioner Rousseau stated that for the record his issue about using the term ethics was to talk about the procedure not any individual. He stated that it was not his intention to speak in terms of personal ethics, but the ethics of this body was at stake.

Vice Chairman Ognio stated that there was a Resolution that was sent to GDOT and there was not a response. He stated that at this point there needs to be something different done.

Mr. Rapson stated that Mr. Mallon received feedback regarding McDonough Road, however the McDonough Road issue was a separate issue.

Commissioner Brown moved to request that the Chairman not sign the document pending further information from the Georgia Department of Transportation on how we are to respond to the increasing numbers of traffic volume that would follow after the widening Highway 54 East and to have a vote after that information was received. Vice Chairman Ognio seconded. The motion failed 2-3 with Chairman Maxwell, Commissioner Rousseau and Commissioner Oddo voting in opposition. A copy of the request, identified as "Attachment 22," follows these minutes and is made an official part hereof.

Chairman asked Commissioner Brown to work on a letter to be sent to GDOT regarding Highway 54 and McDonough Road. Commissioner Brown stated that he did not have a problem with that request.

Mr. Rapson stated that he would have Mr. Mallon send a summary to the Board of what information he received.

#### **PUBLIC COMMENT:**

In accordance with the Americans With Disabilities Act, accommodations are available for those who are hearing impaired and in need of a wheelchair. The Board of Commissioners Agenda and written material for each item is available on-line through the County's website at [www.fayettecountyga.gov](http://www.fayettecountyga.gov). This meeting will be telecast on Comcast Cable Channel 23 and on the internet at [www.livestream.com](http://www.livestream.com).

Roy Bishop stated that he had questions about the Veterans Parkway and Westbridge Road intersection. He stated that Mr. Rapson gave him a schedule and he would like an update because it was behind schedule. He asked if the right-of-way had been secured and if so, did the County have to condemn the property.

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

Mr. Rapson stated that there was a schedule provided that was developed by Mr. Mallon. He stated that he checks with Mr. Mallon weekly to be sure the County was on schedule and so far we have been on schedule. He stated that he would not discuss property acquisition because that was discussed in Executive Session. He stated that this was a lead project and the County was working hard to complete the project.

Mr. Rapson asked for a Selection Committee for the Public Arts Committee.

Commissioner Oddo asked if it would be feasible to have four selection committees for the each of the vacant seats.

Commissioner Rousseau moved to approve Commissioner Brown and Vice Chairman Ognio serve as the Selection Committee to the Public Arts Committee. Vice Chairman Ognio seconded. The motion passed 5-0.

Mr. Rapson announced that the Blended Heritage event would take place at the Fayette County Library on Friday, February 24 at 7:00 p.m. He stated that the playground equipment was being installed at Kenwood Park and the contract was signed for the design of the restrooms. He stated commended Chief Financial Officer Mary Parrott and the Finance department for the findings from the Georgia Department of Audits. He stated that there were no comments given. He stated that a review of the Comprehensive Report, all the different accounting funds and all the ways the County handles transactions and Georgia Department of Audits had nothing to say, which was unusual for the state of Georgia. He stated that it was a great accomplishment. He stated that the second department that he wanted to brag on was Lee Pope and the Water System. He stated that the County received the Sanitary Surveys for the Water Treatment plants and the scores were 95.6% and 95.8%. This was a huge improvement from previous years.

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

**Notice of Executive Session:** County Attorney Dennis Davenport stated there were five items for Executive Session, four items involving Threaten Litigation and the Review of the February 9, 2017 Executive Session Minutes.

#### **COMMISSIONERS' REPORTS:**

**Commissioner Oddo:** Commissioner Oddo congratulated the Finance Department and the Water System on the accomplishments. He stated that staff was evidence of a fantastic County. He stated that the Commissioners attended the South Metro Development Outlook Conference today and it was a long day. He congratulated and thanked former Representative Yates and Representative Westmoreland, who was not present, for their service.

**Commissioner Brown:** Commissioner Brown stated that the Board has spirited discussions and it was good to have the discussions and the Board should keep having the discussions because some of the topics are extremely important.

**Vice Chairman Ognio:** Vice Chairman Ognio stated that he wanted to remind citizens that the state legislative session was about half way through. He stated that they passed one of the largest balanced budgets for Georgia. He stated that the transportation funding was increased by \$185 million. He stated that he encourages citizens to contact their representatives because there are hundreds of Bills being considered. He stated that there was one Bill that was a concern for the Board. House

Bill 204; Property Tax Bill to not include non-tax related fees and assessments on tax bills. He stated that it concerns the Board because the Street Light District was on the tax bill. He stated that there are 350 neighborhoods that are billed for the street light. He stated that if the County cannot put that fee on the tax bill it would cost the County money to send out additional bills. He stated that he would like for the Board to send a letter to the Representatives from the Board saying that the Board did not support House Bill 204.

Mr. Rapson stated that he received an update from Association of County Commissioners of Georgia and it was prevented from coming out of the House. He stated that there was another week to go before it could come out of the House into the Senate.

The Board agreed to have a letter sent.

**Commissioner Rousseau:** Commissioner Rousseau stated that he makes a whole-hearted attempt to apologize if he implied or directly said, that he was personally questioning anyone's ethics. He stated that he was referring to the Board's ethical responsibility. He stated that he apologized to the audience and to be clear that he had not encountered any type of issue, directly or indirectly, where anyone on the Board acted in an unethical manner.

**Chairman Maxwell:** Chairman Maxwell stated that he was at the Atlanta Regional Commission and they have a program called MARC Model Atlanta Regional Commission. He stated that it involves high school students and he would like to have the flyer posted on the website. He stated that the deadline to submit an application for the program was April 7. He stated that some of the students have their ideas implemented.

#### **EXECUTIVE SESSION:**

**Five Items of Threaten Litigation and Review of the February 9, 2017 Executive Session Minutes:** Commissioner Brown moved to go into Executive Session. Commissioner Rousseau seconded. The motion passed 5-0.

The Board recessed into Executive Session at 10:25 p.m. and returned to Official Session at 10:38 p.m.

**Return to Official Session and Approval to Sign the Executive Session Affidavit:** Vice Chairman Ognio moved to return to Official Session and for the Chairman to sign the Executive Session Affidavit. Commissioner Rousseau seconded the motion. The motion passed 5-0. A copy of the Affidavit, identified as "Attachment 23," follows these minutes and is made an official part hereof.

**Approval of the February 9, 2017 Executive Session Minutes:** Vice Chairman Ognio moved to approve the February 9, 2017 Executive Session Minutes. Commissioner Rousseau seconded the motion. The motion passed 5-0.

#### **ADJOURNMENT:**

Commissioner Brown moved to adjourn the February 23, 2017 Board of Commissioners meeting. Vice Chairman Ognio seconded the motion. The motion passed 5-0.

The February 23, 2017 Board of Commissioners meeting adjourned at 10:39 p.m.

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Tameca P. White, County Clerk

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Eric K. Maxwell, Chairman



The foregoing minutes were duly approved at an official meeting of the Board of Commissioners of Fayette County, Georgia, held on the 9<sup>th</sup> day of March 2017. Referenced attachments are available upon request at the County Clerk's Office.

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Tameca P. White, County Clerk

# COUNTY AGENDA REQUEST

Page 56 of 100

Department: Commissioners

Presenter(s): Commissioners Brown and Rousseau

Meeting Date: Thursday, March 9, 2017

Type of Request: New Business #13

## Wording for the Agenda:

Consideration of a recommendation from the Selection Committee, comprised of Commissioner Steve Brown and Commissioner Charles Rousseau, to appoint John Tate to the Fayette County Zoning Board of Appeals for a three-year term beginning January 1, 2017 and expiring December 31, 2019.

## Background/History/Details:

The Zoning Board of Appeals is comprised of five members appointed to three-year terms. Applicants must be a legal resident of the State of Georgia and a resident of Fayette County for at least six months prior to the date an application is submitted.

The available position was advertised for one month on the County's website as well as being sent to the Fayette Daily News, The Citizen newspaper, and the Atlanta Journal-Constitution. There were eleven applicants were each interviewed by the Selection Committee.

Mr. Tate is a resident of Fayette County for 12 years.

The appointment of Mr. Tate is recommended by the Selection Committee to fill a three-year term beginning January 1, 2017 and expiring December 31, 2019.

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

Approval of a recommendation from the Selection Committee, comprised of Commissioner Steve Brown and Commissioner Charles Rousseau, to appoint John Tate to the Fayette County Zoning Board of Appeals for a three-year term beginning January 1, 2017 and expiring December 31, 2019.

## 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:

80300?  
12noon

Received  
12-29-16  
JPH

APPLICATION FOR APPOINTMENT  
Fayette County Zoning Board of Appeals

Thank you for your interest in being considered for appointment to the Fayette County Zoning Board of Appeals.

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

The Zoning Board of Appeals is comprised of five members appointed to three-year terms. Meetings are scheduled to be held on a monthly basis. Said meetings take place at the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia. Please do not apply if you will be unable to attend a minimum of eighty percent (80%) of all meetings.

**Applicants are encouraged to attend as many Zoning Board of Appeals meetings as possible in an effort to become familiar with the responsibilities of the post.**

Please take a few minutes to complete the form and answer the questions on the reverse side of this form and return it with a resume, if available, to Tameca White, Interim County Clerk, 140 Stonewall Avenue, West, Suite 100, Fayetteville, GA 30214 no later than 5:00 p.m. on Friday, December 30, 2016.

If you have any questions, please call (770) 305-5103.

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

NAME John R Tate

ADDRESS 336 Banks Rd.

Fayetteville, Ga. 30214

TELEPHONE (day) [REDACTED]

(evening) [REDACTED]

(email address) [REDACTED]

John R Tate  
Signature

12-29-16  
Date

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

*12 years*

2. Why are you interested in serving on the Zoning Board of Appeals?

*want to get involved in service to Fayette County and believe I possess ability to serve well in this capacity.*

3. What qualifications and experience do you possess that should be considered for appointment to the Zoning Board of Appeals?

*Legal background with good communication skills and understanding of zoning principles. Analytical skills to determine best needs of the county.*

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

*Attorney in private practice - John R Tate, P.C.  
City of Atlanta Public Defender*

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

*Have handled cases involving housing code, city of Atlanta.*

6. Are you currently serving on a commission/board/authority or in an elected capacity with any government?

*NO*

7. Have you attended any Zoning Board of Appeals 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. Would there be any possible conflict of interest between your employment or your family and you serving on the Zoning Board of Appeals?

