

BOARD OF COUNTY COMMISSIONERS

Eric K. 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
Marlena Edwards, Deputy County Clerk

140 Stonewall Avenue West
Public Meeting Room
Fayetteville, GA 30214

AGENDA

August 24, 2017

6:30 p.m.

Welcome to the meeting of your Fayette County Board of Commissioners. Your participation in County government is appreciated. All regularly scheduled Board meetings are open to the public and are held on the 2nd and 4th Thursday of each month at 6:30 p.m.

Call to Order

Invocation and Pledge of Allegiance by Commissioner Steve Brown

Acceptance of Agenda

PROCLAMATION/RECOGNITION:

1. Recognition of Sam Rumpel as the Equestrian National Champion. (pages 3-5)

PUBLIC HEARING:

2. Consideration of Petition No.1268-17, Elizabeth R. Arnold, Owner, and Broderick Arnold, Agent, request to rezone 1.00 acre from A-R to R-40 located in Land Lot 70 of the 5th District and fronting on Price Road. (pages 6-25)

CONSENT AGENDA:

3. Approval of staff's request to accept the donation of a Physio Control Lucas CPR compression device from the Fayette Fire Foundation. (pages 26-27)
4. Approval of staff's recommendation to sell 17 Glock weapons on GovDeals to increase the Marshal's Office budget by \$2,592.00 and to purchase six new Glock G17 weapons. (pages 28-31)
5. Approval of a grant in the amount of \$300,000 from the State Road and Tollway Authority's, Georgia Transportation Infrastructure Bank (GTIB), for a portion of construction costs associated with Fayette County SPLOST Project R-5F, the intersection of State Route 92 and Westbridge Road/Veteran's Parkway. (pages 32-61)
6. Approval of the August 10, 2017 Board of Commissioners Meeting Minutes. (pages 62-81)

OLD BUSINESS:

NEW BUSINESS:

7. Approval of the July 13, 2017 Board of Commissioners Meeting Minutes. This item was tabled at the August 10, 2017 meeting. (pages 52-110)
8. Consideration of staff's recommendation to amend the 2017-SPLOST fund (32240320) reallocating \$67,000 from Old Senoia Rd (6509H) to Rising Star Rd (6509C) and approval of staff's recommendation to award Bid #1207-B: Rising Star Culvert Replacement SPLOST Cat I, for FY18 to the low bidder, Piedmont Paving, Incorporated in the amount of \$384,805. (pages 111-115)
9. Consideration of Resolution 2017-14 adopting the 2017 Property Tax Millage Rates. (pages 116-120)
10. Consideration of the Public Arts Committee's request for Concept Approval for the Five Senses PopUp Event and authorization to have the County Attorney review related documents; and consideration of the revisions to the Concept Approval to develop and host PopUp events. (pages 121-132)
11. Consideration of staff's recommendation for the Board of Commissioners to approve the bid from Blount Construction Company, Inc. for Bid # 1362-B HA-5, High Density Mineral Bond in the amount of \$132,533.89. (pages 133-138)
12. Consideration of staff recommendation to implement a multi-way stop at Antioch Road ad Goza Road intersection. (pages 139-144)
13. Discussion regarding the Transportation Committee. (pages 145-150)

PUBLIC COMMENT:

ADMINISTRATOR'S REPORTS:

ATTORNEY'S REPORTS:

COMMISSIONERS' REPORTS:

EXECUTIVE SESSION:

ADJOURNMENT:

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Recognition of Sam Rumpel as the Equestrian National Champion.

Background/History/Details:

Sam Rumpel of Peachtree City, a seventh-grader at Rising Starr Middle School, recently returned from the Interscholastic Equestrian Association (IEA) Western National Finals in Oklahoma City, where her team (King Show Horses middle school equestrian team based in Snellville) competed and was subsequently crowned national champions.

The Board will recognize the accomplishment of Sam Rumpel as part of this team.

Source: Rising Starr student is equestrian national champion added by Monroe Roark on July 12, 2017

What action are you seeking from the Board of Commissioners?

Recognition of Sam Rumpel as the Equestrian National Champion.

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:

Rising Starr student is equestrian national champion

By *Monroe Roark* on July 12, 2017 Comments



Sam Rumpel of Peachtree City, a rising seventh-grader at Rising Starr Middle School, recently returned from the Interscholastic Equestrian Association (IEA) Western National Finals in Oklahoma City, where her team (King Show Horses middle school equestrian team based in Snellville) competed and was subsequently crowned national champions.

The team competing at nationals was comprised of four middle school riders representing the top team riders for the King Show Horses team. Sam competed in the Future Beginner Horsemanship class and earned a second place out of 13 of the country's top middle school riders, earning

5 points toward the team's 17-point national championship win (out of 78 teams across the country).

For student equestrians in grades 6-12, the Interscholastic Equestrian Association (IEA) was established in the spring of 2002. The IEA has grown from 200 participants to more than 12,500 members in 42 states across North America.

The IEA supports both Hunt Seat and Western disciplines with the mission of introducing students in private and public middle and secondary schools to equestrian sports and to promote and improve the quality of equestrian competition. To learn more about IEA visit www.rideiea.org.



Rising Starr student is equestrian national champion added by Monroe Roark on July 12, 2017

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Consideration of Petition No.1268-17, Elizabeth R. Arnold, Owner, and Broderick Arnold, Agent, request to rezone 1.00 acre from A-R to R-40 located in Land Lot 70 of the 5th District and fronting on Price Road.

Background/History/Details:

Staff recommends approval of Petition 1268-17.

The Planing Commission recommended approval of Petition 1268-17.
Al Gilbert made the motion to recommend approval of Petition 1268-17. John Culbreth seconded the motion. The motion passed 5-0.

What action are you seeking from the Board of Commissioners?

Approval of Petition No. 1268-17, Elizabeth R. Arnold, Owner, and Broderick Arnold, Agent, request to rezone 1.00 acre from A-R to R-40 located in Land Lot 70 of the 5th District and fronting on Price Road.

If this item requires funding, please describe:

Not applicable.

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

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

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:

PLANNING COMMISSION RECOMMENDATION

DATE: August 3, 2017

TO: Fayette County Commissioners

The Fayette County Planning Commission recommends that Petition No. 1268-17, the application of Elizabeth R. Arnold to rezone 1.00 acre from A-R to R-40, be:

Approved ⁵⁻⁰ Withdrawn Disapproved

Tabled until _____

This is forwarded to you for final action.




BRIAN HAREN, CHAIRMAN



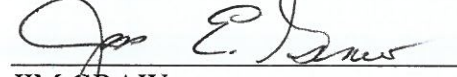
JOHN CULBRETH, VICE-CHAIRMAN



DANNY ENGLAND



AL GILBERT



JIM GRAW

Remarks:

**STATE OF GEORGIA
COUNTY OF FAYETTE**

RESOLUTION

NO. 1268-17

WHEREAS, Elizabeth R. Arnold, Owner, and Broderick Arnold, Agent, having come before the Fayette County Planning Commission on August 3, 2017, requesting an amendment to the Fayette County Zoning Map pursuant to "The Zoning Ordinance of Fayette County, Georgia, 2010"; and

WHEREAS, said request being as follows: Request to rezone 1.00 acre from A-R to R-40, in the area of Price Road & Tributary Way, Land Lot 70 of the 5th District, for the purpose of developing a Residential; and

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

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

This decision is based on the following reasons:

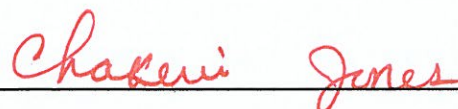
In compliance with the Fayette County Comprehensive Plan.
Compatible with the surrounding area.

**PLANNING COMMISSION
OF
FAYETTE COUNTY**

ATTEST:



BRIAN HAREN, CHAIRMAN



PC SECRETARY

PUBLIC HEARING

5. Consideration of Petition No. 1268-17, Elizabeth R. Arnold, Owner, and Broderick Arnold, Agent, request to rezone 1.00 acre from A-R to R-40. This property is located in Land Lot 70 of the 5th District and fronts on Price Road.

Broderick Arnold said I'm her son, acting as her agent. We are asking that this property be rezoned from A-R to R-40 for the purpose of either building a house or selling the piece of property on the corner of Tributary Way and Price Road.

Brian Haren asked how long have you owned the property.

Broderick Arnold said it was passed down to my mother from my father. I believe he, who is deceased now, I believe they've had that property fifty (50) years now.

Al Gilbert stated this does clear up a one (1) acre A-R lot.

Brian Haren said I don't know how many one (1) acre A-R lots there are left in the county, but there can't be too many.

Jim Graw said I talked to Pete a little bit about this the other day and the lot is a legal nonconforming lot in true respects. It's legal nonconforming because it's a one (1) acre lot in A-R, and second because it doesn't have enough road frontage. If we vote to recommend it be rezoned to one (1) acre it still would be a legal nonconforming lot because it doesn't have enough road frontage.

Chanelle Blaine stated it's not the road frontage, it's not wide enough. The lot width, not the frontage. It needs to be 125 for R-40, but it's closer to R-40 for the size.

Jim Graw said R-40 requires 125 and they have 100. It would still remain a legal nonconforming lot. My concern was would there still be problems for the property owner and Pete assured me there would be no problems at all for the property owner.

Brian Haren said if it's classified as a legal nonconforming lot, which it is, then there wouldn't be a problem.

Jim Graw said I asked Pete how it got this way and he said back in 1969 there were no rules.

Brian Haren asked if the street address goes on Price Road or Tributary Way.

Chanelle Blaine said it depends on where they build the structure. If the driveway is off Price Road then it would have a Price Road address. If the driveway is off of Tributary it would have a Tributary address.

Al Gilbert made a motion to recommend approval of Petition No. 1268-17. John Culbreth

Page 2
August 3, 2017
PC Meeting

seconded the motion. The motion passed 5-0.

PETITION NO: 1268-17

REQUESTED ACTION: A-R to R-40

PROPOSED USE: Residential

EXISTING USE: Residential

LOCATION: Price Road & Tributary Way

DISTRICT/LAND LOT(S): 5th District, Land Lot(s) 70

OWNER: Elizabeth R. Arnold

AGENT: Broderick Arnold

PLANNING COMMISSION PUBLIC HEARING: August 3, 2017

BOARD OF COMMISSIONERS PUBLIC HEARING: August 24, 2017

APPLICANT'S INTENT

Applicant proposes to rezone an existing nonconforming one (1) acre lot from A-R to R-40.

STAFF RECOMMENDATION

APPROVAL

1.

1268-17

INVESTIGATION

A. PROPERTY SITE

The subject property is a one (1) acre tract fronting on Price Road in Land Lot(s) 70 of the 5th District. Price Road is classified as a Local road on the Fayette County Thoroughfare Plan. The subject property does not have access to Tributary Way as the Final Plat for Price Road Estates indicates that a portion of lot 18 separates the subject property from the right-of-way of Tributary Way (see attached revised Price Road Estates Final Plat). The subject property is undeveloped and currently zoned A-R.

History: The survey for the lot was recorded on August 22, 1969, Book 5 Page 89.

B. SURROUNDING ZONING AND USES

The general situation is a one (1) acre tract that is zoned A-R. In the vicinity of the subject property is land which is zoned A-R and R-40. See the following table and also the attached Zoning Location Map.

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

Direction	Acreage	Zoning	Use	Comprehensive Plan
North (across Tributary Way)	1.00	R-40	Single-family Residential	Low Density Residential (1 Unit/1 or 2 acres)
South and East	1.05	R-40	Single-family Residential	Low Density Residential (1 Unit/1 or 2 acres)
West (across Price Road)	3.20	A-R	Single-family Residential	Low Density Residential (1 Unit/1 or 2 acres)

C. COMPREHENSIVE PLAN

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

D. ZONING/REGULATORY REVIEW

The applicant seeks to rezone an existing nonconforming one (1) acre lot from A-R to R-40. The subject property will meet the minimum one (1) lot size for the R-40 Zoning District. However, the subject property will not meet the minimum lot width of 125 feet as the lot is 100 feet wide. The rezoning of a legal nonconforming lot is based on the following:

Sec. 7-2. Nonconformances. A. Nonconforming Lots.

Consideration for the Rezoning of Legal Nonconforming Lots. Any legal nonconforming lot may be considered for rezoning to another zoning district where the lot would be made nonconforming by said rezoning. Factors of consideration, in addition to those enumerated in Article XI., would include the following:

1. The degree of increase or reduction of the nonconformity of existing structures located on the subject property; and

(The subject property is vacant and contains no existing structures)

2. The current zoning and land use designations of adjoining lots as indicated on the Land Use Plan.

(The subject property is surrounded on three (3) sides by properties zoned R-40 and the Land Use Plan designation of adjoining lots is Low Density Residential (1 Unit/ 1 or 2 acres).

E. DEPARTMENTAL COMMENTS

Water System

City of Fayetteville service area.

Public Works/Engineering

Engineering has no comments on this rezoning request (parcel 0517 052).

Environmental Management

EMD has no comments

Environmental Health Department

No objections

Fire

The bureau of fire prevention will neither approve nor deny request that fall outside the scope of fire prevention code requirements.

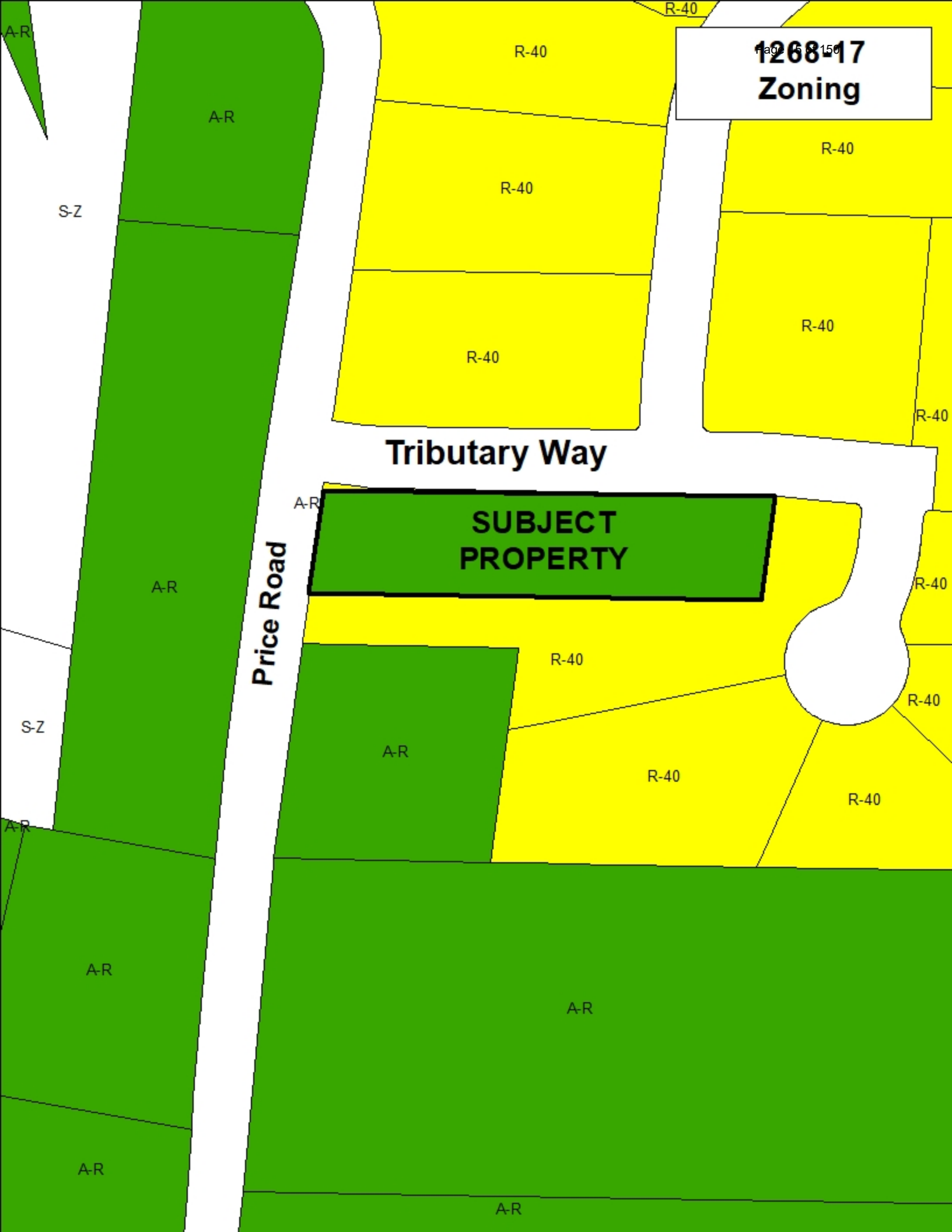
STAFF ANALYSIS

This request is based on the petitioner's intent to rezone said property from A-R to R-40 for the purpose of developing Residential. Per Section 110-300 of the Fayette County Zoning Ordinance, Staff makes the following evaluations:

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

Based on the foregoing Investigation and Staff Analysis, Staff recommends **APPROVAL**.

1268-17
Zoning



Tributary Way

SUBJECT
PROPERTY

LOW DENSITY
RESIDENTIAL

Price Road

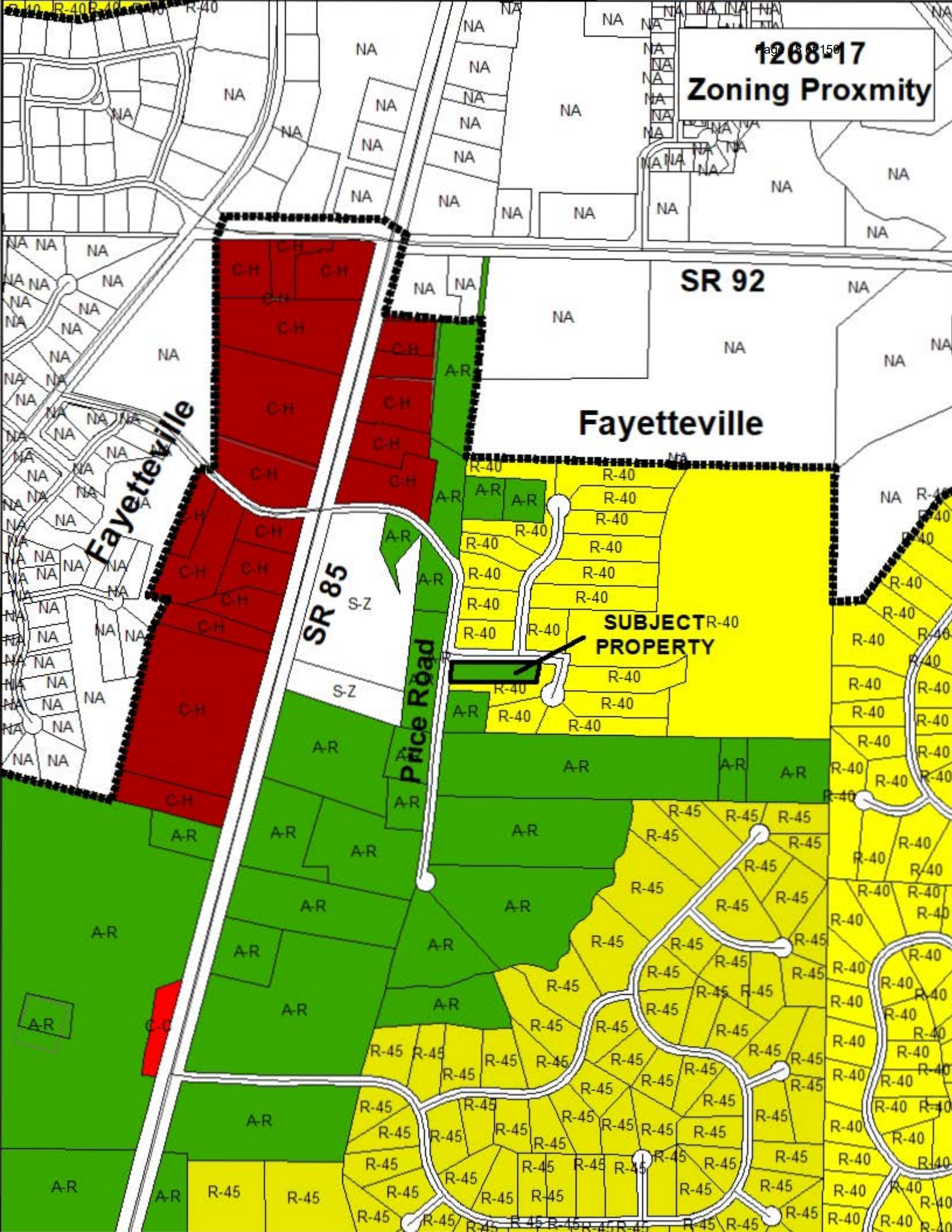
Tributary Way

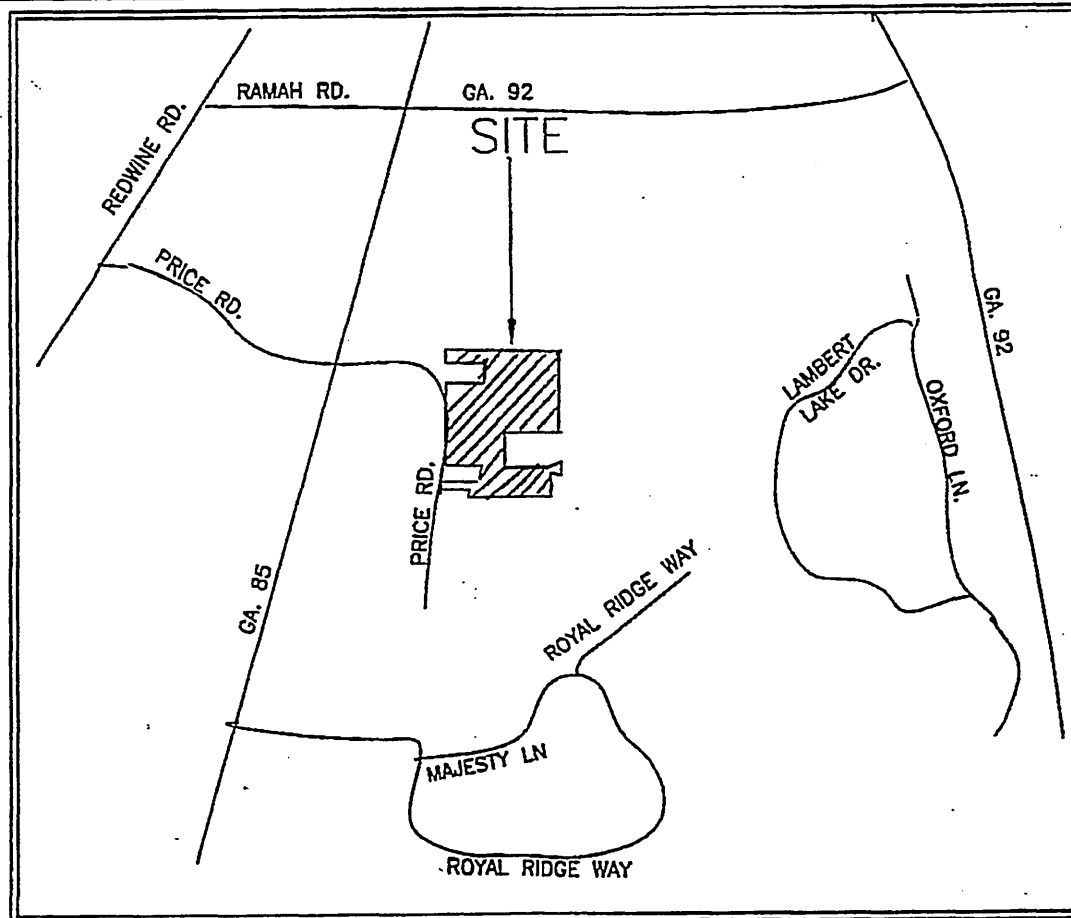
SUBJECT
PROPERTY

Price Road



1268-17 Zoning Proximity





VICINITY MAP (NTS)

SURVEY NOTES

UTILITIES SHOWN ARE LOCATIONS OF GROUND IDENTIFIABLE ITEMS. ADDITIONAL UTILITIES MAY EXIST ABOVE OR BELOW GROUND. THE SURVEYOR ACCEPTS NO RESPONSIBILITY FOR THE COMPLETENESS OF THIS DATA.

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 14,212 FEET, AND AN ANGULAR ERROR OF 2" PER ANGLE. IT WAS A CLOSED LOOP GPS TRAVERSE AND WAS ADJUSTED USING THE LEAST SQUARES RULE.

THIS PLAT HAS BEEN CALCULATED FOR CLOSURE, AND WAS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 359,669 FEET.

LINEAR AND ANGULAR MEASUREMENTS WERE OBTAINED USING A GEODIMETER 610 ROBOTIC TOTAL STATION. THE FIELD WORK WAS COMPLETED ON 9.27.06.

TRIMBLE 5700 GPS UNITS WERE USED ON THIS SURVEY FOR STATIC GPS SESSIONS. THE COORDINATES WERE OBTAINED BY LEAST SQUARES ADJUSTMENTS.

THIS PROPERTY IS SUBJECT TO ALL RIGHT-OF-WAYS AND EASEMENTS SHOWN OR NOT SHOWN, RECORDED OR UNRECORDED.

SURVEY REFERENCES

1. SURVEY OF ANDREW BROOKS ESTATE, SURVEYED BY LUM HALL & ASSOCIATES, INC. DATED 9.27.95.

GENERAL NOTES

FAYETTE COUNTY DOES NOT ACCEPT THE OWNERSHIP, MAINTENANCE OR RESPONSIBILITY FOR ANY DRAINAGE EASEMENT OR OVERALL DRAINAGE PLAN, OR THE LACK OF ONE, INDICATED BY THIS PLAT.

FLOOD NOTES

AS SHOWN ON FLOOD INSURANCE RATE MAP AND THE FLOOD INSURANCE STUDY OF FAYETTE COUNTY, GEORGIA, COMMUNITY PANEL NUMBER: 13113C 0085D, EFFECTIVE DATE 3.18.96, A PORTION OF THIS PROPERTY IS LOCATED IN A FLOOD HAZARD ZONE - ZONE AE.

THE FLOODPLAIN WAS DELINEATED USING THE PUBLISHED ELEVATIONS BY FEMA AND INTERPOLATING BETWEEN THE FEMA CROSS SECTIONS USING THE CONTOUR DATA PROVIDED BY LUM HALL & ASSOCIATES, INC. AS A REDUNDANCY CHECK, THE ELEVATIONS OF FIELD-RUN CROSS SECTIONS WERE COMPARED WITH THE ELEVATIONS PUBLISHED BY FEMA AND THE CONTOURS PROVIDED BY OTHERS. BETWEEN THE THREE SOURCES OF DATA, A "BEST FIT" FLOOD PLAIN BOUNDARY WAS GENERATED.

THE MINIMUM FINISH FLOOR ELEVATION (MFFE) FOR LOTS 6-16 WERE ESTABLISHED 5-FEET ABOVE THE LOW POINT OF TRIBUTARY WAY, ELEVATION OF 854.89. IN THE EVENT THAT PERRY CREEK WERE TO OVERTOP TRIBUTARY WAY, THE DWELLINGS WILL BE APPROXIMATELY 3- FEET ABOVE THE WATER SURFACE ELEVATION, ASSUMING A 2-FOOT DEPTH OF FLOW ACROSS TRIBUTARY WAY.

REVISED FINAL PLAT FOR SIGNAGE COMMON AREA

PRICE ROAD ESTATES - PHASE I

LAND LOT 70, 5TH DISTRICT
FAYETTE COUNTY, GEORGIA

OWNER

DREAM HOME DEVELOPERS, LLC
5405-A MEMORIAL DRIVE, STE 201
STONE MOUNTAIN, GA 30083

OWNER'S CERTIFICATE

WE THE UNDERSIGNED OWNER(S) AND/OR MORTGAGEE(S) OF THE PRICE ROAD ESTATES SUBDIVISION, HEREBY OFFER TO DEDICATE AND/OR RESERVE FOR PUBLIC USE THE RIGHT-OF-WAYS EASEMENTS AND OTHER GROUND SHOWN ON THIS PLAT.

OWNER	DATE	MORTGAGEE	DATE
<i>Cornell</i>	<u>2/19/07</u>	<i>Cornell</i>	<u>7/19/2007</u>

SURVEYOR'S FINAL CERTIFICATE

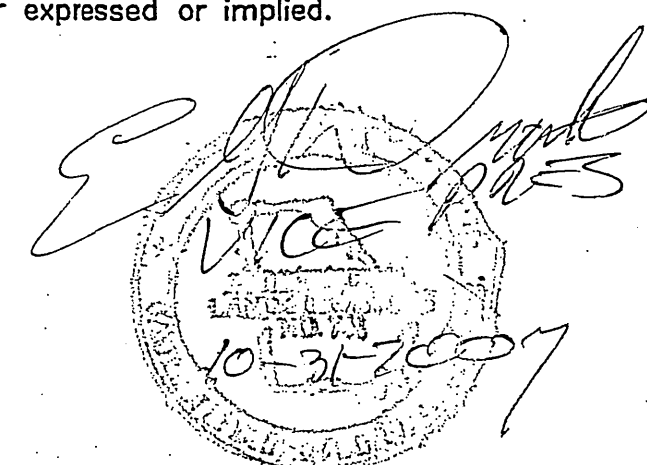
I HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE BY ME OR UNDER MY SUPERVISION: THAT ALL MONUMENTS SHOWN HEREON ACTUALLY EXIST OR ARE MARKED AS "FUTURE", AND THEIR LOCATION, SIZE, TYPE AND MATERIAL ARE CORRECTLY SHOWN.

BY: *E. J. Drake* DATE: 8-13-2007
VAUGHN & DRAKE SURVEYORS, INC.
GA. REGISTRATION NO. 741

** As used in the Certification, certify means to state or declare a professional opinion of conditions regarding those facts or findings which are the subject of the certification and does not constitute a warranty or guarantee, either expressed or implied.

Doc ID: 007649870002 Type: PLT
Filed: 11/08/2007 at 02:56:00 PM
Fee Amt: \$16.00 Page 1 of 2
Fayette, Ga. Clerk Superior Court
Sheila Studdard Clerk of Court
BK 44 PG 191-192

COPY



DEVELOPMENT DATA

PRICE ROAD ESTATES - PHASE I
LAND LOT 70, 5TH DISTRICT
FAYETTE COUNTY, GEORGIA

1. Developer: Dream Home Developers, LLC
A. Address: 5405-A Memorial Drive, Ste 201 Stone Mountain, GA 30083
2. Property Owner: Dream Home Developers, LLC
A. Address: 5405-A Memorial Drive, Ste 201 Stone Mountain, GA 30083
3. Surveyor: Vaughn & Drake Surveyors, Inc.
A. Address: P.O. Box 703, Stockbridge, GA 30281 Stone Mountain, GA 30083
B. Telephone Number: (770) 474-1106
4. Subdivision Configuration:
A. Source of Data: BOUNDARY SURVEY PERFORMED BY Lum Hall & Associates, Inc. Dated: 9.27.95.
B. Location: Fayette County, Georgia
C. Total Project Area: Gross = 25.06 Ac., Net = 23.60 Ac. (THIS PHASE)
D. Zoning: R-40
E. Type of Subdivision: SINGLE FAMILY RESIDENTIAL
F. Number of Lots: 18 Lots (THIS PHASE)
G. Density: 0.69 Acre GROSS, 0.76 Acre NET (THIS PHASE)
H. Lot Size: 1 AC (MIN.); House Size: 1,500 SF (MIN.)
I. Datum: NAVD 88
J. Street Length: 2,015 LF (2.46 ac.)
K. Type of Streets: PUBLIC
L. R/W Width: 60'
M. Pavement Width: 26' B.O.C. TO B.O.C.
N. Street Maintenance: FAYETTE COUNTY
O. Building Setbacks: FRONT: 40' (UNLESS OTHERWISE NOTED) REAR: 30' (UNLESS OTHERWISE NOTED) SIDE: 15'
5. Utilities:
A. Water: CITY OF FAYETTEVILLE
B. Sewage System: SEPTIC SYSTEM
C. Electric: Georgia Power Company
6. All work and materials shall be in accordance with FAYETTE COUNTY Standards.
7. Rezoning Petition No. 1106-03: March 27, 2003. No lot shall have immediate vehicular access to Price Road.
8. Preliminary Plat Approval: September 2, 2004.
9. Stormwater Management Acreage: 4.07 Ac.

FAYETTE COUNTY APPROVAL

APPROVED BY DEPARTMENT OF PUBLIC HEALTH FAYETTE COUNTY, GEORGIA

DATE: 10/10/07 SIGNED: *[Signature]*
ENVIRONMENTAL HEALTH SPECIALIST II

FINAL PLAT APPROVED BY COUNTY ENGINEER OF FAYETTE COUNTY. ALL AS-BUILT CONSTRUCTION PLANS HAVE BEEN APPROVED.

DATE: 10-3-07 SIGNED: *P. Malin*
COUNTY ENGINEER

APPROVED BY THE FAYETTE COUNTY PLANNING COMMISSION.

DATE: 10-11-07 SIGNED: *Robyn Wilson*
SECRETARY

APPROVED BY THE FAYETTE COUNTY ZONING ADMINISTRATOR.

DATE: 10/11/07 SIGNED: *[Signature]*
ZONING ADMINISTRATOR

APPROVED BY THE FAYETTE COUNTY FIRE MARSHAL. ALL FIRE HYDRANTS LOCATED AS SHOWN.

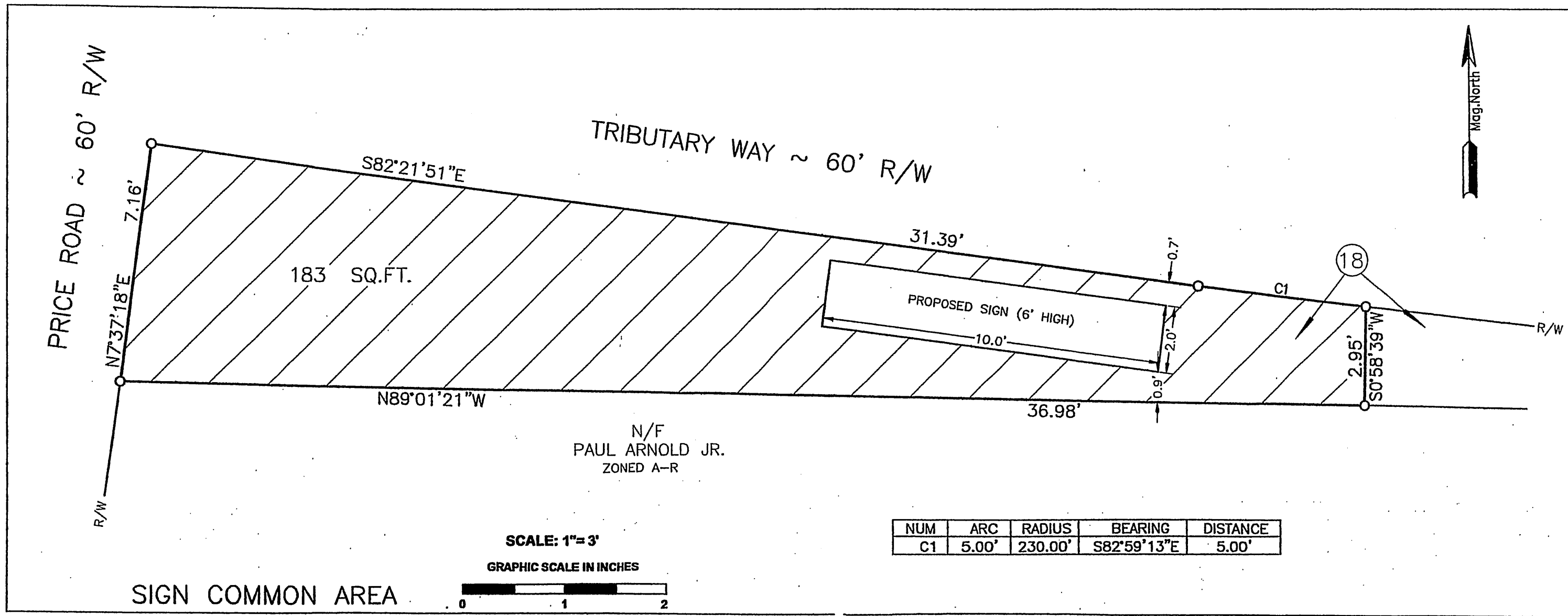
DATE: 10/05/07 SIGNED: *[Signature]*
FIRE MARSHAL

REVISIONS	
4.28.06	Changed street names and subdivision name per client.
7.18.06	Revised per comments.
8.22.06	Revised per comments.
9.27.06	Revised per county.
10.5.06	Revised per county.
7.16.07	Revised to include entrance sign common area.
8.8.07	Revised per GEORGIA comments.

	24-HOUR CONTACT/DEVELOPER ED ETEFIA, P.E. NITEC INTERNATIONAL, LLC 678-350-8278 VAUGHN & DRAKE SURVEYORS, INC. Land Planning - Surveying P. O. Box 703, Stockbridge, GA 30281 Phone (770)474.1106 Fax (770)474.0166
	PROJECT REVISED FINAL PLAT OF PRICE ROAD ESTATES - PHASE I - SIGNAGE COMMON AREA LAND LOT: DISTRICT: COUNTY: STATE:

CLIENT NAME DREAM HOME DEVELOPERS, LLC 5405-A MEMORIAL DRIVE, STE 201 STONE MOUNTAIN, GA 30083
SHEET TITLE: REVISED FINAL PLAT OF PRICE ROAD ESTATES - PHASE I - FOR SIGNAGE COMMON AREA
REVISION DATE: 8.8.07
JOB:
DRAWN: EE
CHECKED:
SHEET NUMBER: 1 OF 2

Engineering



NUM	ARC	RADIUS	BEARING	DISTANCE
C1	5.00'	230.00'	S82°59'13"E	5.00'

SCALE: 1"=3'

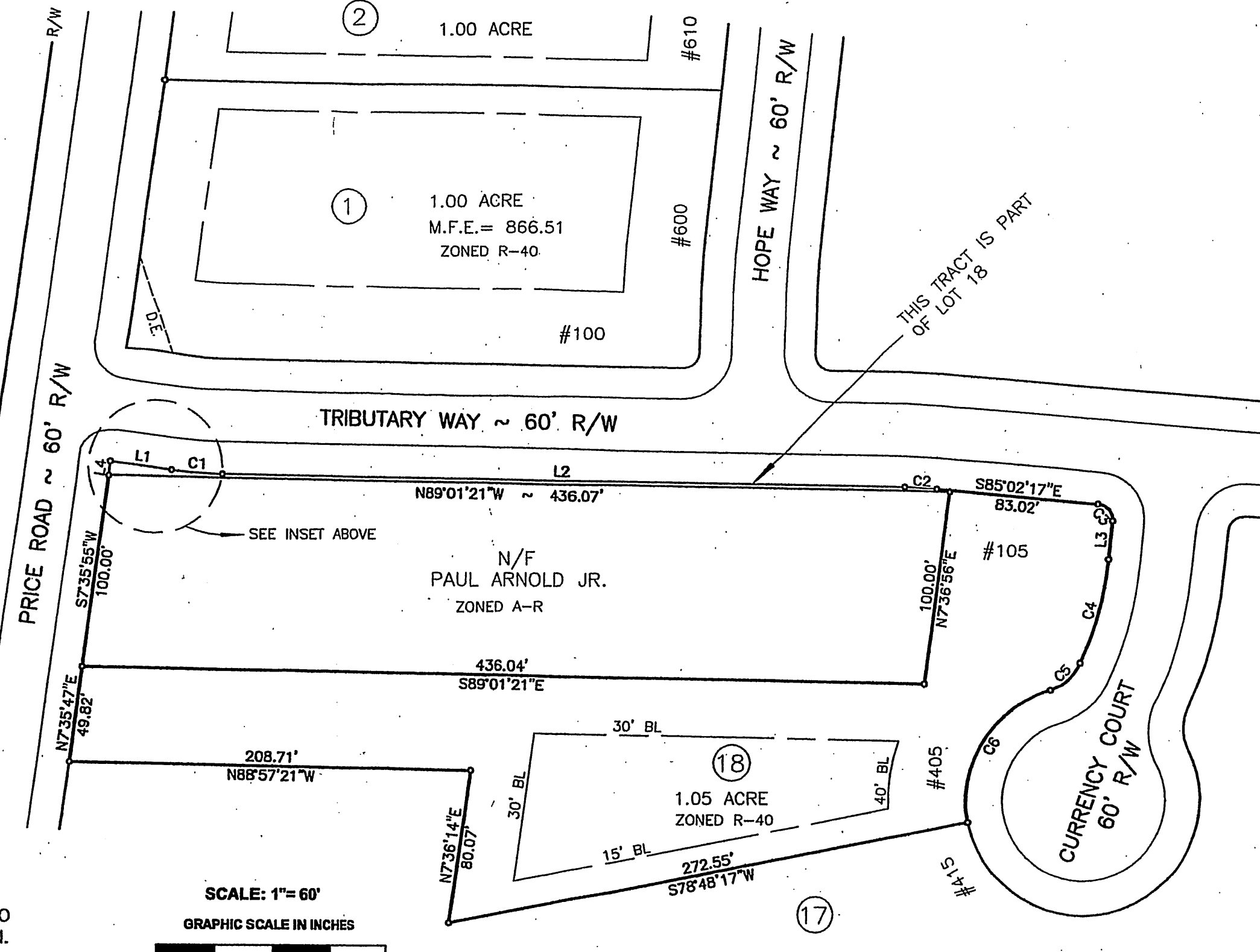
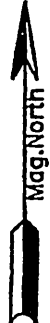
GRAPHIC SCALE IN INCHES

SIGN COMMON AREA

LEGAL DESCRIPTION OF SIGN COMMON AREA

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 70 OF THE 5TH DISTRICT OF FAYETTE COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE POINT OF INTERSECTION OF THE EASTERLY RIGHT-OF-WAY OF PRICE ROAD (60 FOOT RIGHT-OF-WAY) WITH THE SOUTHERLY RIGHT-OF-WAY OF TRIBUTARY WAY (60 FOOT RIGHT-OF-WAY), AND RUNNING THENCE S82°21'51"E ALONG THE SAID RIGHT-OF-WAY OF TRIBUTARY WAY A DISTANCE OF 31.39 FEET TO A POINT, RUNNING THENCE SOUTHEASTERLY ALONG THE SAID RIGHT-OF-WAY OF TRIBUTARY WAY AND FOLLOWING THE CURVATURE, THEREOF, AN ARC DISTANCE OF 5.00 FEET TO A POINT, SAID ARC BEING SUBTENDED BY A CHORD HAVING A BEARING OF S82°59'13"E AND A CHORD DISTANCE OF 5.00 FEET, RUNNING THENCE S00°58'39"W A DISTANCE OF 2.95 FEET TO A POINT, RUNNING THENCE N89°01'21"W A DISTANCE OF 36.98 FEET TO A POINT IN THE EASTERLY RIGHT-OF-WAY OF PRICE ROAD, RUNNING THENCE N07°37'18"E ALONG THE SAID RIGHT-OF-WAY OF PRICE ROAD A DISTANCE OF 7.16 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINING 183 SQUARE FEET.



REVISION # 1
PURPOSE: TO PROVIDE A COMMON AREA FOR ENTRANCE SIGNAGE.

NOTE: COMMON AREA SHOWN HEREON TO BE CONVEYED TO AND MAINTAINED BY THE HOMEOWNER'S ASSOCIATION.

SCALE: 1"=60'

GRAPHIC SCALE IN INCHES

REVISED FINAL PLAT OF PRICE ROAD ESTATES, PHASE I

CLIENT: NITEC INTERNATIONAL

PROPERTY ADDRESS: Price Road & Tributary Way

Part of Lot 18, Phase I, Price Road Estates Subdivision

Land Lot 70, 5th. District, Fayette County, Georgia

DATE OF PLAT: June 21, 2007*, DATE OF SURVEY:

REVISED JUNE 29, 2007 TO ADDRESS COUNTY RED LINES
REVISED AUGUST 8, 2007 TO ADDRESS COUNTY RED LINES

VAUGHN & DRAKE SURVEYORS, INC.

LAND PLANNING-SURVEYING
P.O. BOX 703, STOCKBRIDGE, GA 30281
PHONE (770) 474-1106 FAX(770) 474-0166

Doc ID: 007649870002 Type: PLT
Filed: 11/09/2007 at 02:56:00 PM
Fee Amt: \$16.00 Page 1 of 2
Fayette, Ga. Clerk Superior Court
Shelia Studdard Clerk of Court
BK 44 PG 191-192

COPY

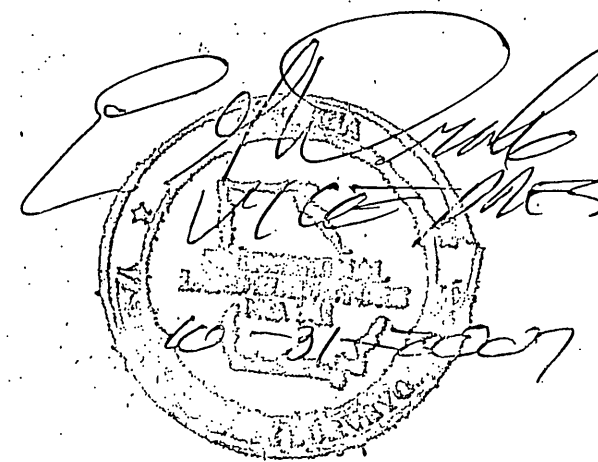
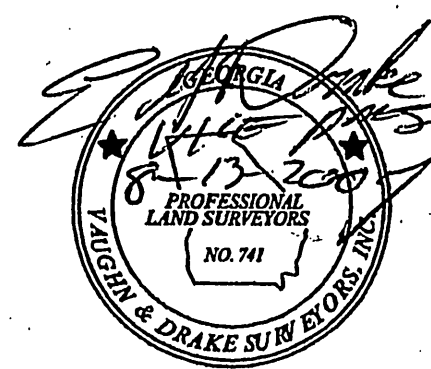
THIS PLAT DOES NOT REPRESENT A SURVEY BY VAUGHN & DRAKE SURVEYORS, INC.

THIS PLAT IS FOR THE EXCLUSIVE USE OF THE CLIENT NAMED ABOVE AND IS NOT CERTIFIED TO OTHERS

UNLESS DESIGNATED OTHERWISE THIS PROPERTY IS NOT IDENTIFIED IN THE F.I.R.M. AS BEING INSIDE A FLOOD HAZARD AREA

NUM	BEARING	DISTANCE
L1	S82°21'51"E	31.39'
L2	S89°01'22"E	353.47'
L3	S5°10'27"W	20.59'
L4	S7°37'18"W	7.16'

NUM	ARC	RADIUS	BEARING	DISTANCE
C1	26.73'	230.00'	S85°41'37"E	26.71'
C2	16.69'	240.00'	S87°01'49"E	16.69'
C3	12.59'	8.00'	S39°55'55"E	11.33'
C4	55.40'	170.00'	S14°30'41"W	55.16'
C5	21.63'	25.00'	S48°37'36"W	20.96'
C6	88.59'	60.00'	S31°06'17"W	80.76'



LEGEND
BL BUILDING LINE DE DRAINAGE EASEMENT CB CATCH BASIN PL POWER LINE
R/W RIGHT OF WAY CMP CORRUGATED METAL PIPE DI DROP INLET IPP IRON PIN PLACED
SSE SANITARY SEWER EASEMENT RCP REINFORCED CONC. PIPE PP POWER POLE IPF IRON PIN FOUND
EQUIPMENT USED: TOPCON GST TOTAL STATION
CLOSURE PRECISION: TRAVERSE PLAT 20,000'+
ADJUSTMENTS MADE BY THE COMPASS RULE

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

PROPERTY OWNERS: Elizabeth R. Arnold

MAILING ADDRESS: 209 PRICE Rd Fayetteville, GA

PHONE: [REDACTED] E-MAIL: [REDACTED]

AGENT FOR OWNERS: son / Broderick Arnold

MAILING ADDRESS: 249 Arnold Rd Fayetteville, GA

PHONE: [REDACTED] E-MAIL: [REDACTED]

PROPERTY LOCATION: LAND LOT 70 LAND DISTRICT 5th PARCEL 0517-052
LAND LOT _____ LAND DISTRICT _____ PARCEL _____

TOTAL NUMBER OF ACRES REQUESTED TO BE REZONED: 1

EXISTING ZONING DISTRICT: A-R PROPOSED ZONING DISTRICT: R-40

ZONING OF SURROUNDING PROPERTIES: _____

PRESENT USE OF SUBJECT PROPERTY: VA-VACANT

PROPOSED USE OF SUBJECT PROPERTY: Residential

LAND USE PLAN DESIGNATION: _____

NAME AND TYPE OF ACCESS ROAD: Price Road / Tributary Way

LOCATION OF NEAREST WATER LINE: _____

(THIS AREA TO BE COMPLETED BY STAFF): PETITION NUMBER: 1268-17

[] Application Insufficient due to lack of: _____

by Staff: _____ Date: _____

[] Application and all required supporting documentation is Sufficient and Complete

by Staff: [Signature] Date: 6/26/2017

DATE OF PLANNING COMMISSION HEARING: August 3, 2017

DATE OF COUNTY COMMISSIONERS HEARING: August 24, 2017

Received from Broderick Arnold a check in the amount of \$ 250⁰⁰ for application filing fee, and \$ 40⁰⁰ for deposit on frame for public hearing sign(s). 290⁰⁰ Total

Date Paid: 6/26/2017 Receipt Number: _____

PROPERTY OWNER CONSENT AND AGENT AUTHORIZATION FORM Page 22 of 150
(Applications require authorization by ALL property owners of subject property).

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

Please Print Names

Property Tax Identification Number(s) of Subject Property: 05-17-052

(I am) (we are) the sole owner(s) of the above-referenced property requested to be rezoned. Subject property is located in Land Lot(s) 70 of the 5th District, and (if applicable to more than one land district) Land Lot(s) _____ of the _____ District, and said property consists of a total of _____ acres (legal description corresponding to most recent recorded plat for the subject property is attached herewith).

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

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

x Elizabeth R. Arnold
Signature of Property Owner 1

209 PRICE RD FAYETTEVILLE, GA
Address

[Signature]
Signature of Notary Public

JUNE 26, 2017
Date

Signature of Property Owner 2

Address

Signature of Notary Public

Date

Signature of Property Owner 3

Address

Signature of Notary Public

Date

[Signature]
Signature of Authorized Agent

249 ARNOLD Rd Fayetteville GA 30215
Address

[Signature]
Signature of Notary Public

JUNE 26, 2017
Date

My Commission Expires January 29, 2018

My Commission Expires January 29, 2018

SHERIFF'S TAX DEED.

Georgia, Fayette County

FILED & RECORDED
FAYETTE COUNTY, GA
98 OCT 7 AM 11 30
FAYETTE COUNTY, GEORGIA
REAL ESTATE TRANSFER TAX
DATE 10-7-98
CLERK OF SUPERIOR COURT

Whereas, George Wingo, Ex-Officio
6 day of October 19, 98
levy a writ of fieri facias, issued by
George Wingo, Tax Collector of said County, against
Joe Thompson for un-paid State and County taxes for the year 1994, 95, 96
97, 98
upon that certain tract, parcel and lot of land, and the improvements thereon, in said County of Fayette, State of Georgia, to-wit:

ALL that tract or parcel of land lying and being in Land Lot 70 of the 5th District
of Fayette County, Georgia according to Plat of Survey of the property of Joe and
Ruby Thompson dated 8-19-69, prepared by Lee Engineering Company, recorded in Plat
Book 5, page 89, Fayette County Records and being more particularly described as
follows:

TO ARRIVE AT A POINT of beginning herof, start at a point on the East side of the
Old Fayetteville and Greenville Road and the North line of said Land Lot 70, go thence
South along the East side of said Old Fayetteville and Greenville Road a distance of
2126 feet to a point, which is the point of beginning; thence running East a distance
of 436 feet to a point; thence running South 100 feet to a point; thence running West
levied upon as the property of Joe Thompson (CONTINUED ON NEXT PAGE)

and after due and legal publication (as required by law) being made in the Fayette Daily News
a newspaper published in said County of Fayette, in which sheriff's sales are published,
of the sale of said tract, parcel and lot of land as above described, to satisfy the tax fieri facias aforesaid, the said Sheriff
proceeded on the 6 day of October 19 98 the same being a day of sale, for
the sale of the same according to law, at the court house door in said County, when said property was then offered for sale,
and Paul Arnold Jr. being then and there
the highest bidder for cash at and for the sum of Five Thousand Two Hundred
Dollars and 00 Cents, the said property was then and
there knocked off to Paul Arnold Jr.

Now, this indenture, made and entered into this the 6 day of October 19 98
between George Wingo, Ex-Officio Sheriff aforesaid, of Fayette County, of the one part, and
Paul Arnold Jr. of the County of Fayette
and State of Georgia of the other part.

Witnesseth, that for and in consideration of the sum of Five Thousand, Two Hundred
Dollars and 00 Cents, cash to him in hand paid
by said Paul Arnold Jr. at and before the sealing
and delivery of these presents, the receipt whereof is hereby acknowledged, the said
George Wingo, Ex-Officio Sheriff aforesaid, has granted, bargained, and sold, and doth by these presents
grant, bargain and sell unto the said Paul Arnold Jr.
heirs and assigns (so far as the office of sheriff authori, zes
him to sell), all that tract, parcel and lot of land in said County, and the improvements thereon as above described.

To have and to hold the above premises unto Paul Arnold Jr.
the said Grantee, Their
heirs and assigns, in as full and ample a manner as the
same was held and possessed by the said Joe Thompson
when the said property was levied upon and sold.

IN WITNESS WHEREOF the said George Wingo, Ex-Officio Sheriff of
Fayette County, hath hereunto set his hand and affixed his seal, the

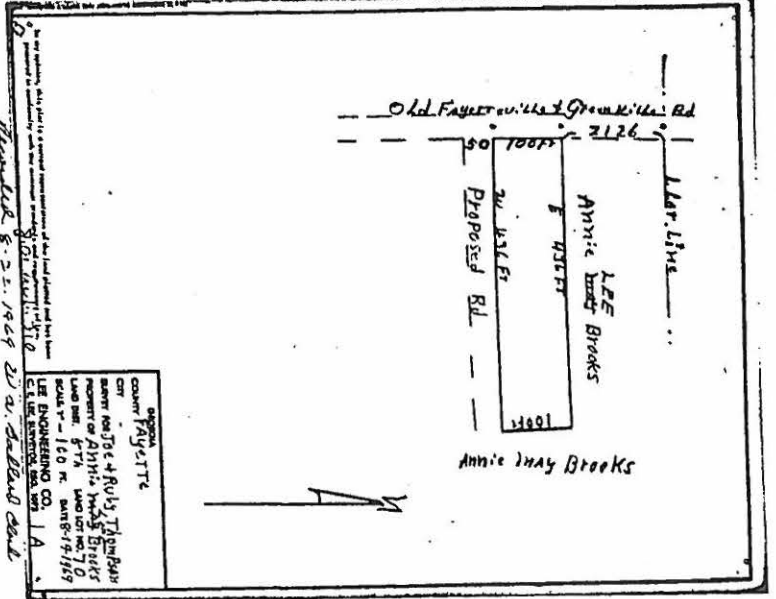
day and year first above written.
Signed, sealed and delivered in the presence of:
D. J. Oren Blanks
Notary Public, Fayette County, Georgia
My Commission Expires May 30, 2000

George Wingo (L.S.)
Sheriff of said County
Pat Connee
Witness

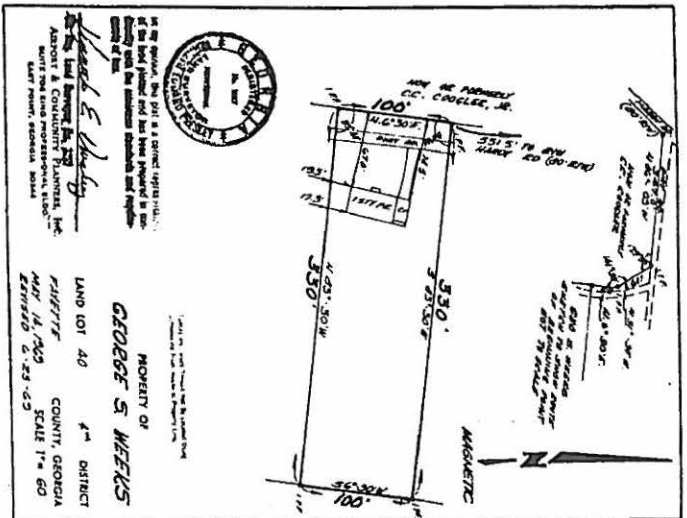
SHERIFF'S TAX DEED

(CONTINUED)

436 feet to a point on the East side of the said Old Fayetteville-Greenville Road; thence running North along the East side of said Old Fayetteville-Greenville Road a distance of 100 feet back to the Point of Beginning.



A-R / rezone to R-40
UPR-1 Acre
Price Rd - Estates



COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Approval of staff's request to accept the donation of a Physio Control Lucas CPR compression device from the Fayette Fire Foundation.

Background/History/Details:

The Fayette Fire Foundation is a 501-C-3 organization supporting the Department of Fire & Emergency Services through donations of equipment and training for the department and community.

Without a Lucas type device two rescuers must perform CPR during transport to the closest hospital. This requires that the rescuers stand over the patient to perform CPR. To perform in this manner in a moving vehicle is very dangerous for the rescuers and others in the rear of the medic unit, in addition the quality of the CPR can vary and not be as consistent as needed regarding the depth and rate recommendations of the American Heart Association.

This Lucas device would be deployed on a medic unit serving Fayette County, particularly the Fayetteville area. This medic unit averages 100-150 calls per month. Of these calls in 2016, 238 were cardiac in nature with 18 for cardiac arrest. The cardiac arrest is the highest priority of all medical calls the department responds.

What action are you seeking from the Board of Commissioners?

Approval of staff's request to accept the donation of a Physio Control Lucas CPR compression device from the Fayette Fire Foundation.

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 serial number for the device is 3517-3043. The Fair Market value of this device is \$15,028.07(device has been assigned to Medic #4); and once accepted by the BOC will be added to the County's asset system for tracking and depreciation purposes.

The Lucas Project Summary

The grant project is for the purchase of a Lucas CPR Device for all medic units serving Fayette County. The department currently has two Lucas devices deployed. These devices have proven to be extremely beneficial in providing high quality CPR compressions and also provide a high level of safety to the responders during the transport of cardiac arrest patients.

Without a Lucas type device two rescuers must perform CPR during transport to the closest hospital. This requires that the rescuers stand over the patient to perform CPR. To perform in this manual in a moving vehicle is very dangerous for the rescuers and others in the rear of the medic unit. The quality of the CPR for the patient is not consistent with depth and rate recommendations of the American Heart Association. Listed below is summary information from the manufacturer of the devices.

Keeping the flow up

In order to be able to save the lives of sudden cardiac arrest patients and avoid neurological damage, a steady supply of oxygen to the heart and brain is necessitated. Life-sustaining circulation can be created through effective and uninterrupted chest compressions. Performing manual chest compressions of high quality is both difficult and tiring, and impossible in certain situations. The quality varies depending on who provides CPR and deteriorates quickly after only one, two minutes.

LUCAS™ - standardizing the quality of chest compressions

The LUCAS™ Chest Compression System is a safe and efficient tool that standardizes chest compressions in accordance with the latest scientific guidelines. It provides the same quality for all patients and over time, independent of transport conditions, rescuer fatigue, or variability in the experience level of the caregiver. By doing this, it frees up rescuers to focus on other life-saving tasks and creates new rescue opportunities.

Safe and effective

Experimental studies show that the mechanically controlled LUCAS™ compressions are able to sustain a higher blood flow to the brain and heart compared to manual compressions. The side-effects are similar as for manual compressions. LUCAS™ does compressions according to guidelines - on the middle of the chest, not more, not less.

*Source: Physio Control Website

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Approval of staff's recommendation to sell 17 Glock weapons on GovDeals to increase the Marshal's Office budget by \$2,592.00 and to purchase six new Glock G17 weapons.

Background/History/Details:

Following is a description of duty weapons currently listed on the Marshal's asset records.

- 8 - Glock 45 caliber Model G21 Generation 2
- 4 - Glock 45 caliber Model G21 Generation 3
- 3 - Glock 45 caliber Model G30 Generation 3
- 2 - Glock 45 caliber Model G36 Generation 3

Based on current staffing levels, only four of these weapons are being utilized. The remaining weapons are classified as surplus. The majority of the weapons listed above were originally purchased between 1992 and 1999. The International Association of Chiefs of Police, recommends that agencies should evaluate their weapons about every 10 years.

The Marshal's Office seeks approval for transitioning departmental duty weapons from Glock 45 caliber to Glock 9 MM handguns.

What action are you seeking from the Board of Commissioners?

Approval of staff's recommendation to sell 17 Glock weapons on GovDeals to increase the Marshal's Office Budget by \$2,592.00 and to purchase six new Glock G17 weapons.

If this item requires funding, please describe:

Revenue from sale of surplus weapons to be utilized for purchase of replacement weapons. Surplus weapons to be advertised on GovDeals using a reserve amount. If reserve amount is not met, weapons will be traded-in to dealer with highest trade-in quote.

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 increase to the Marshal's expenditure budget for \$2,592 will be offset by an increase to revenues (sale of fixed assets) for a zero impact to fund balance.



PURCHASING DEPARTMENT
140 STONEWALL AVENUE WEST, STE 101
FAYETTEVILLE, GEORGIA 30214
PHONE: 770-305-5420
www.fayettecountyga.gov

To: Steve Rapson
From: Ted L. Burgess
Date: August 24, 2017
Subject: Replacement of Marshal’s Glock Weapons

The best type of weapon for law enforcement use changes over time. Recent advances in firearms and ammunition have led a number of entities to select 9mm side arms. In 2016 the federal government selected Glock 9mm handguns to arm 11 federal agencies, including the U.S. Marshals, the Department of Alcohol, Tobacco and Firearms, the Postal Service, the Drug Enforcement Agency, the Park Police, the Capitol Police, and the Department of Defense. In that same year, the Marine Corps adopted the Glock 9mm as the only pistol authorized for Marine special operators. The Naval Special Warfare Command decided to add the Glock 9mm to the authorized inventory for Navy SEAL Teams. And according to the Business Insider, the U.S. Army has decided on a 9mm handgun, although they chose a different brand.

The Marshal’s Office has an inventory of seventeen 45 Caliber Glock handguns. They are 17 to 25 years old. The Chief Marshal recommends selling the 17 existing firearms and replacing them with six 9mm Glock G17 weapons. The Purchasing Department would sell the surplus guns on GovDeals in two groups, so that the Marshal’s Office would not be without weapons between the sale and the purchase of new ones. For the GovDeals transactions, a reserve price would be placed on the firearms that is equal to their trade-in value. In this way, we would be assured that we get the best possible prices.

Four vendors have provided prices for new 9mm Glock G17’s as follows:

Table with 3 columns: Vendor, Unit Price, Total for Six. Rows include GT Distributors, Ed’s Public Safety, Smyrna Police Distributors, and Keeps.

Since the six new weapons will be paid for with proceeds from the sale of the surplus guns, additional funds will not be needed. If the Board of Commissioners approves of the transactions, sales proceeds will be deposited in the General Fund Undesignated Reserve account. The Marshal’s budget will be increased by \$2,592.00 to purchase the new replacement firearms. Purchase and budget information are as follows:

Table with 2 columns: Purchase Vendor Price for six Budget: and details for Six (6) new Glock G17 weapons, including Org., Object, and Available Amount.

The Marshal's Office seeks approval for transitioning departmental duty weapons from Glock 45 caliber to Glock 9 MM handguns.

Following is a description of duty weapons currently listed on the Marshal's asset records.

- 8 – Glock 45 caliber Model G21 Generation 2
- 4 – Glock 45 caliber Model G21 Generation 3
- 3 – Glock 45 caliber Model G30 Generation 3
- 2 – Glock 45 caliber Model G36 Generation 3

Based on current staffing levels, only four of these weapons are being utilized. The remaining weapons are classified as surplus.

The majority of the weapons listed above were originally purchased between 1992 and 1999. The International Association of Chiefs of Police, recommends that agencies should evaluate their weapons about every 10 years.

If approved and in order to maximize revenues, we will proceed utilizing one of the following two options:

1. Advertise current and surplus weapons on GovDeals.com with a reserve amount required. This process would involve two steps. Step one - advertise the necessary amount of surplus weapons and associated equipment to cover the cost of purchasing six new replacement Glock 9MM weapons and associated equipment (magazines, holsters, ammo etc.). Step two - advertise the remaining weapons and any other associated equipment. The funds from the second sale would be used to cover any residual expenses.
2. In the event the reserve amount listed on GovDeals.com is not satisfied, we would obtain trade-in credits towards the purchase of upgraded weapons from an authorized dealer. We have obtained quotes from four dealers for 6 Glock 9 MM handguns at an initial cost of approximately \$3,000. Four of the new weapons would be placed into service allowing two weapons as spares. The quoted trade-in values for the 17 weapons currently listed on the Marshal's Office asset list is between \$4,835.00 and \$4,050.00 depending on the supplier.

When the FBI transitioned from 40 caliber to 9mm weapons they published an extensive report titled *Executive Summary of Justification for Law Enforcement Partners*. Information from this report was utilized in our decision to pursue Glock 9mm as replacements. Their Summary's conclusion is listed below.

Conclusion

“While some law enforcement agencies have transitioned to larger calibers from the 9mm Luger in recent years, they do so at the expense of reduced magazine capacity, more felt recoil, and given adequate projectile selection, no discernible increase in terminal performance.

Other law enforcement organizations seem to be making the move back to 9mm Luger taking advantage of the new technologies which are being applied to 9mm Luger projectiles. These organizations are providing their armed personnel the best chance of surviving a deadly force encounter since they can expect faster and more accurate shot strings, higher magazine capacities (similar sized weapons) and all of the terminal performance which can be expected from any law enforcement caliber projectile.

Given the above realities and the fact that numerous ammunition manufacturers now make 9mm Luger service ammunition with outstanding premium line law enforcement projectiles, the move to 9mm Luger can now be viewed as a decided advantage for our armed law enforcement personnel.”

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Approval of a grant in the amount of \$300,000 from the State Road and Tollway Authority's, Georgia Transportation Infrastructure Bank (GTIB), for a portion of construction costs associated with Fayette County SPLOST Project R-5F, the intersection of State Route 92 and Westbridge Road/Veteran's Parkway.

Background/History/Details:

The Georgia Transportation Infrastructure Bank is part of the the State Roads and Tollway Authority whose function is to provide loans and grants for transportation projects throughout the state.

During the February 23, 2017 meeting, the Fayette County Board of Commissioners voted to approve submitting a grant application to GTIB for the amount of \$400,000. The application was submitted on March 16, 2017.

The State Roads and Tollway Authority announced the recipients of this year's GTIB awards on June 21, 2017. Fayette County was awarded a \$300,000 grant. (Announcement Attached).

Grant documents were received from SRTA on July 18, 2017 (Attached).

A meeting was held in the Finance Department on July 27, 2017 with Pete Nelms, Carlos Christian, Amanda Schoonover and Joe Robison to determine how to proceed and solidify how this grant should be implemented.

What action are you seeking from the Board of Commissioners?

Approval of a grant in the amount of \$300,000 from the State Road and Tollway Authority's, Georgia Transportation Infrastructure Bank (GTIB), for a portion of construction costs associated with Fayette County SPLOST Project R-5F, the intersection of State Route 92 and Westbridge Road/Veteran's Parkway.

If this item requires funding, please describe:

This is a 2004 Transportation SPLOST Project (No. R-5F). The balance of construction funding, beyond this Grant, is available from 321-40220-541210.

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

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

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:



STATE ROAD & TOLLWAY AUTHORITY

STATE OF GEORGIA

Nathan Deal, Governor
Chairman

Christopher Tomlinson
Executive Director

FOR IMMEDIATE RELEASE

June 21, 2017

Contact: Paul Robertson
probertson@georgiatolls.com

Governor Deal Announces \$23.6 M in Transportation Infrastructure Project Awards

20 Governments and CIDs across Georgia to receive grant and loan funding through GTIB

ATLANTA – The State Road and Tollway Authority (SRTA) Board voted today to approve funding for 22 transportation infrastructure projects totaling approximately \$23.6 million in grants and loans provided through the Georgia Transportation Infrastructure Bank (GTIB). The GTIB program is a revolving infrastructure investment fund established in 2008 by Georgia legislators and administered by SRTA.

“The GTIB program continues to be an important funding resource for local governments and community improvement districts throughout Georgia to jumpstart the completion of critical transportation projects. The projects receiving awards today will benefit communities across our state, enhancing mobility in local communities and helping Georgia’s economy continue to thrive,” said Governor Deal.

SRTA received 41 applications from eligible entities throughout the state for the grant and loan program. Community Improvement Districts (CIDs), as well as local and state government entities are eligible to submit GTIB project applications. Funds must be used for capital expenses related to road and bridge infrastructure projects.

“SRTA continues to see broad and growing interest in the GTIB program from across the state, as more communities seek ways to move their important projects forward. We are grateful for the ongoing support for GTIB from Governor Deal and the Legislature, and we are pleased to be able to help these local areas meet the vital transportation needs of their communities,” said SRTA Executive Director Chris Tomlinson.

Grant applications are evaluated on a competitive basis. Criteria includes: transportation/engineering merit, economic merit, local, state and federal matching funds and project specifics, such as the project phase and feasibility. Loan applications are evaluated based on borrower type, project type and loan spend down/repayment abilities, in addition to the merits of the project itself. An advisory panel made up of stakeholder representatives review applications and provide recommendations to the SRTA Board.

This year’s awards represent the fifth round of awards given since the program began. Since its inception the GTIB program has provided more than \$105 million in grants and loans throughout Georgia. Visit www.georgiatolls.com/gtib for more information about the GTIB program.

Below is a full list of project descriptions and award amounts for this round of GTIB funding:

GRANTS

ASSEMBLY CID

Road and Utility Access

Project is part of an initiative to redevelop the closed General Motors Plant Site, located in Doraville. Project will add 5 roads and all associated water, sewer and storm infrastructure, allowing connectivity to the newly planned redevelopment project. Once completed, "The Assembly" will be a 165 acre mixed use development.

GTIB Grant Award: \$1,500,000

BRYAN COUNTY

I-95 at Belfast Keller Road New Interchange

Project is to construct a new overpass bridge over I-95 on Belfast Keller Road and add roundabouts at the ramp intersections. Work will be done along I-95 for construction of the bridge and to add tie-ins of the new ramps for the interchange. The purpose of the project is to provide the transportation infrastructure to support community growth, development and economic diversification of southern Bryan County.

GTIB Grant Award: \$1,500,000

BURKE COUNTY

Waynesboro Westside Truck Route

Project will construct a truck route on Waynesboro's west side that will connect SR 56 with SR 121/US 25 and on to SR 56 North. The proposed roadway will consist of 2 –12' width travel lanes with auxiliary turn lanes at major intersections and a roundabout. Project seeks to improve the mobility of truck traffic from mills in Augusta to the Port of Savannah by creating an alternative route that will redirect it away from downtown Waynesboro.

GTIB Grant Award: \$764,402

CITY OF ACWORTH

Lemon Street Reconfiguration

Project will reconfigure existing one-way roads that lead to and away from the Acworth downtown area and to US Interstate 75 and US Route 41. Project will eliminate two separate one way roads and correct the outbound road offset by realigning the road with the existing RR crossing at Lemon Street.

GTIB Grant Award: \$1,500,000

CITY OF JOHNS CREEK

State Bridge Road Widening

Project will widen State Bridge Road from 4 to 6 lanes from SR 141/Medlock Bridge Road across the Chattahoochee River. Gwinnett County is currently buying right-of-way to widen Pleasant Hill Road to 6 lanes on the east side of the Chattahoochee River and this project will continue those 6 lanes to SR 141/Medlock Bridge Road in Johns Creek.

GTIB Grant Award: \$1,500,000

CITY OF OCILLA

Resurfacing Public Roads

Project will resurface two existing public roads, West 2nd Street from Apple Street to Almond Street and West 5th Street from Apple Street to Almond Street, both located within the City of Ocilla. The economic benefits of the project would be to make the local neighborhoods more appealing.

GTIB Grant Award: \$31,458.42

CITY OF WATKINSVILLE

Harden Hill Road Pedestrian and Safety Improvements

Project will add curbs, sidewalks, signage and other improvements to Harden Hill Road, one of the oldest roads in Oconee County (having served as a connector from historic downtown Watkinsville to Madison via the communities of Bishop and Bostwick as part of an old stage coach road).

GTIB Grant Award: \$298,800

COWETA COUNTY*Madras Connector – Phase 1*

Phase 1 of the proposed Madras Connector will replace the at-grade CSX Railroad crossing at Herring Road with a new bridge over railroad. Phase 1 is part of a proposed Madras Connector that will provide vital east-west roadway connectivity in northern Coweta County from SR 14/US 29 to the future Amlajack Boulevard Interchange at I-85 and will further provide a connection to the Hal Jones/Happy Valley Circle intersection.

GTIB Grant Award: \$1,500,000

CUMBERLAND CID*Akers Mill Ramp – Phase 2*

Phase 2 of project includes ramp construction from Akers Mill Road in the heart of Cumberland CID for connectivity to the Northwest Corridor Managed Lanes project, which is currently under construction. This phase also includes strengthening the existing Akers Mill Bridge over I-75 and ATMS systems.

GTIB Grant Award: \$1,500,000

FAYETTE COUNTY*SR 92 at Westbridge Road/Veterans Parkway*

Project will construct an intersection at State Route 92 at Westbridge Road, which is the final phase of the West Fayetteville Bypass (Veteran's Parkway). The intersection will realign Westbridge Road with State Route 92 and may accommodate a future traffic signal, if warranted.

GTIB Grant Award: \$300,000

FORSYTH COUNTY*Pilgrim Mill Road Widening/Reconstruction*

Project will widen Pilgrim Mill Road from 0.6 miles west of SR 400 to the intersection of Pilgrim Mill Road and Holtzclaw Road from two 12 foot lanes to four twelve foot lanes. Project will also widen the bridge over SR 400 from 3 lanes to 6 lanes. Additionally, project will also realign Antioch Road with Pilgrim Mill and relocate Pilgrim Mill Circle.

GTIB Grant Award: \$1,125,000

GWINNETT COUNTY*Gwinnett – Johns Creek Connector*

Project will widen Pleasant Hill Road from McClure Bridge Road/Howell Ferry Road to the Chattahoochee River from four to six lanes. The focus is to increase mobility along Pleasant Hill Road near Gwinnett Place Mall and the City of Duluth.

GTIB Grant Award: \$1,500,000

MACON COUNTY*Old Perry/Bamboo Road Improvement*

Project will re-design and improve an existing 3.2 mile roadway corridor that encompasses the unpaved areas of County Road #125-Old Perry Road, County Road #243 Bamboo Road, County Road #118 Shorty Johnson Road. The improvements will focus on reducing future maintenance costs by redesigning the existing road bed, widening the road ROWs, full asphalt paving, and adding drainage and vegetation to prevent wash-outs.

GTIB Grant Award: \$750,000

MACON-BIBB COUNTY*Second Street Downtown Corridor Revitalization Street*

Project would provide a vital 'missing link' to further Macon-Bibb County's Second Street Downtown Corridor Revitalization project by constructing a new connector from Second Street at Ash Street to Little Richard Penniman Boulevard including a pedestrian and bike-friendly bridge. This project will serve as part of a multi-modal transportation spine that connects two (2) interstates.