*NO*

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

*NO*

11. Describe your current community involvement.

*No prior involvement, but desire to get involved.*

12. Have you have been given a copy of the county's Ethics Ordinance?

*yes*

13. Is there any reason you would not be able to comply with the Ethics Ordinance?

*NO*

## RESUME

John R. Tate  
336 Banks Rd.  
Fayetteville, Ga. 30214  
[REDACTED]

Experienced in the interpretation and implementation of ordinances with an understanding of zoning regulations and necessity of adherence..

### PROFESSIONAL EXPERIENCE

John R. Tate, PC, Attorney at Law      2007 to present

Engaged in the private practice of law with involvement in various areas of civil matters, which required negotiation and communication with all parties to reach acceptable solutions.

### CITY OF ATLANTA      1991 to 2007

Worked primarily as a public defender for indigent persons charged with crimes, but also represented clients accused of housing code violations. Conducted research and investigations to discover all facts and worked with housing code officials, prosecutors and clients to bring resolution to the issues.

### EDUCATION

B.S. Degree in Business Adm.	Knoxville College    Knoxville, TN.
J.D. Degree	Atlanta Law School    Atlanta, GA.
Admitted to Georgia Bar	1991
Continuing Legal Education (CLE)	

### MEMBERSHIP

State Bar of Georgia  
Atlanta Bar Association

### SUMMARY

Effective communicator with good analytical skills who is knowledgeable of the law with the intellect to view all sides of an issue in order to reach the best solution that benefits Fayette County.

# COUNTY AGENDA REQUEST

Page 60 of 100

Department:

Presenter(s):

Meeting Date:

Type of Request:

## Wording for the Agenda:

Consideration of a recommendation from the Selection Committee, comprised of Commissioner Steve Brown and Commissioner Charles Rousseau, to appoint Therol Brown to the Fayette County Zoning Board of Appeals for a three-year term beginning January 1, 2017 and expiring December 31, 2019.

## Background/History/Details:

The Zoning Board of Appeals is comprised of five members appointed to three-year terms. Applicants must be a legal resident of the State of Georgia and a resident of Fayette County for at least six months prior to the date an application is submitted.

The available position was advertised for one month on the County's website as well as being sent to the Fayette Daily News, The Citizen newspaper, and the Atlanta Journal-Constitution. There were eleven applicants were each interviewed by the Selection Committee.

Mr. Brown is a resident of Fayette County for 71 years.

The appointment of Mr. Brown is recommended by the Selection Committee to fill a three-year term beginning January 1, 2017 and expiring December 31, 2019.

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

Approval of a recommendation from the Selection Committee, comprised of Commissioner Steve Brown and Commissioner Charles Rousseau, to appoint Therol Brown to the Fayette County Zoning Board of Appeals for a three-year term beginning January 1, 2017 and expiring December 31, 2019.

## 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:



Sam

APPLICATION FOR APPOINTMENT  
Fayette County Zoning Board of Appeals

Thank you for your interest in being considered for appointment to the Fayette County Zoning Board of Appeals.

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

The Zoning Board of Appeals is comprised of five members appointed to three-year terms. Meetings are scheduled to be held on a monthly basis. Said meetings take place at the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia. Please do not apply if you will be unable to attend a minimum of eighty percent (80%) of all meetings. **Applicants are encouraged to attend as many Zoning Board of Appeals meetings as possible in an effort to become familiar with the responsibilities of the post.**

Please take a few minutes to complete the form and answer the questions on the reverse side of this form and return it with a resume, if available, to Tameca White, Interim County Clerk, 140 Stonewall Avenue, West, Suite 100, Fayetteville, GA 30214 no later than 5:00 p.m. on Friday, December 30, 2016.

If you have any questions, please call (770) 305-5103.

*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. 30214

TELEPHONE (day) 770-487-7315 (H)

(evening) [REDACTED]

(email address) [REDACTED]

Therol Brown  
Signature

12-29-16  
Date

1. How long have you been a resident of Fayette County? **71 YRS**

2. Why are you interested in serving on the Zoning Board of Appeals? **TO SERVE A GREAT COUNTY IN A NEEDED CAPACITY.**

3. What qualifications and experience do you possess that should be considered for appointment to the Zoning Board of Appeals? **COMMON SENSE; BBA degree; MANY YEARS OF MANAGEMENT EXPERIENCE WITH EXPOSURE TO REAL ESTATE ACTIVITIES.**

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

**I AM BASICALLY RETIRED BUT I DO STILL MAINTAIN MY CONSULTING BUSINESS, THRU BROWN & ASSOC'S.**

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

**MANY YRS IN SENIOR MANAGEMENT ROLES PLUS SOME REAL ESTATE EDUC & EXP.**

6. Are you currently serving on a commission/board/authority or in an elected capacity with any government?

**NO**

7. Have you attended any Zoning Board of Appeals 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. Would there be any possible conflict of interest between your employment or your family and you serving on the Zoning Board of Appeals?

**NO, NOT IN MY OPINION. HOWEVER, I DO HAVE A CURRENT REALTOR'S LICENSE FOR GA. I DO NOT PARTICIPATE ACTIVELY IN R.E. SALES OR LISTING. JUST DO REFERRALS**

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

**NO**

**ON A WAIVED BASIS.**

11. Describe your current community involvement.

**PARTICIPATED IN FAYETTE FORWARD. PARTICIPATE IN CH OF COMMERCE EVENTS, SERVE ON COWETA FAYETTE EMERGENCY BOARD OF DIRECTORS (VICE CH.), FAYETTEVILLE LODGE #711, FAYETTE CO.**

12. Have you been given a copy of the county's Ethics Ordinance?

**YES**


**HIST. SOC. - EMERSON UNITED METH. CH. MEMBER**

13. Is there any reason you would not be able to comply with the Ethics Ordinance?

**NO. WHILE I MAINTAIN A CURRENT GA. REALTOR'S LICENSE, I AM NOT ACTIVELY ENGAGED IN SELLING OR LISTING. SHOULD A CONFLICT ARISE (NOT LIKELY) I WOULD RECUSE MYSELF; AND, IF NECESSARY I WOULD CONSIDER TERMINATING MY LICENSING.**



**THEROL R. BROWN**  
**282 Ebenezer Road**  
**Fayetteville, Georgia 30215**  
**770-487-7315(O)**



**PERSONAL:** Born May 16, 1945; Lifetime resident of Fayette Co., Ga.; Married to Judith Richards Brown since 1973; Member of Ebenezer United Methodist Church; Member of Fayetteville F & A. M. Lodge #711; Hobbies are playing golf, reading, & watching most spectator sports events.

**EDUCATION:** Graduate of Fayette County High School; Bachelor of Business Administration (BBA) Degree from West Georgia University with double major in Management & Marketing.

**MILITARY EXPERIENCE:** Served a Four (4) year term in U.S. Air Force. Assigned to The Office of The Staff Judge Advocate, Vandenberg AFB, California & served as Non-Commissioned Officer-In-Charge. Received Honorable Discharge on December 8, 1969.

**WORK EXPERIENCE:** Served 30 years in the Georgia Department of Transportation, Atlanta, Ga. Began as the Personnel Analyst and advanced progressively to Personnel Director. At time of Retirement in 1995, I served as Executive Assistant Commissioner and as Executive Secretary to the State Transportation Board. I was involved in all day-to-day activities of the Department relating to implementation of all management policies & practices within the State of Ga. I also served as the Department's primary Liason working with Legislative affairs with the General Assembly Members of Ga., as well as with the staff of the Governor & Lt. Governor.

From 1995-2003, I served as the Executive Director of the Georgia Highway Contractors Association (GHCA). Represented the highway contracting industry members on issues before the Georgia Department of Transportation; other State Agencies, Federal Agencies, & before the State Legislature and U.S. Congressional Delegation & Staff.

2003-Present. I have served as President of Therol Brown & Associates, Inc., providing consultant services to a variety of clients. Provides professional services to clients to including Marketing, Sales, and Business Development activities.

# COUNTY AGENDA REQUEST

Page 64 of 100

Department:

Presenter(s):

Meeting Date:

Type of Request:

## Wording for the Agenda:

Consideration of a recommendation from the Selection Committee, comprised of Commissioner Steve Brown and Commissioner Charles Rousseau, to re-appoint Thomas "Tom" Waller to the Fayette County Zoning Board of Appeals for a three-year term beginning January 1, 2017 and expiring December 31, 2019.

## Background/History/Details:

The Zoning Board of Appeals is comprised of five members appointed to three-year terms. Applicants must be a legal resident of the State of Georgia and a resident of Fayette County for at least six months prior to the date an application is submitted.

The available position was advertised for one month on the County's website as well as being sent to the Fayette Daily News, The Citizen newspaper, and the Atlanta Journal-Constitution. Applications were each interviewed by the Selection Committee.

Mr. Waller is a resident of Fayette County for 18 years. He has served as a member of the Zoning Board of Appeals for 3 years.

The re-appointment of Mr. Waller is recommended by the Selection Committee to fill a three-year term beginning January 1, 2017 and expiring December 31, 2019.

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

Approval of a recommendation from the Selection Committee, comprised of Commissioner Steve Brown and Commissioner Charles Rousseau, to re-appoint Thomas "Tom" Waller to the Fayette County Zoning Board of Appeals for a three-year term beginning January 1, 2017 and expiring December 31, 2019.

## 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:

11/30/16

# APPLICATION FOR APPOINTMENT

## Fayette County Zoning Board of Appeals

Thank you for your interest in being considered for appointment to the Fayette County Zoning Board of Appeals.

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

The Zoning Board of Appeals is comprised of five members appointed to three-year terms. Meetings are scheduled to be held on a monthly basis. Said meetings take place at the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia. Please do not apply if you will be unable to attend a minimum of eighty percent (80%) of all meetings. **Applicants are encouraged to attend as many Zoning Board of Appeals meetings as possible in an effort to become familiar with the responsibilities of the post.**

Please take a few minutes to complete the form and answer the questions on the reverse side of this form and return it with a resume, if available, to Floyd Jones, County Clerk, 140 Stonewall Avenue, West, Suite 100, Fayetteville, GA 30214 no later than 5:00 p.m. on Friday, November 11, 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 Thomas Shelton Waller  
 ADDRESS 639 Sandy Creek Road  
Fayetteville, Georgia 30214  
 TELEPHONE (day) 770 716-6109  
 (evening) 6209  
 (email address) [REDACTED]

Thomas Sulaller  
 Signature

24 Oct 2016  
 Date

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

Since 1999

2. Why are you interested in serving on the Zoning Board of Appeals?

A desire to perform Public Service

3. What qualifications and experience do you possess that should be considered for appointment to the Zoning Board of Appeals?

Retired U.S. Civil Service, Retired Army Officer  
BA Degree in Business, Masters Degree in Govt Admin.

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

Retired 3rd MP Group CID, Dept of the Army  
Comptroller

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

HAVE served on this board for current term

6. Are you currently serving on a commission/board/authority or in an elected capacity with any government?

Yes.

7. Have you attended any Zoning Board of Appeals 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. Would there be any possible conflict of interest between your employment or your family and you serving on the Zoning Board of Appeals?

No

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

No

11. Describe your current community involvement.

Sunday School Teacher, McDorrough Rd Baptist  
Historical, Fayette Co Board member

12. Have you have been given a copy of the county's Ethics Ordinance?

Yes.

13. Is there any reason you would not be able to comply with the Ethics Ordinance?

No

Volunteer, Piedmont Fayette Hospital,  
have contributed over 3,500 hrs & been  
a member of the board thereof.



# COUNTY AGENDA REQUEST

Page 67 of 100

Department:

Presenter(s):

Meeting Date:

Type of Request:

## Wording for the Agenda:

Consideration of the Peachtree City annexation of 3.5 acres containing the Heritage of Peachtree City Assisted Living Facility, and the rezoning of said property from C-C (Community Commercial) to GR-14 (General Residential).

## Background/History/Details:

The City of Peachtree City has notified Fayette County of an application to annex 3.5 acres containing the Heritage of Peachtree City Assisted Living Facility. The City has also notified the County of its intention to rezone the property from C-C (Community Commercial) to GR-14 (General Residential).

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 March 22, 2017.

Staff has reviewed the application and finds no grounds for a bona-fide land use objection as the property is presently zoned Community-Commercial and designated Office on the Fayette County Future Land Use Plan. Staff recommends not to object the Peachtree City annexation of 3.5 acres containing the heritage of Peachtree City Assisted Living Facility.

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

Decision to "object" or "not object" to the Peachtree City annexation of 3.5 acres containing the Heritage of Peachtree City Assisted Living Facility.

## 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: February 23, 2017

Re: Peachtree City Annexation Request for 1967 SR 54 West, Fayetteville, GA 30214  
Property Tax ID#: 07-19-056

---

Peachtree City has received a request for annexation of the above-referenced property located at 1967 SR 54 West, Fayetteville, GA 30214. The annexation notice from Peachtree City indicates the intent to annex and rezone approximately 3.50 acres to General-Residential-14 (GR-14). According to the Peachtree City senior planner, the GR-14 zoning district defines multi-family dwellings to include healthcare facilities like assisted living. The subject property is currently zoned C-C (Community-Commercial) in Fayette County and contains an assisted living facility.

### **Rezoning History**

The subject property is within an area rezoned from A-R to C-C (Community-Commercial) through Petition No. 762-90 approved by the Board of Commissioners on November 8, 1990.

On April 14, 2016, The Board of Commissioners approved a request from Heritage of Peachtree assisted living facility to connect to the Peachtree City sewer system as the septic systems were failing.

### **General Description**

The subject property is located at 1967 SR 54 West, Fayetteville, GA 30214. The proposed annexation would not create an island. The subject property abuts the following:

Direction	Acreage	Zoning	Use	Comprehensive Plan
North	2.60	C-C	Veterinary Clinic	Office
East (across SR 54)	1.50	C-H	Dive Shop	Commercial
	3.55	C-H	Fitness Center	Commercial
South	1.00	C-H	Multi-Tenant Building	Office
West (across Sumner Road)	12.6	R-43 (PTC)	Single-Family Residence	Single-Family Medium Density (PTC)

### **Current County Land Use**

The subject property is designated as Office on the Fayette County Future Land Use Plan map.

## **DEPARTMENTAL COMMENTS**

**Planning and Zoning:** The subject property is currently zoned C-C (Community-Commercial) and will be zoned GR-14 (General-Residential-14) in Peachtree City. Given that the intent is to maintain the existing assisted living facility, staff does not consider the annexation and rezoning as a change in zoning or land use that will result in a substantial change in the intensity of the allowable use of the property or a change to a significantly different allowable use (see State Law below).

**Fire/EMS:** Opposed the annexation due to the loss of Fire/EMS Tax revenues.

**Water System:** They are currently served by Fayette County Water System.

**Public Works/Engineering:** Engineering/Public Works has no comments for this annexation request. It is an existing facility and the annexation is not expected to change traffic impacts.

**Environmental Health:** Environmental Health has no objections.

**Environmental Management:** EMD has no comments on this annexation.

## **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**

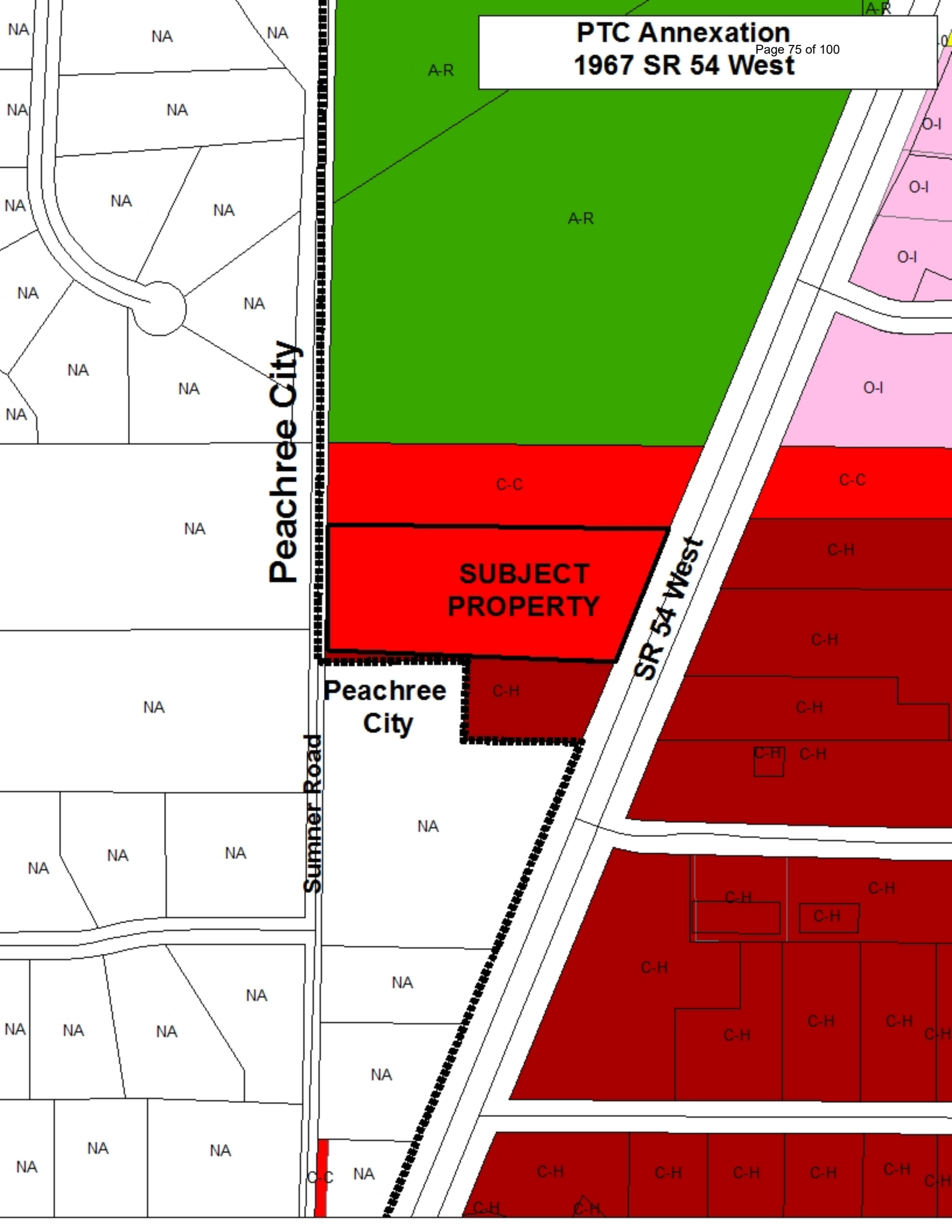
If at any time during the proceedings the municipal corporation or applicant abandons the proposed annexation, the county shall not change the zoning, land use, or density affecting the property for a period of one year unless such change is made in the service delivery agreement or comprehensive plan 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**

Given that the intent is to maintain the existing assisted living facility, staff does not consider the annexation and rezoning as a change in zoning or land use that will result in a substantial change in the intensity of the allowable use of the property or a change to a significantly different allowable use. Please note that Fire/EMS is opposed due to the loss of revenue.