GTIB Grant Award: \$1,500,000

MIDTOWN IMPROVEMENT DISTRICT*Juniper Street Streetscapes*

Improvements to Juniper Street will include new wider sidewalks, ADA upgrades, new pedestrian and vehicular lighting, new street trees and pedestrian buffers, “green” storm water infrastructure, addition of a continuous protected/buffered bike lane, creation of bus transit staging platforms, permanent on-street parking, traffic calming, new/upgraded traffic signals and roadway resurfacing.

GTIB Grant Award: \$1,312,500

RED TOP CID*Stars Way Corridor Extension*

Project is an extension of Stars Way (a road that branches off of US 41 in Emerson, GA) and construction of Jenny’s Mountain Drive, a new road branching off of the Stars Way extension. This Project will expand the road network near Stars Way and LakePoint Parkway (a road located between US 41 and Hwy 75).

GTIB Grant Award: \$1,497,990

SPALDING COUNTY*North Hill Street at East McIntosh Road*

Project will correct existing design deficiencies at the intersection of North Hill Street and East McIntosh Road, which intersects at an unsafe angle. Project will realign N. Hill Street to the west of the current location to reduce the skew to an acceptable angle. Project was identified as part of studies that originated from the North Hill LCI study, which focused on economic redevelopment along the corridor.

GTIB Grant Award: \$915,251

TOWN CENTER CID*South Barrett Reliever – Phase 3*

Project is part of a 4-phase project that will provide congestion relief to Barrett Parkway, support regional transit, improve safety and provide connectivity for cyclists and pedestrians in the Town Center community. Phase 3 includes the widening and realignment of Shiloh Valley Drive/Greers Chapel Drive (four-lane roadway with a raised median, curb and gutter, sidewalk, bike lanes and pedestrian lighting) and a roadway extension over Interstate 75 (I-75) connecting to Roberts Court with a roundabout south of Home Depot.

GTIB Grant Award: \$1,500,000

LOANS**CITY OF CLARKSTON***City Center Streetscapes*

Project will make infrastructure improvements to four (4) city streets. Improvements will include adjusting the width of travel lanes, creating a new turn lane, adding MARTA bus turnout lanes, reconfiguring parking, adding traffic calming infrastructure, installing safety fencing, replacing sidewalks and crosswalks, adding signalization hardware and lighting, improving track crossings at two (2) CSX tracks, and other misc improvements.

GTIB Loan Award: \$1,700,000

PEACHTREE CITY*SR 54 at Planterra Way Intersection Improvements*

Project seeks to correct deficiencies at the intersection of SR 54 and Planterra Way. The project will enable the split phasing to be removed and timed more efficiently. This project will improve mobility for local commerce as this is a major commercial hub for the City and County as this center contains many shops including Wal-Mart, Home Depot and Aldi, etc.

GTIB Loan Award: \$601,639.44

PEACHTREE CITY

MacDuff Parkway/Hwy 54 Intersection

Project will make improvements to the intersection of SR 54 and MacDuff Parkway in Peachtree City. Improvements include re-striping the southbound lanes to create dual southbound lefts and a combined southbound straight/right turn lane. The storage length in the eastbound left lane will be increased by reducing the existing median width. There will be traffic signal and equipment upgrades.

GTIB Loan Award: \$571,496.23

CITY OF OCILLA

Pave Existing Public Dirt Roads Projects

Project would pave two existing public dirt roads, East 9th Street and McKinley Street, both located within the City of Ocilla. East 9th Street is approximately 625 feet in length and 21 feet in width. McKinley Street is approximately 460 feet in length and 20 feet in width.

GTIB Loan Award: \$228,637.09

About the State Road and Tollway Authority

The State Road and Tollway Authority (SRTA) is a state-level, independent Authority created to serve as a financing entity for Georgia's transportation program, as well as to operate tolled transportation facilities and mass transportation programs within the State. SRTA manages the collection of tolls on Georgia's Express Lanes System through the use of Peach Pass, the state's all-electronic tolling technology. Effective July 1, 2017, SRTA will operate the Xpress Commuter Coach Service, which provides workers in the Metro Atlanta Region with reliable, stress-free commutes to and from major employment centers in Downtown, Midtown, and Perimeter Center; and, the Authority will also administer the Atlanta region's largest vanpool program. In 2016, the staff of the Georgia Regional Transportation Authority (GRTA) was integrated into SRTA's staff in order to have one entity provide the services of both state authorities.

###

STATE OF GEORGIA

Nathan Deal, Governor
*Chairman*Christopher Tomlinson
Executive Director

July 11, 2017

Joe Robison, Engineer
Fayette County
115 McDonough Rd.,
Fayetteville, Georgia 30214

Re: Georgia Transportation Infrastructure Bank Grant

Dear Mr. Joe Robison:

Enclosed are the grant documents for the Georgia Transportation Infrastructure Bank (GTIB) grant previously committed to your community ("Recipient"). We look forward to working with you on your project. In this package you will find:

1. Two copies of the Grant Agreement, including Exhibits A – I;
2. A Signature Card;
3. The Recipient Authorization Agreement for ACH Credit; and
4. The Opinion of Recipient's Counsel.

GRANT AGREEMENT

Two copies of the Grant Agreement are enclosed. Each copy is an original. Have the appropriate official sign each Grant Agreement and the appropriate person attest the signature. *Do not complete the date* on the first page of the Grant Agreement. Once signed, return **both** Grant Agreements with the other documents to GTIB so that we may properly execute them. At that time, we will date the Grant Agreement and return one complete original to you for your files.

SIGNATURE CARD

All draw requests must be signed by a designated official(s) of the Recipient. It is the Recipient's option to decide who signs and how many signatures are required. On the signature card you may (1) designate up to four individuals who will be authorized to sign a draw request and (2) indicate whether one or two signatures are required. Draw requests will not be accepted for processing without the appropriate signature(s); therefore we suggest that more than one person be authorized to sign the draw request. The signature at the bottom of the signature card, indicating that the listed signatories have the authority to sign the Draw Request, may not be from an individual who is being given authorization to sign a Draw Request.

Mr. Joe Robison
Tuesday, July 11, 2017
Page 2 of 2

RECIPIENT AUTHORIZATION AGREEMENT FOR ACH CREDITS


GTIB will be making disbursements utilizing the Automated Clearing House method to a financial institution. This form is used to designate the financial institution, the routing number, and account number to which the GTIB will transfer funds. Please complete the form and include a voided check or deposit slip for account number verification.

OPINION OF BORROWER'S COUNSEL

Attached is a sample letter that must be executed by the Recipient's attorney on the attorney's letterhead. Your attorney will prepare the letter *after* I notify him of the date of the Grant Agreement. However, on the signature page of the Grant Agreement, the Recipient's attorney must sign where indicated before the attorney opinion is produced.

All of these documents must be returned to the GTIB with original signatures and not copies. *A completed W-9 form must also be returned to us with the package.* Please keep in mind that setting up the wire transfer account can take up to 10 business days from the date GTIB receives the entire grant documents properly executed. If you have any questions, please do not hesitate to contact Teri-Anne Freinkel at (404) 893-6142. Thank you for the opportunity to allow the GTIB to assist you with financing this project.

Sincerely,



Merryll S. Mandus
General Counsel

Enclosures

cc: Dennis Davenport (via email/enclosures)

GEORGIA TRANSPORTATION INFRASTRUCTURE BANK AGREEMENT FOR GRANT PROGRAM

THIS AGREEMENT FOR GRANT PROGRAM (the “Agreement”), dated _____, 2017 (the “Effective Date”) is made by and between the Georgia Transportation Infrastructure Bank, by and through the State Road and Tollway Authority (“SRTA”) (SRTA and the Georgia Transportation Infrastructure Bank shall be collectively referred to as “GTIB”), and Fayette County (the “Recipient”). The GTIB and Recipient may be referred to collectively as the “Parties” and individually as the “Party.”

WHEREAS, pursuant to O.C.G.A. § 32-10-121, an instrumentality of the State known as the Georgia Transportation Infrastructure Bank was created within SRTA;

WHEREAS, pursuant to O.C.G.A. § 32-10-120 et seq., the Georgia Transportation Infrastructure Bank is authorized to assist eligible Georgia government units with grants for the construction of certain eligible transportation projects; and

WHEREAS, Recipient represents to the GTIB that Recipient is duly created and existing under the laws of the State of Georgia and has the authority to expend the monies described herein for the purposes set forth herein.

NOW THEREFORE, for and in consideration of the covenants and agreements contained herein and other valuable consideration, the receipt and adequacy of which are hereby acknowledged by both Parties, the Parties agree as follows:

1. **DEFINITIONS.** Any capitalized terms used in this Agreement that are not defined herein shall have the meanings ascribed to them in Exhibit A.
2. **PROJECT.** Recipient seeks partial funding for the project listed in **Exhibit B**, attached hereto and incorporated herein (the “Project”). The Project Scope is detailed in **Exhibit B**. Recipient shall notify the GTIB of any change to the Project Scope upon the earlier of (a) seven (7) business days after Recipient is aware of the circumstances requiring such change or (b) Recipient’s execution of documentation reflecting such change. After evaluation of the change, the GTIB shall advise the Recipient as expeditiously as possible if the change will result in a default of this Agreement pursuant to **Section 15 (Event of Default/Remedies)**.
3. **GRANT AND ACCEPTANCE.** The GTIB hereby makes and Recipient hereby accepts this grant for a transportation project (“Grant”) in the Grant Amount for the Grant Purpose upon the terms and conditions of this Agreement. The Recipient agrees that the Grant Amount (a) will be spent pursuant to the breakdown set forth in **Exhibit B** and pursuant to the terms of this Agreement and (b) will not be used for expenses already incurred or paid for by Recipient before the Effective Date, unless such expenses are expressly authorized in advance and in writing by the GTIB. If Recipient does not use the Grant Amount pursuant to the breakdown set forth in **Exhibit B**, then Recipient shall advise the GTIB immediately of such change. Any revision to the breakdown of the Grant Amount as set forth in **Exhibit B** must be agreed to by the Parties and evidenced by an amendment to this Agreement. In the event a reallocation cannot be agreed to or a reallocation is not otherwise needed, then the Recipient’s authority to expend or contractually obligate the unencumbered Grant Amount will expire upon notification to the Recipient by the GTIB. If the GTIB delivered the Grant Amount to the Recipient, then that portion of the Grant Amount that will not be reallocated must be repaid to the GTIB no later than thirty (30) days after notification to the Recipient by the GTIB.
4. **PROJECT BUDGET.** The Project Budget is set forth in **Exhibit B**. Recipient has already obtained or otherwise received commitments for other funding for the Project (collectively, “Other Funding”), which Other Funding is more specifically set forth in the grant application and associated documentation completed by Recipient and furnished to the GTIB prior to the Effective Date (collectively, “Grant Application”), which Grant Application is incorporated herein by reference as **Exhibit C**. Recipient must notify the GTIB within 15 days of any changes to the Project Budget that may result in the reduction and/or elimination of some or all of the Other Funding or the Grant Amount.

5. DEADLINES.

5.1. Expend/Obligate Grant Amount. Recipient must expend or contractually obligate the full amount of the Grant Amount no later than the Expiration Date. On the Expiration Date, Recipient's authority to expend or obligate contractually the unencumbered Grant Amount will expire. The Expiration Date may be extended by one year only upon mutual written consent, in the form of an amendment to this Agreement, signed by both Parties.

5.2. Duty to Wrap Up. Recipient will manage the Project, retain a contractor to manage the Project, or contract with a governmental unit to manage the Project and impose terms in any related contracts so as to fulfill the Grant Purpose within six (6) months of the Expiration Date ("Wrap Up Date"). No later than thirty (30) days following the Wrap Up Date, Recipient must return to GTIB any unspent Grant Amount, whether contractually obligated or not, unless the GTIB consents, in its sole discretion, to a new deadline in writing.

6. **GRANT CONTINGENCY FUNDS.** If Recipient designates and the GTIB approves all or a portion of the Grant Amount to be used for a reserve (e.g., use in the event of an item overrun) or other contingency, as more specifically set forth in the Grant Application ("Grant Contingency Funds"), and a portion of the Grant Contingency Funds remain unencumbered upon the earlier of the completion of the phase in which the contingency was allocated or upon the Expiration Date ("Expiration of Grant Contingency Funds"), then upon the Expiration of the Grant Contingency Funds the Recipient's authority to expend or contractually obligate the unencumbered Grant Contingency Funds will expire. If the GTIB delivered Grant Contingency Funds to the Recipient pursuant to **Paragraph 8.6 (Disbursement of Grant Contingency Funds)**, then that portion of the Grant Contingency Funds that Recipient has not spent or contractually obligated by the Expiration of Grant Contingency Funds, must be repaid to the GTIB no later than thirty (30) days after the Expiration of Grant Contingency Funds.

7. ACCOUNTABILITY

7.1. Accounting. Recipient will account for the Grant Amount in accordance with generally accepted governmental accounting standards. Recipient will also account for the Grant Amount and keep track of the application of the Grant Amount in such a way that Recipient's receipt, deposit, budgeting, contractual commitment, expenditure and uses may be determined and confirmed chronologically by auditors at all times. In its contracts with vendors and other third parties for the expenditure of the Grant Amount, Recipient will require its vendors and other third parties to account for the receipt and expenditures in accordance with generally accepted accounting principles.

7.2. Audit. Recipient will allow and cooperate with any audit or investigation of grant administration requested or undertaken by the GTIB, the State Auditor or other officers of the State with power to conduct or request such audit or investigation. In its contracts with vendors and other third parties for the expenditure of Grant Amount, Recipient will require such parties to allow and cooperate with such audits. The requirements of this **Paragraph 7.2** are in addition to those contained in **Paragraphs 8.4 (Verification) and 8.5 (Disbursement of Grant Amount)**.

7.3. Records Retention. Recipient will maintain the records described in **Paragraph 7.1 (Accounting)** for at least five (5) years after the latter to occur: Recipient has fully spent the Grant Amount or the Project in its entirety is completed.

7.4. Written Contracts. Any expenditure or obligation of the Grant Amount by Recipient to a third party must be pursuant to a written contract.

7.5. Statutory Certification.

7.5.1. Grants in Excess of \$5,000. If the Grant Amount is greater than \$5,000, then this Grant is conditioned upon receipt by the State Auditor of the properly completed grant certification form or forms as required by O.C.G.A. § 36-81-8.1. The GTIB believes that **Exhibit D**, attached hereto and incorporated herein, is the current *Grant Certification Form and Independent Accountant's Report* designated by the State Auditor, but Recipient must determine from the State Auditor the correct form to use at the time for submission.

Recipient must cause the Grant Certification Form and Independent Accountant's Report to be filed with the State Auditor for each fiscal year in which Recipient expends all or a portion of the Grant Amount and/or after which Recipient has an unexpended balance in Grant Amount. The Grant Certification Form and Independent Accountant's Report must be filed with the State Auditor in conjunction with the periodic audits or reports required of Recipient under O.C.G.A. § 36-81-7 by the time such audit or report is due, annually unless Recipient qualifies and elects to proceed with a biennial audit under O.C.G.A. § 36-81-7(a)(2).

7.5.2. Grants of \$5,000 or less. If the Grant Amount is equal to or less than \$5,000, Recipient must submit to the State Auditor the properly completed grant certification form required by subsection (b) of O.C.G.A. § 36-81-8.1 and **Paragraph 7.5.1 (Grants in Excess of \$5,000)**, except that Recipient may certify alone that the Grant Amount was used solely for the Grant Purpose without certification by its independent auditor.

7.6. Quarterly Project Status Update. Commencing three (3) months after the Effective Date and continuing every three (3) months thereafter through and until the expiration of this Agreement or the completion of the Project, whichever occurs first, the Recipient shall complete the Quarterly Project Status Update using the form attached as **Exhibit E**, and forward the same to: Director of Marketing and Communications, SRTA, 245 Peachtree Center Avenue NE, Suite 2200, Atlanta, GA 30303.

8. PAYMENT.

8.1. Draw Request. The GTIB agrees to make disbursements of the Grant Amount to the Recipient in accordance with Paragraph 8 and the Project Budget. To the extent Recipient seeks Grant Contingency Funds, Recipient shall follow the procedures set forth in **Paragraph 8.6 (Disbursement of Grant Contingency Funds)**. Recipient shall deliver to the GTIB a draw request in the same form as is attached hereto as **Exhibit F** and incorporated herein ("Draw Request") no later than 5:00 P.M. on the 20th day of each month subsequent to the month in which work was performed that will be paid for, in whole or in part with the Grant Amount. Supporting documentation, as is more detailed in **Exhibit F**, shall be submitted with each Draw Request. Each Draw Request must be signed by an authorized representative of the Recipient. Recipient must also attach to each Draw Request a completed Project Engineer certification in the same form as set forth in **Exhibit G**, attached hereto and incorporated herein, and signed by the Project Engineer.

8.2. Monthly Draws. The Recipient shall submit a Draw Request not more frequently than monthly.

8.3. Monitoring, Audits. Upon request, the Recipient agrees to provide the GTIB or the GTIB's designee with any information the GTIB deems necessary to monitor the performance of this Agreement, and further agrees that the Grant Amount shall be included in the next regularly scheduled audit or financial statement and all subsequent ones until such audits or statements account for all of the funds received by Recipient under this grant Agreement. The Recipient understands that any unresolved findings, whether based on an audit report, financial statement, or the final report, shall disqualify Recipient from receiving any further grants or loans from the GTIB or further payments pursuant to this Grant Agreement until such time as the GTIB, in its sole determination, satisfactorily resolves any issues.

8.4. Verification. The GTIB or its designee shall have the right but not the obligation, to verify the contents of each Draw Request or Recipient's compliance with this Agreement. Verification can take the form of but shall not be limited to a site visit, inspection of supplies delivered, or asking Recipient, its contractors or the Project Engineer questions concerning the Project or this Agreement. Recipient agrees that it will cooperate with and assist the GTIB in all ways reasonably necessary to allow the GTIB to perform verification and respond to any of the GTIB's questions within seven (7) Business Days of the GTIB's request. If GTIB cannot verify the contents of any Draw Request or verify that Recipient is complying with the terms of this Agreement, then the GTIB will advise the Recipient of its findings. The Recipient shall then have ten (10) Business Days in which to submit additional information or perform certain actions so that the GTIB is able to verify compliance. If the GTIB is still unable to verify compliance as set forth above or if the Recipient did not furnish any additional information, then the GTIB will disapprove the Draw Request and/or pursue its rights under **Section 15 (Events of Default/Remedies)**.

8.5. Disbursement of Grant Amount. Provided all the conditions in **Section 8 and Exhibit F** have been met to GTIB's satisfaction, and Recipient is not otherwise in breach of this Agreement, the GTIB will approve disbursement within ten (10) Business Days of the later of verification, if any, undertaken by the GTIB pursuant to **Paragraph 8.4 (Verification)** or GTIB's receipt of a correct and complete Draw Request. If a particular line item of work is being paid by Recipient on a lump sum basis, the amount due to the Recipient each month for such work will be determined by the percentage of that work completed, or task milestones or deliverables achieved. Within twenty-one (21) Days from the GTIB's approval of a Draw Request, the GTIB will transfer payment as set forth above to the account designated by the Recipient. Disbursement of all or a portion of the Grant Amount shall not be interpreted as GTIB's acceptance or agreement that the work was performed in compliance with this Agreement or with any other applicable law, rule, regulation or ordinance, regardless of whether the GTIB performed monitoring/audits set forth in **Paragraph 8.3 (Monitoring, Audits)** or verification set forth in **Paragraph 8.4 (Verification)**.

8.6. Disbursement of Grant Contingency Funds. If the GTIB agrees to disburse the Grant Contingency Funds prior to Recipient expending or contractually obligating the Grant Contingency Funds, then no later than fourteen (14) Days after each disbursement to Recipient of the Grant Contingency Funds, Recipient shall forward to the GTIB an invoice containing the same information as required in **Paragraph 8.1 (Draw Request)**.

8.7. Source of Grant Amount. The GTIB's commitment to make distribution of the Grant Amount to the Recipient shall be a limited obligation of the GTIB, to be funded solely from available moneys in the State and Local Roadway Grant Account held by the GTIB and from no other source of funds, including but not limited to other funds of the GTIB, SRTA or the State.

9. **PROJECT COMPLETION.** Recipient anticipates that the Project will be completed by the Completion Date set forth in **Exhibit B**. Recipient shall notify the GTIB in writing of any changes to the Completion Date.

10. WAIVER/INDEMNIFICATION.

10.1. Waiver. The Recipient expressly acknowledges that the GTIB Parties in passing through the Grant Amount to Recipient, have neither assumed nor undertaken any legal duties to the Recipient or to any third party. The Recipient waives, releases, relinquishes, and discharges any and all claims or demands against the GTIB Parties for any damages of any nature whatsoever that in any way relates to or arises out of this Agreement or the disbursement of the Grant Amount hereunder, even if such claims or demands are made against the Recipient and even if the GTIB Parties knew the existence of such claims. Recipient further understands and agrees that monitoring, auditing and/or verification performed by the GTIB pursuant to **Paragraphs 8.3 (Monitoring, Audits) and 8.4 (Verification)** is solely for GTIB's use and shall not be interpreted or used by Recipient (i) as GTIB's approval or acceptance of the work in compliance with this Agreement or in compliance with any applicable laws, rules, regulations and ordinances or (ii) for any other use. Recipient further waives as against the GTIB Parties all claims, liabilities, causes of action, fees, fines, expenses of any nature, including but not limited to reasonable attorneys' or experts' fees, and damages of any kind related in any way to such verification or certification.

10.2. Indemnification. To the extent not prohibited by law, Recipient hereby agrees to indemnify, defend, protect, and save harmless the GTIB Parties of and from any and all claims, demands, liabilities, loss, costs, or expenses for any loss or damage, fines, fees, and expenses, including but not limited to reasonable attorneys' and experts' fees, personal injury, including but not limited to death, and real and personal property damages caused by (a) any act or omission of Recipient, its agents, employees, contractors, subcontractors, suppliers, or others working at the direction of the Recipient or its contractor or any other person or entity working on Recipient's behalf (collectively, "Recipient Parties") or (b) the breach of this Agreement by Recipient. This indemnification applies even if a tort or negligent act of the GTIB Parties is partially responsible for the situation giving rise to the claim, but in such event this indemnification applies only to the extent of Recipient Parties' act(s) or omission(s) giving rise to the claim. If and to the extent such damage or loss as covered by this indemnification is covered by the State Tort Claims Fund or any other self-insurance funds maintained by the GTIB of Administrative Services of the State of Georgia (collectively, the "STC Fund"), the Recipient agrees to reimburse the STC Fund for any monies paid out by the STC Fund related to or arising out of this Agreement.

10.3. Limitation of Liability. In no event shall the GTIB Parties be liable for any incidental, consequential, special, exemplary or indirect damages, lost business profits, lost funding, lost use of any facilities, or lost taxes, arising out of this Agreement. Subject to the provisions in this **Section 10 (Waiver/Indemnification)**, any GTIB liability shall be a limited obligation of the GTIB that in no event shall exceed the unused portion of the Grant Amount; provided further that such amount may only be funded from available moneys in the State and Local Roadway Grant Account held by the GTIB and from no other source of funds, including but not limited to other funds of the GTIB, SRTA or the State.

11. CONFLICTS OF INTEREST. The Recipient hereby attests that all of the officials of the Recipient have certified that they have not violated any applicable conflict of interest law under either state law (O.C.G.A. §§ 45-10-20 through 45-10-28 and O.C.G.A. §§ 36-67A-1 through 36-67A-4) or under any local ordinance, charter, rule or regulation and that they shall comply with the same throughout the term of this Agreement.

12. LAWS, ETC. The entirety of the Project shall be constructed in accordance with all applicable federal, State and local laws, rules, regulations and ordinances and as otherwise set forth in the Grant Documents.

13. ENFORCEABLE AND LEGALLY BINDING ACTIONS. By entering into this Agreement, Recipient undertakes to have complied with all law applicable to its participation in the Agreement and to make the Agreement binding, including proper meeting conduct (in compliance with open meeting law requirements and otherwise) and with proper entries into its minutes.

14. WARRANTY. Recipient represents and warrants to the GTIB:

14.1. Grant Documents. The Grant Documents, the consummation of the transactions therein contemplated, and the compliance with all of the provisions thereof are the valid, legal, binding, and enforceable obligations of the Recipient. The officials of the Recipient executing the Grant Documents are fully authorized and empowered by all necessary and appropriate official action on the part of the governing body of the Recipient to execute the Grant Documents on behalf of the Recipient.

14.2. Recipient Status. The Recipient has been duly created and is validly existing according to all State and local laws, rules, regulations and ordinances.

14.3. No Defaults. No event has occurred and no condition exists that would constitute an Event of Default as defined in **Section 15 (Events of Default/Remedies)** or that, with the lapse of time or with the giving of notice or both, would become an Event of Default.

14.4. Compliance with Law. To the knowledge of the Recipient, after making due inquiry with respect thereto, the Recipient is not in violation of any laws, ordinances, or governmental rules or regulations to which it or the Project is subject and has not failed to obtain any licenses, permits, or other governmental authorizations (which are presently obtainable) necessary to the Project or to the conduct of its affairs, which violation or failure to obtain might materially and adversely affect the Project, and there have been no citations, notices, or orders of noncompliance related to the Project and issued to the Recipient under any such law, ordinance, rule, or regulation, except as disclosed in writing to the GTIB.

14.5. Disclosure. The representations of the Recipient contained in the Grant Documents and any certificate, document, written statement, or other instrument furnished by or on behalf of the Recipient to the GTIB in connection with the transactions contemplated hereby, do not and will not contain any untrue statement of a material fact and do not and will not omit to state a material fact necessary to make the statements contained herein or therein not misleading. There is no fact that the Recipient has not disclosed to the GTIB in writing that materially and adversely affects or in the future may (so far as the Recipient can now reasonably foresee) materially and adversely affect the acquisition, construction, and installation of the Project or the ability of the Recipient to perform its obligations under the Grant Documents or any of the documents or transactions contemplated therein, which has not been set forth in writing to the GTIB or in the documents and instruments furnished to the GTIB by or on behalf of the Recipient prior to the Effective Date.

14.6. Project Compliance. The Project complies or will comply with all applicable building and zoning, health, environmental, and safety ordinances and laws and all other applicable laws, rules, ordinances and regulations of any and all governmental and quasi-governmental authorities having jurisdiction over any portion of the Project.

14.7. Financial Statements. The financial statements of the Recipient that have been provided to the GTIB in connection with the Grant present fairly the financial position of the Recipient as of the date thereof and the results of its operations and its cash flows for the period covered thereby, all in conformity with generally accepted accounting principles (subject to normal year-end adjustments in the case of interim statements). Since the date of the most recent annual financial statements for the Recipient delivered to the GTIB in connection with the Grant, there has been no material adverse change in the Recipient's financial condition, assets, management, control, operations, or prospects.

14.8. Grant Application. (i) All of the information contained in the Grant Application was, as of the date the Grant Application, and will remain, until the termination of this Agreement, complete, accurate and correct in every way, and (ii) the Recipient is not aware of any circumstances that may cause any information included in the Grant Application to become incorrect or otherwise change the scope of the Project subsequent to the Effective Date.

14.9. Draw Request. All of the information that will be included in each Draw Request pursuant to **Paragraph 8.1 (Draw Request)** and the certifications furnished to GTIB as required in **Paragraph 8.1 (Draw Request)** will be true and correct in every way and form.

14.10 Property. The property upon which the Project will be located is wholly owned by the Recipient and all easement and prescriptive rights needed for the Project have been obtained.

14.11 Reaffirmation. Each Draw Request by the Recipient pursuant to **Section 8 (Payment)** shall constitute a representation and warranty by the Recipient to the GTIB that the foregoing statements are true and correct on and as of the Effective Date as well as on and as of the date of the draw request.

15. EVENTS OF DEFAULT/REMEDIES.

15.1. Event of Default. Each of the following events shall constitute an Event of Default:

15.1.1. Statutory Forfeiture under O.C.G.A. § 36-81-8.1. The failure to comply with the requirements of O.C.G.A. § 36-81-8.1 and with **Paragraph 7.5 (Statutory Certification)**;

15.1.2. Non-conforming Use. All or a portion of the Grant Amount was or will be spent or contractually committed for purposes outside the Grant Purpose or otherwise in violation of this Agreement, which default shall continue for three (3) Business Days after the GTIB gives the Recipient written notice thereof;

15.1.3. Revised Project Scope. There is a change in the Project Scope such that the revised Project Scope, if originally included in the Grant Application, would have in the GTIB's opinion, resulted in the rejection of the Grant Application;

15.1.4. Revised Project Budget. A change in the Project Budget such that the revised budget, if originally included in the Grant Application, would have in the GTIB's opinion, resulted in the rejection of the Grant Application;

15.1.5. Breach of Representation or Warranty. Any representation or warranty made by the Recipient in any Grant Document that is false or misleading in any material respect; or

15.1.6. Additional Breach. Any default by the Recipient in the performance or observance of any term, condition or provision contained in any Grant Document and not referred to in **Paragraphs 15.1.1. through 15.1.5.** above, which default shall continue for thirty (30) Business Days after the GTIB gives the Recipient

written notice thereof. If SRTA believes Recipient is using its best efforts to cure any breach included in this **Paragraph 15.1.6.**, then SRTA, in its sole discretion, may extend in writing the cure period provided for herein.

15.2. **Remedies.** If one or more Events of Default should occur, then the GTIB may declare the Recipient to be in default hereunder, and immediately exercise any of the following remedies, which are cumulative of one another and of all other remedies at law or in equity that the GTIB may have:

15.2.1. **Statutory Forfeiture under O.C.G.A. § 36-81-8.1.** The failure to comply with the requirements of O.C.G.A. § 36-81-8.1 and with **Paragraph 7.5 (Statutory Certification)** will result in Recipient's forfeiture of the Grant and the Grant Amount, whether paid to Recipient or not and whether spent, unspent, or contractually obligated. Upon demand, Recipient will repay and return to the GTIB the amount of any Grant Amount paid to Recipient.

15.2.2. **Non-conforming Use.** Recipient must repay the GTIB that portion of the Grant Amount spent or contractually committed for purposes outside the Grant Purpose or otherwise in violation of this Agreement no later than the end of the month following any such expenditure or contractual commitment.

15.2.3. **Return of Grant Amount.** Upon demand, Recipient must repay the GTIB any and all portions of the Grant Amount forwarded to the Recipient by the GTIB.

15.2.4. **Withholding of State Funds.** If the Recipient fails to repay the GTIB all or a portion of the Grant Amount as required in the Agreement, then the GTIB shall notify the appropriate State officials who shall withhold all or a portion of the funds of the State and all funds administered by the State and its agencies, boards, and instrumentalities allotted or appropriated to Recipient and/or to the government under which Recipient operates and apply an amount of such withheld funds that is necessary to the payment of the amount due under this Agreement.

15.2.5. **Withholding of Grants for Unresolved Findings.** The GTIB may in its sole discretion withhold from Recipient any other grants so long as any audit or report findings respecting the Grant remain unresolved as determined by the GTIB in its sole discretion or during any other time in which Recipient is not in compliance with this Agreement, as determined by the GTIB in its sole discretion.

15.2.6. **Other Remedies.** Upon the occurrence of an Event of Default, the Recipient, without notice or demand of any kind, may from time to time take whatever action at law or in equity or under the terms of the Credit Documents may appear necessary or desirable to collect the Grant and other amounts payable by the Recipient hereunder then due or thereafter to become due, or to enforce performance and observance of any obligation, agreement, or covenant of the Recipient under the Credit Documents, including but not limited to requiring the Recipient to increase its levy of taxes to either two times the millage rate imposed on property owners on the Effective Date or to the maximum millage rate allowed by law, whichever is lower, until such time as all amounts due the GTIB under this Agreement have been fully paid.

15.2.7. **Interest.** Any Grant Amount required to be returned to GTIB under this **Paragraph 15** must be returned with interest at the rate of 1½% per month or the highest rate allowed by law, whichever is lower.

15.2.8. **Termination of Grant.** Upon the occurrence of an Event of Default, the GTIB may, in its discretion, by written notice to the Recipient, terminate its remaining commitment (if any) hereunder to make any further advances of the Grant, whereupon any such commitment shall terminate immediately.

15.3. **Reservation of Rights.** Nothing in this Agreement shall be deemed to (1) be a waiver by the GTIB of any statutory protection afforded to it, or (2) limit the right of the GTIB (i) to exercise self-help remedies including but not limited to set off, or (ii) to obtain from a court provisional or ancillary relief such as injunctive relief. Neither the exercise of self-help remedies nor the institution or maintenance of an action for provisional or ancillary remedies shall constitute a waiver of the right of the GTIB to litigate the merits of the controversy or claim occasioning resolve to such remedies.

15.4. Ante Litem Notices. No ante litem notice, including but not limited to O.C.G.A. § 36-11-1, will apply to claims for repayment of the Grant Amount or to any other claim, action or proceeding under or respecting this Agreement. To the extent that O.C.G.A. § 36-11-1 or other requirement of ante litem notice might apply, Recipient waives its application.

15.5. Recipient Responsible for GTIB's Expenses. To the extent not prohibited by law, all sums advanced and expenses incurred in connection with the foregoing, including, but not limited to, reasonable attorneys' fees incidental to the enforcement by GTIB of any term of the Agreement shall be an indebtedness of the Recipient, evidenced by this Agreement.

16. **TERMINATION**. At such time as the GTIB is no longer obligated under this Agreement to make any further advances under the Grant and all principal, interest, or other amounts owing with respect to the Grant and hereunder have been finally and irrevocably repaid by the Recipient to the GTIB, and the period of time set forth in **Paragraph 7.3 (Records Retention)** has expired, this Agreement shall terminate.

17. **SPECIAL CONDITIONS**. Any special conditions applicable to this Agreement are set forth in **Exhibit H**, which is attached hereto and incorporated herein.

18. **SIGNS**. GTIB shall have the right to erect one or more signs on the Project publicizing its financing of the Project. The content and location of the signs shall be in GTIB's sole discretion provided that the signs shall not violate any local or state law regarding the size, content and location of the signs, and further provided that the location of the signs does not reasonably interfere with the construction of the Project. The signs shall remain posted on the Project until the completion of the Project in its entirety. If Recipient erects signage on or about the Project, on which Recipient's name or logo is to be placed, Recipient will also place SRTA's logo on such signage. Recipient will coordinate all aspects of signage with SRTA's Director of Marketing and Communication prior to ordering any such signs.

19. **FULL FAITH AND CREDIT**. To the extent permitted by law, the obligations and debt incurred by Recipient under this Agreement shall be backed by the full faith, credit and taxing power of the Recipient.

20. **EXHIBITS**. The following Exhibit is incorporated by reference into and made a part of this Agreement:

Exhibit C- Grant Application

The following Exhibits are attached hereto and incorporated into the Agreement:

Exhibit A- Definitions

Exhibit B- Project Information

Exhibit D- State Auditor Certificate

Exhibit E- Quarterly Project Status Update

Exhibit F- Draw Request

Exhibit G- Engineer Certification

Exhibit H- Special Conditions

Exhibit I- Georgia Environmental Protection Act

21. **MISCELLANEOUS PROVISIONS**.

21.1. Parties Bound. This Agreement will bind the respective heirs, executors, administrators, legal representatives, successors, and assigns of each Party.

21.2. Time of the Essence; Force Majeure. Time is of the essence for this Agreement. However, neither Party shall be liable to the other Party for any delay or failure of performance due to Force Majeure events. *Force Majeure* means any cause beyond the control of either Party, including but not limited to: (i) a tornado, flood or unusual weather occurrence, landslide, earthquake, fire or other casualty, strike or labor disturbance, freight embargo, act of a public enemy, explosion, war, blockade, terrorist act, insurrection, riot, general arrest or

restraint of government and people, civil disturbance or similar occurrence, or sabotage; or act of God provided that the Recipient shall not be required to settle any strike or labor disturbance in which it may be involved or (ii) the order or judgment of any federal, state or local court, administrative agency or governmental officer or body, if it is not also the result of willful or negligent action or a lack of reasonable diligence of the Party claiming Force Majeure and such Party does not control the administrative agency or governmental officer or body; provided that the diligent contest in good faith of any such order or judgment shall not constitute or be construed as a willful or negligent action or a lack of reasonable diligence of the Party claiming Force Majeure.

21.3. Governing Law and Venue. This Agreement shall be governed by Georgia law without regard to its conflict of laws rules. Venue shall be exclusively in the Superior Court of Fulton County, Georgia and the Parties consent to venue and jurisdiction in such court to the fullest extent permitted by law for any and all claims related to this Agreement.

21.4. Assignment. Recipient may not assign all or part of this Agreement to a third party without the prior written permission of GTIB, which may be granted or refused at the sole discretion of GTIB. Any assignment made in violation of this paragraph is hereby declared null and void.

21.5. Notices. All notices, requests, or other communications (excluding invoices) hereunder shall be in writing and transmitted via hand delivery, overnight courier, or certified mail (return receipt requested), to the Parties at the respective addresses set forth below. Notices will be deemed to have been given when received, or in the event of refusal to accept delivery, the day of the first attempt to deliver.

For GTIB:

State Road and Tollway Authority c/o GTIB
245 Peachtree Center Avenue,
Suite 2200
Atlanta, Georgia 30303
Phone: (404) 893-6100
Email: ctreadway@srta.ga.gov

For the Recipient:

Fayette County
Joe Robison, Engineer
115 McDonough Rd
Fayetteville, Georgia 30214
(770) 320-6046
jrobison@fayettecountyga.gov

21.6. Compliance with Laws; Taxes. The Recipient will pay all taxes lawfully imposed upon it that may arise with respect to this Agreement.

21.7. Remedies Cumulative. The rights and remedies of the GTIB under this Agreement are cumulative of one another and with those otherwise provided by law or in equity.