**PTC Annexation  
1967 SR 54 West**

Page 75 of 100



**PTC Annexation  
1967 SR 54 West**

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LOW DENSITY  
RESIDENTIAL

Peachree City

SUBJECT  
PROPERTY

SR 54 West

Peachree  
City

OFFICE

City\_Limit

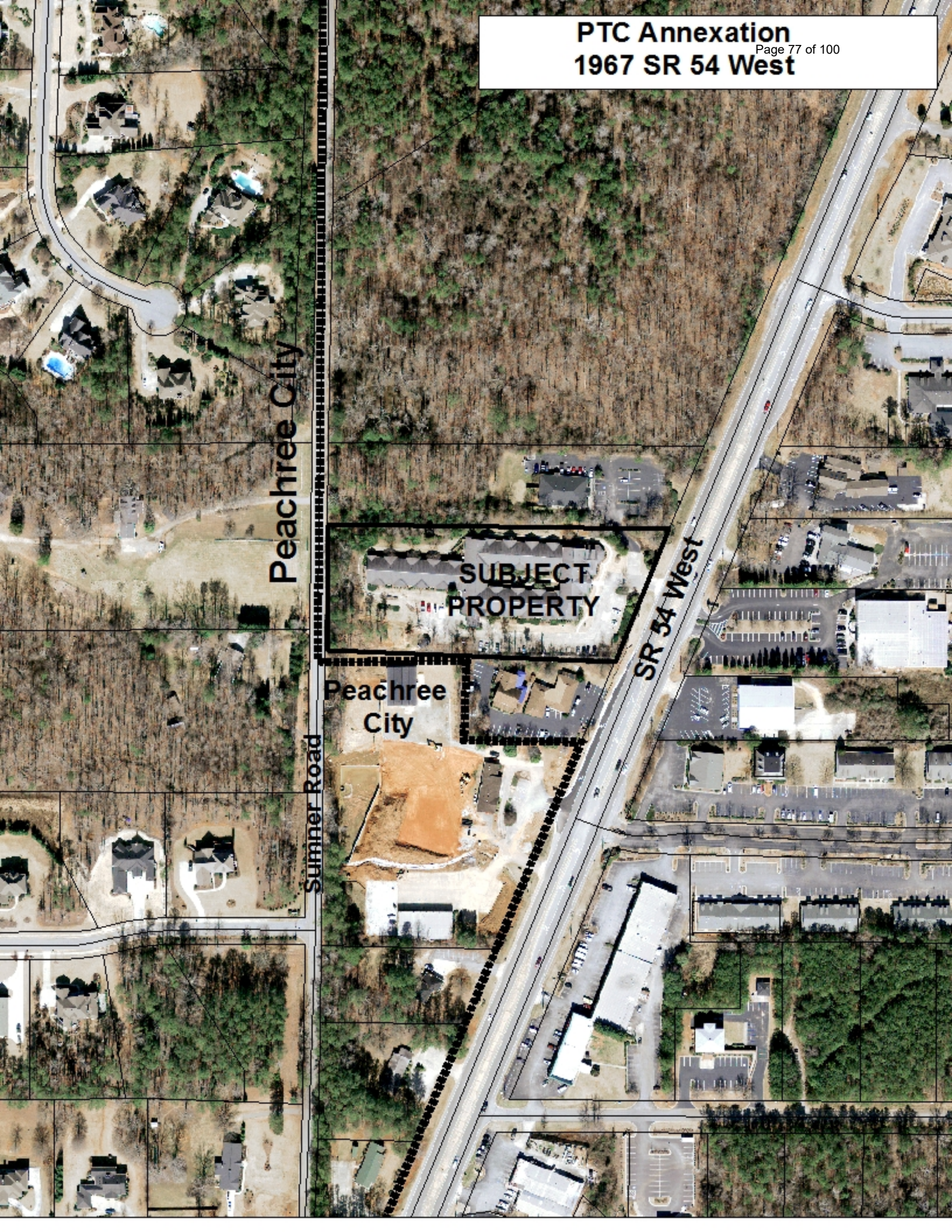
Summer Road

COMMERCIAL



**PTC Annexation**  
**1967 SR 54 West**

Page 77 of 100





February 14, 2017

The Board of County Commissioners of Fayette County  
140 Stonewall Avenue West, Suite 100  
Fayetteville, GA 30214



Re: Notice of Annexation and Rezoning of 1967 Highway 54 West,  
The Heritage at Peachtree City Assisted Living Facility

Dear Commissioners:

Please be advised that the City of Peachtree City, Georgia, by the authority vested in the Mayor and Council of the City of Peachtree City by Article 2 of Chapter 36, Title 36, O.C.G.A., intends to annex the property hereinafter described by ordinance at a regular meeting of the Mayor and the City Council.

This letter has been sent to you by certified mail, return receipt requested, within five (5) business days of acceptance of an application for annexation in accordance with O.C.G.A. §36-36-6 and §36-36-9. This letter also serves as notice of the application for zoning pursuant to O.C.G.A. § 36-36-111, that the applicant is seeking to downzone from Fayette County zoning district C-C, Community Commercial, to Peachtree City zoning district GR-14, General Residential. The property is currently developed as an assisted living home and they are not proposing to change the use or development in any way.

All the tract or parcel of land situate, lying and being in Land Lot 69 of the 7<sup>th</sup> Land District, Fayette County, Georgia, as shown on a plat of survey entitled "ALTA/ACSM Land Title Survey, Heritage Retirement Homes, L.L.C., Old Republic National Title Insurance Company & First National Bank of Griffin", prepared by Presley, Bernhard, Harper & Associates, dated February 9, 1998, which said plat is incorporated herein and made a part of this legal description.

Beginning at an iron stake on the Northwest margin of Georgia State Route No. 54, which iron stake lies in a northeasterly direction along said Northwest margin of Georgia State Route No. 54 a distance of 1,634.3 feet from its intersection with the East boundary line of Land Lot 92; thence from said point of beginning North 87 degrees 53 minutes 42 seconds West a distance of 527.09 feet to an iron stake; thence North 00 degrees 58 minutes 40 seconds East a distance of 273.87 feet to an iron stake; thence South 86 degrees 12 minutes 45 seconds East a distance of 629.35 feet to an iron stake; thence South



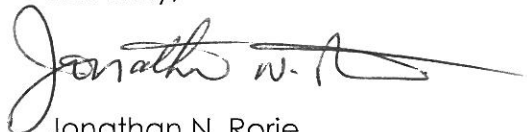
22 degrees 49 minutes 41 seconds West a distance of 273.0 feet to an iron stake, said iron stake marking the Point of Beginning, containing 3.5123 acres of land.

Property located at 1967 Highway 54 West, The Heritage at Peachtree City Assisted Living Facility.

Pursuant to O.C.G.A. §36-36-7 and §36-36-9, you must notify Peachtree City, in writing and by certified mail, return receipt requested, of any county facilities or property located within the property to be annexed, within five (5) business days of receipt of this letter.

If the county has an objection under O.C.G.A. §36-36-113, in accordance with the objection and resolution process, you must notify Peachtree City within thirty (30) calendar days of the receipt of this notice.

Sincerely,

A handwritten signature in black ink, appearing to read "Jonathan N. Rorie". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

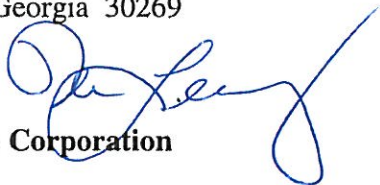
Jonathan N. Rorie  
City Manager, Peachtree City

## SENIOR LIFESTYLE

FAMILY-OWNED COMMUNITIES

### Memorandum

To: *Mike Warrix/Robin Cailloux*  
**Peachtree City Planning and Development**  
153 Willowbend Road  
Peachtree City, Georgia 30269

From: *Maura Feaheny*   
**Senior Lifestyle Corporation**  
303 East Wacker Drive, Suite 2400  
Chicago, IL 60601

Date: February 14, 2017

RE: Heritage of Peachtree - Step Two Annexation

---

Good Day Mike and Robin –

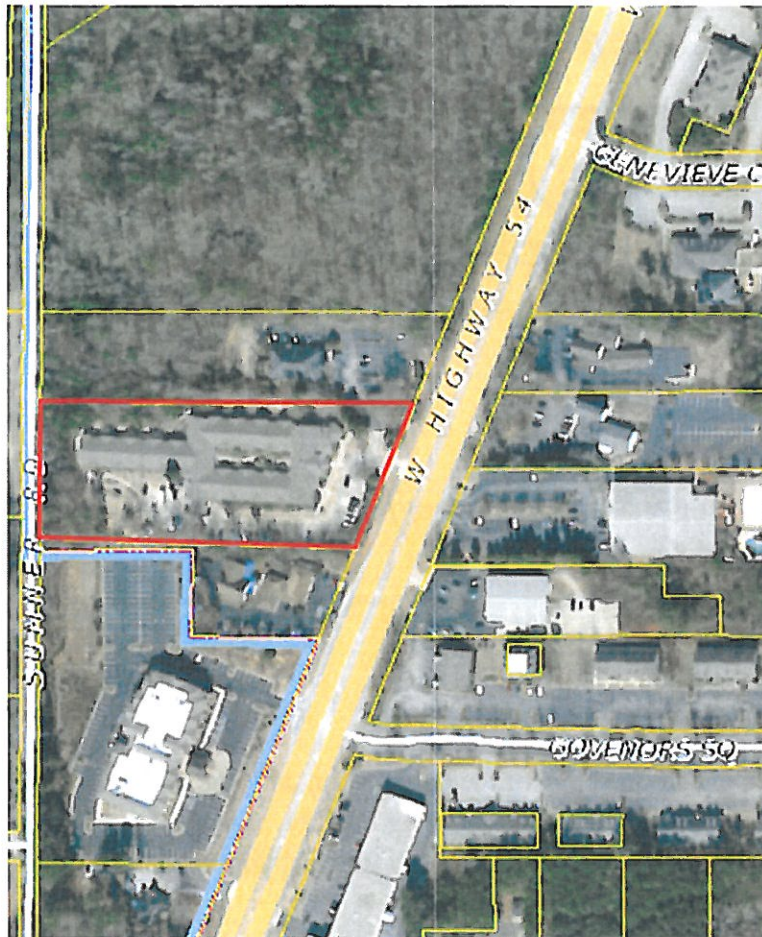
Enclosed please find one copy of the Annexation and Rezoning Request to Peachtree City for the Heritage of Peachtree Assisted Living Facility, along with a check for \$825.00 per our instructions from ISE. We are submitting this Request with the aim at presenting at the April 10<sup>th</sup> City Council Meeting.

Please advise if you should have any questions or require any clarifications on the attached.

Many thanks for all you have done in pursuing our Annexation Request in the past and in the future. Best to you both!

Cc: Hope Larisey, ISE                      Wanda Khayat  
Steve Levy                                  Justin Robins

## **Annexation and Rezoning Request For Peachtree City, Georgia**



**Requested by Senior Lifestyle Corporation**  
**3.50 Acres, Fayetteville, GA**

**Peachtree City Annexation and Rezoning Request****STEP II – ANNEXATION APPLICATION**

---

**Heritage of Peachtree**

Built in 1995, Heritage of Peachtree (HP) is an Assisted Living community located at 1967 Highway 54 W in Fayetteville, Georgia. HP is contiguous to the City Limits of Peachtree City located between Highway 54 and Sumner Road north of the recently annexed Peachtree Professional Center. Comprised of 49 one-bedroom apartments, HP was the first assisted living center in Fayette County.

This request is to annex and zone the property as Multi-Family with a GR-14 (General Residential) zoning designation to allow for continued use as an assisted living center. The three onsite septic systems have experienced numerous failures; therefore connection to the City's public sewer system will diminish the potential of a health hazard and contamination of the groundwater table and streams/lakes down gradient from this property. Due to the severity of the septic problem, HP received approval from City Council on December 4, 2014 to connect into the WASA system concurrent with the annexation application. On April 14, 2016 the County Commission approved HP's request to connect to the WASA system while the annexation process by the City of Peachtree City progressed.

WASA completed construction of a pump station on the Peachtree Professional Center property and corresponding sewer line extension along Sumner Road. HP has installed the connection to the WASA system. The existing septic systems and nitrification fields have been decommissioned.

HP appreciates your consideration of this application.

## Peachtree City Annexation and Rezoning Request

### Step Two: Annexation request form

The following information is required in order to prepare a detailed analysis of the proposed annexation, a schematic master plan of the proposed development, and a more informed recommendation that will ultimately be considered by other governmental agencies, the Planning Commission and City Council.

A formal request is hereby being made to annex the following described property into the city limits of Peachtree City:  
See attached report.

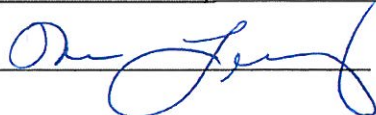
This request for annexation is being made for the following reasons:  
The use of this property is better served by public sewer.

I certify that I am the owner, or duly authorized agent of the owner, of the property described above, and that I have submitted all information and documents required to properly evaluate this request:

Owner (print): Maura Feaheny

Date: 02.13.17

Owner (signature):



Agent (print): Hope Larisey

Date: 9 Feb 2017

Agent (signature):



#### To be completed by the City of Peachtree City:

This request, along with the required supplemental information and documents, has been properly submitted, and is hereby accepted for consideration by the Planning Commission and the City Council.

Date of acceptance: \_\_\_\_\_

Request number: \_\_\_\_\_

City Planner: \_\_\_\_\_

Date: \_\_\_\_\_

City Clerk: \_\_\_\_\_

Date: \_\_\_\_\_

Public Hearing – Planning Commission: \_\_\_\_\_

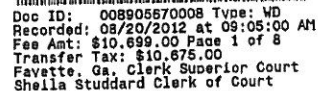
Date: \_\_\_\_\_

Public Hearing – City Council: \_\_\_\_\_

Date: \_\_\_\_\_



## Page 1 of 4



BK 3933 PG 69-76

Folio #:

3.50 Acres Hwy 54 W Fayetteville, GA



## Peachtree City Annexation and Rezoning Request

Page 2 of 4

Grantor as of the date hereof and all rights, privileges and appurtenances pertaining thereto including all of Grantor's right, title and interest, if any, in and to all rights-of-way, open or proposed streets, alleys, easements, strips or gores of land adjacent thereto (herein collectively called the "Real Property").

This conveyance is made by Grantor and accepted by Grantee subject to the matters set forth in Exhibit B attached hereto and incorporated herein by this reference ("Permitted Exceptions"), without any intention to reimpose such matters.

**TO HAVE AND TO HOLD** the Real Property together with all improvements located thereon all and singular the rights and appurtenances thereto in anywise belonging, subject to the Permitted Exceptions, unto Grantee, its legal representatives, successors and assigns forever.

This Deed is made without any covenant, warranty or representation by, or recourse against, Grantor except to the extent expressly provided herein.

AND, Grantor does hereby specially warrant the title to the Real Property as hereby described, and will defend the Real Property against the lawful claims of all persons claiming by, through or under Grantor, but against none other.

Wherever used herein, the terms "Grantor" and "Grantee" include all parties to this instrument and their respective successors and assigns.

*[The remainder of this page has been intentionally left blank]*

LIBNY/5213571.3

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# Peachtree City Annexation and Rezoning Request

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EXECUTED this 10<sup>th</sup> day of August, 2012, TO BE EFFECTIVE as of the 15<sup>th</sup> day of August, 2012.

Signed, sealed and delivered in the presence of:

RSC PEACHTREE, LLC, a Florida limited liability company

By: ROICO II, LLC, a Florida limited liability company, its sole member

Witness Signature

LYNN M. JOSEPH

Print Name:

By:

Name: Avi Bittan

Title: Manager

Witness Signature

Carolynne Cam

Print Name:

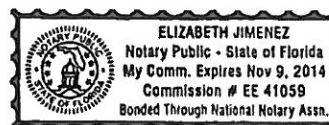
STATE OF Florida  
COUNTY OF Miami-Dade

The foregoing instrument was acknowledged before me this 10 day of August, 2012, by Avi Bittan, as Manager of ROICO II, LLC, a Florida limited liability company, as sole member of Grantor, on behalf of Grantor. He is ☒ personally known to me or ☐ produced \_\_\_\_\_ as identification and did/did not take an oath.

Notary Public

Print Name:

My commission expires:



Special Warranty Deed - Heritage at Peachtree

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# Peachtree City Annexation and Rezoning Request

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*PEACHTREE*

## Exhibit "A"

### Legal Description

All that lot, tract or parcel of land situate, lying and being in Land Lot 69 of the 7th Land District of Fayette County, Georgia, as shown on a plat of survey entitled "ALTA/ACSM Land Title Survey, Heritage Retirement Homes, L.L.C., Old Republic National Title Insurance Company & First National Bank of Griffin", prepared by Presley, Bernhard, Harper & Associates, dated February 9, 1998, which said plat is incorporated herein and made a part of this legal description. Said tract may be more particularly described from said plat as follows:

Beginning at an Iron stake on the Northwest margin of Georgia State Route No. 54, which Iron stake lies in a northeasterly direction along said Northwest margin of Georgia State Route No. 54 a distance of 1634.3 feet from its intersection with the East boundary line of Land Lot 92; thence from said point of beginning North 87 degrees 53 minutes 42 seconds West a distance of 527.09 feet to an Iron stake; thence North 00 degrees 58 minutes 40 seconds East a distance of 273.87 feet to an Iron stake; thence South 86 degrees 12 minutes 45 seconds East a distance of 629.35 feet to an Iron stake; thence South 22 degrees 49 minutes 41 seconds West a distance of 273.0 feet to an Iron stake, said Iron stake marking the point of beginning.

Said tract, as shown on said plat, is bounded now or formerly as follows: on the North by lands of Joe A. Harper and Duane P. Tallman; on the East of Georgia State Route No. 54; on the South by lands of Robert J. Disharoon and lands of Patricia A. Hicks; and on the West by Sumner Road.

This property is also described as follows in survey prepared by Richard Loo, GRLS 2129, for Loo-Turley & Associates, P.C., dated November 8, 2004, last revised August 3, 2006:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 69 OF THE 7TH DISTRICT OF FAYETTE COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 5/8 INCH REBAR FOUND ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF GEORGIA STATE ROUTE NO. 54 (HAVING A VARYING RIGHT-OF-WAY) LOCATED 1634.3 FEET NORTHEASTERLY AS MEASURED ALONG THE NORTHWESTERLY RIGHT-OF-WAY LINE FROM THE INTERSECTION FORMED BY THE NORTHWESTERLY RIGHT-OF-WAY LINE OF LAST SAID ROAD WITH THE EAST LINE OF LAND LOT 92; THENCE LEAVING THE NORTHWESTERLY RIGHT-OF-WAY LINE OF LAST SAID ROAD AND RUNNING NORTH 87 DEGREES, 53 MINUTES AND 42 SECONDS WEST FOR A DISTANCE OF 527.09 FEET TO A 1 INCH HOLLOW PIPE FOUND; THENCE NORTH 00 DEGREE 56 MINUTES AND 22 SECONDS EAST FOR A DISTANCE OF 273.86 FEET TO A 1 INCH HOLLOW PIPE FOUND; THENCE SOUTH 86 DEGREES, 12 MINUTES AND 51 SECONDS EAST FOR A DISTANCE OF 629.53 FEET TO A 1/2 INCH REBAR SET LOCATED ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF SAID GEORGIA STATE ROUTE 54 (HAVING A VARYING RIGHT-OF-WAY); THENCE RUNNING ALONG THE NORTHWESTERLY RIGHT-OF-WAY LINE OF LAST SAID ROAD SOUTH 22 DEGREES, 49 MINUTES AND 41 SECONDS WEST A DISTANCE OF 273.00 FEET TO THE 5/8 INCH REBAR FOUND LOCATED AT THE POINT OF BEGINNING, CONTAINING 3.5213 ACRES (153,388 SQUARE FEET) OF LAND AND BEING IMPROVED PROPERTY KNOWN AS #1967 GEORGIA STATE ROUTE 54 ACCORDING TO THE PRESENT SYSTEM OF NUMBERING IN FAYETTE COUNTY, GEORGIA.

Exhibit A-13

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**Peachtree City Annexation and Rezoning Request****FAMILIARITY WITH PEACHTREE CITY PLANS, POLICIES, CODES AND ORDINANCES**

---

Maura Feaheny representative of the owner HCRIX Royal LLC and Hope Larisey the agent are both familiar with the Peachtree City Land Use Plan, Annexation Policy, codes and ordinances; especially those pertaining to zoning, land development, site development, landscape planning, and signage.

**CERTIFICATION**

I, Maura Feaheny, Senior Director of Plant Operations for Senior Lifestyle Corporation, owner of HCRIX Royal LLC, owner of a property seeking annexation (Parcel 0719 056) by the City of Peachtree City, hereby certify that I am aware of and authorize this annexation request. Furthermore, I am aware that Peachtree City has a Comprehensive Plan, a Land Use Plan, an annexation procedure, a Zoning Ordinance, and land use regulations that govern the use, development, site planning, and landscaping of property within the city limits, and the employment of signs thereon.

Further, I appoint Hope Larisey, Integrated Science & Engineering, Inc. as its agent for the purposes of this annexation.

Signed this 10<sup>th</sup> day of February, 2017.