21.8. Waiver and Severability. The waiver by the GTIB of a breach of any provision of this Agreement shall not be deemed to be a waiver of such provision on any subsequent breach of the same or any other provision of this Agreement. Any such waiver must be in writing in order to be effective, and no such waiver shall establish a course of performance between the Parties contradictory to the terms hereof. All provisions of this Agreement are severable, and the unenforceability or invalidity of any of the provisions will not affect the validity or enforceability of the remaining provisions. The remaining provisions will be construed so as to carry out the full intention of the Parties.

21.9. No Third Party Beneficiaries. Nothing contained herein shall be construed as conferring upon or giving to any person, other than the Parties hereto, any rights or benefits by reason of this Agreement.

21.10. Recitals. The recitals set forth in the beginning of this Agreement are true and correct and are hereby incorporated into this Agreement.

21.11. Interpretation. Words importing the singular number shall include the plural number and vice versa unless the context shall otherwise require. The words “include”, “includes” and “including” shall be deemed to be followed by the phrase “without limitation.” Unless the context shall otherwise require, references to any Person or Party shall be deemed to include such Person’s or Party’s successors and permitted assigns. The headings or titles of this Agreement, its sections and exhibits are for convenience of reference only and shall

not define or limit its provisions. Unless the context shall otherwise require, all references to any resolution, contract, agreement, lease or other document shall be deemed to include any amendments or supplements to, or modifications or restatements or replacements of, such documents that are approved from time-to-time in accordance with the terms thereof.

21.12. Counterparts. The Parties may execute this Agreement in counterparts.

21.13. Negotiated Agreement. In the event this Agreement must be interpreted by a court of competent jurisdiction pursuant to **Paragraph 21.3 (Governing Law and Venue)**, the Parties expressly agree that this is a negotiated Agreement that will not be construed against one Party over the other Party because such Party drafted the Agreement.

21.14. Survival. **Sections 7 (Accountability), 8 (Payment), 10 (Waiver/Indemnification), 12 (Laws, etc.), 14 (Warranty), 15 (Events of Default/Remedies), 17 (Special Conditions), 19 (Full Faith and Credit), and 21 (Miscellaneous Provisions)** shall survive the termination for whatever reason of this Agreement.

21.15. Entire Agreement; Amendment. This Agreement contains the entire agreement between the Parties with respect to its subject matter and supersedes all other prior and contemporaneous contracts and understandings between the Parties, whether oral or written. The GTIB shall not be bound by any terms and conditions included in any packaging, invoice, catalog, brochure, technical data sheet, or other document furnished by the Recipient to the GTIB that attempts to impose any condition in variance with or in addition to the terms and conditions contained herein. All such terms and conditions are hereby declared null and void. No amendment to this Agreement shall be valid unless made in writing and signed by both Parties.

IN WITNESS WHEREOF, the Parties have signed, sealed and executed this Agreement as of the Effective Date.

Recipient (SEAL) Georgia Transportation Infrastructure Bank

By: _____
Name:
Title:

By: _____
Christopher S. Tomlinson, Executive Director

Attest: _____

Attest: _____

Approved as to form:
Recipient's Attorney

Dennis Davenport

EXHIBIT A

Definitions

“**Business Day**” means Monday through Friday excluding state recognized holidays.

“**Days**” means calendar days unless otherwise specified in this Agreement.

“**Draw Request**” means the form attached as **Exhibit F**.

“**Effective Date**” means the date set forth in the Preamble of this Agreement.

“**Event of Default**” has the meaning assigned to it in **Section 14**.

“**Expiration Date**” means the third (3rd) anniversary of the Effective Date.

“**Grant Amount**” has the meaning assigned to it in **Exhibit B**.

“**Grant Application**” means **Exhibit C**.

“**Grant Contingency Funds**” has the meaning assigned to it in **Section 5**.

“**Grant Documents**” means collectively this Agreement and the Grant Application.

“**Grant Purpose**” has the meaning assigned to it in **Exhibit B**.

“**GTIB Parties**” means the State, the Georgia Transportation Infrastructure Bank, SRTA, and their agents, employees, directors, officers, board, assigns, and designees.

“**Project**” means the project listed in **Exhibit B**.

“**Project Budget**” means the estimated total cost of the Project as set forth in **Exhibit B**.

“**Project Scope**” has the meaning assigned to it in **Exhibit B**.

“**State**” means the State of Georgia.

EXHIBIT B**PROJECT INFORMATION**

Project Name:	S.R. 92 at Westbridge Road/Veteran's Parkway
Project Location:	Fayette County, Georgia
Project Scope:	Project will construct an intersection at State Route 92 and Westbridge Road, which is the final phase of the West Fayetteville Bypass (Veteran's Parkway). The intersection will realign Westbridge Road with State Route 92 and may accommodate a future traffic signal, if warranted.
Grant Amount:	Three Hundred Thousand Dollars and No Cents (\$300,000)
Grant Purpose:	To fund a portion of the construction cost for the project.
Project Completion Date:	Spring of 2018
Project Budget:	One Million Six Hundred Thousand Dollars and No Cents (\$1,600,000)

A breakdown of the Project Budget is as follows:

ITEM	TOTAL	GTIB FUNDS
Preliminary Engineering	\$162,816	N/A
Right-of-Way	\$608,432	N/A
Construction	\$828,752	\$300,000
ESTIMATED TOTAL COST	\$1,600,000	\$300,000

**EXHIBIT C
Grant Application**

**Recipient's Grant Application
is incorporated herein by reference.**

EXHIBIT D

State Auditor Certificate

INSTRUCTIONS TO STATE OF GEORGIA GRANT CERTIFICATION FORMS AND AFFIDAVITS REQUIRED BY THE OFFICIAL CODE OF GEORGIA ANNOTATED, SECTION 36-81-8.1

As required by O.C.G.A. § 36-81-8.1, each grant of state funds to a local government from the Governor's Emergency Fund or from a special project appropriation shall be conditioned upon the receipt by the State Auditor of a properly completed grant certification form. This means Recipient must certify it has contracted with Subrecipient and Subrecipient has applied Grant Funds paid to Subrecipient to services for Recipient in accord with the Grant Purpose and the agreement between Recipient and Subrecipient. As explained immediately below, in the case of grants in excess of \$5,000, Recipient's certification must be verified by audit, and in the case of grants of \$5,000 or less, Recipient's certification must be supported by Subrecipient's affidavit.

One grant certification form should be prepared for each grant awarded to the local government. The grant certification form(s) should be submitted to the State Auditor with one copy of the annual (or, when allowed, biennial) audit report. Questions concerning the preparation and submission of this form should be referred to the Nonprofit and Local Government Audits Division of the Georgia Department of Audits and Accounts.

Instructions for Completion

Identify the appropriate grant certification form to use. Three forms are available: Grant Certification Form for Local Government Recipient (with no subrecipient); Grant Certification Form for Local Government Recipient (with subrecipient); and Subrecipient Affidavit. Information included in this instruction package will provide guidance on the appropriate form(s) to be completed. All lines and all columns should be completed accurately. The form was designed as an Excel spreadsheet and may be completed by entering data in the appropriate cells. Edit checks are built into the spreadsheet to assist in the proper preparation of the form. If you would like to have the Excel file sent to you via e-mail, request the form by sending an e-mail to locgov@audits.ga.gov. Please note that one form should be submitted for each grant from the Governor's emergency fund or from a special project appropriation. A form must be submitted for each year in which the funds are expended or remain unexpended by the local government or its Subrecipient. Data should be provided in Column 1 for the fiscal year upon which the local government is reporting. Data in Column 2 should represent cumulative totals from the year of grant award through the fiscal year upon which data is provided in Column 1.

The appropriate officials should sign and date the section entitled "Certification of Local Government Officials".

- Where the grant is in excess of \$5,000 and is *not expressly* designated by the GTIB as involving a "subrecipient", as that term is defined in O.C.G.A. § 36-81-8.1(a), by use of a form expressly for subrecipient grants, the certification must be made by the recipient local government and by the local government auditor.
 - An example Independent Accountant's Report to be used when the local government is determined to be in compliance with the provisions of O.C.G.A. § 36-81-8.1 is included in this instruction package. If the government is not in compliance with these provisions, the AICPA's Codification of Standards for Attestation Engagements, Section 601 provides guidance on the appropriate reporting format.
- Where the grant in excess of \$5,000 *is designated* by the GTIB as involving a "subrecipient", as that term is defined in O.C.G.A. § 36-81-8.1(a), by the use of a grant form expressly for subrecipient grants, the certification by the local government auditor required by subsection O.C.G.A. § 36-81-8.1(b) may also be made by an in-house or internal auditor of the local government, who meets the education requirements contained in subparagraph (a)(3)(A) of Code Section 43-3-6. The in-house auditor must do more than confirm that Recipient has contracted with Subrecipient for Grant Purposes; the in-house auditor must take steps reasonable for an in-house auditor to confirm that Subrecipient is applying the Grant Funds as required by the Grant.
- Where the grant is for \$5,000 or less and is *not expressly designated* by the GTIB as involving a "subrecipient", as that term is defined in O.C.G.A. § 36-81-8.1(a), by the use of a grant form expressly for subrecipient grants:
 - Recipient local government must submit the properly completed grant certification form except that only the local government need certify, and the certification of an auditor is not required.
- However, if the grant for \$5,000 or less also *is designated* by the GTIB as involving a "subrecipient", as that term is defined in O.C.G.A. § 36-81-8.1(a), by the use of a grant form expressly for subrecipient grants, local government must also require the subrecipient to submit to local government a notarized affidavit.
 - The affidavit must be executed by the executive director, president, chairperson, chief executive officer, or other responsible party representing the subrecipient reasonably acceptable to Recipient, by whatever name or title, to whom the grant funds are disbursed.
 - The affidavit shall be in the form approved by the State Auditor.
 - Such affidavit shall be submitted annually (or biennially when allowed by O.C.G.A. § 36-81-7) for each year that grant funds are expended or remain unexpended according to a schedule established by the local government and shall be made on the form annexed below.
 - Local government must submit a true copy of the affidavit to the Department of Audits and Accounts when submitting its certification.

Mail the Grant Certification Form (including Independent Accountant's Report, report of in-house or internal auditor, and copy of affidavit as the case may be) with one copy of the audited annual financial report to:

State of Georgia, Department of Audits and Accounts
 Nonprofit and Local Government Audits Division
 270 Washington Street, S.W.
 Room 1-156
 Atlanta, Georgia 30334

If the local government meets the eligibility criteria for an agreed upon procedures engagement in accordance with the provisions of O.C.G.A. § 36-81-7, the local government is responsible for ensuring that the procedures performed by its independent certified public accountant are sufficient in scope to enable the CPA to complete the Independent Accountant's Report. These procedures include examination of grant application and award documentation to become familiar with the terms and conditions of the grant; verification of receipt of grant proceeds; and evaluation of the local

government's documentation of expenditures. The purpose of these procedures is to comply with the provisions of O.C.G.A. § 36-81-8.1, requiring certification that the grant funds were used solely for the express purpose or purposes for which the grant was made.

Whether the local government engages an independent certified public accountant to perform an audit or perform the agreed upon procedures, for purposes of meeting the requirements of O.C.G.A. § 36-81-8.1, the independent CPA should be engaged to examine management's assertion of compliance with the requirement to use grant funds solely for the express purpose or purposes for which the grant was made. The independent CPA should conduct the engagement in accordance with the standards for examination engagements for compliance attestation contained in the AICPA's Codification of Statements on Standards for Attestation Engagements. An example report is included in page 4 of these instructions.

This form along with the Independent Accountant's Report, report of in-house or internal auditor, or copy of affidavit, as the case may be, is required to be filed with the state auditor in conjunction with the annual audit for each year in which grant funds are expended or remain unexpended by the local government.

Questions concerning the provisions of O.C.G.A. § 36-81-8.1, the State of Georgia Grant Certification Form, the affidavit or attestation engagements should be referred to the Nonprofit and Local Government Audits Division, Georgia Department of Audits and Accounts, at the address listed above, telephone (404) 656-9145; fax (404) 651-5608; or e-mail locgov@audits.ga.gov.

**State of Georgia Grant Certification Form
Local Government Recipient**

Certification of Local Government Officials

I have reviewed the information presented above and certify that it is accurate and correct. I further certify that the proceeds of the grant award identified above were used solely for the express purpose or purposes for which the grant was made. I understand that the failure to comply with the requirements of Code Section 36-81-8.1 will result in a forfeiture of the state Grant and the return to the State of any such grant funds which have been received by the local government. Further, a grant recipient shall be ineligible to receive funds from the Governor's emergency fund or from a special project appropriation until all unallowed expenditures are returned to the State.

Signature of Chief Elected Official _____ Date: _____

Signature of Chief Financial Officer _____ Date: _____

**State of Georgia Grant Certification Form
Independent Accountant's Report**

We have examined management's assertion included in the accompanying State of Georgia Grant Certification Form(s) about *[name of government]*'s compliance during the fiscal year ended *[date]* with the requirement to use grant proceeds solely for the purpose or purposes for which the grant was made for each of the following grant award(s):

[Individually identify each grant award of Governor's emergency funds and/or special project appropriations.]

Management is responsible for *[name of government]*'s compliance with this requirement. Our responsibility is to express an opinion on management's assertion about *[name of government]*'s compliance based on our examination.

Our examination was conducted in accordance with the attestation standards established by the American Institute of Certified Public Accountants and, accordingly, included examining, on a test basis, evidence about *[name of government]*'s compliance with this requirement and performing such other procedures as we considered necessary in the circumstances. We believe that our examination provides a reasonable basis for our opinion. Our examination does not provide a legal determination on *[name of government]*'s compliance with the specified requirement.

In our opinion, management's assertion that *[name of government]* complied with the aforementioned requirement during the fiscal year ended *[date]* is fairly stated, in all material respects.

This report is intended solely for the information and use of the Georgia Department of Audits and Accounts and the State grantor agency identified on the Grant Certification Form and is not intended to be and should not be used by anyone other than the specified parties.

[Signature]
[Date]

EXHIBIT E
Quarterly Project Status Update



GEORGIA TRANSPORTATION INFRASTRUCTURE BANK (GTIB)
Quarterly Project Status Update

DATE:
____/____/____

GTIB AWARDEE NAME: _____

NAME OF FUNDED PROJECT: _____

AWARD DATE: _____ **PROJECTED COMPLETION DATE:** _____

CURRENT PHASE OF PROJECT: PE Right-Of-Way Acquisition Construction

CURRENT STATUS: (Please attach any supporting documents or related renderings, photos or images.)

EXHIBIT F
DRAW REQUEST

Form of Draw Request

Date

The Georgia Transportation Infrastructure Bank,
by and through the State Road and Tollway Authority
245 Peachtree Center Avenue, Suite 2200,
Atlanta, Georgia 30303

Re: Grant Agreement between The Georgia Transportation Infrastructure Bank, by and through the State Road and Tollway Authority (“GTIB”) and _____ (“Recipient”), dated _____, 2017 (“Agreement”)/ Draw Request No.:__*.

Dear Ms. Treadway:

Pursuant to the above-referenced Agreement, the Recipient hereby requests disbursement in the amount of \$_____ for Eligible Costs. Capitalized terms not specifically defined in this Request shall be given the same meaning as ascribed to them in the Agreement.

In connection with this Draw Request No.:__ the undersigned does hereby represent and certify the following:

1. The amounts previously disbursed under the Grant Agreement aggregate \$_____.
2. Time period covered by this Request is for work performed on the Project between _____, 201_ and _____, 201__.
3. The amounts hereby requested have been incurred by or on behalf of the Recipient for Eligible Costs on the Project.
4. The amounts hereby requested are “motor-fuel tax eligible” as set forth in O.C.G.A. §32-1-1 et.seq.
5. The amount of this Request, together with all prior Requests, does not exceed the amount of the Grant, and the amount of this Request together with the sum of all disbursements of the Grant proceeds made and to be made will not exceed the Grant Amount or the amount allocated for the applicable line item of the Budget as set forth in **Exhibit B** of the Agreement.
6. All amounts requisitioned hereunder are for Eligible Costs which have not been paid for or reimbursed by any previous disbursement from the Grant proceeds.
7. Each obligation for which a disbursement is hereby requested is described in detail in **Attachment 1** attached hereto together with the name and address of the person, firm or corporation to whom payment is due.
8. The bills, invoices or statements of account for each obligation referenced in **Attachment 1** are attached.
9. Each obligation mentioned in **Attachment 1** has been properly incurred, is a proper charge under the Agreement, and has not been the basis of any previous disbursement.

10. The Project has been, and is being, constructed in a manner consistent with all plans, specifications, engineering reports and facilities plans previously submitted to the GTIB and with good engineering practices.
11. The Recipient is in compliance with all of the terms and conditions of the Grant Agreement and any and all other loan agreements, grant agreements or any other financing agreements that affect the Project (“Other Agreements”) and there does not currently exist an Event of Default under the Grant Agreement or an event of default under the Other Agreements or any event which with the giving of notice or the passage of time or both would constitute such an Event of Default or event of default.
12. The undersigned is duly authorized to execute and deliver this requisition on behalf of the Recipient.

This _____, 201_.

RECIPIENT NAME

By: _____

Name: _____

Title: _____

The Request for an Advance must be signed by the Chief Elected Official or by another officer or employee who has the written authority to execute on the Recipient’s behalf.

* For each Request, the Recipient will insert a new number in chronological order.

**Attachment 1
To
Exhibit F
Draw Request**

Itemized Billing and Description of Work Performed.

Detailed Description of Item of Work Performed*	Date(s) Performed	Name and Address of Contractor	Total Amount Due**	Total Amount to be Paid from this Draw Request	Status of Ongoing Work (i.e., % to completion of task/milestone)	Phase of Work***

A complete description of the work performed or materials delivered shall include, at a minimum, an itemization of work performed or materials delivered the identification of line item set forth in **Exhibit B (Project Information), the status of the on-going work included in the draw request (i.e., the percent to completion of task or milestone), notification if a deliverable or milestone has been completed, and a detailed account or description of the work performed or materials delivered during the time period to further or complete the task milestone or deliverable.*

*** Seeks the total amount due to this contractor for this item of work performed during the period covered by this draw request.*

**** Seeks the line item, as set forth in the breakdown of the Project Budget in **Exhibit B** that the work for which payment is requested falls under.*

EXHIBIT G Engineer's Certification

A.: If attached to a periodic payment:

Engineer's Letterhead

Date

Recipient: _____ (Must be the same name as in the Grant Agreement)

Project Name: _____ (Must be the same name as on Exhibit B)

Grant Amount: _____ (Must be the same amount as on Exhibit B)

_____ (name of Engineering Firm or name of Engineer if a government employee), is the Project Engineer for the above-referenced Project. The undersigned hereby verifies that, based on personal knowledge and observation, the work set forth on the attached draw request (a) was performed according to the terms and conditions of the Georgia Transportation Infrastructure Bank Agreement for Grant Program between the Georgia Transportation Infrastructure Bank and _____ (name of Recipient) and (b) complies with all applicable federal, state and local laws, rules, regulations and ordinances related to the above-mentioned Project.

This certification is being given to and for the benefit of the Georgia Transportation Infrastructure Bank by and through the State Road and Tollway Authority.

_____ (name of Engineering Firm)

By: _____
Name: _____
Title: _____

B. If attached to a request for final payment and construction is complete:

Engineer's Letterhead

Date

Recipient: _____ (Must be the same name as in the Grant Agreement)

Project Name: _____ (Must be the same name as on Exhibit B)

Grant Amount: _____ (Must be the same amount as on Exhibit B)

_____ (name of Engineering Firm or name of Engineer if a government employee), is the Project Engineer for the _____ (name of Project), located at _____ (location). The undersigned hereby verifies that, based on personal knowledge and observation, the Project (a) was completed according to the terms and conditions of the Georgia Transportation Infrastructure Bank Agreement for Grant Program between the Georgia Transportation Infrastructure Bank and _____ (name of Recipient) and (b) complies with all applicable federal, state and local laws, rules, regulations and ordinances related to the above-mentioned Project.

This certification is being given to and for the benefit of the Georgia Transportation Infrastructure Bank by and through the State Road and Tollway Authority.

_____ (name of Engineering Firm)

By: _____
Name: _____
Title: _____

EXHIBIT H

Special Conditions

No special conditions.

EXHIBIT I

**Georgia Environmental Protection Act
(O.C.G.A. §12-16-1, et seq.) (“GEPA”)**

The Recipient may be required to comply with the provisions of GEPA. In determining whether the Recipient must comply with GEPA the Recipient should take into consideration many factors including the source of other funds (excluding GTIB funds) that the Recipient will use to fund the Project and whether a government entity that would otherwise be subject to GEPA requirements will let or otherwise perform construction on the Project. The Recipient should contact its legal counsel in order to determine whether Recipient must comply with the GEPA requirements as a result of the Grant.

BOARD OF COUNTY COMMISSIONERS

Eric K. 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
 Marlena Edwards, Deputy County Clerk



140 Stonewall Avenue West
 Public Meeting Room
 Fayetteville, GA 30214

MINUTES

August 10, 2017

6:30 p.m.

Welcome to the meeting of your Fayette County Board of Commissioners. Your participation in County government is appreciated. All regularly scheduled Board meetings are open to the public and are held on the 2nd and 4th Thursday of each month at 6:30 p.m.

Call to Order

Chairman Eric Maxwell called the August 10, 2017 Board of Commissioners meeting to order at 6:32 p.m. A quorum of the Board was present.

Invocation and Pledge of Allegiance by Commissioner Charles Rousseau

Eagle Scout Gregory Crook offered the Invocation and led the Board and audience in the Pledge of Allegiance.

Acceptance of Agenda

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

PROCLAMATION/RECOGNITION:**1. Recognition of Eagle Scout (Troop #176) Gregory Crook.**

Chairman Maxwell, on behalf of the Board of Commissioners, recognized Gregory Crook with a Letter of Recognition. Gregory gave a brief presentation of his Eagle Scout project.

2. Recognition of the AFC Lightning 08 Girls Soccer Team.

Commissioner Brown, on behalf of the Board of Commissioners, recognized the AFC Lightning 08 Girls Soccer Team. Coach Brian Rogers spoke regarding the team and their season. Each team member was presented with a certificate.

PUBLIC HEARING: None.

CONSENT AGENDA:

Vice Chairman Ognio requested to remove item #6 from the Consent Agenda.

Commissioner Brown moved to accept the Consent Agenda, with the exception of item #6 for discussion. Commissioner Charles Oddo seconded. The motion passed 5-0.

3. Acknowledgement of the Equitable Sharing Agreement and Annual Certification as required by the US Department of Justice and the US Department of the Treasury and authorization for the Chairman to sign any related documents.

4. **Approval of the July 27, 2017 Board of Commissioners Meeting Minutes**
5. **Approval of the revision to the Parks and Recreation Policy and Procedures Manual to change the non-resident impact fees to \$25 per sport season beginning with the 2018 Sport Season as presented by the Fayette County Recreation Commission.**
6. **Approval of the July 13, 2017 Board of Commissioners Meeting Minutes. This item was tabled at the July 27, 2017 meeting. (Commissioner Brown's red-lined additions included).**

Vice Chairman Ognio stated that if the Board was going to add bits and pieces to item #10 of the July 13 meeting, then the entire item should be verbatim. He stated that it should be tabled and presented as verbatim.

Commissioner Brown stated that there were other items where verbatim was added. He stated that he had a transcript prepared of the Commissioners' comments and staff's comments. He stated that he did not have anything related to the citizens' comments. He stated that he obtained the transcript on his own because he did not want to add his own interpretation.

Chairman Maxwell asked Vice Chairman Ognio if he was requesting that a court reporter do verbatim minutes for this item. Vice Chairman Ognio stated no, that the County Clerk could produce the verbatim portion.

Commissioner Brown stated that he had no problem doing the item in verbatim, but that the Board should hire someone to do them quickly and not waste the Clerk's time.

Chairman Maxwell stated that as an attorney, he dealt with stenographers all the time and they are quick at what they do. He asked if it was just for item #10, Commissioners' comments plus public comments. Vice Chairman Ognio stated yes.

Commissioner Charles Rousseau stated that as a point of clarity and possibly a point of order. He recalled discussions from the Board retreat regarding the minutes. He stated that although Vice Chairman Ognio was only asking for verbatim minutes for this item, he feared that it would open the door on a selective basis. He recalled that at the retreat the Board agreed to allow the Clerk to "play around with" getting the Board a version just short of verbatim minutes and allow the Board to determine if that was the desire of the Board. He stated that he saw this as the Board moving into verbatim minutes and opening the door to wanting to hire someone to produce verbatim minutes for the next meeting for a different item number. He stated that he wanted to know where the Board was headed with this.

County Administrator Steve Rapson confirmed that Commissioner Rousseau's interpretation of the Board's decision at the retreat was accurate.

Commissioner Brown stated that the request was not pertaining to all minutes. He stated that this was something that the Board would vote to do.

Commissioner Rousseau stated that this request was adding another dimension which was cost, by hiring a court reporter. He stated that he wanted the Board to know that this was opening other doors.

Vice Chairman Ognio stated that any time there was one commissioner wanting to add "some" of the comments verbatim, then the entire item should be verbatim and not pick and choose.

Vice Chairman Ognio moved to table the July 13, 2017 Board of Commissioners Meeting Minutes until the August 24, 2017 meeting to make the entire item #10 verbatim in the minutes. Discussion followed.

Chairman Maxwell stated that by stating "item #10", it did not include Commissioners' comments. Commissioner Brown stated that he was referring to the Commissioners' comments within item #10 and not at the end of the meeting. He stated that he would also like to have the other changes added for the other items that he presented.

County Attorney Dennis Davenport explained how the Board should go about moving forward with the motion.

Vice Chairman Ognio moved to table the July 13, 2017 Board of Commissioners Meeting Minutes until the August 24, 2017 meeting. The motion passed 5-0.

Vice Chairman Ognio moved to have the minutes of item #10 of the July 13, 2017 Board of Commissioner meeting verbatim. Commissioner Oddo seconded. Discussion followed.

Chairman Maxwell stated that if anyone decided that they would like to have verbatim minutes, that was too much to put on the County Clerk. He stated that was a court reporter position. He stated that it was easier to have the court reporter present to do the take down of the meeting.

Mr. Davenport stated that he needed direction regarding who would create the verbatim minutes for item #10. Chairman Maxwell stated that it should be made part of the motion because he felt it was a court reporter position to do that. Mr. Davenport stated that in addition to that, the court reporter who transcribes the minutes was not present to take down the minutes. Chairman Maxwell stated that the court reporter would have to do the best they can from the recording and the video. Mr. Davenport asked if that was the amended motion.

Vice Chairman Ognio stated that the court reporter was not something that the Board had done in the past. He stated that he was not sure why the Board would go to a court reporter. He stated that he understood that the reporter could work faster and that the Clerk had a lot to do, but in the past the Board had not hired a court reporter.

Chairman Maxwell stated that he does depositions all the time and cost was about \$400 or \$500 if the court reporter was present to do a take down. He stated that he was not sure how much it would cost if the court reporter had to listen to a tape because she was not here to ask what was said.

Commissioner Oddo stated that the Board should not leave the path chosen at the retreat. He stated that the Board needed to refine the minutes. In this case, since Commissioner Brown decided to expand the minutes that were presented because of the contentiousness of the discussion, he felt it should be verbatim, but he did not want to go down the path of having verbatim minutes.

Vice Chairman Ognio moved to have the County Clerk provide verbatim minutes of item #10 of the July 13, 2017 Board of Commissioners meeting. Commissioner Oddo seconded. The motion failed 2-3, Chairman Maxwell, Commissioner Brown and Commissioner Rousseau voted in opposition.

Commissioner Brown moved to have item #10 of the July 13, 2017 Board of Commissioner meeting performed verbatim and to have it subcontracted, not done with the Clerk's office to tie up all her time. Vice Chairman Ognio seconded. The motion passed 4-1, Commissioner Rousseau voted in opposition.

Chairman Maxwell stated that, to Commissioner Rousseau's point, the Board needed to come up with a policy on what to do for verbatim items for future meetings. He stated that the Board had not done that in the past and he was not in favor of doing that. He stated that the Board was shooting itself in the foot if it was not done the proper way on the front end.

Commissioner Oddo stated that the Board needed to let the County Clerk do it or the Board would have to go down this path. He stated that he was content with the County Clerk doing the minutes as the Board suggested. He stated that if the Clerk provided the minutes and the Board did not like what was put in the minutes, then it would force the Board to go down a different road and he did not think the Board should go down that road, but he felt it was necessary this time.

Commissioner Brown stated that this item was not on the agenda and should be discussed at another meeting.

OLD BUSINESS:

7. Reconsideration of funding request from Fayette Factor of \$7,000 to off-set annual rent, internet, complex association fees, and utilities' costs.

Commissioner Oddo recused himself from this discussion as he had done for previous discussions involving this item.

Chief Finance Officer Mary Parrott briefed the Board on this item. She stated that the Board had requested that staff gather additional information to bring back to the Board regarding the funding request for two non-profits, Fayette FACTOR and Fayette Care Clinic. She stated that the income and expenses for Fayette FACTOR doubled between 2016 to 2017 because of the new drug-free program; Drug-Free Fayette. She stated that the request was for \$7,000 to help with the rent and utilities for fiscal year 2017. The amount of the rent was \$4,506. She stated that she had confirmed that there would be an increase in the rent of \$200 a month beginning in September which would add an additional \$2,400 to the annual financials. She further explained the financial data.

Fayette FACTOR Executive Director Becky Smith thanked the Board for their consideration. She stated that she hoped the Board could look at the income and expenditures and see that the organization had been good stewards of their funds. She stated that FACTOR had worked hard to find grants to make up the difference. She stated it was hard to get grant funding for operations versus programs.

Fayette FACTOR Board Chair Dawn Oparah stated that historically the County gave the organization space because of the family connection. She stated that they try to generate funds to do work in the community. She stated that they moved from the Department of Drivers Services (DDS) because there was no parking and moved to share space with another organization, rent-free, and when their cost increased, FACTOR was faced with having to pay rent. She thanked the Board for consideration of this request.

Commissioner Rousseau moved to approve the funding request from Fayette FACTOR of \$7,000 to off-set annual rent, internet, complex association fees, and utilities' costs to assist for one year not-to-exceed \$7,000 and in addition to have

the County Administrator and staff to conduct a review of the non-profit positioning to determine long-term what the Board might consider doing to assist those who fill some gaps where the County does not provide services. Vice Chairman Ognio seconded. Discussion followed.

Commissioner Brown stated that the landlord for FACTOR was a non-profit that the County had already written a check for. He liked that the motion was only for one year. He stated that there had been a relationship with FACTOR in the past for in-kind use of the building, which had a monetary value attached. He stated that this was nothing new in terms of the County's interaction with Fayette FACTOR. He stated that his suggestion was to look at a joint request with the landlord in the future.

Commissioner Rousseau stated that there was precedent and history with FACTOR and with the other organization, Bloom. He stated that the County needed a long-term strategy to comprehensively look at the use of taxpayers' dollars as these organizations fill some valuable voids that the citizens might not otherwise have and bringing together resources for the citizens. He stated that he was strong about the position of doing one year and to do a long-term review of where the County wanted to go futuristically.

Vice Chairman Ognio stated that he recognized that the door was opened years ago, but he was concerned about where this would lead. He stated that he did not like the fact that the Board was taking taxpayers' dollars and giving it to non-profit organizations. He stated that there are a lot of non-profits in the county and how many more would line up to receive assistance. He stated that approving one would make it hard to deny the next. He stated that the parking would no longer be an issue at the old DDS building because the DDS have moved out.

Commissioner Brown stated that the organization was working with the regional government and receiving state funds. He stated that it was not so far outside the realm of doable. He stated that the landlord situation bothered him more than the contribution.

Commissioner Rousseau asked if this was moving into a territory concerning the use of public funds. Mr. Davenport stated that he could not participate in the discussion because his wife was the Executive Director of the non-profit that owned the building.

Mr. Rapson stated that the way to address this was to develop an intergovernmental agreement between the County and the entity that provided the service and not to tie it to rent, but to services that are being provided to residents of Fayette County. He stated that he was confident that the organization could provide statistics of the programs. He stated that the Board asked him to look at a long-term solution and he believed that would be the solution.

Commissioner Rousseau stated that he was not sure he was prepared to say he wanted to do that. He stated that the challenge was that with the service provisions there was a gap, but that the County had already been assisting non-profit organizations for several years. He stated that the County needed a long-term thought process and strategy.

Chairman Maxwell stated that he could support the motion as stated. He stated that it was limited in scope and duration, and that Commissioner Rousseau asked for a review of the non-profit process.

Mr. Rapson recommended that the funding from the Fund Balance be added to the motion because currently it was not included in the General Fund budget.

Commissioner Rousseau amended the motion to approve the funding request from Fayette Factor of \$7,000 to off-set annual rent, internet, complex association fees, and utilities' costs to assist for one year not-to-exceed and in addition to

have the County Administrator and staff to conduct a review of the non-profit positioning to determine long-term what the Board might consider doing to assist those who fill some gaps where the County does not provide services and for the funds to come from the Fund Balance. Vice Chairman Ognio amended seconded. The motion passed 4-0-1. Commissioner Oddo recused himself.

Commissioner Oddo returned to the dais.

8. Reconsideration of funding request from Fayette Care Clinic of \$14,000 to off-set annual rent due to decreased grant funding.

Mrs. Parrott briefed the Board regarding this item. She explained the information presented on Fayette Care Clinic's profit and loss (P&L) statement. She stated that their year was on a calendar year instead of a fiscal year. She stated that Fayette Care Clinic would not receive two grants, for \$50,000 each this year. She stated that the change was \$100,000 that would not be recognized. She stated that they also would only receive \$16,000 from Clothes Less Traveled, as opposed to the \$60,000 that they had received in the past to cover the rent. She stated that for 2017 there was an estimated loss of \$2,670 which reduces the equity balance. She stated that the issue the organization had was also regarding rent.

Fayette Care Clinic's Executive Director Dr. Loida Bonney also briefed the Board. She provided statistics of those in need in Fayette County. She stated that the organization had gone from seeing patients one day a week, to four week days and three evenings and that Fayette Care Clinic cared for about 750 unduplicated Fayette County residents and served about 3,500 to 4,000 visits per year. She continued her presentation. She stated that Fayette Care Clinic worked together with the Fayette County Health Department.

Fayette Care Clinic Chair Dr. Nimish Dhruva shared his experience of working with Fayette Care Clinic and those who visit the clinic. He stated that there was a myth that patients can get Obamacare. He stated that the premiums for Obamacare was so high that patients could not afford it.

Dawn Oparah stated that non-profits worked on "soft" money and when the organization did not receive expected funds it really had an impact in terms of giving services. She stated that sometimes people think there was no poverty in Fayette County, but there is and because there are organizations like this one and Fayette FACTOR who close the gap, sometimes people are not aware that there was a need. She stated that without funding it would affect the people.

Commissioner Rousseau moved to approve the funding request from Fayette Care Clinic of \$14,000 to off-set annual rent due to decreased grant funding for one year, not-to-exceed, \$14,000 and to incorporate the non-profit into a comprehensive plan and that the funds come from the Fund Balance. Chairman Maxwell seconded. Discussion followed.

Commissioner Rousseau stated that he did not harbor any ill will toward the Board. He stated that this was the authorization and use of funds that were not budgeted and he understood that. He stated that there was a vulnerable population in the community that the County had an obligation, to some degree, to assist. He stated that he was willing to make a recommendation for this organization.

Commissioner Oddo stated that this was a difficult vote for him. He stated that if the Board was going to move in the direction of supporting the non-profit there needed to be a plan and currently there was not a plan in place. He stated that his concern was what would happen if the Board opened that door.

Commissioner Rousseau recognized that Commissioner Oddo was out of the room for the previous item discussion. He stated that the Board did adopt to look at a long-term solution.

Chairman Maxwell asked if equity was the same as Fund Balance. Mrs. Parrott stated yes. He stated that there was a Fund Balance of \$198,000 and that the "Fund Balance" estimate for 2017 was \$196,000 which was less than a \$2,000 difference. Mrs. Parrott stated that was the loss estimated for 2017. Chairman Maxwell stated that it appeared there was a substantial amount in the Fund Balance. Mrs. Parrott stated that most of it was likely restricted funds.

Dr. Bonney stated that most of the money carried over from one year to the next was restricted. Chairman Maxwell asked if there was an unrestricted fund balance. Mrs. Parrott stated that at the end of 2015 the unrestricted fund balance was \$54,287. She stated that she did not have the information for 2016. The 2016 audit was in progress.

Chairman Maxwell stated that he voted for the other organization because it was relatively a small amount of money and it appeared that the organization did not have money. He stated that it looked like this organization had money. He stated that he had a hard time funding this request.

Dr. Bonney stated that the unrestricted fund balance at the start of 2016 did not reflect what the unrestricted fund balance would be at the end of 2017. Chairman Maxwell stated that he had to use the most recent information available.

Dr. Dhruva stated that the unrestricted funds can only be spent on certain services.

Commissioner Brown stated that he hoped there would be a relationship with the hospital because the clinic was offsetting some of the expense to the hospital. Dr. Bonney stated that Fayette Care Clinic had a robust relationship with the hospital and that the hospital had given quite a bit in in-kind donations, which was not included because it was a wash. She stated that the current lease expires on October 31 and the threat was that the rent would be raised. She stated that a new lease had not been presented. She stated that the clinic was told last year that the rent would be increased. Commissioner Brown stated that the gap could widen and then the clinic would return to request more assistance.

Dr. Bonney stated that she wanted to reiterate that the present request was for one year, for one time. She stated that over the years the organization had gone to different wells. She stated that this was the well that was chosen because they had trust.

Commissioner Brown stated that citizens should ask where their donated dollars go and to be careful where they donate. He stated that the money should go to charities that do work within the community.