HCRIX Royal LLC

  
\_\_\_\_\_  
Maura Feaheny, Senior Director of Plant Operations

**CERTIFIED BOUNDARY SURVEY AND LEGAL DESCRIPTION**

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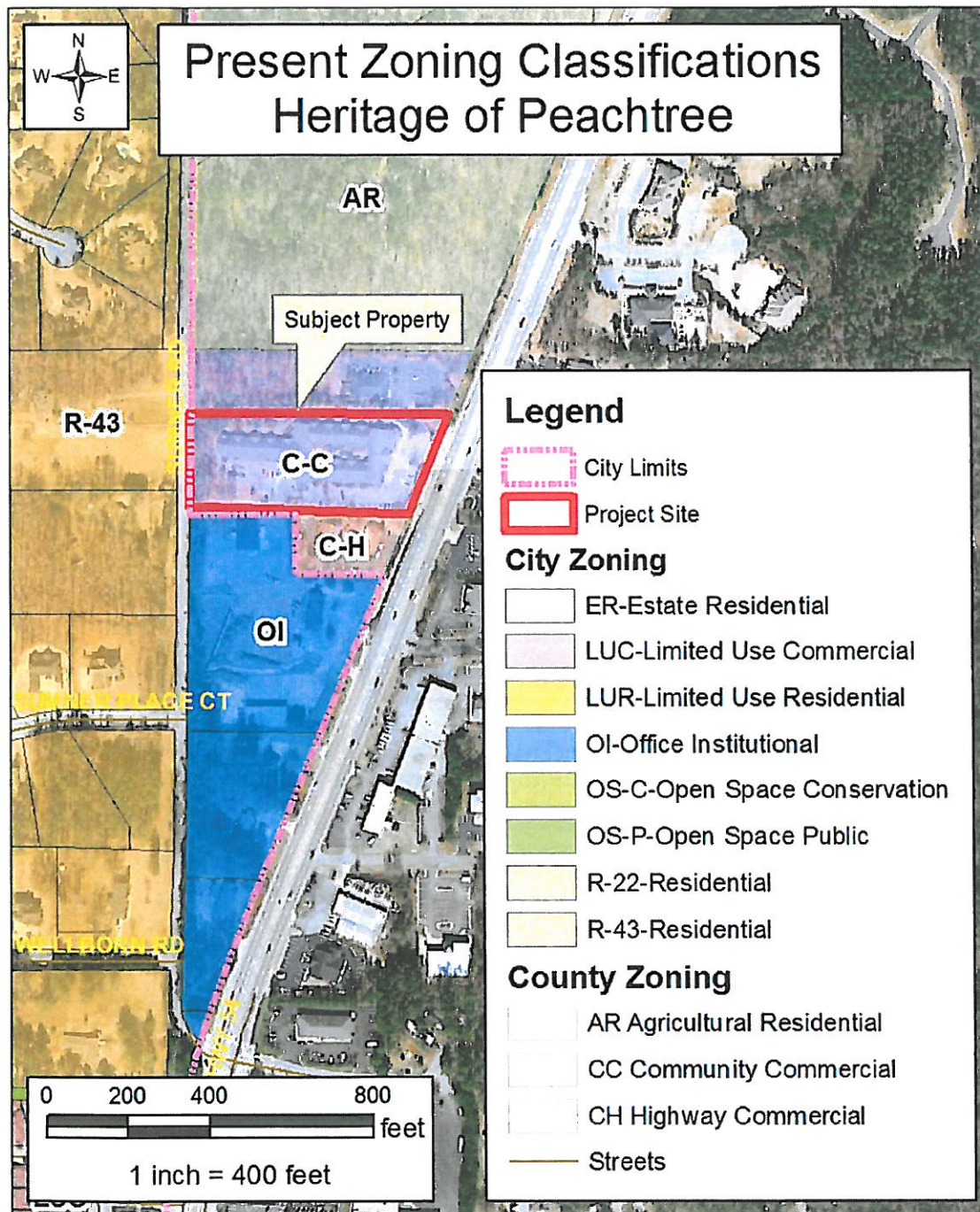
See attached two copies of certified ALTA/ASCM Land Title Survey containing Legal Description by Loo-Turley & Associates, P.C. of Decatur, Georgia revised August 3, 2006.



## Peachtree City Annexation and Rezoning Request

### ZONING CLASSIFICATIONS ON AND ADJACENT TO THE PROPERTY

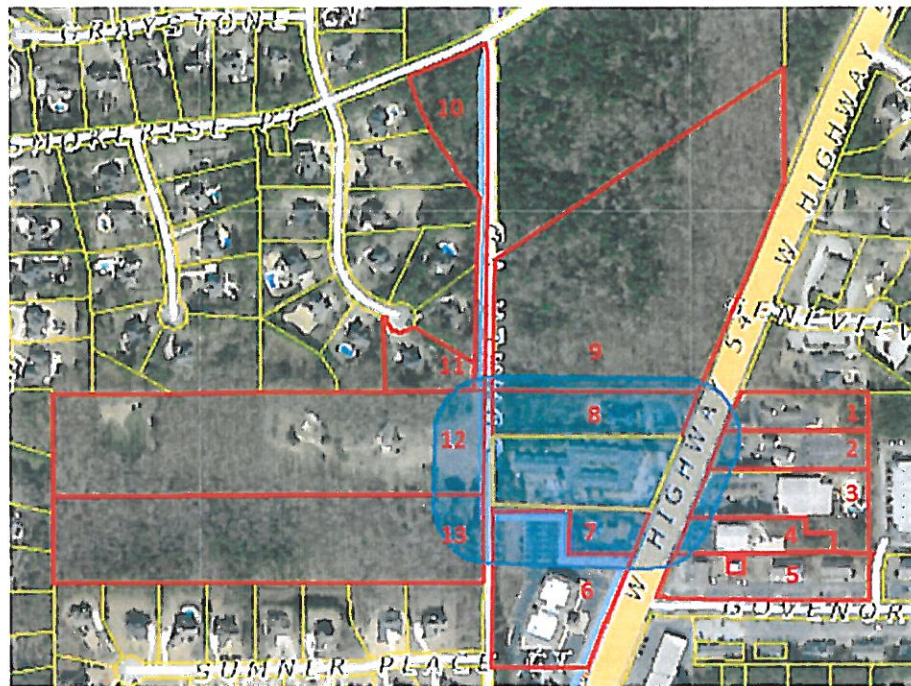
The subject property is currently zoned C-C Community Commercial. The property is bordered on the north by C-C Community Commercial, on the south and east by C-H Highway Commercial, and on the west by R-43 Residential. Additionally the properties within the 200' property boundary to the north are zoned AR Agricultural Residential and on the south are zoned O-I Office Institutional.





## Peachtree City Annexation and Rezoning Request

### PROPERTY OWNERS WITHIN 200' BOUNDARY OF THE PROPERTY



<b>1</b>	Parcel ID: 0719 031
<b>Property Address</b>	1952 Highway 54 W
<b>Owner</b>	Autera Properties, Inc.
<b>Owner Address</b>	1952 Highway 54 W, Fayetteville, GA 30214
<b>2</b>	Parcel ID: 0719 038
<b>Property Address</b>	1954 Highway 54 W
<b>Owner</b>	Carawan Robert
<b>Owner Address</b>	1954 Highway 54 W, Fayetteville, GA 30214
<b>3</b>	Parcel ID: 0719 047
<b>Property Address</b>	1964 Highway 54 W
<b>Owner</b>	PTC Properties Inc.
<b>Owner Address</b>	140 Old Mill Ct, Fayetteville, GA 30215
<b>4</b>	Parcel ID: 0719 046
<b>Property Address</b>	1968 Highway 54 W
<b>Owner</b>	Ravin Homes Inc. Profit Sharing Plan
<b>Owner Address</b>	PO Box 2394, Peachtree City, GA 30269