Vice Chairman Ognio stated that the actual for the occupancy expense was \$54,649, but the annualized for 2017 was \$66,654. He asked did the rent go up from last year to this year. Dr. Bonney stated that they budgeted for the increase. Mrs. Parrott stated that the \$33,000 in the actual had been paid out. She stated that it was doubled not knowing what changes would occur. Vice Chairman Ognio stated that the rent had not gone up at this point so why was it only \$54,000 last year if \$33,000 was already paid this year. Dr. Bonney stated that the occupancy expense line item was not only rent. She stated that the clinic pays \$2,500 monthly for rent at \$30,000 a year. She stated that the Clothes Less Traveled grant of \$30,000 would have covered the rent for the entire year, however they only received \$16,000 for Clothes Less Traveled causing the deficit of \$14,000 for the rent. Vice Chairman Ognio stated that there were also financial needs at the Health Department that should be considered and it was hard for him to support this without addressing the other needs.

Commissioner Rousseau stated that there was a non-profit entity that the County had already given \$20,000 to for past several years and this organization had a gap. He asked the Board to seriously consider this request. He stated that the organization receiving \$20,000 for the past ten years also needed to be reevaluated. He stated that he had worked in institutions where the organization chose the charitable places to donate. He stated that he wanted that to be part of the plan so employees could look at local organizations to donate. He stated that the precedent had already been established and he would like for the Board to take that into account.

Chairman Maxwell stated that it was hard for him to vote one way on the previous item and then vote another way on one that was so similar. He stated that there had never been a question on the validity of the service or the need for the service. He stated that he had to make decisions on where the money was spent. He stated that he would support this request. He assured Dr. Bonney that in response to a comment she made, the County Administrator would not write any policy to exclude the organization, but that they would write it to be fair. He stated that the other reason that he was voting for this item was because she stated that she would not be back next year.

Commissioner Brown stated that all the non-profits that the Board supports are state mandated except for one, and then there was FACTOR. He stated that Fayette Care Clinic was taking state program money and using state program money which means it was working through a state entity working in relationship with the County. He stated that was how he was drawing the line because he gave him the ability to turn down other non-profit organizations.

Commissioner Oddo stated that this request was for one year. He stated that he did not want to be put in this position again until the Board had a plan.

Mark Scovel stated that Fayette Care Clinic did receive grants from the state. Dr. Bonney stated that there was a grant that funneled through a non-profit called Georgia Charitable Care Network who received funding from state appropriations to the Georgia Charitable Care Network and the non-profit served as a mechanism to distribute the funds.

Commissioner Rousseau moved to approve the funding request from Fayette Care Clinic of \$14,000 to off-set annual rent due to decreased grant funding for one year, not-to-exceed, \$14,000 and to incorporate the non-profit into a comprehensive plan and that the funds come from the Fund Balance. Chairman Maxwell seconded. The motion failed 2-3. Vice Chairman Ognio, Commissioner Oddo and Commissioner Brown voted in opposition.

NEW BUSINESS:

9. Consideration of revisions to Policy 404.03 Equal Employment Opportunity.

County Attorney Dennis Davenport briefed the Board regarding this item. He stated that the County had a relationship with an employment firm that worked with the County on employment related issues. He stated that occasionally the County received updates on policies from the firm. He stated that the firm looked at this policy and the one mentioned in item #10 on this agenda and recommended that the policies be updated as presented.

Commissioner Brown moved to approve revisions to Policy 404.03 Equal Employment Opportunity. Vice Chairman Ognio seconded. Discussion followed.

Commissioner Rousseau stated that he did not just want to have the employees sign the policy, but that a training mechanism should be put in place. He stated that this was serious business.

Commissioner Brown moved to approve revisions to Policy 404.03 Equal Employment Opportunity. Vice Chairman Ognio seconded. The motion passed 5-0.

10. Consideration of revisions to Policy 440.03 Harassment.

Commissioner Brown moved to approve revisions to Policy 440.03 Harassment and for staff to receive training regarding the policy. Vice Chairman Ognio seconded. Discussion followed.

Vice Chairman Ognio stated that there was a typo on page two of the policy.

Commissioner Brown amended the motion to approve revisions to Policy 440.03 Harassment, for staff to receive training regarding the policy and to correct the typo "crteed" to "creed". Vice Chairman Ognio seconded. The motion passed 5-0.

The Board recessed at 8:25 p.m.

The Board reconvened at 8:37 p.m.

11. Staff update of the various concerns related to the Animal Shelter at the request of Chairman Eric Maxwell.

Commissioner Brown expressed concerns regarding agenda items being presented by him that have a watermark of his name added to the agenda request form. He asked the County Administrator not to add a watermark to his request. He stated that it seemed it only happened on items where someone disagreed with him. Discussion followed.

Chairman Maxwell asked if there was a reason that the watermark was added. Mr. Rapson stated that the only time an agenda item was watermarked, was when the agenda item had not been vetted by staff or written by staff. He stated that in the past, staff had been accused of hijacking an agenda item or doing something different. He stated that over the past year, when Commissioner Brown completed an agenda request form, because no one else on the Board did that, staff would add the watermark to show the distinction that it was completed by a Commissioner instead of a staff member.

Commissioner Brown stated that the hijacking came from staff adding information that he did not ask for. He stated that when the Chairman sent an email asking staff to review an item, it simply had his name in the appropriate place. He stated that he did the same thing and he got the watermarked name added. He stated that it tells the public that something was obviously wrong with it because it had the watermark stamp. He stated that he was just saying not to do it again.

Chairman Maxwell stated that he was not sure that he agreed because the watermarked showed whether staff had reviewed the item. He asked Commissioner Brown if he would rather have a sentence that the agenda item had not been reviewed by staff. Commissioner stated yes.

Commissioner Rousseau stated that he would rather have it so that it was consistent. Chairman Maxwell stated that it would have to be added to the agenda. Mr. Rapson stated that there are hard deadlines that staff and the Constitutional Officers, who place things on the agenda, follow. He stated that the Board of Commissioners are not held to that same standard so a lot of times there was not an opportunity to have staff vet an item. He stated that staff can put that in the staff comments.

Commissioner Rousseau expressed his concern that without a vote to change the policy, the Board just instructed the County Administrator to change how we traditionally operate. He stated that the Board needed to be careful.

There was no vote taken.

Chairman Maxwell stated that he asked Mr. Rapson to give a presentation regarding the animal shelter. Mr. Rapson gave a PowerPoint presentation regarding this item to include: animal adoptability, five-day impoundment period, twenty-five-day adoption period, humane and rescue agency notification period, evaluate shelter capacity (75% operational threshold), no kill shelter statistics (dogs and cats), staff's visit to the DeKalb Animal Shelter, posting of animals in a timely manner, implementation of a behavioral assessment process, County grant writer working with advocacy groups to pursue grant opportunities for spay/neuter solutions, staff evaluations-facility capacity, run size, number of runs, double stacking of existing kennels, expansion of the current facility, moving existing facility, building new facility, contracting with other counties, private vendors, non-profit groups to handle excess capacity, facility options-renovation/expansion (\$346,800), new addition (\$1,012,400), new facility (\$1,506,500). He stated that each of the facility options presented included \$120,000 for capital just to fix the sewer system. He stated that he would recommend moving from 75% to 95%, which was one of the concerns expressed.

Commissioner Brown asked why this information was not in the meeting package. Mr. Rapson stated that he did not get the information until the morning of the meeting. Commissioner Brown stated that the previous discussion was that there was not money to pay an attorney to help finish some ordinances. He stated that there were officials saying that there was not money to expand the shelter and now expansion was being discussed as part of the presentation. Mr. Rapson stated that the Chairman specifically asked him to address what the staff thought in regards to capacity issues. He stated that he was attempting to give the Board some viable options. Commissioner Brown stated that staff was negating the options he had been working on which was the revision of the ordinance, creating an advisory council and working on adoptions.

Chairman Maxwell asked the County Administrator to address other issues that he had.

Sewer hook-up: He asked the County Administrator to address the sewer hook-up. Mr. Rapson stated that there were two septic systems at the back of the building. He stated that part of the problem was the constant use of the lines in the septic system. He stated that moving to the sewer system was a must.

TNR: Mr. Rapson stated that TNR was the trap, neuter and release program primarily for community cats. He stated that in 2014 a test project was put in place. He stated that areas that were agreeable to the program was targeted. He stated that it was a successful program. The problem with the TNR was that by trapping the cat and then releasing the cat, it violated the "leash law" ordinance. He stated that after a meeting with the Solicitor it was decided that it was a good program. Animal Control Director Jerry Collins stated that he supported TNR. He stated that the problem was that when the cat was trapped and released into a neighborhood it created a burden on the rest of the neighborhood.

Advisory Board: Mr. Rapson stated that the County already functioned with groups advising staff. He stated that a lot of the things being put in place at the animal shelter came directly from the conversations with various groups. He stated that the problem in the ordinance was the perceived delegated authority that was shifting from the professional staff to the advisory board. He stated that staff had meet with the groups and will continue to meet with the different groups. He stated that the County could not be successful in managing animal control in the County without the different groups.

Double-decker kennels: Mr. Rapson stated that the problem with double-decker kennels was cleaning them. Mr. Collins stated that he visited the Coweta County animal shelter and could not get an answer to the question on how to clean the kennel without getting fluids on the animals below. He stated that with some of the chemicals used, an animal had to be outside the kennel for ten minutes while the chemicals were being used. Mr. Rapson stated that it was hard for him to

believe that there would not be a design that could handle the cleaning of a double-decker kennel. He stated that staff was not opposed to a double-decker kennel design that could be wired into the drainage system.

Relocating the shelter: Mr. Rapson stated that there are two sites in the City of Fayetteville that might be viable to relocate. He stated that if it was moved to the City of Fayetteville, the County would lose the central aspect of the shelter being in the county. He stated that he was not sure what the sewer or water connection would be and alone that could make it not feasible. He stated that was on the list to evaluate.

Intergovernmental Agreement (IGA) with other counties: Mr. Rapson stated that he reached out to all the neighboring counties and they were all at capacity. He stated that none of the shelters that he spoke with, DeKalb, Spalding, Coweta and Fulton, were interested in an IGA if the County shelter was over capacity. He continued that there are non-profit groups that take animals out of the shelter and the county could enter an IGA with the non-profit.

Definition of No kill: Mr. Rapson stated that when staff says "no kill", what that means was 90% of the animals that come to the shelter was divided by the animals that are euthanized. He stated that at a no kill shelter the only animals that are euthanized are animals that are ill or animals that are deemed to be aggressive and not adoptable. He stated that the behavioral assessment that staff was working on putting in place, would be another measure to use in determining aggressive and adoptable animals.

2016 vs 2017 statistics: Mr. Rapson stated that he did not bring that information. He stated that the numbers from a no kill perspective as defined, are similar for both years.

Pictures on various websites: Mr. Rapson stated that all pictures are to be posted on intake. He stated that he communicated with staff to ensure that the animals are being posted. He stated that there was a program being put in place that would capture the animal during intake to be posted.

Contacting organizations about various animals: Mr. Rapson stated that staff was contacting the organizations. He stated that most are checking intake. He stated that staff was providing multiple notifications to get the animals adopted.

Chairman Maxwell asked how an individual could get on the email thread. Mr. Collins stated that if anyone sends him an email then he adds them to the list.

Chairman Maxwell stated that at the previous meeting Commissioner Brown stated that he could support 85%, but not 75%. Mr. Rapson stated that the issue was the cages. He stated that he goes from four cages in the back to six cages. He stated that it was not necessarily the number of cages, but narrowing the number of cages available for capacity. Mr. Collins stated that 85% was doable. He stated that the thought process was that he wanted the ability to have kennels free so that the animal would not have to be placed in crates.

Chairman Maxwell asked how many runs should a county the size of Fayette County operate. Mr. Rapson stated that it was hard to get a baseline from his counterparts. He stated that the comparison was the intake versus the resources available to handle the intake.

Commissioner Brown stated that he was saying 85% thinking that the Board was going to move forward with the ordinance provisions. He stated that 85% was only a part of the bargain.

The following made public comments:

Mrs. Stewart Barnes, a resident of Fayette County: Mrs. Barnes spoke regarding the concern about people not taking their dogs after they move out of the apartments. She suggested that the apartment owners make donations for the pets that end up in the shelter. She also made comments regarding the TNR program, an advisory board, staff availability to answer the phones at all times, raises for the animal shelter employees, and that no animal should be killed.

Jennifer Alvarez, a resident of Peachtree City and a veterinarian by degree: Ms. Alvarez made comments regarding the county's euthanasia policy, the concern of the lack of discussion regarding sterilization of animals, the importance of sterilizing animals before leaving the shelter, the need for an advisory board and having a no kill shelter.

No name was given. The speaker asked how the presentation presented by the staff different from a Commissioner working on something and having staff review it. She stated that the 85% was better than 75%. She continued comments regarding spay/neuter assistance and paying adoption fees. She stated that the transfer numbers in the presentation were due in part to the community cat program and she would like that to be considered when looking at an ordinance. She stated that the TNR ordinance was ordered in 2014 and it did not happen. She gave information regarding the double-decker kennels and she urged the Board to consider the advisory board.

Laura Line, a Fayette County resident: Ms. Line thanked Chairman Maxwell for being proactive in providing the information in the presentation. She stated that the only piece missing was the citizen input. She stated that there are so many citizens willing to get on board and help. She shared that she spoke with the Animal Shelter Director in Carroll County and that she had grant information to share with the County Administrator.

Marsha Hendershot, a Peachtree City resident: Ms. Hendershot shared that her expectation was that the Board would vote to resume work on the animal control ordinance provisions to bring it back for discussion. She referenced an email that she sent to the Board and received no reply from the Board. She expressed that the euthanasia policy could be made better. She continued that she could not believe that the Board voted on something that was not on the agenda. She questioned if it was legal and if not, then it was unethical. She stated that she was a cat trapper and she provided information to the audience regarding the TNR process. She stated that not having the TNR ordinance in place was a good reason to revisit provisions to the ordinance. She stated that the trappers need to have legal backing to continue to work the TNR program.

Andrew Krause, a resident of Peachtree City: Mr. Krause stated that actions of the Board on July 13 were the grosses disregard for citizen engagement and it was unconscionable. He stated that the actions of the Board showed the need for a citizen's advisory council.

Evelyn McNeil, a resident of the City of Fayetteville: She stated that the county population had grown, but the shelter had not. She expressed her experience with the animal shelter.

Mable McCaster, a resident of the City of Fayetteville: She stated that she did not understand anybody who did not feel the love for animals because they saved her life.

Jennifer Kline, a business owner in the City of Fayetteville: She thanked Chairman Maxwell for having the update added to the agenda. She also thanked the Board for acknowledging the 85% capacity. She asked that cats be given the same data points as given to the dogs when information was being presented. She showed a picture showing the cat cages being used for storage instead of having cats in them.

Dunnchadn Struad, a resident of Peachtree City: Mr. Struad spoke regarding privatization of the animal shelter.

Cindy Lauer, a volunteer at the Humane Society: Ms. Lauer stated that she would like to encourage the formation of the citizen's animal shelter advisory board to be appointed by the Board. The Board would create the bylaws and the advisory board would be comprised of animal shelter staff, a public administrator and subject matter experts. She stated that the precedent had been set with other advisory boards in the county. She stated that the advisory board would not get into the day-to-day operations and would have no effect on the county budget. She suggested working on "return to owner" and the TNR to decrease intake.

Barbara Moyle, a resident of the City of Fayetteville: She stated that she was an advocate for PetFinder and Facebook. She stated that she would vote for an increase in taxes for a new shelter.

Ann Law, a resident of the City of Fayetteville: She stated that she was for the advisory board. She spoke regarding the TNR program.

Lynn Lasher, a resident of Peachtree City: She thanked Susan Griffith for paying for the expert attorney. She stated that the County Attorney was not the subject matter expert on animal ordinances. She stated that the advisory board would save the county money and would be available to advise as subject matter experts. She also thanked Commissioner Rousseau for stating that there should be a comprehensive revision.

Abriel Rose, a resident of Peachtree City: She stated that all the information was left out for the cats during the July 13 meeting. She stated that over 30% of the cats in 2016 at the shelter were euthanized. She stated that she could not imagine that all were ill or aggressive. She stated the advocacy groups deserved recognition for the numbers presented and that she supported the initiative to have an advisory board.

Gloria Wilkins, a resident of Tyrone: She stated that she hoped that we could make the shelter better and that the Board would allow the staff to finish the review of the animal ordinance.

Susan Griffith stated that TNR was not just trap, neuter and return, but also vaccinations.

Caroll King Ouzts stated that she was a cat trapper. She stated that TNR worked and she was in strong favor of an advisory board.

Leah Thomson, a representative of the No Kill Coalition. She stated that she was glad to see the Commissioners, staff and director touring the DeKalb facility. She shared the history on how the new animal shelter came about. She stated that the animals of DeKalb County had the support of the Commissioners and the county staff. She stated that Fayette animals needed the Board's support as well. She stated that the citizens were counting on the Board "to do the right thing", by implementing policies and ordinances that are forward thinking and in the best interest of the animals. She stated that the new euthanasia policy was not in the best interest of the animals and not an improvement. She offered reasons why it was not in the best interest of the animals.

Karen Scannell, a resident of the City of Fayetteville: She stated that the top box of the organizational chart for Fayette County says, "the citizens of Fayette County". She stated that the Board was here to serve the citizens of Fayette County and the citizens own the shelter. She stated that the citizens care. She stated that one of the goals listed was to "renovate the animal shelter to improve the appearance and create a welcoming effect to draw more adopters." She asked if the Board had heard of curb appeal. She spoke about the condition of the shelter and suggestions for beautifying the shelter. She asked the Board to establish a citizenry advisory board.

Ray Coley, a resident of Fayette County: She stated that the County needed sound policies about when to put animals down, a better adoption process, a sound behavioral assessment for the dogs and an advisory board.

Barbara Fries, a resident of Peachtree City: She stated that the citizens value their families, homes and pets. She asked that the Board set up an advisory board and listen to the experts.

Nancy Turk, a resident of the City of Fayetteville: She stated that the proposal to review the ordinance was at no expense to the county. She stated that the fees for the attorney to review the ordinance was already incorporated in the budget. She stated that it was a win-win situation. She urged the Board to reconsider reviewing the ordinance.

Sally Pritchett, a resident of the City of Fayetteville: She stated that Vice Chairman Ognio made reference that no ordinance had been proposed by the citizens to the Board and that all ordinances had been proposed by the Board. She asked if that meant the proposed ordinance from the Fayette Humane Society, animal advocacy groups and Commissioner Brown could not be considered a legally proposed ordinance. She stated that the groups worked with Commissioner Brown and that he kept the Board informed on every step so a commissioner did work on the proposed ordinance, and yet the Board will not even consider the proposed ordinance. She stated that the citizens of Fayette County ask that the Board reverse the vote to work on the proposed ordinance and that the Board would show compassion and care for the less fortunate dogs and cats in Fayette County in making the shelter a no kill shelter.

Sharon Waples, a resident of Peachtree City: She thanked Jerry Collins and Leah Thomson. She thanked the Board for giving the citizens a chance to speak and for raising the threshold to 85%. She stated that she was worried about the term aggressive versus a scared dog. She stated that staff said no adoptable animal had been euthanized, but that Casper was advertised as adoptable and he was euthanized. She stated that the County had to have a spay and neuter policy. She continued to address the conditions of the shelter and creating an adoption room for potential adopters to visit with the animals. She stated that the advisory board was paramount.

Victoria Hopkins: She provided dates of intake versus the date that the animal was posted on Facebook. She stated that if there was going to be a 30-day policy then the dogs needed to be marketed immediately upon intake.

Gerald Gillet, a resident of Peachtree City: He asked the Board to support a citizen advisory group and to support moving forward with the animal ordinance provisions.

Commissioner Brown stated that he was reading a book titled, "The Idea Book". He quoted the following: "A thing is not right because we do it. A method is not good because we use it. Equipment is not the best because we own it.", and "I can't understand why people are frightened of new idea. I'm frightened of the old ones." He stated that he heard Mr. Collins say he did not want the advisory telling him what to do. He stated that was not the way it would be. He stated that the advocacy groups were grounded in the subject matter and that they have attended conferences, read the books, they are hands on and they know this subject matter. He stated that they are better than the County, because they are better than what the County has; which is why they vaccinate more animals, which is why they adopt more animals and which is why they do everything better than the County. He stated that he went by the shelter prior to one of the meetings with the animal advocacy and the parking lot project that was done there months ago, looked like crap. He gave examples. He stated that the shelter reflected the citizens of Fayette County and that it looked ugly because that was what was being produced at the shelter. He stated that the citizens are the top block on the organization chart. He stated that he was smart enough to know and he was going to listen to people with good ideas and that know what they are talking about. He stated that the Water System had a committee with citizens on it and the library had a board. He stated that there needed to be a personality to work with the citizens. He stated that staff needed to think outside the box. He questioned why the animal shelter director was not doing the presentations. He stated that if the people in the

room never went back to the animal shelter after the meeting, the animal shelter would collapse. He stated that it was because of the people in the room that the animals are getting adopted. He stated that he was for the advisory board. He stated that the advocacy groups have done things on the up-and-up and do not have anything to show for it. He stated that he felt sorry for Susan because she paid for the attorney. He stated that they were smarter than anybody that the County had and that they understand what was going on.

Vice Chairman Ognio stated that he would like to address why this item did not get approval to be on the agenda and why the other one did. He stated that it was staff's job to evaluate things and that was what happened. He stated that the ordinance was created outside and required the attorney's review, which required an action of the Board and that did not happen. He stated that the Board was addressing the appearance of the shelter with the \$119,000 that was approved for the shelter. He stated that things are getting addressed. He stated that the shelter was expanded in 2001. He stated that a citizen sent him information about a humane that was privately owned and maybe the citizens would like to see a privately-owned shelter. He stated that a citizen sent him an email asking where were the meetings publicized allowing citizens the opportunity to attend and be involved in the process and where can someone obtain copies of the minutes of the meetings. He stated that he listened to all the citizens. He stated that a lot of the citizens that he talked to do not want their names out because they have seen the blogs and they do not want to be crucified. He stated that individual commissioners are afraid to speak out because they will get crucified in the media. He stated that the same email asked why an outside attorney would be selected to write an ordinance; a law for the county and only seek the county attorney after the proposed ordinance was written, after the fact and why would a commissioner allow it. He stated that there are other citizens with opinions and that the Board tried to take the opinions of all and come up with a logical solution. He stated to have a commissioner crucify him on social media after that commissioner said there are no budget concerns or expansion was not true and that was in the proposed ordinance. He stated that the person who wrote the email, went on to ask what was the policy regarding commissioners posting on social media regarding matters that only they would have knowledge of which takes personal opinions to knowledge base on a position and what was the policy on defamation of a colleague as it relates to Resolution 2017-01 posted in the commissioners' chambers. He stated that the Board signed a resolution that said they would not do that kind of thing, but one commissioner does not abide by what he signed. He stated that he thought the whole Board cared and he was here for all the citizens and not just the ones that showed up to the meetings.

Commissioner Oddo stated that there were good ideas presented and he had tried to convey that. He stated that he was not opposed to considering good ideas and he hoped that staff would take down the information and come back with some concrete proposals. He stated that he did not know if the building would need to be expanded. He stated that there were a lot of things to consider. He stated that the Board was trying hard. He stated that this process was started with the some of the Board member's knowledge, to best of his reckoning. He stated that no one wanted to hurt the animals. He stated that it may not get where everyone wanted it, but it was moving forward. He thanked everyone for being present and offering ideas.

Commissioner Brown stated that the Board received a copy of the draft ordinance in March 2017, so they did know about the ordinance. He stated that the open meetings law pertains to elected officials and there was one elected official at the meetings. He stated that it required a quorum of elected officials, so it was a moot point that was ludicrous and not part of the equation. He stated that he wrote the resolution in the back of the room. He stated that in twenty-years of elected service he had never been short-cut by someone he supported by adding an amendment to a motion that killed something that he had been working on for six months. He stated that he would never do that to a colleague. He stated that he had asked that someone show him where it said he had to do something by "Randy's rules". He said if he was wrong he would say he was wrong, but he had seen nothing so far. He stated that there was a budget line item for the attorney, Mr. Rapson and Mr. Collins. He stated that the Board knew there will be legal expenses and this was no

different. He stated that there was no difference in using the staff and the attorney because it was all budgeted. He thanked Chairman Maxwell for running a fair meeting and allowing everyone to speak.

Vice Chairman Ognio stated that Commissioner Brown said that he had not tried to stop anything that someone else had done, but he tried to stop an equestrian park that he had been working on for two years. He stated that to direct the attorney to look at something took an action of the Board and per Section 8, Article 2 of the Enabling Legislation and Section 2-51 of the Code of Ordinances, "no action can be taken by the Board of Commissioner without the consent of at least three commissioners." He stated that did not happen. He stated that the Board got the proposed ordinance from the County Administrator. He stated that the progression of the ordinance was stopped, but it was never properly started. He stated that for Commissioner Brown to say he did everything properly was not true.

Commissioner Brown stated that the line item for the horse park was \$25,000. He stated that it was a joke. He stated that he wanted to take the \$25,000 and buy a vessel for the rowing team at Lake McIntosh to finish that project that had already started and do the horse park later. It was not killing the horse park. He stated that the ordinance that Vice Chairman Ognio cited was the official ordinance for what constitutes a quorum at a meeting and that had no relevance to anything that was talked about.

Vice Chairman Ognio stated that it was not about a quorum, but about an action of the Board. He stated that the \$25,000 was just the initial amount to start the project and he did try to stop it.

There was no vote taken.

12. Reconsideration to allow county staff to continue review and provide feedback on the animal ordinances proposed by Commissioner Brown, Fayette Humane Society and other animal advocacy groups.

Commissioner Brown stated that the Board was at a stalemate with doing the ordinances. He stated that if the ordinance was brought forward in the state that it was in, the first question would be, did the county attorney vet the item and the answer would be no. He stated that he understood that people thought it was a waste of taxpayers' funds and some thought it had no chance of passing. He stated that he did not give up and he thought it was worth pursuing. He stated that the ordinance provisions deserve the same respect as the measures of the other commissioners provide. He quoted the following, "Leadership is measured by how you treat your weakest, in this case the cage, the ones that are waiting to die and how you treat those who show compassion to those who are begging for adoption or it might be under the current state where they will be put to death sometime soon." He stated that was how the Board was going to show its test of leadership. He stated that the animals in the shelter were probably the weakest beings in all of Fayette County and the decisions the Board made would prove the type of leaders they are.

The following made comments:

Marsha Hendershot, a resident of Peachtree City: She stated that she went out of order and her comments earlier were meant for item #12.

Cindy Lauer, a member of the Human Society: She stated that she supported that they continue to collaborate on the proposed ordinance revisions. She stated that they embarked on this endeavor to help the county strength and improve outdated (inaudible) ordinances. She stated that it was important for the Board to consider the ordinance and to allow the reconsideration of the ordinance to continue.

Dunnchadn Straud, a resident of Peachtree City: He stated that the old ideas frightened him. He stated that privatizing would be great for the animal shelter. He stated that he was encouraging the Board to reverse the previous vote to not allow county staff to work with the Humane Society on revising the county's animal ordinance because the ordinance was not on the agenda at the July 13 meeting. He stated that it was extremely important to establish a citizen animal advisory board and to allow more animal advocates to get involved and work to get more animals adopted and volunteers recruited. He referenced comments by Vice Chairman Ognio and stated that the ordinance had nothing to do with expansion as mentioned in Vice Chairman Ognio's comments. He continued comments regarding this item.

No name was given. The speaker thanked the Board for listening to the comments. She stated that she was asking the Board to reconsider the motion and let the staff continue to work on the ordinance. She stated that three of the current commissioners were part of the vote in 2014 that authorized the ordinances to be worked up for the TNR program. She stated that it had been said that it should not be piece milled and she agreed. She asked why had the vote changed from 2014. She stated she wanted to know how the Board could say that staff was not involved when two of the staff members were involved. She asked the Board to understand that it was not about an expansion or a budget item. She wanted to know what was the objection to the proposed ordinance. She stated that if the Board had objections to the ordinance they should hear it out and work on the them together. She asked the Board to approve the reconsideration of staff to work on the proposed ordinance.

Lori Shamus, a resident of the City of Fayetteville: She spoke on her experiences dealing with animals and the community. She stated that she would hope that the Board would reconsider the review of the proposed ordinance.

Laura Line, a resident of the City of Fayetteville: She stated that it saddened her that Mr. Collins did not want an advisory board and that he thought the advisory board would try to run the shelter. She stated that the Board had heard what the people wanted. She stated that she was passionate about moving on with the ordinance.

Abriel Rose, a resident of Peachtree City: She stated that no one cared about the progression, but that they do care about where they are now. She stated that the work had been done and it just needed the Board's consideration.

Susan Griffith, a resident of District 1: She read a section of Georgia state law. She continued by reading a letter from Claudine Wilkins to the Board.

Bobby Rost, a resident of Tyrone: He stated that he would ask the Board to try and clear away some of the baggage with the ordinance. He stated that things may not have been done correctly, but that he was asking for a vote so that it could be done correctly. He asked the Board to do what was best and to think about the community.

Robyn Dunn, a resident of the City of Fayetteville: She read portions of the Resolution 2017-01. She stated that there was talk about not wanting to set a dangerous precedent so she did not know how to reconcile that with voting on something that was not on the agenda and never came to public comments. She stated that on July 13 the citizens were told to bring suggestions and they have done that and where there was a will there was a way.

Commissioner Brown moved to reverse the previous vote made on July 13, 2017 that restricted access to the staff and County Attorney related to the animal ordinance revisions and to give the County Attorney the draft and that he would accept any recommendations and input the Board wish to provide. The motion failed for a lack of a second.

PUBLIC COMMENT: None.

ADMINISTRATOR'S REPORTS:

A. Contract #1340-S: Comcast Ethernet Service

Mr. Rapson stated that this contract was a \$62,000 for a 36- month period.

Lake Kedron and Lake Peachtree Spillway: He stated that Peachtree City was in the process of moving forward on the project. He stated that the joint press release would go out. He stated that Peachtree City was intending to give an award of the project on August 17 and on August 28 begin lowering Lake Peachtree by eight feet. He stated that Peachtree City estimated from August 8 to mid-October to construct the coffer dam and late October to lower Lake Kedron two feet and raise Lake Peachtree two feet until it was complete in June of 2018.

911 Generator: He thanked staff for getting the 911 generator back up and operational.

Antioch and Goza Road: He stated that staff was preparing a recommendation for Antioch and Goza Road for the August 24 meeting.

ATTORNEY'S REPORTS:

Notice of Executive Session: County Attorney Dennis Davenport stated that there were three items involving threatening litigation, two items involving pending litigation and the review of the Executive Session minutes for July 27, 2017.

COMMISSIONERS' REPORTS:

Commissioner Brown

Water Guardian: Commissioner Brown stated that the Water Guardians cleaned Lake Peachtree. He showed some of the photos from the event. He thanked them all for the help. He stated that the Water Guardians would clean Lake Horton in September.

Transportation Committee: He stated that he would like to have an agenda item at the next available meeting related to the Transportation Committee with a copy of the bylaws as the backup.

Mr. Rapson stated that the deadline for the agenda had passed and would Commissioner Brown like it for the August or September meeting. Commissioner Brown stated, whatever the next available meeting was.

Vice Chairman Ognio

Addressed public comment: Vice Chairman Ognio referred to the comment the young man made about the 2013 Moody situation that he and Commissioner Oddo worked on. He stated that the minutes reflect that they had to turn them down because an ordinance that had been created was going to destroy the zoning completely. He stated that the Board at the time made a commitment that it would do whatever it took to create an ordinance.

General comments: Commissioner Rousseau stated that the Board did a lot of harm during this meeting. He stated that he was referring to the watermark issue and staff indicating that they would change the format. He stated that the Board had debated over the past two years about "what the policy says" and when it was vague and nebulous, the Board put itself in the danger zone. He encouraged the Board to work harmoniously to have reasonable dialogue when there are issues and establish some

concrete policies. He stated that he would like the Board to be progressive in how to deliberate issues and deal with issues. He stated that for this issue the Board did not live up to the resolution that was brought up. He stated that the Board had been in Mr. Rapson's ear about how to operate with efficiency as a business unit. He stated that staff had done that, hence his comments at the last meeting; if the issue was reviewed piece milled, then the outcome would be what was produced at the meeting. He stated that the issue was not dead. He stated that he would admonish the Board and to do better in that regard. He concurred that giving people the opportunity to express themselves openly and fairly was a hallmark of this Board.

Art Committee to review proclamation: He stated that he would like the Board to consider a request to have the Public Art Committee to enhance the proclamations that are presented to citizens.

HOA Bootcamp: He stated that on September 23 he would host a HOA Bootcamp to bring homeowner associations together to help them stabilize bylaws, the transfer of documents and the legal implications associated with HOA's. He stated that infrastructure was more than the building and a lot of them did not understand. The bootcamp would be designed to help them understand.

Winnie Anderson: He wanted Ms. Anderson to know that the Board was in receipt of her letter and that he would like the Transportation Committee to look at the issue.

Chairman Maxwell

Mark Frady: Chairman Maxwell stated that he was with Mark Frady (the son of Herb Frady) before the meeting. He stated that Herb Frady was in intensive care and that he would be moved to a regular room. He asked everyone to keep them in their thoughts and prayers.

EXECUTIVE SESSION:

Three Items of Threatening Litigation, Two Items of Pending Litigation and Review of the July 27, 2017 Executive Session Minutes: Commissioner Brown moved to go into Executive Session. Vice Chairman Ognio seconded. The motion passed 5-0.

The Board recessed into Executive Session at 12:41 a.m. and returned to Official Session at 1:06 a.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 Oddo seconded the motion. The motion passed 5-0.

Approval of the July 13, 2017 Executive Session Minutes: Vice Chairman Ognio moved to approve the July 27, 2017 Executive Session Minutes. Commissioner Oddo seconded. The motion passed 5-0.

ADJOURNMENT:

Vice Chairman Ognio moved to adjourn the August 10, 2017 Board of Commissioners meeting. Commissioner Oddo seconded. The motion passed 5-0.

The August 10, 2017 Board of Commissioners meeting adjourned at 1:07 a.m.

Tameca P. White, County Clerk

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 24th day of August 2017. Referenced attachments are available upon request at the County Clerk's Office.

Tameca P. White, County Clerk

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Consideration of the July 13, 2017 Board of Commissioners Meeting Minutes. This item was tabled at the August 10, 2017 meeting.

Background/History/Details:

At the August 10, 2017 Board of Commissioners meeting, the Board approved a motion to table the July 13, 2017 minutes and in a separate vote approved to have a court reporter transcribe item #10 of these minutes.

The final production of the minutes is not available.

What action are you seeking from the Board of Commissioners?

Tabling of the July 13, 2017 Board of Commissioners Meeting Minutes to the September 14, 2017 meeting.

If this item requires funding, please describe:

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

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

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Consideration of the July 13, 2017 Board of Commissioners Meeting Minutes. This item was tabled at the July 27, 2017 meeting.

Background/History/Details:

At the July 27, 2017 Board of Commissioners meeting, the Board approved the motion from Commissioner Brown to table the July 13, 2017 minutes for review and edits. Commissioner Brown was out of the country and wanted to have the opportunity to make changes to the minutes.

What action are you seeking from the Board of Commissioners?

Approval of the July 13, 2017 Board of Commissioners Meeting Minutes. This item was tabled at the July 27, 2017 meeting.

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:

BOARD OF COUNTY COMMISSIONERS

Eric K. 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
Marlena Edwards, Deputy County Clerk



140 Stonewall Avenue West
Public Meeting Room
Fayetteville, GA 30214

MINUTES

July 13, 2017

6:30 p.m.

Welcome to the meeting of your Fayette County Board of Commissioners. Your participation in County government is appreciated. All regularly scheduled Board meetings are open to the public and are held on the 2nd and 4th Thursday of each month at 6:30 p.m.

Call to Order

Chairman Eric Maxwell called the July 13, 2017 Board of Commissioners meeting to order at 6:35 p.m. A quorum of the Board was present.

Invocation and Pledge of Allegiance by Commissioner Charles Oddo

Commissioner Charles Oddo offered the Invocation and led the audience in the Pledge of Allegiance.

Acceptance of Agenda

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

PROCLAMATION/RECOGNITION: None.

PUBLIC HEARING: None.

CONSENT AGENDA:

Vice Chairman Ognio moved to approve the Consent Agenda with the exception of Items # 2 and #7. Commissioner Steve Brown seconded. The motion passed 5-0.

1. **Approval of Resolution 2017-11 for implementation of Project FA-01 to the Atlanta Regional Commission documenting Fayette County's funding commitment for the 2017 Project Solicitation application for the alignment of State Route 279 and Corinth Road.** A copy of the request, identified as "Attachment 1", follows these minutes and is made an official part thereof.
2. **Approval of Resolution 2017-12 for implementation of Project FA-02 to the Atlanta Regional Commission documenting Fayette County's funding commitment for the 2017 Project Solicitation application for multiple resurfacing projects within Fayette County.**

Commissioner Rousseau stated that he wanted to raise a point of clarity for the residents. He stated that he wanted the County Administrator or staff to explain what that \$2.5 million of the \$9 million project entails because it looks like the majority of the fund was going to the city and not unincorporated Fayette County. He wanted the citizens to understand why.

Public Works Director Phil Mallon stated that the agenda item was for a Resolution in support of a resurfacing project for county and city roads. He stated that sometimes there was a better chance of receiving favorable consideration for the projects when it was a larger project application, so he reached out to the cities to see if they were interested. He stated that each road would be evaluated individually. He stated that some or all of the roads might get approved or none of the roads might be approved. He stated the same was true for the city.

Commissioner Brown moved to approve Resolution 2017-12 for implementation of Project FA-02 to the Atlanta Regional Commission documenting Fayette County's funding commitment for the 2017 Project Solicitation application for multiple resurfacing projects within Fayette County. Commissioner Rousseau seconded. The motion passed 5-0. A copy of the request, identified as "Attachment 2", follows these minutes and is made an official part thereof.