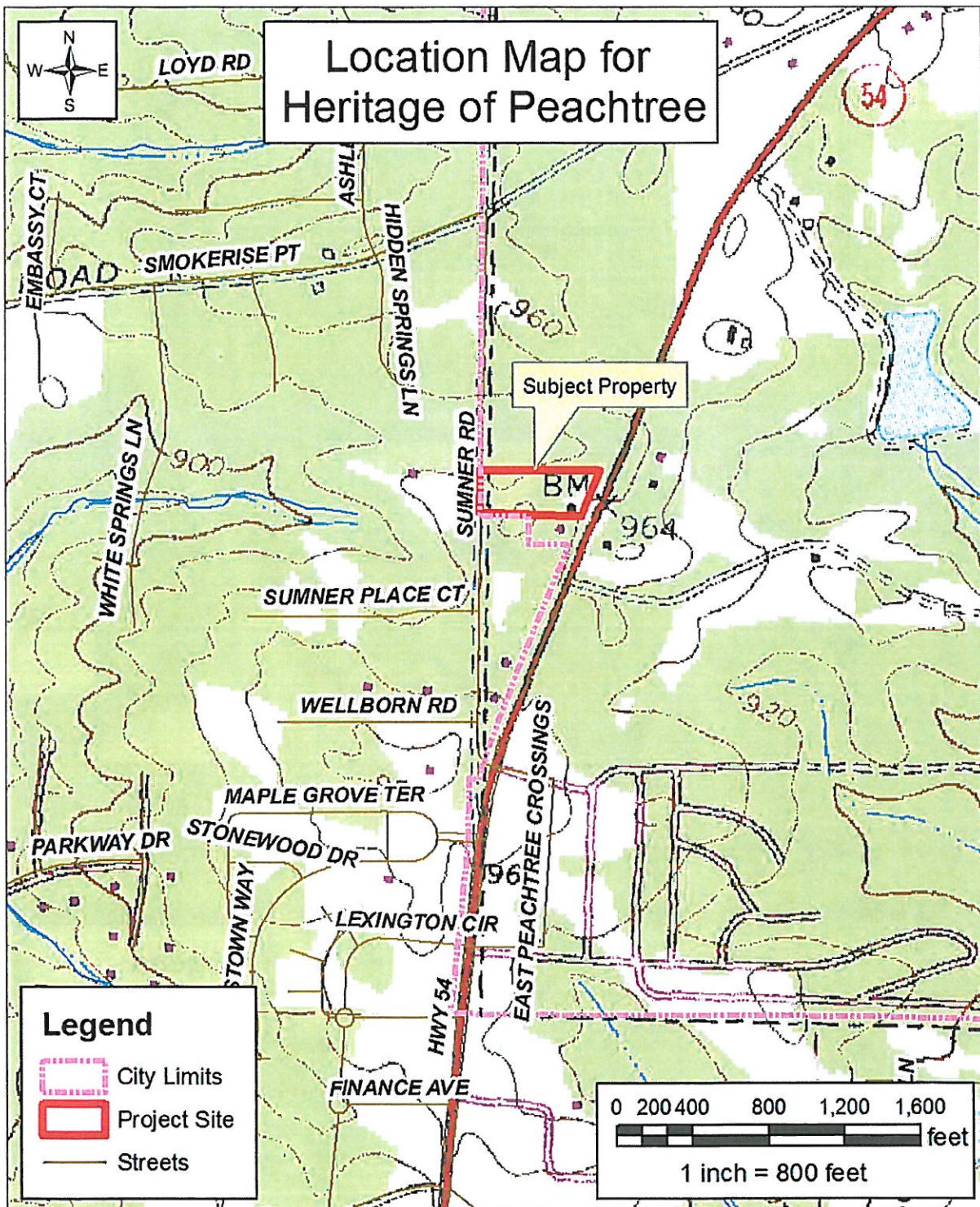


<b>Peachtree City Annexation and Rezoning Request</b>
---

<b>5</b>	Parcel ID: 0719 03001
<b>Property Address</b>	Governors Square
<b>Owner</b>	Mirome LLC
<b>Owner Address</b>	135 Governors Square Pkwy, Fayetteville, GA 30215
<b>6</b>	Parcel ID: 0719 007
<b>Property Address</b>	1975 Highway 54 W
<b>Owner</b>	Foot Pain, LLC.
<b>Owner Address</b>	1100 Commerce Drive, Suite A1, Peachtree City, GA 30269
<b>7</b>	Parcel ID: 0719 037
<b>Property Address</b>	1971 Highway 54 W
<b>Owner</b>	Jaz Properties LLC
<b>Owner Address</b>	1971 Highway 54 W, Peachtree City, GA 30269
<b>8</b>	Parcel ID: 0719 041
<b>Property Address</b>	1963 Highway 54 W
<b>Owner</b>	Ransom Randal Harper Joseph A Harper Edda M
<b>Owner Address</b>	145 Woodmere Lane, Fayetteville, GA 30215
<b>9</b>	Parcel ID: 0719 003A
<b>Property Address</b>	1 Lakewood Drive
<b>Owner</b>	Bradshaw Family LP
<b>Owner Address</b>	251 Smokerise Trace, Peachtree City, GA 30269
<b>10</b>	Parcel ID: 0719 065
<b>Property Address</b>	Devonshire Rd
<b>Owner</b>	The Bradshaw Company
<b>Owner Address</b>	251 Smokerise Trace, Peachtree City, GA 30269
<b>11</b>	Parcel ID: 0719 12007
<b>Property Address</b>	110 Hidden Springs Ln
<b>Owner</b>	Eifert Ronald W Cecilia H
<b>Owner Address</b>	110 Hidden Springs Ln, Peachtree City, GA 30269
<b>12</b>	Parcel ID: 0719 002
<b>Property Address</b>	255 Sumner Rd
<b>Owner</b>	James John C Lee L Snedeker Family Trust
<b>Owner Address</b>	273 Sumner Rd, Peachtree City, GA 30269
<b>13</b>	Parcel ID: 0719 023
<b>Property Address</b>	273 Sumner Rd
<b>Owner</b>	James John C Lee L Snedeker Family Trust
<b>Owner Address</b>	255 Sumner Rd, Peachtree City, GA 30269

# Peachtree City Annexation and Rezoning Request

## SCALED LOCATION MAP SHOWING PROPERTY IN RELATION TO CITY





# Peachtree City Annexation and Rezoning Request

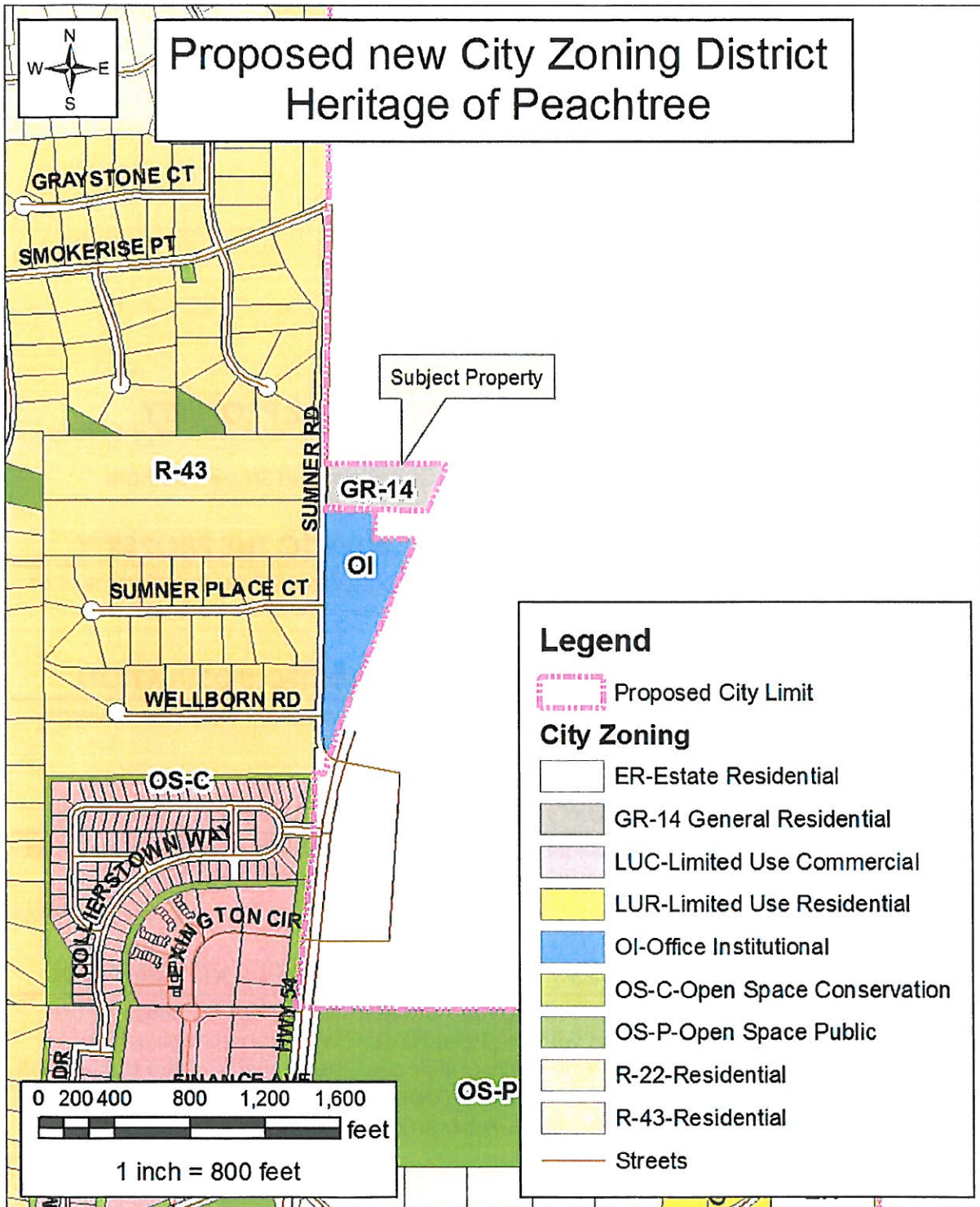
## RECENT AERIAL PHOTO SHOWING PROPERTY IN RELATION TO CITY





# Peachtree City Annexation and Rezoning Request

## SCALED PROPOSED NEW CITY ZONING DISTRICTS



## Peachtree City Annexation and Rezoning Request

### **NATURAL, GEOGRAPHIC & CULTURAL FEATURES ON / NEAR PROPERTY**

There are no known archaeological features on or near the property. Approximately 600 feet due west of the property are the headwaters to a stream one half a mile upstream of Lake Kedron.

### **PUBLIC SERVICES AVAILABLE TO THE PROPERTY**

Peachtree City Fire – Rescue Department	
Peachtree City Police Department	
Electricity	Coweta/Fayette EMC
Gas	Georgia Natural Gas
Telephone	Comcast
Cable Television	Direct TV
Sanitation	Waste Management
Water	Fayette County Water

### **PUBLIC SERVICES PROPOSED OR NEAR THE PROPERTY**

Sewer, Peachtree City Water and Sewerage Authority  
Near: McIntosh High School, Glenloch Recreation Complex, and Smokerise Park

### **PLANNING DOCUMENTS PREPARED RELATIVE TO THE PROPERTY**

None; HP is an existing assisted living center and has no plan for future development or expansion.

### **ACREAGE, PROPOSED DENSITY, AND PROJECTED POPULATION**

HP is a 38,477 square foot assisted living residential building on a 3.5 acre site. Overall density is 14 units per acre.

### **HOW TIED INTO CITY'S THOROUGHFARE AND CART PATH SYSTEMS**

The property has one curb cut into SR 54. Cart Path 08 is proposed along Sumner Road from SR 54E to Smokerise Point. Upon its construction, HP will connect with the City's cart path system.

### **HOW THE PROPERTY RELATES / COMPLEMENTS THE LAND USE PLAN**

HP has 49 apartments on 3.5 acres providing high density multi-family housing. As an assisted living center, HP is consistent with the Peachtree City Comprehensive Plan, which identified a major trend in twenty years anticipates the majority of the population will be over the age of 65. Annexation of HP is an opportunity for the City to support the availability of senior living accommodations while simultaneously designating their location.

## Peachtree City Annexation and Rezoning Request

### HOW PROPOSAL IS CONSISTENT WITH THE CITY'S ANNEXATION POLICY

HP is located within the City's identified growth boundary of the potential eastern city boundary that expands from the existing boundary on Sumner Road to an east border at Ebenezer Road, with the northern border being Smokerise Point and Hwy 54<sup>1</sup>. The process of annexation is not an automatic right in Peachtree City. As the City Council approved HP's Step 1 annexation request and extension of the Step 1 annexation request, the City has confirmed consistency with the annexation policy by allowing HP to move forward with Step 2 of the annexation process.

<sup>1</sup>Community Development "Growth Boundaries and Potential Annexations" Power Point Presentation, pp7 & 13, Rast, D., March 5, 2010.

### HOW THE PROPOSED ANNEXATION WILL AFFECT THE CITY

**Tax Base:** 2016 County property tax is \$43,475.69 on a fair market value of \$3,653,050. At 40%, the net assessment is \$1,461,220. The proposed annexation would provide a tax revenue increase for the City.

Peachtree City:	\$1,461,220 * 7.065 mills	\$10,323.52
County Schools:	21.100 mills	\$30,831.74
Fayette County:	5.127 mills	<u>\$ 7,491.67</u>
Total:		\$48,646.94

**Public Education:** The proposed annexation would have no direct impact on public education, as the subject property, Heritage of Peachtree, is an assisted living center for seniors.

**Police and Fire Protection:** The proposed annexation would require police protection for the residents, employees, and visitors. Anticipated response time should be similar to that of adjoining properties. The subject property is located within 5 miles of the Peachtree City Police Department. The proposed annexation will require fire protection for the residents. Anticipated response time should be similar to that of adjoining properties. The subject property is located within 2 miles of Fire Station 84 on Peachtree Parkway, 3.5 miles of Fire Station 81 on SR 74, and 4 miles of Fire Station 83 on South Peachtree Parkway.

**Emergency Medical Services:** The proposed annexation will require emergency medical services. Anticipated response time should be similar to that of adjoining properties. The subject property is located 2 miles east of Neely Fire Station 84 and 3.5 miles west of Piedmont Fayette Hospital.

**Transportation Facilities:** The proposed annexation will not require additional transportation facilities. When the proposed Cart Path 08 along Sumner Road from SR 54E to Smokerise Point is constructed, Heritage of Peachtree will connect with the City's cart path system.