3. **Approval of Resolution 2017-13 for implementation of Project FA-03 to the Atlanta Regional Commission documenting Fayette County's funding commitment for the 2017 Project Solicitation application to fund detailed planning studies along Sandy Creek, Tyrone, Palmetto and Banks Road.** A copy of the request, identified as "Attachment 3", follows these minutes and is made an official part thereof.
4. **Approval of staff's recommendation to award annual bid #1314-A to Hanson Aggregates and Martin Marietta as primary vendors for gravel services for fiscal year 2018 with a not-to-exceed amount of \$51,262.50 and \$129,800 respectively, for a total not-to-exceed amount of \$181,062.50.** A copy of the request, identified as "Attachment 4", follows these minutes and is made an official part thereof.
5. **Approval of Water System's request to award Bid #1318-B Water Distribution Parts to five companies that were low bidders on items used for distribution and repair; Consolidated Pipe & Supply Co., Ferguson Enterprises, Fortiline Waterworks, Delta Municipal Supply and HD Supply Waterworks LTD, in an amount not-to-exceed \$216,568.27.** A copy of the request, identified as "Attachment 5", follows these minutes and is made an official part thereof.
6. **Approval of staff's recommendation to award Chemical Bid for twelve (12) months, to Brenntag Mid-South, Inc., American Development Corporation, Chemrite and Polydyne for chemicals used by the Fayette County Water System for water treatment, and authorization for the Chairman to sign any related documents.** A copy of the request, identified as "Attachment 6", follows these minutes and is made an official part thereof.
7. **Approval of staff's recommendation to contract with the Gordian Group (Centennial Contractors Enterprise, Inc.) to renovate the Animal Shelter building in the amount of \$119,598.67 per the approved CIP project #6565F.**

Commissioner Brown stated that he wanted staff to give an overview of this agenda item. He further explained that this agenda item was not an expansion, but an upgrade to the shelter.

Animal Shelter Director Jerry Collins briefed the Board that this project was started prior to him being hired at the shelter. He stated that some of the renovations included fixing rusted doors, installing new siding on the building and to add runs in the back for more air time to the animals.

Building and Grounds Director Carlos Christian stated that staff meet with Mr. Collins and determined what improvements needed to be made to bring the facility up-to-par. He stated that a contractor was brought in to determine what improvements were needed.

Commissioner Brown stated that he wanted everyone to know that it was not a shelter expansion. He continued that the Peachtree City sewer runs through the shelter. He stated that he would like to include having the Walgreens next door placed on sewer so that the County could have the drain fields and use the parcels. County Administrator Steve Rapson stated that Mr. Christian was evaluating that. He stated that this approval would be for the base contract and as a reminder, \$126,000 was funded last year and an additional \$50,000 was funded for this year to resolve some of the sewer related issues. He stated that this project was about a four month project.

Chairman Maxwell opened the floor for public comments.

Sharon Waples asked questions about repair to the current runs, the new runs and a smell that she noticed outside at the shelter. The questions were addressed by staff.

Julie Schwab asked questions about the County raising money for the Humane Society through a GoFundMe page. Chairman Maxwell explained that the Humane Society was not a function of the Board of Commissioners.

Samantha Beadle shared that there was a non-profit organization available for people to donate and to benefit the animal shelter.

Cynthia O'Connor requested the break down to refurbish the shelter. Mr. Christian provided a break down of the project.

Dana Lezaj asked the Board if they had ever received a request to expand the facility and what, besides the sewer issue, prevents an expansion. She also asked when the facility was built. There was not a consensus on the exact time it was built. She asked if an expansion could ever be consider as part of the Special Purpose Local Option Sales Tax (SPLOST). Chairman Maxwell explained how the Capital Improvement Program (CIP) worked. She asked what the public could do to formally request the Board to consider expansion. Chairman Maxwell stated that the Board received the emails and phone calls and that there was no other process required.

Vice Chairman Ognio stated that he would like to see the shelter improvements also include electronic displays and he hoped that the staff would consider that. He stated that he was concerned about the process used and that he would like to see more of these type projects bided out instead of using state contracts. Mr. Rapson stated that staff used Gordian Group to expedite the project as directed by the Board. He stated that staff could go through the procurement process instead of the state contract process, if that was the direction of the Board.

Commissioner Rousseau stated that he had the same concern prior to speaking to staff. He stated that he would like to see Purchasing educate potential vendors about the state contract process. Mr. Rapson stated that Gordian Group would be the project manager. He stated that they use the competitive process through the state and also through local vendors, which was the preference.

Commissioner Brown stated that going back to the second mayor of Peachtree City, the overriding problem in the city was stray dogs. He stated that the mayor then worked to get the animal shelter. He stated that he worked on the "bee ordinance", the "chicken ordinance" and "dog ordinance" and so he had worked around the gamut on all the animal issues. He encouraged all the different animal groups/advocates to work together to have a consolidated platform to bring to the Board. He stated that the old adage, "the squeaky wheel does get the grease" was true, especially in government and that needed to happen. He stressed that the citizens own the shelter and that their input was important.

He stated that the county was far from a no-kill shelter. He stated that the county had the human capital and intelligence in the community to make things happen, it just needed to be organized. He encouraged those in the audience to contact the Humane Society and become a part of the group that wanted to create positive change.

Commissioner Oddo moved to contract with the Gordian Group (Centennial Contractors Enterprise, Inc.) to renovate the Animal Shelter building in the amount of \$119,598.67 per the approved CIP project #6565F. Commissioner Brown seconded. The motion passed 5-0. A copy of the request, identified as "Attachment 7", follows these minutes and is made an official part thereof.

8. Approval of the June 22, 2017 Board of Commissioners Meeting Minutes.

OLD BUSINESS:

NEW BUSINESS:

9. Staff update on the proposed GDOT roundabout projects on SR 92 at Antioch Road and Seay Road (GDOT PI 009971 and 009972) and consideration of GDOT's request for Fayette County to enter into a Local Government Lighting Agreement and Landscaping Maintenance Agreement for the projects.

Staff requested to have this item tabled to continue working with Georgia Department of Transportation (GDOT) regarding this agreement.

Commissioner Brown moved to table the proposed GDOT roundabout projects on SR 92 at Antioch Road and Seay Road (GDOT PI 009971 and 009972) and consideration of GDOT's request for Fayette County to enter into a Local Government Lighting Agreement and Landscaping Maintenance Agreement for the projects to the July 27, 2017 Board of Commissioners meeting. Commissioner Oddo seconded. The motion passed 5-0. A copy of the request, identified as "Attachment 8", follows these minutes and is made a part thereof.

10. Consideration of staff's recommendation to adopt Fayette County Policy 280.01; Animal Shelter Management/Euthanasia.

Chairman Maxwell stated that the Board was present to listen to any comments regarding this item. He asked several questions of the audience to get some information.

- a. How many were present for item #10?
- b. Who in the room was against any euthanasia?
- c. Was anyone in favor of the current euthanasia policy that allows for euthanasia after seven (7) days?
- d. Was anyone against the 30-day policy?
- e. Did anyone disagree that euthanasia was an accepted practice when dealing animal control issues in various shelters?
- f. Who would support a complete 100% no-kill shelter?
- g. Who would support a 90% no-kill shelter?
- h. Was there anyone in the audience who was not a Fayette County resident?

Mr. Rapson presented a PowerPoint to the Board. He stated that the county operates animal control which means it controls the animal population as opposed to the Humane Society which had a different role. He stated that the shelter

was working to move closer to a no-kill role and in order to make that happen it would have to be based on the facility, staff and cage space. He stated that this policy was drafted with several animal advocates and he communicated that he understood that they may not agree with everything in the policy, but that some guidelines had to be put in place so that Mr. Collins could run the facility. He provided information and background on how this policy was drafted. He stated that the policy includes 25 days that an animal could be adopted which was changed from the six days that was originally in place. During the presentation Mr. Rapson stressed that the policy does not euthanize an animal on the 31st day unless there are more than 20 animals at the shelter. He stated that the policy would only go into effect if there are more than 20 animals in the shelter that have been there beyond 30 days. He continued that the shelter was currently nine dogs over capacity, seven of which are pit bull mixed. He stated that in 2016 the shelter was at 87% which was close to the 90% used to define a no-kill shelter. He explained that in 2017 the shelter was at 93%.

Mr. Collins stated that the shelter currently had 30 dogs and that some were being kept in cages and crates. He stated that he was asking for 75% in order to segregate the animals when needed.

The following spoke regarding this item:

Stephanie Cohan, Leah Thomson, Marcia Hendershot, Nancy Aikins, Jeanie Mahoney, Cindi O'Connor, Terry Martin, Kim Ward, Mary Beth Davis, Victoria O'Hearn, Chris Waples, Shannon O'Connor-Larson, Ann Wittenberg, Sandy Shubert, Sarah Bloomfield, Cathy Bonner, Julie Schwab, Joy Brim, Abriel Rose, Anastasia Derzhay, Philip Doolittle, Laura Line and Sharon Waples.

The Human Society provided a written statement to the Board. A copy of the request, identified as "Attachment 9", follows these minutes and is made a part thereof.

The comments and questions included: support for a no-kill shelter, the speaker's personal adopting experiences, the work of animal shelter volunteers, how animal advocacy organizations and groups can work together, the use of grants for spay and neutering of animals, the need for an advisory board, more resources to the animal shelter, request data for cats, emphasis that euthanasia was not an acceptable form of managing capacity, who makes the evaluations of dogs, questions about the euthanasia process used, extending the time of notification before euthanasia to ten days, training for staff, request to place a 90 day moratorium on euthanasia except for illness and dangerous and aggression animals, the purchase of crates for the shelter because of the expected increase during this time of year, advocacy committee with four members; Commissioner, shelter worker, volunteer and a member of the Humane Society, a strategic plan for the facility, a need of education of pet owners, a need for dog training programs, registering dogs for a business, encouragement of the reading to the dog program, if the County already has the discretion to keep dogs beyond the current six days, then why the need for a 30 day statutory limitation, suggestion to reach out to Carroll county to inquire about their resources, the use of inmates to walk dogs and play with the dogs, programs where inmates train service dogs that can be provided to veterans with PTSD and more rescue relief needed.

Chairman Maxwell asked Mr. Rapson and Mr. Collins to address the questions that were raised during public comments. Mr. Rapson shared that the new Adoption Coordinator at the animal shelter had been tasked with the fostering network initiative. He stated that staff had no problem notifying the various agencies to help with adoptions on day six when the animal was adoptable and then notifying them again ten days prior to the end of the thirty days. He stated that the advisory board was a Board decision. He stated that he would gather the cat data for those who requested it. He stated that a veterinarian does the medical evaluations on the animals and it was not done by staff and the euthanasia was done by two certified individuals who do that. He stated that a strategic plan for the facility would be a Board initiative. He stated that he could not stress pit bull education enough. He stated that animal control budget was 20% higher than past

years and there was not a lot of fluff in the budget. He stated that staff had been good about getting grants and donations and that he was open to any information available on grants. The dog training program was done through the Recreation department and when the instructors leave there becomes a need for trainers. He stated that he had not received the information regarding a spay and neuter program and he would be open to receiving information.

Commissioner Oddo asked the Board to change the notice from the five (5) day notice to a ten (10) day notice prior to the thirty day. At the request of Vice Chairman Ognio the words "whenever possible" of paragraph eight would also be removed.

Vice Chairman Ognio thanked all the volunteers and commended Mr. Collins for the job he does at the animal shelter. He stated that he had read the proposed ordinance that was in the works and that he was not in favor of moving forward with an ordinance and that the county should give the policy a chance to take effect.

Vice Chairman Ognio moved to adopt Fayette County Policy 280.01; Animal Shelter Management/Euthanasia with a modification to remove the words "whenever possible", to change the adoption notice to day six (6) and a ten (10) day notice prior to the end of the thirty day and to stop the progression of the ordinance. Commissioner Oddo seconded.

Commissioner Brown stated that he was working with someone regarding the inmate training of the dogs. He stated that he was looking for competent trainers to train the inmates. He stated that the budget reflects positive movement at the animal shelter. He continued that shelter expansion was important, but that it was just as important to ensure that the foundational documents, ordinance and/or policies, were in place. He stated that he was shocked at the vote to stop the ordinance changes because the Humane Society and the animal advocacy people agreed on 90% of the changes. The policy was a bandage and that the problem was not a complex problem. He stated that there needed to be an animal shelter advisory board. The only way to get the public buy-in was to get the public's input. He stated that the county does that with the Library Board, the recreation programs and the Board of Health. He stated that it made sense to bring the public in and allow them to be part of the process. He expressed that 75% was too low and he would not vote for that. He would support 85% and for staff to try to make it work. He stated that if this vote passed, then all the ordinance changes that he had worked with the groups on, would be trashed.

Commissioner Rousseau also thanked the volunteers. He stated that he would like for the Board to consider the following language: "The Fayette County Animal Shelter is committed to a well-managed facility that considers the preservation of life. ..." He addressed the audience stating that no one cared. He stated that it was important for the public to participate in the budget process. He stated that the opportunity was missed to advocate for dollars and resources for this cause. He stated that was an admonishment because the Board does everything in its power to educate the community and put out the notices. He stated that the Board had adopted the budget and could have used the input at that time. He stated that discussion regarding adopting an animal after 30, 90 or 180 days, means that the discretion of the staff works. He stated that they do not put every animal down. He stated that he was in support of the policy change and giving staff additional guidelines on how to operate.

Commissioner Brown stated that he took exception to Commissioner Rousseau's comments that "no one cared". He stated that he had been working with a group of leaders in the advocacy since late January. Commissioner Brown stated that a vote to stop the ordinance was going to kill those changes. He stated that the advisory board included in the proposed ordinance was free and it would do a lot of good, but the Board was going to negate it from being on an agenda. He stated that he believed in listening to constituents and the Board should vote the issue up or down in a public meeting. He stated that if staff had discretion then why implement a policy.

Commissioner Rousseau asked staff if there was a request made at any time for additional funds for the animal shelter. Mr. Rapson stated that there was an additional \$50,000 for the renovation. Commissioner Rousseau stated that was for regular CIP. He asked was there a request made to expand the facility. Mr. Rapson stated no. He stated that his comment regarding staff using discretion, was that when the shelter was not at capacity staff would use discretion to ensure that the well-being of the animal was being addressed. He continued that this was the danger of piecemealing and not looking at a matter in a comprehensive manner. He stated that if the Board and staff knows that something was lingering in the background, that in the future he would suggest that it would be put together as a package on one agenda so that the Board can review the issue in a comprehensive fashion.

Commissioner Brown stated that the proposed ordinance changes was a comprehensive review of the code of Fayette County. He continued that the only reason this item was on the agenda was because he complained that policy was being changed without coming before the Board. He stated that he would encourage the Board to speak with staff in regards to it not being a comprehensive review. Commissioner Rousseau stated that if it was comprehensive it would not be before the Board at this time.

Vice Chairman Ognio amended the motion to include language, "The Fayette County Animal Shelter is committed to a well-managed facility that considers the preservation of life..." Commissioner Oddo amended the second.

Chairman Maxwell stated that he viewed this as the beginning of the road and not the end of the road. He stated that he hoped that the agencies would get together with Mr. Collins and address this problem. He stated that using an inmate would require funds. He encouraged staff to continue to look at grants.

Commissioner Oddo stated that he did not deny that this was an extremely passionate topic. He stated that in his opinion this policy was better than the one in place. He stated that discretion was vital. He stated that the Board could not govern by the letter of the law which was proven daily. He stated that the county needed a good policy, a good law and people who knew how to manage it. He stated that he did not want anyone to think that the Board was being heartless. He stated that he noticed that some of the groups did not realize that the other groups existed and it would be good to have the groups get together and look at the situation and bring suggestions to the county.

Commissioner Brown stated that he was astounded at the comments made. That he had been working with all the groups since January.

Vice Chairman Ognio amended the motion to adopt Fayette County Policy 280.01; Animal Shelter Management/Euthanasia with a modification to remove the words "whenever possible", to change the adoption notice to day six (6) and a ten (10) day notice prior to the end of the thirty day, to stop the progression of the ordinance and to include language, "The Fayette County Animal Shelter is committed to a well-managed facility that considers the preservation of life...". Commissioner Oddo amended the second. The motion passed 4-1 with Commissioner Brown in opposition. A copy of the request, identified as "Attachment 10", follows these minutes and is made a part thereof.

The Board recessed at 10:16 p.m.

The Board returned at 10:29 p.m.

Commissioner Brown did not return to the meeting.

11. Consideration of County Attorney's recommendation to adopt Ordinance 2017-12 to amend Policy 100.19; Board Appointments.

Mr. Rapson briefed the Board regarding this item. He stated that the redline edits included the ninety days in advance for the advertising, the addition for the department head to be a part of the selection process, any vacancy or resignation that occur may be filled by the Selection Committee, the agenda item would include all the incumbents and relevant documents and appointing positions with less than half the term would remain. He stated that Commissioner Brown had shared with him that he would like to see that changed from half the term, to less than one year.

Commissioner Oddo moved to adopt Ordinance 2017-12 to amend Policy 100.19; Board Appointments with a change to include "less than one year". Commissioner Rousseau seconded.

Commissioner Rousseau stated that the policy says, "...the Selection Committee to receive the applications". He stated that should indicate that the Clerk receives the applications. He asked for an amendment to remove the words "to receive".

Commissioner Oddo amended the motion and Commissioner Rousseau amended the second.

Vice Chairman Ognio stated that it states that the "Commissioner shall have discretion to appoint head of said department as additional member of the Selection Committee". He stated that he would like for the policy to say, "...additional non-voting member" of the Selection Committee. Commissioner Rousseau recommended adding "his or her designee". The Board agreed. Mr. Davenport read the statement as amended: "The Board of Commissioners shall have the discretion to appoint the head of said department or his or her designee as an additional non-voting member of the Selection Committee."

Commissioner Oddo amended the motion to adopt Ordinance 2017-12 to amend Policy 100.19; Board Appointments with a change to include "less than one year", "the Clerk to receive the applications", "The Board of Commissioners shall have the discretion to appoint the head of said department or his or her designee as an additional non-voting member of the Selection Committee", Commissioner Rousseau amended the second. The motion passed 4-0-1. Commissioner Brown was absent. A copy of the request, identified as "Attachment 11", follows these minutes and is made a part thereof.

Commissioner Rousseau addressed issues regarding employees applying. The Board agreed that employees were not eligible to serve on the committees and employees who apply should be made aware at that time.

12. Consideration of a recommendation of the Selection Committee comprised of Chairman Eric Maxwell and Commissioner Charles Rousseau to appoint Walter Ponder to the Board of Assessors for an unexpired term beginning immediately and expiring December 31, 2017.

Commissioner Rousseau moved to approve to appoint Walter Ponder to the Board of Assessors for an unexpired term beginning immediately and expiring December 31, 2017. Chairman Maxwell seconded.

Due to the previous approved Policy 100.19;

Commissioner Rousseau amended the motion to appoint Walter Ponder to the Board of Assessors for an unexpired term beginning immediately and expiring December 31, 2023. Chairman Maxwell amended the second. The motion passed 4-

0-1. Commissioner Brown was absent. A copy of the request, identified as "Attachment 12", follows these minutes and is made a part thereof.

13. Consideration of a recommendation from the Selection Committee, comprised of Chairman Eric Maxwell and Commissioner Steve Brown, to re-appoint Martin Sas to the Fayette County Transportation Committee to serve a term beginning April 1, 2017 and expiring March 31, 2020.

Chairman Maxwell moved to re-appoint Martin Sas to the Fayette County Transportation Committee to serve a term beginning April 1, 2017 and expiring March 31, 2020. Vice Chairman Ognio seconded. The motion passed 4-0-1. Commissioner Brown was absent. A copy of the request, identified as "Attachment 13", follows these minutes and is made a part thereof.

14. Update regarding the procedural posture of the disabled veterans' homestead exemption under House Bill 196 as of July 1, 2017.

Mr. Davenport briefed the Board regarding this item. He stated that there were multiple times that the Board received a tax refund request from a disabled veteran, but the problem would be that the letter from the VA would have an effective date that was one, two or three years in the past. He stated that the problem was that exemptions are not retroactive unless the statute allows it and there was nothing in the state statute to allow the Board to approve a retroactive request so any request that the Board received that was retroactive was denied. He continued that as part of the legislative package, this Board had a component included to change the disabled veterans' homestead exemption. The General Assembly did make the change and the disabled veterans' homestead exemption will now be handled by a summary decision between the Tax Assessor and the Board and can now be applied retroactively.

Commissioner Oddo stated that Fayette County, the Board, and the County Attorney was responsible for changing this throughout the state.

15. Reconsideration of the approval of disposition of tax refunds for disabled veterans' Peter Davis, Jamie Kagels and Ora Williamson in the aggregated total of \$10,918.42 in respond to the recently adopted Disabled Veterans' Homestead Exemptions House Bill 196, initiated by the Board of Commissioners.

Mr. Davenport stated that based on the law as applied July 1 and the circumstances provided in the backup memo, he recommends that the Board approve the request totaling \$10,918.42.

Mrs. Ora Williamson was present.

Commissioner Oddo moved to approve the disposition of tax refunds for disabled veterans' Peter Davis, Jamie Kagels and Ora Williamson in the aggregated total of \$10,918.42 in respond to the recently adopted Disabled Veterans' Homestead Exemptions House Bill 196, initiated by the Board of Commissioners. Commissioner Rousseau seconded. The motion passed 4-0-1. Commissioner Brown was absent. A copy of the request, identified as "Attachment 14", follows these minutes and is made a part thereof.

16. Recommendation of the County Attorney to deny the disposition of tax refunds for disabled veterans, Ivonne Morrison and Ritesh Ghimire in respond to the recently adopted Disabled Veterans' Homestead Exemptions House Bill 196, initiated by the Board of Commissioners.

Mr. Davenport briefed the Board that in the backup memo there were two other individuals who applied for the disabled veterans' homestead exemption. He stated that the first three was a request to reverse the decision to apply the retroactive application of the law. He stated that the request from Ivonne Morrison and Ritesh Ghimire were brought to the Board so that no one would be overlooked. He stated that their request was for reasons other than retroactive application of the law. The circumstances of the original denials have not changed and he recommended denial of the requests.

Commissioner Oddo moved to deny the disposition of tax refunds for disabled veterans, Ivonne Morrison and Ritesh Ghimire in respond to the recently adopted Disabled Veterans' Homestead Exemptions House Bill 196, initiated by the Board of Commissioners. Vice Chairman Ognio seconded. The motion passed 4-0-1. Commissioner Brown was absent. A copy of the request, identified as "Attachment 15", follows these minutes and is made a part thereof.

17. Consideration of the County Attorney's recommendation to approve the disposition of tax refunds, as requested by Jamie and Lisa Inagawa for tax years 2015 and 2016 in the amount of \$167.40.

Commissioner Oddo moved to approve the disposition of tax refunds, as requested by Jamie and Lisa Inagawa for tax years 2015 and 2016 in the amount of \$167.40. Commissioner Rousseau seconded. The motion passed 4-0-1. Commissioner Brown was absent. A copy of the request, identified as "Attachment 16", follows these minutes and is made a part thereof.

18. Consideration of the County Attorney's recommendation to approve the disposition of tax refunds, as requested by Roger Casale for tax years 2015 and 2016 in the amount of \$1,699.44.

Vice Chairman Ognio moved to approve the disposition of tax refunds, as requested by Roger Casale for tax years 2015 and 2016 in the amount of \$1,699.44. Commissioner Rousseau seconded. The motion passed 4-0-1. Commissioner Brown was absent. A copy of the request, identified as "Attachment 17", follows these minutes and is made a part thereof.

19. Consideration of the County Attorney's recommendation to deny the disposition of tax refunds, as requested by Pauline Parker for tax years 2012, 2013, 2014, 2015 and 2016.

Commissioner Oddo moved to deny the disposition of tax refunds, as requested by Pauline Parker for tax years 2012, 2013, 2014, 2015 and 2016. Vice Chairman Ognio seconded. The motion passed 4-0-1. Commissioner Brown was absent. A copy of the request, identified as "Attachment 18", follows these minutes and is made a part thereof.

20. Consideration of a request to connect to the City of Fayetteville sewer system to serve a proposed residential subdivision located on SR 92 North in Land Lot 157 of the 5th District.

Mr. Davenport briefed the Board regarding this item. He stated that his firm had some connection to the owners of the property. In 2001 his firm handled the probate of the estate of Mr. Marvin Butler and in 2009 handled the probate of the estate for Pauline Butler. He stated that the firm no longer represents the Butler family for any other issues and they do have other counsel with respect to the potential sale of property. He stated that the basis of the request had to do with a

sewer easement that was entered back in 1987 between the City of Fayetteville and Marvin Butler. He stated that documents presented referenced an "Exhibit A" that should describe the property in question owned by Mr. Butler, but there was no "Exhibit A" attached to the two page easement. He continue to brief the Board. He stated that the land lot line splits the Butler property east of the land lot line and west of the land lot line. He stated that the sewer easement speaks of the legal description attached as "Exhibit A", but it also says, "...in land lot 156". In 1987, land lot 156 was Marvin Butler's property, but was not part of the subject property. He stated that land lot 157 was not covered by the sewer easement. He stated that it was his understanding that the City of Fayetteville was looking to provide sewer to the property to honor the easement which had been determined not part of the subject property. He stated that there was nothing when the project would occur, also there was no indication that the easement was ever accepted by the City of Fayetteville. He stated that the biggest concern was the lack of the legal description that leaves only the 156 land lot which was not part of the subject property.

Commissioner Oddo asked if this was contiguous to the city. Mr. Davenport stated no. Annexation was not a possibility.

Ms. Donna Black was the applicant and she stated that the request was to connect the property to sewer. She stated that this type request had been done before. She stated that they would like to produce a subdivision that was on sewer because that was what people prefer.

Chairman Maxwell asked if she could address the missing "Exhibit A". Ms. Black stated that she was not aware of it.

Vice Chairman Ognio stated that the Board should send a letter back to the City of Fayetteville saying that the information was inconsistent with the easement documentation and for that reason the Board could not vote for or against the request.

Vice Chairman Ognio moved to have the County Attorney and County Administrator to draft a letter to the City of Fayetteville stating that the information is inconsistent and that the Board needs more clarification. Commissioner Oddo seconded. The motion passed 4-0-1. Commissioner Brown was absent. A copy of the request, identified as "Attachment 19", follows these minutes and is made a part thereof.

PUBLIC COMMENT:

Contract Administrator Trina Barwicks spoke regarding concerns about the county's compensation study. She stated that she had not completed a survey for her position as referenced by the UGA representative. She was hired in 2005 and was present for the first compensation study in 2008. She continued that the duties in the job description from the 2008 study compared to the current job description duties had increased greatly. She shared that she spoke with Human Resource Director Lewis Patterson and Mr. Rapson in 2013 and in January 2016. Ms. Barwicks' grievance included concerns about a substantial change in her duties with no compensation in salary.

Commissioner Rousseau called a point of order. He stated that this was moving into a personnel issue. The Board agreed that staff should not have to come before the Board in this manner in order to address this type of concern.

Mr. Davenport stated that for personnel issue there was a process within the employee handbook to follow and this would most likely follow the grievance process.

Chairman Maxwell stated that he did not feel the Board should be making any official action at the time. He stated that Ms. Barwicks had the right to make a presentation. Ms. Barwicks stated that there was no recourse for employees when they do not agree.

Commissioner Rousseau stated that he was not trying to stop her ability to express her concern. He apologized that she had to come to the Board in this manner to address her concerns.

ADMINISTRATOR'S REPORTS:

Mr. Rapson briefed the Board on each items A-E. He informed the Board that McIntosh Band was holding an event on July 21 and Lake McIntosh will be closed at 6:00 p.m. He stated that Water System Director Lee Pope reviewed the proposed Peachtree City spillway design and he was ok with the design.

- A. Contract #P916: Auditing Personal Property Accounts for Compliance-Renewal #2
- B. Contract #940-P: Engineer of Record for Public Works: Task Order 21-Redwine Road (Starrs Mill Complex Multi-Use Trail and Tunnel Design- FY2017 SPLOST Project
- C. Contract #949-A: Dust Control Services- Renewal #2
- D. Contract #1307-A: Firefighters Uniform Annual Contract
- E. RFQ #1326-A: Patridge Point Culvert Replacement

ATTORNEY'S REPORTS:

Notice of Executive Session: County Attorney Dennis Davenport stated that there was one item of threatening litigation and the review of the Executive Session minutes for June 22, 2017.

COMMISSIONERS' REPORTS:

Commissioner Oddo:

Commissioner Oddo thanked everyone for attending. He stated that the Board was doing the best to make the wisest decisions.

Vice Chairman Ognio

Vice Chairman Ognio stated that he would like to thank Georgia Department of Transportation for addressing some concerns regarding intersections on Highway 85 at the south side of the city. He stated that they sent a letter stating that some improvements would be made in that area.

Commissioner Rousseau

Commissioner Rousseau stated that he noticed that the Fire department was not happy with a vendor and that the vendor evaluation form helps the County if anyone was to challenge the County's decision. He stated that it was documented evidence of why the County might not accept the lowest bid at times.

He continued that he stood by his comments that it was important for citizens to be engaged in the process. He stated that the Board views things differently based on the priorities and information before the Board. He stated that his comments earlier in the meeting were not designed to dismiss Commissioner Brown's efforts. He stated that staff will take the "blunt" of the decision of the Board, but he encouraged Mr. Rapson to continue to encourage staff.

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

Chairman Maxwell

Chairman Maxwell thanked Mr. Rapson and Mr. Collins for dealing with the issue and meeting with people. He stated that he did not take Commissioner Rousseau's comments the way that he think that Commissioner Brown did. He agreed that the Board had just gone through the budget process without a comment about the animal shelter and that the Board needed the citizens to bring forward issues. He stated that he appreciated Mr. Rapson responding to all the emails that were received.

EXECUTIVE SESSION:

One Item of Threatening Litigation and Review of the June 22, 2017 Executive Session Minutes: Commissioner Rousseau moved to go into Executive Session. Vice Chairman Ognio seconded. The motion passed 4-0-1. Commissioner Brown was absent.

The Board recessed into Executive Session at 11:47 p.m. and returned to Official Session at 12:04 a.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 Oddo seconded the motion. The motion passed 4-0-1. Commissioner Brown was absent. A copy of the request, identified as "Attachment 20", follows these minutes and is made a part thereof.

Approval of the June 22, 2017 Executive Session Minutes: Vice Chairman Ognio moved to approve the June 22, 2017 Executive Session Minutes. Commissioner Rousseau seconded. The motion passed 4-0-1. Commissioner Brown was absent.

ADJOURNMENT:

Vice Chairman Ognio moved to adjourn the July 13, 2017 Board of Commissioners meeting. Commissioner Rousseau seconded. The motion passed 4-0-1. Commissioner Brown was absent.

The July 13, 2017 Board of Commissioners meeting adjourned at 12:05 a.m.

Tameca P. White, County Clerk

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 13th day of July 2017. Referenced attachments are available upon request at the County Clerk's Office.

Tameca P. White, County Clerk

BOARD OF COUNTY COMMISSIONERS

Eric K. 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
Marlena Edwards, Deputy County Clerk



140 Stonewall Avenue West
Public Meeting Room
Fayetteville, GA 30214

MINUTES

July 13, 2017

6:30 p.m.

Welcome to the meeting of your Fayette County Board of Commissioners. Your participation in County government is appreciated. All regularly scheduled Board meetings are open to the public and are held on the 2nd and 4th Thursday of each month at 6:30 p.m.

Call to Order

Chairman Eric Maxwell called the July 13, 2017 Board of Commissioners meeting to order at 6:35 p.m. A quorum of the Board was present.

Invocation and Pledge of Allegiance by Commissioner Charles Oddo

Commissioner Charles Oddo offered the Invocation and led the audience in the Pledge of Allegiance.

Acceptance of Agenda

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

PROCLAMATION/RECOGNITION: None.

PUBLIC HEARING: None.

CONSENT AGENDA:

Vice Chairman Ognio moved to approve the Consent Agenda with the exception of Items # 2 and #7. Commissioner Steve Brown seconded. The motion passed 5-0.

1. **Approval of Resolution 2017-11 for implementation of Project FA-01 to the Atlanta Regional Commission documenting Fayette County's funding commitment for the 2017 Project Solicitation application for the alignment of State Route 279 and Corinth Road.** A copy of the request, identified as "Attachment 1", follows these minutes and is made an official part thereof.
2. **Approval of Resolution 2017-12 for implementation of Project FA-02 to the Atlanta Regional Commission documenting Fayette County's funding commitment for the 2017 Project Solicitation application for multiple resurfacing projects within Fayette County.**

Commissioner Rousseau stated that he wanted to raise a point of clarity for the residents. He stated that he wanted the County Administrator or staff to explain what that \$2.5 million of the \$9 million project entails because it looks like the majority of the fund was going to the city and not unincorporated Fayette County. He wanted the citizens to understand why.

Public Works Director Phil Mallon stated that the agenda item was for a Resolution in support of a resurfacing project for county and city roads. He stated that sometimes there was a better chance of receiving favorable consideration for the projects when it was a larger project application, so he reached out to the cities to see if they were interested. He stated that each road would be evaluated individually. He stated that some or all of the roads might get approved or none of the roads might be approved. He stated the same was true for the city.

Commissioner Brown moved to approve Resolution 2017-12 for implementation of Project FA-02 to the Atlanta Regional Commission documenting Fayette County's funding commitment for the 2017 Project Solicitation application for multiple resurfacing projects within Fayette County. Commissioner Rousseau seconded. The motion passed 5-0. A copy of the request, identified as "Attachment 2", follows these minutes and is made an official part thereof.

3. **Approval of Resolution 2017-13 for implementation of Project FA-03 to the Atlanta Regional Commission documenting Fayette County's funding commitment for the 2017 Project Solicitation application to fund detailed planning studies along Sandy Creek, Tyrone, Palmetto and Banks Road.** A copy of the request, identified as "Attachment 3", follows these minutes and is made an official part thereof.
4. **Approval of staff's recommendation to award annual bid #1314-A to Hanson Aggregates and Martin Marietta as primary vendors for gravel services for fiscal year 2018 with a not-to-exceed amount of \$51,262.50 and \$129,800 respectively, for a total not-to-exceed amount of \$181,062.50.** A copy of the request, identified as "Attachment 4", follows these minutes and is made an official part thereof.
5. **Approval of Water System's request to award Bid #1318-B Water Distribution Parts to five companies that were low bidders on items used for distribution and repair; Consolidated Pipe & Supply Co., Ferguson Enterprises, Fortiline Waterworks, Delta Municipal Supply and HD Supply Waterworks LTD, in an amount not-to-exceed \$216,568.27.** A copy of the request, identified as "Attachment 5", follows these minutes and is made an official part thereof.
6. **Approval of staff's recommendation to award Chemical Bid for twelve (12) months, to Brenntag Mid-South, Inc., American Development Corporation, Chemrite and Polydyne for chemicals used by the Fayette County Water System for water treatment, and authorization for the Chairman to sign any related documents.** A copy of the request, identified as "Attachment 6", follows these minutes and is made an official part thereof.
7. **Approval of staff's recommendation to contract with the Gordian Group (Centennial Contractors Enterprise, Inc.) to renovate the Animal Shelter building in the amount of \$119,598.67 per the approved CIP project #6565F.**

Commissioner Brown stated that he wanted staff to give an overview of this agenda item. He further explained that this agenda item was not an expansion, but an upgrade to the shelter.

Animal Shelter Director Jerry Collins briefed the Board that this project was started prior to him being hired at the shelter. He stated that some of the renovations included fixing rusted doors, installing new siding on the building and to add runs in the back for more air time to the animals.

Building and Grounds Director Carlos Christian stated that staff meet with Mr. Collins and determined what improvements needed to be made to bring the facility up-to-par. He stated that a contractor was brought in to determine what improvements were needed.

Commissioner Brown stated that he wanted everyone to know that it was not a shelter expansion. He continued that the Peachtree City sewer runs through the shelter property. He stated that he would like to include having the Walgreens Rite Aid next door placed on sewer so that the County could have the drain fields and use the parcels. County Administrator Steve Rapson stated that Mr. Christian was evaluating that. He stated that this approval would be for the base contract and as a reminder, \$126,000 was funded last year and an additional \$50,000 was funded for this year to resolve some of the sewer related issues. He stated that this project was about a four month project.

Chairman Maxwell opened the floor for public comments.

Sharon Waples asked questions about repair to the current runs, the new runs and a smell that she noticed outside at the shelter. The questions were addressed by staff.

Julie Schwab asked questions about the County raising money for the Humane Society through a GoFundMe page. Chairman Maxwell explained that the Humane Society was not a function of the Board of Commissioners.

Samantha Beadle shared that there was a non-profit organization available for people to donate and to benefit the animal shelter.

Cynthia O'Connor requested the break down to refurbish the shelter. Mr. Christian provided a breakdown of the project.

Dana Lezaj asked the Board if they had ever received a request to expand the facility and what, besides the sewer issue, prevents an expansion. She also asked when the facility was built. There was not a consensus on the exact time it was built. She asked if an expansion could ever be consider as part of the Special Purpose Local Option Sales Tax (SPLOST). Chairman Maxwell explained how the Capital Improvement Program (CIP) worked. She asked what the public could do to formally request the Board to consider expansion. Chairman Maxwell stated that the Board received the emails and phone calls and that there was no other process required.

Vice Chairman Ognio stated that he would like to see the shelter improvements also include electronic displays and he hoped that the staff would consider that. He stated that he was concerned about the process used and that he would like to see more of these type projects bided out instead of using state contracts. Mr. Rapson stated that staff used Gordian Group to expedite the project as directed by the Board. He stated that staff could go through the procurement process instead of the state contract process, if that was the direction of the Board.

Commissioner Rousseau stated that he had the same concern prior to speaking to staff. He stated that he would like to see Purchasing educate potential vendors about the state contract process. Mr. Rapson stated that Gordian Group would be the project manager. He stated that they use the competitive process through the state and also through local vendors, which was the preference.