**Utilities:** The proposed annexation is connected to the Peachtree City Water and Sewerage Authority system. The site is currently provided water service by Fayette County Water, gas service by Georgia Natural Gas, electrical service by Coweta



## Peachtree City Annexation and Rezoning Request

Fayette EMC, telephone service by Comcast, cable TV service by Direct TV, and refuse service by Waste Industries.

**Environmental Protection:** The parcel was developed over 20 years ago and has been maintained since that time. The low point for the topography is a retention pond in the Northwest quadrant of the parcel. There are no planned changes to the site that would require additional detention for stormwater.

**Recreation Program:** As an assisted living center, the proposed annexation will have no increased impact on the recreation programs.

**Implementation of the Overall Development Plan:** HP is an existing assisted living center and has no plan for future development or expansion.



Please use blue or black ink to fill out this form.

## REZONING PERMIT APPLICATION

153 Willowbend Rd, Peachtree City, GA 30269  
P: 770-487-5731 F: 770-631-2552  
WWW.PEACHTREE-CITY.ORG

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Fee: \$600 + \$50/acre

Receipt # \_\_\_\_\_

Date Filed \_\_\_\_/\_\_\_\_/\_\_\_\_

Case # \_\_\_\_\_

Office Use Only

SITE LOCATION	Address <u>1967 Highway 54</u> <u>Fayetteville, Georgia</u>	SITE INFORMATION	Parcel #(s) <u>0719 056</u>
	Proposed Use: <u>Heritage of Peachtree Assisted Living</u>		Existing Zoning <u>C-C</u> Proposed Zoning <u>GR-14</u> Property Size: <u>38,477</u> Square Feet   <u>3.5</u> Acres
APPLICANT	Name <u>HCRIX Royal LLC</u> Address <u>303 East Wacker Dr, Suite 2400</u> City, State, Zip <u>Chicago, IL 60601</u> Phone # <u>312-399-3442</u> Email <u>mfeaheny@seniorlifestyle.com</u>	OWNER	Name <u>same as applicant</u> Address _____ City, State, Zip _____ Phone # _____ Email _____
	Site in which Village: <input type="checkbox"/> Aberdeen <input type="checkbox"/> Braelinn <input type="checkbox"/> Glenloch <input checked="" type="checkbox"/> Kedron <input type="checkbox"/> Wilksmoor <input type="checkbox"/> Industrial		

IMPACTED AREAS	Sqft   Acres		Total acres + Impacted acres	LAND USE & ZONING	Please record all surrounding property within 200ft of site			
	Disturbed Area	<u>n/a</u> Square Feet   _____ Acres			<u>n/a</u> %	North	Land Use <u>Residential</u> <u>Commercial</u>	Zoning <u>AR, County</u> <u>C-C, County</u>
	Impervious Area	<u>67,347</u> Square Feet   <u>4.55</u> Acres			<u>44</u> %	East	<u>Office</u> <u>Commercial</u>	<u>C-OI, C-C</u> <u>C-H, County</u>
	Open Space & Greenbelts	<u>85,113</u> Square Feet   <u>1.95</u> Acres			<u>56</u> %	South	<u>Office</u> <u>Commercial</u>	<u>O-I, City</u> <u>C-H, County</u>
				West	<u>Residential</u>	<u>R-43, City</u>		

LOCATION OF	Entrance to Site: <u>Highway 54</u>
	Tree Save and Landscape Buffers: <u>n/a no new construction</u>
	Other Buffers: _____
	Greenbelts (to be dedicated to the city): _____
	Multi-Use Path Connections: _____
	Historical Resources: <u>none known</u>
	Natural Features: <u>none known</u>
	Stormwater Retention: <u>pond NW corner of parcel</u>

BUILDING INFORMATION	Building type: <u>Residential Senior Living</u>	Briefly describe proposed use of property: (A separate detailed report is still required to be attached to this application) <u>Senior Assisted Living facility</u>
	Hrs of operation: <u>24/7</u> to _____	
	# of stories: <u>2</u> Building height: <u>25'</u>	
	Floor Area (Sq ft) <u>38,477</u> Existing   <u>same</u> Proposed	
	# of dwelling units: <u>49</u> Units/acre: <u>14</u>	
	# of employees: <u>33</u> Existing   <u>33</u> Proposed	
	Parking: <u>28</u> # Required   <u>35</u> # Existing   <u>35</u> # Proposed   <u>zero</u> # Previous	

TYPE OF CONSTRUCTION	Structural Material: <input checked="" type="checkbox"/> Wood <input type="checkbox"/> Metal <input type="checkbox"/> Concrete <input type="checkbox"/> Brick <input type="checkbox"/> Other _____	SETBACKS	Required	Proposed
	Roof Material: <input type="checkbox"/> Metal <input type="checkbox"/> Tar <input checked="" type="checkbox"/> Shingles <input type="checkbox"/> Slate <input type="checkbox"/> Other _____		Front (Building)	<u>20</u> ft   <u>20</u> ft
	Interior Finish: <input checked="" type="checkbox"/> Drywall <input type="checkbox"/> Wood <input type="checkbox"/> Concrete <input type="checkbox"/> Stucco <input type="checkbox"/> Other _____		Front (Parking)	<u>10</u> ft   <u>10</u> ft
	Exterior Finish: <input type="checkbox"/> Wood <input type="checkbox"/> Metal <input type="checkbox"/> Concrete <input type="checkbox"/> Brick <input checked="" type="checkbox"/> Other vinyl		Side	<u>15</u> ft   <u>15</u> ft
			Rear	<u>20</u> ft   <u>20</u> ft

TRANSPORTATION INFORMATION	Name of access or adjacent street	# of access points	ROW width (ft)	Pavement width (ft)	# of lanes	Paved? (Y or N)	Roadway design capacity <sup>1</sup>	Traffic volume (ADT) <sup>2</sup>	Est. traffic generated (ADT) <sup>3</sup>
	Highway 54	1	~200'	~160'	4	Y	65,100	22,400	134
	<b>Estimated traffic generated by heavy vehicles: 7%</b> <small><sup>1</sup> See GADOT Highway Capacity Manual    <sup>2</sup> See GADOT Traffic Survey Unit (ADT - Average Daily Traffic)  <sup>3</sup> Base on Institute of Transportation Engineers ratios - ratio used for estimate (e.g., x trips per y sf)</small>								
Types of vehicles(s): <u>Delivery, garbage &amp; moving trucks</u>								ADT: <u>10</u>	
<small>(vehicles other than automobiles and light trucks - Delivery, Waste, Equipment trucks, etc)</small>									

UTILITIES & SERVICES INFO	Solid waste collection: <u>Waste Industries</u>		***Please attach letters from utilities indicating that their services can support the proposed development***	
	Natural gas: <u>GA Natural Gas</u>		Water supply:	
	Electrical Service: <u>Coweta Fayette EMC</u>		<input type="checkbox"/> Individual Well(s) <input type="checkbox"/> Community System <input checked="" type="checkbox"/> Municipal System: (Fayette County Water Dept)	
	Telephone Service: <u>Comcast</u>		Wastewater collection/treatment:	
Cable TV Service: <u>n/a: Direct TV</u>		<input type="checkbox"/> Individual Onsite <input type="checkbox"/> Community System <input checked="" type="checkbox"/> Municipal System: (Peachtree City WASA)		
Underground? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Underground? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Underground? <input type="checkbox"/> Yes <input type="checkbox"/> No <u>N/A</u>		Estimated Actual total water demand (gpd): <u>4,500</u>  Estimated Actual total wastewater discharge (gpd): <u>4,500</u>		

FIRE INFORMATION	Automatic Fire Sprinklers:		Briefly describe daily operations:	
	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No, why? _____		(A separate detailed report is still required to be attached to this application)	
	Automatic Fire Alarm:		Residential Senior Assisted Living	
	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No, why? _____		_____	
# of Fire Hydrants: <u>1</u> Existing <u>1</u> Proposed		_____		
Hazardous Material On Site? <small>(If yes, describe type and method of storage to the right:)</small>		Material(s): _____    Storage: _____		
Yes <input checked="" type="checkbox"/> No				

With the signing and submittal of this application, the property owner authorizes the Peachtree City Staff to enter onto the subject property to collect data and other information in order to accurately prepare reports or other documentation for review by the Planning Commission and City Council.

By signing below I hereby certify that the above listed information and the accompanying materials as requested are accurate.

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Property Owner Signature: [Signature] Date: 02.13.17

Please complete the attached checklist.

#### OFFICE ONLY

This request, along with the required fee and supplemental documents, has been properly submitted and is hereby accepted for consideration by the Planning Commission and the City Council:

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Date & Time of Planning Commission Public Hearing: \_\_\_\_\_

Date of City Council Public Hearing: \_\_\_\_\_ Case Number: \_\_\_\_\_





# Fayette COUNTY

**PURCHASING DEPARTMENT**  
140 STONEWALL AVENUE WEST, STE 204  
FAYETTEVILLE, GEORGIA 30214  
PHONE: 770-305-5420  
www.fayettecountyga.gov

Administrator's Report: A

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"WHERE QUALITY  
IS A LIFESTYLE"

To: Steve Rapson

From: Ted L. Burgess *TB*

Date: February 17, 2017

Subject: Contract #940-P, Public Works Engineer of Record: Task Order #17, Culvert Design and Bid Services for Broome Boulevard

There is a need to replace the culvert under Broome Boulevard, in the southeast part of the county. The existing culvert was damaged as a result of excessive rainfall in December 2015.

Tetra Tech, Inc. is the current Engineer of Record for the Division of Public Works. Task Order #17 authorizes them to perform tasks such as develop three conceptual design options, prepare detail design of the chosen option, produce plans and specifications for bidding, and related tasks.

The firm fixed price for this task order is \$50,470.00. It is anticipated that the majority of expenses for this project will be deemed eligible for FEMA and GEMA participation at 87.5% federal/state funds and 12.5% local funds.

Specifics of the Task Order are as follows:

Contract Name	940-P: Engineer of Record for Public Works	
Task Order	#17: Culvert Design and Bid Services for Broome Boulevard	
Contractor	Tetra Tech, Inc.	
Contract Type	Engineering Services	
Fixed Price Amount	\$50,470.00	
Budget:		
Organization Code	50940320	Stormwater Projects
Object Code	521316	Technical Services
Project Code	6509L	Broome Boulevard
Available Budget:	\$386,475.62	As of 2/16/2017

*Reimb. via 2015  
flood project.*

Approval signature

Date

2/20/17