Commissioner Brown stated that going back to the second mayor of Peachtree City, Ralph Jones, the overriding problem in the city was stray dogs. He stated that the mayor then worked to get the animal shelter. He stated that he worked on the "bee ordinance", the "chicken ordinance" and "dog ordinance" and so he had worked around the gamut on all the animal issues. He encouraged all the different animal groups/advocates to work together to have a consolidated platform to bring to the Board. He stated that the old adage, "the squeaky wheel does get the grease" was true, especially in government and that needed to happen. He stressed that the citizens own the shelter and that their input

was important. He stated that the county was far from a no-kill shelter. He stated that the county had the human capital and intelligence in the community to make things happen, it just needed to be organized. He encouraged those in the audience to contact the Humane Society and become a part of the group that wanted to create positive change.

Commissioner Oddo moved to contract with the Gordian Group (Centennial Contractors Enterprise, Inc.) to renovate the Animal Shelter building in the amount of \$119,598.67 per the approved CIP project #6565F. Commissioner Brown seconded. The motion passed 5-0. A copy of the request, identified as "Attachment 7", follows these minutes and is made an official part thereof.

8. Approval of the June 22, 2017 Board of Commissioners Meeting Minutes.

OLD BUSINESS:

NEW BUSINESS:

9. Staff update on the proposed GDOT roundabout projects on SR 92 at Antioch Road and Seay Road (GDOT PI 009971 and 009972) and consideration of GDOT's request for Fayette County to enter into a Local Government Lighting Agreement and Landscaping Maintenance Agreement for the projects.

Staff requested to have this item tabled to continue working with Georgia Department of Transportation (GDOT) regarding this agreement.

Commissioner Brown moved to table the proposed GDOT roundabout projects on SR 92 at Antioch Road and Seay Road (GDOT PI 009971 and 009972) and consideration of GDOT's request for Fayette County to enter into a Local Government Lighting Agreement and Landscaping Maintenance Agreement for the projects to the July 27, 2017 Board of Commissioners meeting. Commissioner Oddo seconded. The motion passed 5-0. A copy of the request, identified as "Attachment 8", follows these minutes and is made a part thereof.

10. Consideration of staff's recommendation to adopt Fayette County Policy 280.01; Animal Shelter Management/Euthanasia.

Chairman Maxwell stated that the Board was present to listen to any comments regarding this item. He asked several questions of the audience to get some information.

- a. How many were present for item #10?
- b. Who in the room was against any euthanasia?
- c. Was anyone in favor of the current euthanasia policy that allows for euthanasia after seven (7) days?
- d. Was anyone against the 30-day policy?
- e. Did anyone disagree that euthanasia was an accepted practice when dealing animal control issues in various shelters?
- f. Who would support a complete 100% no-kill shelter?
- g. Who would support a 90% no-kill shelter?
- h. Was there anyone in the audience who was not a Fayette County resident?

Mr. Rapson presented a PowerPoint to the Board. He stated that the county operates animal control which means it controls the animal population as opposed to the Humane Society which had a different role. He stated that the shelter

was working to move closer to a no-kill role and in order to make that happen it would have to be based on the facility, staff and cage space. He stated that this policy was drafted with several animal advocates and he communicated that he understood that they may not agree with everything in the policy, but that some guidelines had to be put in place so that Mr. Collins could run the facility. He provided information and background on how this policy was drafted. He stated that the policy includes 25 days that an animal could be adopted which was changed from the six days that was originally in place. During the presentation Mr. Rapson stressed that the policy does not euthanize an animal on the 31st day unless there are more than 20 animals at the shelter. He stated that the policy would only go into effect if there are more than 20 animals in the shelter that have been there beyond 30 days. He continued that the shelter was currently nine dogs over capacity, seven of which are pit bull mixed. He stated that in 2016 the shelter was at 87% which was close to the 90% used to define a no-kill shelter. He explained that in 2017 the shelter was at 93%.

Mr. Collins stated that the shelter currently had 30 dogs and that some were being kept in cages and crates. He stated that he was asking for 75% in order to segregate the animals when needed.

The following spoke regarding this item:

Stephanie Cohran, Leah Thomson, Marcia Hendershot, Nancy Aikins, Jeanie Mahoney, Cindi O'Connor, Terry Martin, Kim Ward, Mary Beth Davis, Victoria O'Hearn, Chris Waples, Shannon O'Connor-Larson, Ann Wittenberg, Sandy Shubert, Sarah Bloomfield, Cathy Bonner, Julie Schwab, Joy Brim, Abriel Rose, Anastasia Derzhay, Philip Doolittle, Laura Line and Sharon Waples.

The Humane Society provided a written statement to the Board. A copy of the request, identified as "Attachment 9", follows these minutes and is made a part thereof.

The comments and questions included: support for a no-kill shelter, the speaker's personal adopting experiences, the work of animal shelter volunteers, how animal advocacy organizations and groups can work together, the use of grants for spay and neutering of animals, the need for an advisory board, more resources to the animal shelter, request data for cats, emphasis that euthanasia was not an acceptable form of managing capacity, who makes the evaluations of dogs, questions about the euthanasia process used, extending the time of notification before euthanasia to ten days, training for staff, request to place a 90 day moratorium on euthanasia except for illness and dangerous and aggression animals, the purchase of crates for the shelter because of the expected increase during this time of year, advocacy committee with four members; Commissioner, shelter worker, volunteer and a member of the Humane Society, a strategic plan for the facility, a need of education of pet owners, a need for dog training programs, registering dogs for a business, encouragement of the reading to the dog program, if the County already has the discretion to keep dogs beyond the current six days, then why the need for a 30 day statutory limitation, suggestion to reach out to Carroll county to inquire about their resources, the use of inmates to walk dogs and play with the dogs, programs where inmates train service dogs that can be provided to veterans with PTSD and more rescue relief needed.

Chairman Maxwell asked Mr. Rapson and Mr. Collins to address the questions that were raised during public comments. Mr. Rapson shared that the new Adoption Coordinator at the animal shelter had been tasked with the fostering network initiative. He stated that staff had no problem notifying the various agencies to help with adoptions on day six when the animal was adoptable and then notifying them again ten days prior to the end of the thirty days. Mr. Rapson said, "That's two notifications that's setting it up in the email. That's one of the things I've tasked Jerry with doing is find a system that is not as archaic. Right now he is trying to keep up primarily with a lot of this on dry eraser board and those type of things." He stated that the advisory board was a Board decision. He stated that he would gather the cat data for those who requested it. He stated that a veterinarian does the medical evaluations on the animals and it was not done by staff

and the euthanasia was done by two certified individuals who do that. He stated that a strategic plan for the facility would be a Board initiative. He stated that he could not stress pit bull education enough. He stated that animal control budget was 20% higher than past years and there was not a lot of fluff in the budget. He stated that staff had been good about getting grants and donations and that he was open to any information available on grants. The dog training program was done through the Recreation department and when the instructors leave there becomes a need for trainers. Mr. Rapson said, "one of the initiatives that we've talked about is and we got to get the attorney involved doing some liability waivers so that our volunteers can take them home at night." He also stated that anyone who wants "to come and see a dog in our facility and we've got 29 animals we will give you access to see all 29 of those animals." In reply to a citizen statement, he said what the policy is trying to do is establish "a firm line in the sand," but the staff is also going to be "exercising some judgment." He stated that he had not received the information regarding a spay and neuter program and he would be open to receiving information. Mr. Rapson said, "pit bulls have this stigma, and I think education is critical to changing that because if we could change that stigma and the pit bulls would get adopted out of the facility we wouldn't be sitting here having this discussion about capacity or any other issue we would be way below the numbers we are talking about."

Shelter Director Jerry Collins said, " if you live in Fayette County and you adopt you have 30 days to have it spayed, get the annual rabies shot and if you don't you get a citation or if you live outside of Fayette county and you adopt an animal from our shelter it will not leave that shelter until it is spayed or neutered." He continued, "I wish it was something more than that but, when you come and see an animal that you want to adopt and your kids are there with the animal it's kind of tough to tell them they have to come back on Thursday, so I think one of the things that could resolve a lot of that is if they all were spayed and neutered under a program. So I'm perfectly fine with doing that, at that point it just becomes a funding issue whether that would be a grant or a donation from a vet any of those scenarios work for us."

Commissioner Oddo asked the Board to change the notice from the five (5) day notice to a ten (10) day notice prior to the thirty day. At the request of Vice Chairman Ognio the words "whenever possible" of paragraph eight would also be removed.

Vice Chairman Ognio thanked all the volunteers and commended Mr. Collins, saying "Jerry does an incredible job at the animal shelter I don't know why he thinks he can handle it at 75%, if it was me I'd shoot for 50%, so I'd have more flexibility but that's his choice." for the job he does at the animal shelter. He stated that he had read the proposed ordinance that was in the works and that he was not in favor of moving forward with an ordinance and that the county should give the policy a chance to take effect.

Vice Chairman Ognio moved to adopt Fayette County Policy 280.01; Animal Shelter Management/Euthanasia with a modification to remove the words "whenever possible", to change the adoption notice to day six (6) and a ten (10) day notice prior to the end of the thirty day and to stop the progression of the ordinance. Commissioner Oddo seconded.

Commissioner Brown stated that he was working with someone regarding the inmate training of the dogs. He stated that he was looking for competent trainers to train the inmates. He stated that the budget reflects positive movement at the animal shelter. He continued that shelter expansion was important, but that it was just as important to ensure that the foundational documents, ordinance and/or policies, were in place. He stated that he was shocked at the vote to stop the ordinance changes because the Humane Society and the animal advocacy people agreed on 90% of the changes. The policy was a bandage and that the problem was not a complex problem. He stated that there needed to be an animal shelter advisory board. The only way to get the public buy in was to get the public's input. He stated that the county does that with the Library Board, the recreation programs and the Board of Health. He said, "it's quite clear we need it and the

only way to get the public to buy in is when you include the public in the process and that is the best way. We do that with the library, with the library board, we do it with the recreation commission, with all of the recreation programs, we do that on a number of things. It would help everybody if we include citizens to gain an advisory capacity. It's not an evil thing, its worked great for us in the past and I think it's something we should do at this program especially, especially when you need to get good animals into the public. You need to get more public awareness."He stated that it made sense to bring the public in and allow them to be part of the process. He expressed that 75% was too low and he would not vote for that. He would support 85% and for staff to try to make it work. He stated that if this vote passed, then all the ordinance changes that he had worked with the groups on, would be trashed. He acknowledged that he is 100% behind the Human Society's position paper. He said the "ordinances were drafted by an attorney that was paid for in total by the animal advocacy groups. We did not pay for it. They got their own attorney so that we wouldn't have to spend our own money and they put all that together. We worked it and reworked it and its been through the county attorney on a couple of occasions and I am just really, really downhearted that it's going to be killed if this motion passes." Commissioner Brown concluded, "I can't take stuff like this anymore where you work on something and you work on it and you try to do it for all the right reasons and then they don't even let you get on an agenda. That just breaks my heart."

Commissioner Rousseau also thanked the volunteers. He stated that he would like for the Board to consider the following language: "The Fayette County Animal Shelter is committed to a well-managed facility that considers the preservation of life..." He addressed the audience stating that no one cared. He stated that it was important for the public to participate in the budget process. He stated that the opportunity was missed to advocate for dollars and resources for this cause. He stated that was an admonishment because the Board does everything in its power to educate the community and put out the notices. He stated that the Board had adopted the budget and could have used the input at that time. He stated that discussion regarding adopting an animal after 30, 90 or 180 days, means that the discretion of the staff works. He stated that they do not put every animal down. He stated that he was in support of the policy change and giving staff additional guidelines on how to operate.

Commissioner Brown stated that he took exception to Commissioner Rousseau's comments that "no one cared". He stated that he had been working with a group of leaders in the advocacy since late January. Commissioner Brown stated that a vote to stop the ordinance was going to kill those changes. He stated that the advisory board included in the proposed ordinance was free and it would do a lot of good, but the Board was going to negate it from being on an agenda. He stated that he believed in listening to constituents and the Board should vote the issue up or down in a public meeting. He stated that if staff had discretion then why implement a policy.

Commissioner Rousseau asked staff if there was a request made at any time for additional funds for the animal shelter. Mr. Rapson stated that there was an additional \$50,000 for the renovation. Commissioner Rousseau stated that was for regular CIP. He asked was there a request made to expand the facility. Mr. Rapson stated no. He stated that his comment regarding staff using discretion, was that when the shelter was not at capacity staff would use discretion to ensure that the well-being of the animal was being addressed. He continued that this was the danger of piecemealing and not looking at a matter in a comprehensive manner. He stated that if the Board and staff knows that something was lingering in the background, that in the future he would suggest that it would be put together as a package on one agenda so that the Board can review the issue in a comprehensive fashion.

Commissioner Brown stated that the proposed ordinance changes was a comprehensive review of the code of Fayette County. He continued that the only reason this item was on the agenda was because he complained that policy was being changed without coming before the Board. He stated that he would encourage the Board to speak with staff in regards to it not being a comprehensive review. Commissioner Rousseau stated that if it was comprehensive it would not be before the Board at this time.

Vice Chairman Ognio amended the motion to include language, "The Fayette County Animal Shelter is committed to a well-managed facility that considers the preservation of life..." Commissioner Oddo amended the second.

Chairman Maxwell stated that he viewed this as the beginning of the road and not the end of the road. He stated that he hoped that the agencies would get together with Mr. Collins and address this problem. He stated that using an inmate would require funds. He encouraged staff to continue to look at grants.

Commissioner Oddo stated that he did not deny that this was an extremely passionate topic. He stated that in his opinion this policy was better than the one in place. He stated that discretion was vital. He stated that the Board could not govern by the letter of the law which was proven daily. He stated that the county needed a good policy, a good law and people who knew how to manage it. He stated that he did not want anyone to think that the Board was being heartless. He stated that he noticed that some of the groups did not realize that the other groups existed and it would be good to have the groups get together and look at the situation and bring suggestions to the county.

Commissioner Brown stated that he was astounded at the comments made. That he had been working with all the groups since January.

Vice Chairman Ognio amended the motion to adopt Fayette County Policy 280.01; Animal Shelter Management/Euthanasia with a modification to remove the words "whenever possible", to change the adoption notice to day six (6) and a ten (10) day notice prior to the end of the thirty day, to stop the progression of the ordinance and to include language, "The Fayette County Animal Shelter is committed to a well-managed facility that considers the preservation of life...". Commissioner Oddo amended the second. The motion passed 4-1 with Commissioner Brown in opposition. A copy of the request, identified as "Attachment 10", follows these minutes and is made a part thereof.

The Board recessed at 10:16 p.m.

The Board returned at 10:29 p.m.

Commissioner Brown did not return to the meeting.

11. Consideration of County Attorney's recommendation to adopt Ordinance 2017-12 to amend Policy 100.19; Board Appointments.

Mr. Rapson briefed the Board regarding this item. He stated that the redline edits included the ninety days in advance for the advertising, the addition for the department head to be a part of the selection process, any vacancy or resignation that occur may be filled by the Selection Committee, the agenda item would include all the incumbents and relevant documents and appointing positions with less than half the term would remain. He stated that Commissioner Brown had shared with him that he would like to see that changed from half the term, to less than one year.

Commissioner Oddo moved to adopt Ordinance 2017-12 to amend Policy 100.19; Board Appointments with a change to include "less than one year". Commissioner Rousseau seconded.

Commissioner Rousseau stated that the policy says, "...the Selection Committee to receive the applications". He stated that should indicate that the Clerk receives the applications. He asked for an amendment to remove the words "to receive".

Commissioner Oddo amended the motion and Commissioner Rousseau amended the second.

Vice Chairman Ognio stated that it states that the "Commissioner shall have discretion to appoint head of said department as additional member of the Selection Committee". He stated that he would like for the policy to say, "...additional non-voting member" of the Selection Committee. Commissioner Rousseau recommended adding "his or her designee". The Board agreed. Mr. Davenport read the statement as amended: "The Board of Commissioners shall have the discretion to appoint the head of said department or his or her designee as an additional non-voting member of the Selection Committee."

Commissioner Oddo amended the motion to adopt Ordinance 2017-12 to amend Policy 100.19; Board Appointments with a change to include "less than one year", "the Clerk to receive the applications", "The Board of Commissioners shall have the discretion to appoint the head of said department or his or her designee as an additional non-voting member of the Selection Committee", Commissioner Rousseau amended the second. The motion passed 4-0-1. Commissioner Brown was absent. A copy of the request, identified as "Attachment 11", follows these minutes and is made a part thereof.

Commissioner Rousseau addressed issues regarding employees applying. The Board agreed that employees were not eligible to serve on the committees and employees who apply should be made aware at that time.

12. Consideration of a recommendation of the Selection Committee comprised of Chairman Eric Maxwell and Commissioner Charles Rousseau to appoint Walter Ponder to the Board of Assessors for an unexpired term beginning immediately and expiring December 31, 2017.

Commissioner Rousseau moved to approve to appoint Walter Ponder to the Board of Assessors for an unexpired term beginning immediately and expiring December 31, 2017. Chairman Maxwell seconded.

Due to the previous approved Policy 100.19;

Commissioner Rousseau amended the motion to appoint Walter Ponder to the Board of Assessors for an unexpired term beginning immediately and expiring December 31, 2023. Chairman Maxwell amended the second. The motion passed 4-0-1. Commissioner Brown was absent. A copy of the request, identified as "Attachment 12", follows these minutes and is made a part thereof.

13. Consideration of a recommendation from the Selection Committee, comprised of Chairman Eric Maxwell and Commissioner Steve Brown, to re-appoint Martin Sas to the Fayette County Transportation Committee to serve a term beginning April 1, 2017 and expiring March 31, 2020.

Chairman Maxwell moved to re-appoint Martin Sas to the Fayette County Transportation Committee to serve a term beginning April 1, 2017 and expiring March 31, 2020. Vice Chairman Ognio seconded. The motion passed 4-0-1. Commissioner Brown was absent. A copy of the request, identified as "Attachment 13", follows these minutes and is made a part thereof.

14. Update regarding the procedural posture of the disabled veterans' homestead exemption under House Bill 196 as of July 1, 2017.

Mr. Davenport briefed the Board regarding this item. He stated that there were multiple times that the Board received a tax refund request from a disabled veteran, but the problem would be that the letter from the VA would have an effective date that was one, two or three years in the past. He stated that the problem was that exemptions are not retroactive unless the statute allows it and there was nothing in the state statute to allow the Board to approve a retroactive request so any request that the Board received that was retroactive was denied. He continued that as part of the legislative package, this Board had a component included to change the disabled veterans' homestead exemption. The General Assembly did make the change and the disabled veterans' homestead exemption will now be handled by a summary decision between the Tax Assessor and the Board and can now be applied retroactively.

Commissioner Oddo stated that Fayette County, the Board, and the County Attorney was responsible for changing this throughout the state.

15. Reconsideration of the approval of disposition of tax refunds for disabled veterans' Peter Davis, Jamie Kagels and Ora Williamson in the aggregated total of \$10,918.42 in respond to the recently adopted Disabled Veterans' Homestead Exemptions House Bill 196, initiated by the Board of Commissioners.

Mr. Davenport stated that based on the law as applied July 1 and the circumstances provided in the backup memo, he recommends that the Board approve the request totaling \$10,918.42.

Mrs. Ora Williamson was present.

Commissioner Oddo moved to approve the disposition of tax refunds for disabled veterans' Peter Davis, Jamie Kagels and Ora Williamson in the aggregated total of \$10,918.42 in respond to the recently adopted Disabled Veterans' Homestead Exemptions House Bill 196, initiated by the Board of Commissioners. Commissioner Rousseau seconded. The motion passed 4-0-1. Commissioner Brown was absent. A copy of the request, identified as "Attachment 14", follows these minutes and is made a part thereof.

16. Recommendation of the County Attorney to deny the disposition of tax refunds for disabled veterans, Ivonne Morrison and Ritesh Ghimire in respond to the recently adopted Disabled Veterans' Homestead Exemptions House Bill 196, initiated by the Board of Commissioners.

Mr. Davenport briefed the Board that in the backup memo there were two other individuals who applied for the disabled veterans' homestead exemption. He stated that the first three was a request to reverse the decision to apply the retroactive application of the law. He stated that the request from Ivonne Morrison and Ritesh Ghimire were brought to the Board so that no one would be overlooked. He stated that their request was for reasons other than retroactive application of the law. The circumstances of the original denials have not changed and he recommended denial of the requests.

Commissioner Oddo moved to deny the disposition of tax refunds for disabled veterans, Ivonne Morrison and Ritesh Ghimire in respond to the recently adopted Disabled Veterans' Homestead Exemptions House Bill 196, initiated by the Board of Commissioners. Vice Chairman Ognio seconded. The motion passed 4-0-1. Commissioner Brown was absent. A copy of the request, identified as "Attachment 15", follows these minutes and is made a part thereof.

17. Consideration of the County Attorney's recommendation to approve the disposition of tax refunds, as requested by Jamie and Lisa Inagawa for tax years 2015 and 2016 in the amount of \$167.40.

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

Commissioner Oddo moved to approve the disposition of tax refunds, as requested by Jamie and Lisa Inagawa for tax years 2015 and 2016 in the amount of \$167.40. Commissioner Rousseau seconded. The motion passed 4-0-1. Commissioner Brown was absent. A copy of the request, identified as "Attachment 16", follows these minutes and is made a part thereof.

18. Consideration of the County Attorney's recommendation to approve the disposition of tax refunds, as requested by Roger Casale for tax years 2015 and 2016 in the amount of \$1,699.44.

Vice Chairman Ognio moved to approve the disposition of tax refunds, as requested by Roger Casale for tax years 2015 and 2016 in the amount of \$1,699.44. Commissioner Rousseau seconded. The motion passed 4-0-1. Commissioner Brown was absent. A copy of the request, identified as "Attachment 17", follows these minutes and is made a part thereof.

19. Consideration of the County Attorney's recommendation to deny the disposition of tax refunds, as requested by Pauline Parker for tax years 2012, 2013, 2014, 2015 and 2016.

Commissioner Oddo moved to deny the disposition of tax refunds, as requested by Pauline Parker for tax years 2012, 2013, 2014, 2015 and 2016. Vice Chairman Ognio seconded. The motion passed 4-0-1. Commissioner Brown was absent. A copy of the request, identified as "Attachment 18", follows these minutes and is made a part thereof.

20. Consideration of a request to connect to the City of Fayetteville sewer system to serve a proposed residential subdivision located on SR 92 North in Land Lot 157 of the 5th District.

Mr. Davenport briefed the Board regarding this item. He stated that his firm had some connection to the owners of the property. In 2001 his firm handled the probate of the estate of Mr. Marvin Butler and in 2009 handled the probate of the estate for Pauline Butler. He stated that the firm no longer represents the Butler family for any other issues and they do have other counsel with respect to the potential sale of property. He stated that the basis of the request had to do with a sewer easement that was entered back in 1987 between the City of Fayetteville and Marvin Butler. He stated that documents presented referenced an "Exhibit A" that should describe the property in question owned by Mr. Butler, but there was no "Exhibit A" attached to the two page easement. He continue to brief the Board. He stated that the land lot line splits the Butler property east of the land lot line and west of the land lot line. He stated that the sewer easement speaks of the legal description attached as "Exhibit A", but it also says, "...in land lot 156". In 1987, land lot 156 was Marvin Butler's property, but was not part of the subject property. He stated that land lot 157 was not covered by the sewer easement. He stated that it was his understanding that the City of Fayetteville was looking to provide sewer to the property to honor the easement which had been determined not part of the subject property. He stated that there was nothing when the project would occur, also there was no indication that the easement was ever accepted by the City of Fayetteville. He stated that the biggest concern was the lack of the legal description that leaves only the 156 land lot which was not part of the subject property.

Commissioner Oddo asked if this was contiguous to the city. Mr. Davenport stated no. Annexation was not a possibility.

Ms. Donna Black was the applicant and she stated that the request was to connect the property to sewer. She stated that this type request had been done before. She stated that they would like to produce a subdivision that was on sewer because that was what people prefer.

Chairman Maxwell asked if she could address the missing "Exhibit A". Ms. Black stated that she was not aware of it.

Vice Chairman Ognio stated that the Board should send a letter back to the City of Fayetteville saying that the information was inconsistent with the easement documentation and for that reason the Board could not vote for or against the request.

Vice Chairman Ognio moved to have the County Attorney and County Administrator to draft a letter to the City of Fayetteville stating that the information is inconsistent and that the Board needs more clarification. Commissioner Oddo seconded. The motion passed 4-0-1. Commissioner Brown was absent. A copy of the request, identified as "Attachment 19", follows these minutes and is made a part thereof.

PUBLIC COMMENT:

Contract Administrator Trina Barwicks spoke regarding concerns about the county's compensation study. She stated that she had not completed a survey for her position as referenced by the UGA representative. She was hired in 2005 and was present for the first compensation study in 2008. She continued that the duties in the job description from the 2008 study compared to the current job description duties had increased greatly. She shared that she spoke with Human Resource Director Lewis Patterson and Mr. Rapson in 2013 and in January 2016. Ms. Barwicks' grievance included concerns about a substantial change in her duties with no compensation in salary.

Commissioner Rousseau called a point of order. He stated that this was moving into a personnel issue. The Board agreed that staff should not have to come before the Board in this manner in order to address this type of concern.

Mr. Davenport stated that for personnel issue there was a process within the employee handbook to follow and this would most likely follow the grievance process.

Chairman Maxwell stated that he did not feel the Board should be making any official action at the time. He stated that Ms. Barwicks had the right to make a presentation. Ms. Barwicks stated that there was no recourse for employees when they do not agree.

Commissioner Rousseau stated that he was not trying to stop her ability to express her concern. He apologized that she had to come to the Board in this manner to address her concerns.

ADMINISTRATOR'S REPORTS:

Mr. Rapson briefed the Board on each items A-E. He informed the Board that McIntosh Band was holding an event on July 21 and Lake McIntosh will be closed at 6:00 p.m. He stated that Water System Director Lee Pope reviewed the proposed Peachtree City spillway design and he was ok with the design.

- A. Contract #P916: Auditing Personal Property Accounts for Compliance-Renewal #2
- B. Contract #940-P: Engineer of Record for Public Works: Task Order 21-Redwine Road (Starrs Mill Complex Multi-Use Trail and Tunnel Design- FY2017 SPLOST Project
- C. Contract #949-A: Dust Control Services- Renewal #2
- D. Contract #1307-A: Firefighters Uniform Annual Contract
- E. RFQ #1326-A: Patridge Point Culvert Replacement

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ATTORNEY'S REPORTS:

Notice of Executive Session: County Attorney Dennis Davenport stated that there was one item of threatening litigation and the review of the Executive Session minutes for June 22, 2017.

COMMISSIONERS' REPORTS:

Commissioner Oddo:

Commissioner Oddo thanked everyone for attending. He stated that the Board was doing the best to make the wisest decisions.

Vice Chairman Ognio

Vice Chairman Ognio stated that he would like to thank Georgia Department of Transportation for addressing some concerns regarding intersections on Highway 85 at the south side of the city. He stated that they sent a letter stating that some improvements would be made in that area.

Commissioner Rousseau

Commissioner Rousseau stated that he noticed that the Fire department was not happy with a vendor and that the vendor evaluation form helps the County if anyone was to challenge the County's decision. He stated that it was documented evidence of why the County might not accept the lowest bid at times.

He continued that he stood by his comments that it was important for citizens to be engaged in the process. He stated that the Board views things differently based on the priorities and information before the Board. He stated that his comments earlier in the meeting were not designed to dismiss Commissioner Brown's efforts. He stated that staff will take the "blunt" of the decision of the Board, but he encouraged Mr. Rapson to continue to encourage staff.

Chairman Maxwell

Chairman Maxwell thanked Mr. Rapson and Mr. Collins for dealing with the issue and meeting with people. He stated that he did not take Commissioner Rousseau's comments the way that he think that Commissioner Brown did. He agreed that the Board had just gone through the budget process without a comment about the animal shelter and that the Board needed the citizens to bring forward issues. He stated that he appreciated Mr. Rapson responding to all the emails that were received.

EXECUTIVE SESSION:

One Item of Threatening Litigation and Review of the June 22, 2017 Executive Session Minutes: Commissioner Rousseau moved to go into Executive Session. Vice Chairman Ognio seconded. The motion passed 4-0-1. Commissioner Brown was absent.

The Board recessed into Executive Session at 11:47 p.m. and returned to Official Session at 12:04 a.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 Oddo seconded the motion. The motion passed 4-0-1. Commissioner Brown was absent. A copy of the request, identified as "Attachment 20", follows these minutes and is made a part thereof.

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

Approval of the June 22, 2017 Executive Session Minutes: Vice Chairman Ognio moved to approve the June 22, 2017 Executive Session Minutes. Commissioner Rousseau seconded. The motion passed 4-0-1. Commissioner Brown was absent.

ADJOURNMENT:

Vice Chairman Ognio moved to adjourn the July 13, 2017 Board of Commissioners meeting. Commissioner Rousseau seconded. The motion passed 4-0-1. Commissioner Brown was absent.

The July 13, 2017 Board of Commissioners meeting adjourned at 12:05 a.m.

Tameca P. White, County Clerk

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 13th day of July 2017. Referenced attachments are available upon request at the County Clerk's Office.

Tameca P. White, County Clerk

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Consideration of staff's recommendation to amend the 2017-SPLOST fund (32240320) reallocating \$67,000 from Old Senoia Rd (6509H) to Rising Star Rd (6509C) and approval of staff's recommendation to award Bid #1207-B: Rising Star Culvert Replacement SPLOST Cat I, for FY18 to the low bidder, Piedmont Paving, Incorporated in the amount of \$384,805.

Background/History/Details:

On March 21, 2017, the citizens of Fayette County voted to enact a Special Purpose Local Option Sales Tax (SPLOST) to replace failing infrastructure throughout the unincorporated area of Fayette County. Rising Star Culvert Replacement is listed as a SPLOST Category I project.

This project replaces two failing 72" corrugated metal pipe culverts under Rising Star Road with 58 linear feet of double 9'x7' box culverts including relocating 8" PVC water main and 20" ductile iron pipe raw water line .

Reallocation of additional funding is needed for project management and geotechnical services (SOW #18 - \$48,460), right-of-way and easement procurement (\$3,800), and additional funds for bid award (\$14,740) for a total of \$67,000.

Staff is also recommending to award Bid #1207-B: Rising Star Culvert Replacement SPLOST Category I, for Fiscal Year 2018 to the low bidder, Piedmont Paving, Inc.

The estimated construction cost from the SPLOST project sheet is within 2 percent of the low bidder, Piedmont Paving, Inc.

What action are you seeking from the Board of Commissioners?

Consideration of staff's recommendation to amend the 2017-SPLOST fund (32240320) reallocating \$67,000 from Old Senoia Rd (6509H) to Rising Star Rd (6509C) and approval of staff's recommendation to award Bid #1207-B: Rising Star Culvert Replacement SPLOST Cat I, for FY18 to the low bidder, Piedmont Paving, Incorporated in the amount of \$384,805.

If this item requires funding, please describe:

Bid award \$384,805, ROW \$3,800, Task Order, \$48,460 - total \$437,065. Available funding in 2017 SPLOST project 6509C/Rising Star - \$370,075. Additional funding of \$67,000 would be transferred from 2017 SPLOST project 6509H/Old Senoia.

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: August 24, 2017

Subject: Invitation to Bid #1207-B: Rising Star Road Culvert Replacement

The 2017 Special Purpose Local Option Sales Tax (SPLOST) list of Category I (Flooding & Safety) projects includes a culvert replacement at 121 Rising Star Road.

Tetra Tech, Inc., Public Works' Engineer of Record, prepared technical specifications for an Invitation to Bid (ITB) for the construction work. Subsequently, the Purchasing Department issued ITB #1207-B for this purpose.

Emails were sent to 18 contractors who are registered on the county's bidders' list. Another 373 were contacted through the web-based Georgia Procurement Registry. With potential funding assistance through the Federal Emergency Management Agency, we complied with their requirement by contacting 69 companies on the Small Business Administration's registry for small, minority-owned, or women-owned businesses. Notification was provided via the Fayette News, the county website, Georgia Local Government Access Marketplace (www.glga.org), and Channel 23.

Ten companies submitted bids (Attachment 1). Environmental Management recommends award to the low bidder, Piedmont Paving, Inc., in the amount of \$384,805.00. Piedmont Paving had done work for the county before. Attachment 2 is the Contractor Performance Evaluation.

This project began with a budget of \$447,270.00. Environmental Management calculates that with actual expenditures to date, plus upcoming expenditures for project management, right-of-way procurement, and bid award, show that an additional \$67,000.00 will be needed. They request that this amount be transferred from Project #6509H, Old Senoia Road culvert replacement.

Specifics of the proposed contract are as follows:

Contract Name	1207-B: Rising Star Culvert Replacement	
Contractor	Piedmont Paving, Inc.	
Lump Sum Amount	\$384,805.00.	
Budget:		
Organization Code	32240320	Stormwater Projects
Object Code	541210	Other Improvements
Project Code	6509C	Rising Star Road
Available Budget	\$384,805.00	Upon \$67,000.00 transfer from 6509H

Attachment 1

Invitation to Bid #1207-B
Rising Star Culvert Replacement

COMPANY	TOTAL LUMP SUM BASE BID
Piedmont Paving, Inc.	\$384,805.00
Georgia Development Partners	\$389,999.17
Crawford Grading & Pipeline, Inc.	\$420,195.87
North Georgia Concrete, Inc.	\$426,250.00
RDJE, Inc.	\$436,000.00
Georgia Bridge & Concrete LLC	\$443,000.00
McLeroy, Inc.	\$470,903.00
Site Engineering, Inc.	\$524,000.00
McCoy Grading, Inc.	\$559,334.62
Southeastern Site Development, Inc.	\$574,354.00

FAYETTE COUNTY, GEORGIA CONTRACTOR PERFORMANCE EVALUATION

1. Use this form to record contractor performance for any contract of \$50,000 or above.
2. The person who serves as project manager or account manager is the designated party to complete the evaluation.
3. This form is to be completed and forwarded to the Purchasing Department not later than 30 days after completion or expiration of a contract. Past performance is considered on future contracts.

VENDOR INFORMATION	COMPLETE ALL APPLICABLE INFORMATION
Company Name: <i>Piedmont Paving Inc.</i>	Contract Number: <i>SPL0ST I-13</i>
Mailing Address: <i>1226 Highway 16 East</i>	Contract Description or Title: <i>Antioch & Goza Intersection</i>
City, St, Zip Code: <i>Newnan, GA 30263</i>	Contract Term (Dates) From: <i>3/18/2010</i> To:
Phone Number: <i>678-423-0586</i> <i>Harry Cassarino 770-652-4933</i>	Task Order Number: <i>NA</i>
Cell Number: <i>770-652-4933</i>	Other Reference: <i>Project Bid + Let through Mallett Consulting</i>
E-Mail Address: <i>NOT AVAILABLE</i>	<i>Preconstruction Mtg 3/18/2010</i>

DEFINITIONS

- OUTSTANDING** – Vendor considerably exceeded minimum contractual requirements or performance expectations of the products/services; The vendor demonstrated the highest level of quality workmanship/professionalism in execution of contract.
- EXCELLENT (Exc)** - Vendor exceeded minimum contractual requirements or performance expectations of the products/services.
- SATISFACTORY (Sat)** - Vendor met minimum contractual requirements or performance expectations of the products/services.
- UNSATISFACTORY (UnSat)** - Vendor did not meet the minimum contractual requirements or performance expectations of the products and/or services; Performed below minimum requirements

EVALUATIONS (Place "X" in appropriate box for each criterion.)

Criteria (includes change orders / amendments)	Out-standing	Exc	Sat	Un-Sat	Not Apply
1. Work or other deliverables performed on schedule			X		
2. Condition of delivered products					X
3. Quality of work			X		
4. Adherence to specifications or scope of work		X			
5. Timely, appropriate, & satisfactory problem or complaint resolution		X			
6. Timeliness and accuracy of invoicing		X			
7. Working relationship / interfacing with county staff and citizens		X			
8. Service Call (On-Call) response time					X
9. Adherence to contract budget and schedule			X		
10. Other (specify):					X
11. Overall evaluation of contractor performance			X		

EVALUATED BY

Signature: <i>P. Mallon</i>	Date of Evaluation: <i>8/15/13</i>
Print Name: <i>Phil Mallon</i>	Department/Division: <i>Engineering</i>
Title: <i>Public Works Director</i>	Telephone No: <i>770-320-6009</i>

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Consideration of Resolution 2017-14 adopting the 2017 Property Tax Millage Rates.

Background/History/Details:

Each year, the Board of Commissioners sets millage rates for the purpose of levying property taxes. Staff is requesting the Board to adopt Resolution 2017-14 to establish the 2017 property tax millage rates.

The proposed 2017 millage rates are as follows:
General Fund's Maintenance and Operations - 4.509 mills, down from 4.917 mills or 8.3%
Fire Services - 3.070 mills, no change
EMS Services - 0.456 mills, no change
E-911 Services - 0.210 mills, no change

What action are you seeking from the Board of Commissioners?

Adoption of Resolution 2017-14 adopting the 2017 Property Tax Millage Rates.

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:

State of Georgia;
County of Fayette

**RESOLUTION No. 2017-14
LEVYING COUNTY TAX FOR YEAR 2017**

Upon motion duly made and unanimously passed, it is hereby ordered by the Board of Commissioners of Fayette County, Georgia, duly convened this 24th day of August, 2017, that upon \$2,110,578,929 the value of all property taxable for County purposes in Fayette County, Georgia, as appears upon the digest thereof, and upon all other taxable property in unincorporated Fayette County, Georgia, there be levied and collected for County general maintenance and operations purposes as set forth in the Official Code of Georgia Annotated, Section 48-5-220, and as hereinafter amended and as otherwise authorized by law, a tax, ad valorem, for the year 2017, for all such purposes of \$4.509 per \$1,000.00 of assessed valuation, constituting a tax levy for County general maintenance and operations purposes of 4.509 mills.

Upon motion duly made and unanimously passed, it is hereby ordered by the Board of Commissioners of Fayette County, Georgia, duly convened this 24th day of August, 2017, that upon \$3,580,689,398 the value of all property taxable for County purposes in Fayette County, Georgia, as appears upon the digest thereof, and upon all other taxable property in incorporated Fayette County, Georgia, there be levied and collected for County general maintenance and operation purposes, as set forth in the Official Code of Georgia Annotated, Section 48-5-220, as hereinafter amended and as otherwise authorized by law, ad valorem, for the year 2017, at the aggregated rate for all such purposes to be levied as follows:

1. All property located within the City of Fayetteville will be assessed at \$4.509 per \$1000.00 of assessed valuation, constituting an ad valorem tax levy for County general maintenance and operations purposes in Fayetteville of 4.509 mills;
2. All property located within the City of Peachtree City will be assessed at \$4.509 per \$1000.00 of assessed valuation, constituting an ad valorem tax levy for County general maintenance and operations purposes in Peachtree City of 4.509 mills;
3. All property located within the Town of Tyrone will be assessed at \$4.509 per \$1000.00 of assessed valuation, constituting an ad valorem tax levy for County general maintenance and operations purposes in Tyrone of 4.509 mills;
4. All property located within the Town of Brooks will be assessed at \$4.509 per \$1000.00 of assessed valuation, constituting an ad valorem tax levy for County general maintenance and operations purposes in Brooks of 4.509 mills;

5. All property located within the Town of Woolsey will be assessed at \$4.509 per \$1000.00 of assessed valuation, constituting an ad valorem tax levy for County general maintenance and operations purposes in Woolsey of 4.509 mills.

In accordance with provisions within the Constitution of the State of Georgia and the Official Code of Georgia, Fayette County has created a special tax district for the purpose of providing Fire Protection Services to its citizens, said special tax district encompassing all of Fayette County with the exception of that portion of Fayette County which constitutes the City of Peachtree City and the City of Fayetteville. Upon \$2,533,252,879 the value of all property taxable within the Special Fire District, as appears on the digest thereof, there shall be levied and collected a tax of \$3.070 per \$1,000.00 of assessed valuation, constituting a total tax levy for the Special Fire Tax District of 3.070 mills.

In accordance with provisions within Constitution of the State of Georgia and the Official Code of Georgia, Fayette County has created a special tax district for the purpose of providing Emergency Medical Services to its citizens, said special tax district encompassing all of Fayette County with exception of that portion of Fayette County which constitutes the City of Peachtree City. Upon \$3,434,747,063 the value of all property taxable within the Special EMS Tax District, as appears upon the digest thereof, there shall be levied and collected a tax of \$0.456 per \$1,000.00 of assessed valuation, constituting a total tax levy for the Special EMS Tax District of 0.456 mills.

In accordance with provisions within the Constitution of the State of Georgia and the Official Code of Georgia, Fayette County has created a special tax district for the purpose of providing 911 Communication Services to its citizens, said tax district encompassing all of Fayette County. Upon \$5,621,113,327 the value of all property within the Special 911 Tax District, as appears upon the digest thereof, there shall be levied and collected a tax of \$0.210 per \$1,000.00 of assessed valuation, constituting a total tax levy of the Special 911 Tax District of 0.210 mills.

Upon recommendation of the Fayette County Board of Education, it is ordered that upon \$4,878,712,470 the value of all property taxable for educational purposes in Fayette County as appears upon the digest thereof, and upon all other property in Fayette County, both real and personal, there be levied a tax, ad valorem, for the year 2017, for educational purposes in the amount of \$19.50 per \$1,000.00 of the assessed valuation on the digest as aforesaid, constituting a total tax levy for educational purposes of 19.50 mills.

It is further ordered that upon \$4,914,952,470 the value of all taxable property in said County as appears upon the digest thereof, computed by deducting only the special homestead exemption for certain persons 65 years of age and over, and upon all other taxable property in said County, both real and personal, there be levied and collected a tax, ad valorem, for the year 2017, for the purpose of

providing a sinking fund for retiring bonded indebtedness and discharging interest thereof, of the Fayette County School District, in the amount of \$1.35 per \$1,000.00 of assessed valuation, constituting a total tax levy of 1.35 mills.

It is hereby ordered by the Board of Commissioners of Fayette County, Georgia, this 24th day of August, 2017, that all taxes, as described and as levied by the adoption of this Resolution, shall be due and collected by the Tax Commissioner of Fayette County, by the close of the business day on November 15, 2017.

So resolved this, the 24th day of August, 2017, by the

BOARD OF COMMISSIONERS
FAYETTE COUNTY, GEORGIA

Eric K. Maxwell, Chairman

Attest:

Clerk/Deputy Clerk

NOTICE OF HEARING TO SET 2017 MILLAGE RATES

The Fayette County Board of Commissioners does hereby announce that the 2017 millage rate will be set at a meeting to be held in the Public Meeting Room at the Fayette County Administrative Complex at 140 West Stonewall Avenue in Fayetteville on August 24th, 2017 at 6:30 p.m. and pursuant to the requirements of O.C.G.A. Section 48-5-32 does hereby publish the following presentation of the current year's digest and levy, along with the history of the tax digest and levy for the past five years.

FAYETTE COUNTY 2017 TAX DIGEST AND 5 YEAR HISTORY OF LEVY

County Wide General Fund						
Maintenance & Operations	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>
REAL & PERSONAL	4,258,983,930	4,281,092,255	4,382,266,003	4,832,951,760	5,158,116,129	5,785,493,247
MOTOR VEHICLES	333,991,810	354,670,520	296,889,880	218,903,020	166,110,620	122,973,460
MOBILE HOMES	3,466,485	3,254,369	3,254,369	3,120,118	3,090,548	3,227,386
TIMBER - 100%	8,166	140,069	45,168	71,608	63,020	71,971
HEAVY DUTY EQUIPMENT	134,192	112,140	669,001	275,496	541,202	466,237
GROSS DIGEST	4,596,584,583	4,639,269,353	4,683,124,421	5,055,322,002	5,327,921,519	5,912,232,301
LESS: M&O EXEMPTIONS	295,313,167	317,358,867	286,482,142	295,147,803	294,421,943	291,119,154
NET M&O DIGEST	4,301,271,416	4,321,910,486	4,396,642,279	4,760,174,199	5,033,499,576	5,621,113,147
GROSS M&O MILLAGE	7.920	8.033	7.882	7.315	7.020	6.488
LESS: ROLLBACKS	2.275	2.319	2.280	2.144	2.103	1.979
NET M&O MILLAGE	5.645	5.714	5.602	5.171	4.917	4.509
NET TAXES LEVIED	24,280,677.14	24,695,396.52	24,629,990.05	24,614,860.78	24,749,717.42	25,345,599.18
NET TAX \$ INCREASE	-2,756,404.41	414,719.38	-65,406.47	-15,129.27	134,856.64	595,881.76
NET TAX % INCREASE	-10.19%	1.71%	-0.26%	-0.06%	0.55%	2.41%

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Consideration of the Public Arts Committee's request for Concept Approval for the Five Senses PopUp Event and authorization to have the County Attorney review related documents; and consideration of the revisions to the Concept Approval to develop and host PopUp events.

Background/History/Details:

The Arts Committee received a Concept Approval for PopUps on December 8, 2016. The initial idea for PopUps requires no budget, but would allow the Committee to partner with other community events/activities as they arise with an art exhibit and/or performance. However, in discussions an idea surfaced for a unique PopUp featuring the Five Senses - taste, sight, touch, smell and hearing. The Five Senses PopUp would create a series of five events held over a period of time, across the County, with each event featuring one of the five senses. Each event will host one to four artists. The artists for the Five Senses PopUps would be paid a small honorarium. There would be a public call to artists that would provide the Committee a resource to access for these events without having to do individual calls. This call to artists could be used to source artists for the original PopUp concept as well as build the Resource List Database. The PopUp Events will provide the community exposure to various forms of visual and performing art while building a stronger presence for the arts in Fayette. There are also a social, economic and cultural benefits with public art. Public art in the community will inspire creativity in others. The Committee also has documents prepared that will require legal review.

The revision to this Concept includes review of artist application/agreement. The original Concept was presented and approved (4-0, one absent) on December 8, 2016. It did not include any application or liability waiver.

What action are you seeking from the Board of Commissioners?

Approval of the Public Arts Committee's request for Concept Approval for the Five Senses PopUp Event and authorization to have the County Attorney review related documents; and approval of the revisions to the Concept Approval to develop and host PopUp events.

If this item requires funding, please describe:

Funding is \$3,690 as detailed in attachment 1. Estimated budget allows for up to four artists for each of the five events, however, some events may have less than four.

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 received a Concept Approval for PopUps on December 8, 2016. The initial idea for PopUps requires no budget, but would allow the Committee to partner with other community events/activities as they arise with an art exhibit and/or performance. However, in discussions an idea surfaced for a unique PopUp featuring the Five Senses - taste, sight, touch, smell and hearing.

The Five Senses PopUp would create a series of five events held over a period of time, across the County, with each event featuring one of the five senses. Each event will host one to four artists. For example, the sense of taste could be a cooking event with chefs or bakers; sight could be visual art or dance; touch could be a potter throwing clay; smell could be a floral artist featuring fragrant blooms; and hearing could be a musical performance. The artists for the Five Senses PopUps would be paid a small honorarium.

There would be a public call to artists that would provide the Committee a resource to access for these events without having to do individual calls. This call to artists could also be used to source artists for the original PopUp concept. This call to artists will also help build the Resource List Database we are initiating.

The Committee does have documents prepared that will require legal review.

There are numerous benefits to the community with access and exposure to public art and art events.

Department:

Department Contact(s):

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

Additional comments:

Budget listed below for "artist" allows up to 4 artist slots at each event.
 4 artists x \$150 = \$600 x 5 events = \$3,0000

Anticipated Costs - Direct & Indirect

Materials	\$ Amount
Artist - \$150 per artist for up to 4 per event for 5 events	\$3,000
Signage - reusable	400
Advertising / printing	150
Contingency	100
Tarps	40
Total project cost	\$3,690

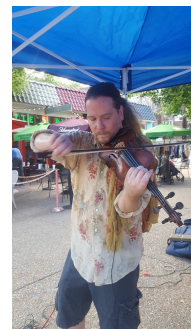
Expenses	
Labor	Hours
Total Labor Hours	0.0

Equipment	Hours
Total Equipment Hours	0.0

Fayette County PopUp Art Events

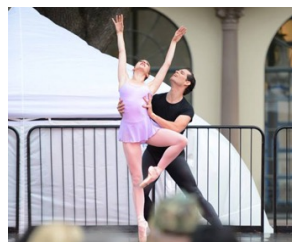
PopUp Shows are an easy, low-cost way to bring art to the community in unique, high-traffic areas for an afternoon or weekend. These shows are a temporary feature for citizens and visitors to enjoy. They can consist of any type of visual or performing arts. PopUp Shows allow visual artists to submit examples of their art for consideration in the show while performing artists can submit a video of their performance for consideration. These shows also allow artist groups as well as students to display their work or perform. Our goal is to highlight local artisans and art based organizations, food, musicians and fine arts performers. Through our efforts, we seek to champion creativity. Each event can include live demonstrations, such as pottery, painting, visual arts, vocal performances, dance groups, story tellers, musicians, and more. We want to create a way for a variety of artists and mediums to be featured in Fayette County.

We propose 5 initial PopUp art events. Each event will be coordinated with a theme of one of the five senses: taste, sight, touch, smell, and hearing.



How it Works

Initial proposal for 5 PopUp events that will be marketed individually and as a group to promote attendance through social media, flyers and signs at the locations. Each event will showcase one of the five senses. Each PopUp event will include between one and four performers. Each event will set dates, times and spaces appropriate to the artist being showcased. All spaces will have power and a restroom available. Spaces will be determined based on PopUp schedule and requirements. Spaces will be researched and scheduled at least 6 weeks before the scheduled PopUp event.



Selection Process:

We will put out a public call to artists. All applications will be considered equally. All interested artists must first submit a complete application and a video audition or photos of their work. Links to previous works, websites and/or online portfolios are welcome. The Fayette County Public Arts Committee will review these proposals. If selected, artists are then matched with a theme and performance date and time. Each date and time will showcase between 1 and 4 different artists. Each artist will receive a contract with the Public Arts Committee to perform at a certain date and time chosen by the Public Arts Committee. The Artist has no input on performance location date and time. Each artist or artist group that is schedule for a PopUp Art slot will receive a one-time fee of \$150.

Artist Responsibilities include but are not limited to:

- Any/all permits related to selling of artwork on premises if necessary.
- Any equipment needed to perform, such as microphones and speakers.
- Arriving at their designated date, time and location ready to present/perform their PopUp event.

Fayette County Public Arts Committee Responsibilities

- Find & secure appropriate locations at no charge to the artist
- Act as point of contact for artist
- Provide a contract for each artist or group of artists with a designated theme, date, time and location
- Schedule & coordinate artist load-in
- Review all artist marketing/PR materials in a timely manner
- Provide publicity & marketing support for the event space (media alerts, Web site presence, links to artist sites, press release, signage, etc.)
- Sending out invitations to local patrons and community partners.
- Coordinating event spaces and running each event.

Budgeted items include:

Artist Fee -	\$3,000.00
- there are 5 different event dates,	
- each event date may have 1-4 artist/artist group who will showcase one of the five senses	
- each artist or artist group receives \$150	
- 5 dates x (up to) 4 artists per event = 20 potential artist slots	
- 20 artists x \$150 = \$3,000	
Reusable Signage - Small/Large sizes w/anchors-	\$400.00
Advertising flyers	\$150.00
Contingency - (in case something was overlooked)	\$100.00
Tarps	\$40.00
Running total -	\$3,690.00

The Public Art Committee will use spaces throughout the county or create partnerships with local businesses to showcase artists. For example, an outdoor cooking event based on the sense of taste could use Starrs Mill as a location for their PopUp event.

The Committee will try to source some tents, tables and chairs.

We do not believe security will be an issue, but we will alert local law enforcement.

The event will be rescheduled should there be inclement weather.



Are you interested in becoming more involved in the arts community in Fayette County? The Fayette County Public Arts Committee is looking for talented artists who want to share their talent with the community. Do you paint, photograph, sing, sculpt, dance, cook? Is there an artistic talent or skill you would like to share at an exciting Five Senses PopUp event here in Fayette County? Please fill out this form to apply to showcase your art at one of our Five Senses PopUp events.

- The Five Senses PopUp events will be held on five different days, each event day showcasing one of the five senses: Taste, Touch, Smell, Sight, Hearing. The Fayette County Public Arts Committee will work with each artist or artist group to present the best possible version of their art.
- We welcome all ages and levels of art.
- Please fill out the application below and send it in with either photos of your art and/or a video of your performance that is less than 3 minutes long. We encourage links to your websites and or portfolio websites if available.
- You do not have to be a resident of Fayette County to be considered for this program.
- Applications should be submitted to the Fayette County Public Arts Committee by email to fcpac@fayettecountyga.gov
- Please email us at fcpac@fayettecountyga.gov if you have any questions about our Five Senses PopUp events or the application.

Name of Artist or Group: _____

Address: _____

City: _____ State _____ Zip _____

Email: _____

Cell: _____ Home: _____

Check the boxes that best describe your skill. Please check all that apply:

- | | | |
|---------------------------------------|---|---|
| <input type="checkbox"/> Painting | <input type="checkbox"/> Juggling | <input type="checkbox"/> Live Performance |
| <input type="checkbox"/> Drawing | <input type="checkbox"/> Gardening | <input type="checkbox"/> Maker's Demonstrations |
| <input type="checkbox"/> Architecture | <input type="checkbox"/> Conceptual Art | <input type="checkbox"/> Other |
| <input type="checkbox"/> Photography | <input type="checkbox"/> Literary Art | _____ |
| <input type="checkbox"/> Acting | <input type="checkbox"/> DIY demonstrations | _____ |
| <input type="checkbox"/> Singing | <input type="checkbox"/> Theatre | |
| <input type="checkbox"/> Live Music | <input type="checkbox"/> Dance | |
| <input type="checkbox"/> Sculpture | <input type="checkbox"/> Gastronomy | |

Would you be interested in volunteering for one of our events? Check here to be added to our volunteer contact list!

Your contact information will only be used to contact you about the Fayette County Public Arts Committee. This information will not be distributed to any organization without permission.

Please check your skill level:

- Hobbyist
- Student
- Amateur
- Professional

Please give a brief description of your work and how it could be applied to one or more of the five senses - Taste, Touch, Smell, Sight, Hearing. Also provide a link to your website:

The Fayette County Public Arts Committee will equally review all applicants. Expect to be contacted by either phone or email with any questions the committee may have about your application. If selected, artists are then matched with a theme and performance date and time. Each date and time will showcase between 1 and 4 different artists. Each artist will receive a contract with the Public Arts Committee to perform at a certain date and time chosen by the Public Arts Committee. The Artist has no input on performance location date and time. Each artists or artist group that is scheduled for a PopUp Art slot will receive a one-time fee of \$150.

I authorize the release of photos taken of the artist and artwork to the Fayette County Government and the Fayette County Public Arts Committee to use on their website, scrapbook, print advertising, or other media.

I have read and understand the rules and regulations, and I agree to participate in the Five Senses PopUp event.

In participation with the PopUp Art event, I do hereby understand and assume all risks and responsibilities for myself when creating the artwork. The Fayette County Government, the Fayette County Public Arts Committee, their officers, agents, and employees are not responsible for any damages made to my artwork.

Furthermore, I agree to, and will at all times, indemnify, save and hold harmless the Fayette County Government, the Fayette County Public Arts Committee, their officers, agents, and employees from all liability, claims, demands and cost of every kind and nature, including attorney's fees at trial or appellate levels and all court costs arising out of injury to, or death of persons, and damage to any and all property including loss thereof, resulting from or in a manner arising out of or in connection with activities or use of the town or county facilities during the PopUp Art event.

Signature Artist 1: _____ Date: _____ Printed Name: _____

Signature Artist 2: _____ Date: _____ Printed Name: _____

Signature Artist 3: _____ Date: _____ Printed Name: _____

Signature Artist 4: _____ Date: _____ Printed Name: _____

Signature Artist 5: _____ Date: _____ Printed Name: _____

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Approval of the Public Arts Committee's request for Concept Approval to develop and host Pop-Up Shows.

Background/History/Details:

The Public Arts Committee has identified an opportunity to bring art to the community through "Pop-Up" Shows. A Pop-Up show is a one- or two-day event (Sat/Sun) that is a temporary feature for citizens to enjoy. This type of show can feature visual and performing arts. These unique shows could be held at various locations throughout the County that have high foot traffic, for example, Heritage Park fountain area, Courthouse, PTC Library area, Tyrone's Shamrock Park, etc.

Pop-Up Shows will allow local artists to submit work for consideration in the temporary exhibit. This is a good opportunity for student shows as well as local artist groups. There is the potential to have artists available on-site to do their craft at the Pop-Up Show, for example, pottery, painting, sketching, etc. Additionally, this would also be a good opportunity to feature performance, for example, dancers, story tellers, musicians, etc.

At recent art events, Committee members noticed how many people stopped to view the art (Scarecrows and Chalk Art). As a community we should note these areas where citizens and visitors gather and offer something at those destinations. This is a great way to get art in the public areas at little to no cost. There is a two-fold benefit which offers opportunities for local artists and students and it provides art for citizens and visitors to enjoy.

What action are you seeking from the Board of Commissioners?

Approval of Concept to investigate and develop a program for Pop-Up Shows.

If this item requires funding, please describe:

Funding will be identified in the final project approval.

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:

Pop-Up Shows are an easy, low-cost way to bring art to the community in unique, high-traffic areas for an afternoon or weekend. These shows are a temporary feature for citizens to enjoy. They can consist of any type of visual or performing arts. Pop-Up Shows allow local artists to submit visual art for consideration in the show. Performing artists can submit a video of their performance for consideration. These shows also allow artist groups to showcase their work as well as students. There is the potential to have live demonstrations during the event, such as pottery, painting, etc. Visual arts can be paired with performance with dance groups, story tellers, musicians, etc. The idea for Pop-Up Shows resulted from the desire to see artists have the opportunity to show their work. It was also noted how many people frequented certain areas to view what was being displayed, example: Scarecrows and Chalk Art.

Department:

Department Contact(s):

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

Additional comments:

Anticipated Costs - Direct & Indirect

Materials	\$ Amount
Total project cost	\$0

Expenses	
Labor	Hours
Total Labor Hours	0.0

Equipment	Hours
Total Equipment Hours	0.0



Are you interested in becoming more involved in the art community in Fayette County? The Fayette County Public Arts Committee is looking for talented artists who want to share their talent with the community. Do you paint, photograph, sing, sculpt, dance, cook? Is there an artistic talent or skill you would like to share at an exciting PopUp event here in Fayette County? Please fill out this form to apply to showcase your art at one of our PopUp events.

- We welcome all ages and levels of art.
- Please fill out the application below and send it in with either photos of your art and/or a video of your performance that is less than 3 minutes long. We encourage links to your websites and or portfolio websites if available.
- You do not have to be a resident of Fayette County to be considered for this program.
- Applications should be submitted to the Fayette County Public Arts Committee by email to fcpac@fayettecountyga.gov
- Please email us at fcpac@fayettecountyga.gov if you have any questions about our PopUp events or the application.

Name of Artist or Group: _____

Address: _____

City: _____ State _____ Zip _____

Email: _____

Cell: _____ Home: _____

Check the boxes that best describe your skill. Please check all that apply:

- | | | |
|---------------------------------------|---|---|
| <input type="checkbox"/> Painting | <input type="checkbox"/> Juggling | <input type="checkbox"/> Live Performance |
| <input type="checkbox"/> Drawing | <input type="checkbox"/> Gardening | <input type="checkbox"/> Maker's Demonstrations |
| <input type="checkbox"/> Architecture | <input type="checkbox"/> Conceptual Art | <input type="checkbox"/> Other |
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| <input type="checkbox"/> Acting | <input type="checkbox"/> DIY demonstrations | _____ |
| <input type="checkbox"/> Singing | <input type="checkbox"/> Theatre | |
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| <input type="checkbox"/> Sculpture | <input type="checkbox"/> Gastronomy | |

Would you be interested in volunteering for one of our events? Check here to be added to our volunteer contact list!

Your contact information will only be used to contact you about the Fayette County Public Arts Committee. This information will not be distributed to any organization without permission.

Please check your skill level:

- Hobbyist Student Amateur Professional

Please give a brief description of your work and link to your website:

The Fayette County Public Arts Committee will equally review all applicants. Expect to be contacted by either phone or email with any questions the committee may have about your application. If selected, artists are then matched with a theme and performance date and time. Each artist will receive a contract with the Public Arts Committee to perform at a certain date and time chosen by the Public Arts Committee. The Artist has no input on performance location date and time.

I authorize the release of photos taken of the artist and artwork to the Fayette County Government and the Fayette County Public Arts Committee to use on their website, scrapbook, print advertising, or other media.

I have read and understand the rules and regulations, and I agree to participate in the PopUp Event.

In participation with the PopUp Art event, I do hereby understand and assume all risks and responsibilities for myself when creating the artwork. The Fayette County Government, the Fayette County Public Arts Committee, their officers, agents, and employees are not responsible for any damages made to my artwork.

Furthermore, I agree to, and will at all times, indemnify, save and hold harmless the Fayette County Government, the Fayette County Public Arts Committee, their officers, agents, and employees from all liability, claims, demands and cost of every kind and nature, including attorney's fees at trial or appellate levels and all court costs arising out of injury to, or death of persons, and damage to any and all property including loss thereof, resulting from or in a manner arising out of or in connection with activities or use of the town or county facilities during the PopUp Art event.

Signature Artist 1: _____ Date: _____ Printed Name: _____

Signature Artist 2: _____ Date: _____ Printed Name: _____

Signature Artist 3: _____ Date: _____ Printed Name: _____

Signature Artist 4: _____ Date: _____ Printed Name: _____

Signature Artist 5: _____ Date: _____ Printed Name: _____

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Approval of the Public Arts Committee's request for Concept Approval to develop and host Pop-Up Shows.

Background/History/Details:

The Public Arts Committee has identified an opportunity to bring art to the community through "Pop-Up" Shows. A Pop-Up show is a one- or two-day event (Sat/Sun) that is a temporary feature for citizens to enjoy. This type of show can feature visual and performing arts. These unique shows could be held at various locations throughout the County that have high foot traffic, for example, Heritage Park fountain area, Courthouse, PTC Library area, Tyrone's Shamrock Park, etc.

Pop-Up Shows will allow local artists to submit work for consideration in the temporary exhibit. This is a good opportunity for student shows as well as local artist groups. There is the potential to have artists available on-site to do their craft at the Pop-Up Show, for example, pottery, painting, sketching, etc. Additionally, this would also be a good opportunity to feature performance, for example, dancers, story tellers, musicians, etc.

At recent art events, Committee members noticed how many people stopped to view the art (Scarecrows and Chalk Art). As a community we should note these areas where citizens and visitors gather and offer something at those destinations. This is a great way to get art in the public areas at little to no cost. There is a two-fold benefit which offers opportunities for local artists and students and it provides art for citizens and visitors to enjoy.

What action are you seeking from the Board of Commissioners?

Approval of Concept to investigate and develop a program for Pop-Up Shows.

If this item requires funding, please describe:

Funding will be identified in the final project approval.

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:

Pop-Up Shows are an easy, low-cost way to bring art to the community in unique, high-traffic areas for an afternoon or weekend. These shows are a temporary feature for citizens to enjoy. They can consist of any type of visual or performing arts. Pop-Up Shows allow local artists to submit visual art for consideration in the show. Performing artists can submit a video of their performance for consideration. These shows also allow artist groups to showcase their work as well as students. There is the potential to have live demonstrations during the event, such as pottery, painting, etc. Visual arts can be paired with performance with dance groups, story tellers, musicians, etc. The idea for Pop-Up Shows resulted from the desire to see artists have the opportunity to show their work. It was also noted how many people frequented certain areas to view what was being displayed, example: Scarecrows and Chalk Art.

Department:

Department Contact(s):

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

Additional comments:

Anticipated Costs - Direct & Indirect

Materials	\$ Amount
Total project cost	\$0

Expenses	
Labor	Hours
Total Labor Hours	0.0

Equipment	Hours
Total Equipment Hours	0.0

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Consideration of staff's recommendation for the Board of Commissioners to approve the bid from Blount Construction Company, Inc. for Bid # 1362-B HA-5, High Density Mineral Bond in the amount of \$132,533.89.

Background/History/Details:

HA5 is a High Density Bond is a pavement preservation treatment that significantly extends pavement life on residential roadways and parking lot surfaces. The following parking lot surfaces are in good structural shape but are showing signs of aging and weathering. HA5, High Density Mineral Bond is an unique tool that when installed extends the life of pavement at a reduce cost than traditional asphalt overlay practices.

The following parking lot projects are listed on this bid:

- 1.) Kiwanis Park
- 2.) Sheriff's Office

Bid results have been reviewed and approved by both Parks and Rec and Sheriff's office.

What action are you seeking from the Board of Commissioners?

Approval of staff's recommendation for the Board of Commissioners to approve the bid from Blount Construction Company, Inc. for Bid # 1362-B HA-5, High Density Mineral Bond in the amount of \$132,533.89.

If this item requires funding, please describe:

Parks and Recreation has designated funding of \$70,000 in CIP #186AG for Kiwanis Parking Lot Coating and Striping and the Sheriff's Office has designated funding of \$97,212 in CIP #183AH for Parking Lot Repairs.

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

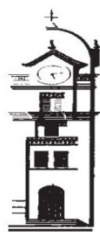
Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:



Fayette
COUNTY

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

“WHERE QUALITY
IS A LIFESTYLE”

To: Steve Rapson
From: Ted L. Burgess
Date: August 24, 2017

Subject: Invitation to Bid #1362-B: High Density Mineral Bond

HA5® is a high density mineral bond road treatment that was developed by Holbrook Asphalt Company in St. George, Utah. It prevents cracking and loss of the bond between the aggregate and the binder, thus extending the life of the road. At this time, it is the only product that complies with a specification produced by the American Public Works Association.

There is currently one HA5 contractor in Georgia – Blount Construction Company, Inc. Even so, the Purchasing Department practiced due diligence by directly notifying four companies by email. We contacted 82 companies who were registered on the Georgia Procurement Registry. We also notified vendors via the Georgia Local Government Marketplace website (glga.org), the Greater Georgia Black Chamber of Commerce, Channel 23, and Fayette News. Blount Construction Company submitted the only bid (Attachment 1).

Including this Invitation to Bid, the Purchasing Department has issued six solicitations for HA5 application, beginning in June 2015. Each time, only one or two companies responded, as follows:

Date Executed	Contract Number	Work Location	Blount Construction (Georgia)		Whitaker Contracting (Alabama)		Holbrook Asphalt Co. (Utah)	
			Sq Yd	Total	Sq Yd	Total	Sq Yd	Total
6/12/2015	975-A	Lawson Lane & S. Morning Dove Drive	2.62	13,135.88	-	-	5.03	39,453.45
8/25/2015	1005-B	Horseman's Run subdivision	1.98	107,451.48	1.95	92,753.56	-	-
5/4/2016	1093-A	210 Hilo Road & Sr. Center parking lot	2.57	17,191.00	-	-	-	-
10/19/2016	1203-A	Kiwanis Park: Parking lot at administrative offices	2.65	16,353.90	-	-	-	-
4/24/2017	1273-B	Northern Oaks, Northridge, Newton Plantation, Felton Court, & Forest Hall Lane	1.94	157,098.72	-	-	-	-
TBD	1362-B	A) Kiwanis Park: Parking, roads, and paths other than at admin. Building. B) Sheriff's Office parking.	2.19	132,533.89	-	-	-	-

NOTE: Total contract price shown includes items other than HA5, e.g. crack seal, mobilization, striping and traffic control where applicable.

As reported previously to the Board, the Purchasing Department researched the potential providers in this region. The region's providers, plus the HA5 developer, are listed below:

- **Blount Construction Company, Inc., Marietta, Georgia:** Blount Construction has consistently responded to our solicitations.
- **Whitaker Contracting Corporation, Guntersville, Alabama:** Whitaker does work in Georgia. They said they are currently "spread to Florida" with contract work, and would not have sufficient manpower to bid on this project.
- **Jarrett Paving, Nashville, Tennessee:** Jarrett Paving does some work in parts of Georgia, if the project size, time involved, and other considerations make it profitable. They said they would probably not come to this area of the state for work.
- **Holbrook Asphalt Company, St. George, Utah:** As noted above, Holbrook Asphalt was the developer of HA5. They are located in Utah, and the distance makes it difficult for them to compete with closer companies.

The Road Department recommends Blount Construction for this project. As demonstrated by their Contractor Performance Evaluation (attachment 2), they are satisfied with Blount Construction's performance.

Specifics of the proposed contract are as follows:

Contract Name	1362-B: HA5 High Density Mineral Bond
Vendor	Blount Construction Company
Not-to-Exceed Amount	\$132,533.89

Budget & Contract Expenses:

	Parks & Recreation	Sheriff's Office
Fund	372 Capital	372 Capital
Org. Code	37260110 Parks & Recreation	37230310 Law Enforcement Admin.
Object Code	541210 Other Improvements	541210 Other Improvements
Project Code	186AG Kiwanis Parking Lot	183AH Sheriff's Office Parking
Available Budget	\$70,000.00	\$74,478.00
Expense	\$66,233.70	\$66,300.19

Attachment 1

Invitation to Bid #1362-B: HA5 High Density Mineral Bond
Kiwanis Park & Sheroff's Office

Blount Construction Co., Inc.

	Qty	Unit of Measure	Unit Price	Extended Price	Recommended
KIWANIS PARK					
BASE BID					
APPLY 2 COATS HIGH DENSITY MINERAL BOND	24,154	Sq Yard	\$2.19	\$52,897.26	\$52,897.26
CRACK FILL	1	Lump Sum	7,843.94	7,843.94	7,843.94
STRIP LOT AS EXISTS	1	Lump Sum	5,492.50	5,492.50	5,492.50
KIWANIS PARK BASE BID TOTAL				\$66,233.70	\$66,233.70
OPTIONS (Parking behind Recreation Dept. Bldg.)					
ADDITIONAL WORK - 2 COATS MINERAL BOND	3,620	Sq Yard	\$2.17	\$7,855.40	\$0.00
ADDITIONAL WORK CRACK FILL	1	Lump Sum	1,940.43	1,940.43	0.00
ADDITIONAL WORK STRIPING	1	Lump Sum	1,062.50	1,062.50	0.00
KIWANIS PARK OPTIONS				\$10,858.33	\$0.00
KIWANIS PARK TOTAL				\$77,092.03	\$66,233.70
SHERIFF'S OFFICE PARKING					
BASE BID					
APPLY 2 COATS HIGH DENSITY MINERAL BOND	24,000	Sq Yard	\$2.19	\$52,560.00	\$52,560.00
CRACK FILL	1	Lump Sum	7,843.94	7,843.94	7,843.94
STRIP LOT AS EXISTS	1	Lump Sum	4,546.25	4,546.25	4,546.25
SHERIFF'S PARKING TOTAL				\$64,950.19	\$64,950.19
OPTIONS					
ADDITIONAL FRONT STRIPING	1	Lump Sum	\$1,350.00	\$1,350.00	1,350.00
SHERIFF'S PARKING LOT OVERALL TOTAL:				\$66,300.19	\$66,300.19
OVERALL BOTH LOCATIONS TOTAL:				\$143,392.22	\$132,533.89

FAYETTE COUNTY, GEORGIA CONTRACTOR PERFORMANCE EVALUATION

Page 1

1. Use this form to record contractor performance for any contract of \$50,000 or above.
2. The person who serves as project manager or account manager is the designated party to complete the evaluation.
3. This form is to be completed and forwarded to the Purchasing Department not later than 30 days after completion or expiration of a contract. Past performance is considered on future contracts.

VENDOR INFORMATION	COMPLETE ALL APPLICABLE INFORMATION
Company Name: Blount Construction	Contract Number: IFB #1273-B
Mailing Address: 1730 Sands Place	Contract Description or Title: High Density Mineral Bond
City, St, Zip Code: Marietta, GA 30067	Contract Term (Dates) From: April 2017 To: June 2017
Phone Number: 770-541-7333	Task Order Number:
Cell Number: 404-358-5894	Other Reference:
E-Mail Address: Keith.Stephens@blountconstruction.com	

DEFINITIONS

OUTSTANDING – Vendor considerably exceeded minimum contractual requirements or performance expectations of the products/services; The vendor demonstrated the highest level of quality workmanship/professionalism in execution of contract.

EXCELLENT (Exc) - Vendor exceeded minimum contractual requirements or performance expectations of the products/services.

SATISFACTORY (Sat) - Vendor met minimum contractual requirements or performance expectations of the products/services.

UNSATISFACTORY (UnSat) - Vendor did not meet the minimum contractual requirements or performance expectations of the products and/or services; Performed below minimum requirements

EVALUATIONS (Place "X" in appropriate box for each criterion.)

Criteria (includes change orders / amendments)	Out-standing	Exc	Sat	Un-Sat	Not Apply
1. Work or other deliverables performed on schedule		X			
2. Condition of delivered products		X			
3. Quality of work		X			
4. Adherence to specifications or scope of work	X				
5. Timely, appropriate, & satisfactory problem or complaint resolution		X			
6. Timeliness and accuracy of invoicing			X		
7. Working relationship / interfacing with county staff and citizens		X			
8. Service Call (On-Call) response time		X			
9. Adherence to contract budget and schedule		X			
10. Other (specify):					
11. Overall evaluation of contractor performance		X			

EVALUATED BY

Signature: <i>Brady Kline</i>	Date of Evaluation: <i>8/11/17</i>
Print Name: <i>Brady Kline</i>	Department/Division: <i>ROAD</i>
Title: <i>Asst. Director</i>	Telephone No: <i>770-320-6039</i>

CONTRACTOR PERFORMANCE EVALUATION
Explanation of Outstanding or Unsatisfactory Ratings

Company Name: Blount Construction

Contract Number: #1273-B

EXPLANATIONS / COMMENTS

- 1. Do not submit page 2 without page 1.
- 2. Use this page to explain evaluations of *Outstanding* or *Unsatisfactory*.
- 3. Be specific (include paragraph and page numbers referenced in the applicable contract, etc.). Continue on separate sheet if needed (show company name and contract number or other reference)

Contractor did an amazing job working with citizens and providing an excellent product when dealing with multiple rain delays of scheduled work.

Purchasing Department Comments (e.g. did the vendor honor all offers; submit insurance, bonds & other documents in a timely manner; and provide additional information as requested?):

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Consideration of staff recommendation to implement a multi-way stop at Antioch Road ad Goza Road intersection.

Background/History/Details:

This is an existing intersection of two County roads located in the central part of Fayette County, south of Fayetteville. Antioch is a County Collector with an average daily traffic volume of approximately 3,880 vpd and Goza is a Minor Arterial with 3,330 vpd.

This intersection was modified in 2010 to improve safety and traffic operations. The Goza approaches were aligned and turn lanes were added to each leg of the intersection. It was, and remains, a two-way stop-control intersection with free flow on Antioch. Despite the changes in 2010, crashes have persisted and increased over the past few years. For this reason, the location is one of four specific intersections approved in the Fayette County's 2017 SPLOST Transportation list.

Per direction provided at the BOC's May retreat, staff is in the process of soliciting proposals for analysis and design of several transportation projects, including this one. However, since the time to complete even a locally-funded project typically exceeds 18 months, staff is looking at "quick-fix" options, even if temporary, for this location. The results of the analysis, which includes conversion to a four-way stop, will be presented as part of the agenda presentation.

What action are you seeking from the Board of Commissioners?

Approval of staff recommendation to implement a multi-way stop at Antioch Road and Goza Road intersection.

If this item requires funding, please describe:

The approved Fayette County 2017 SPLOST Transportation Project (#C4) includes funding for Antioch Road and Goza Road intersection.

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

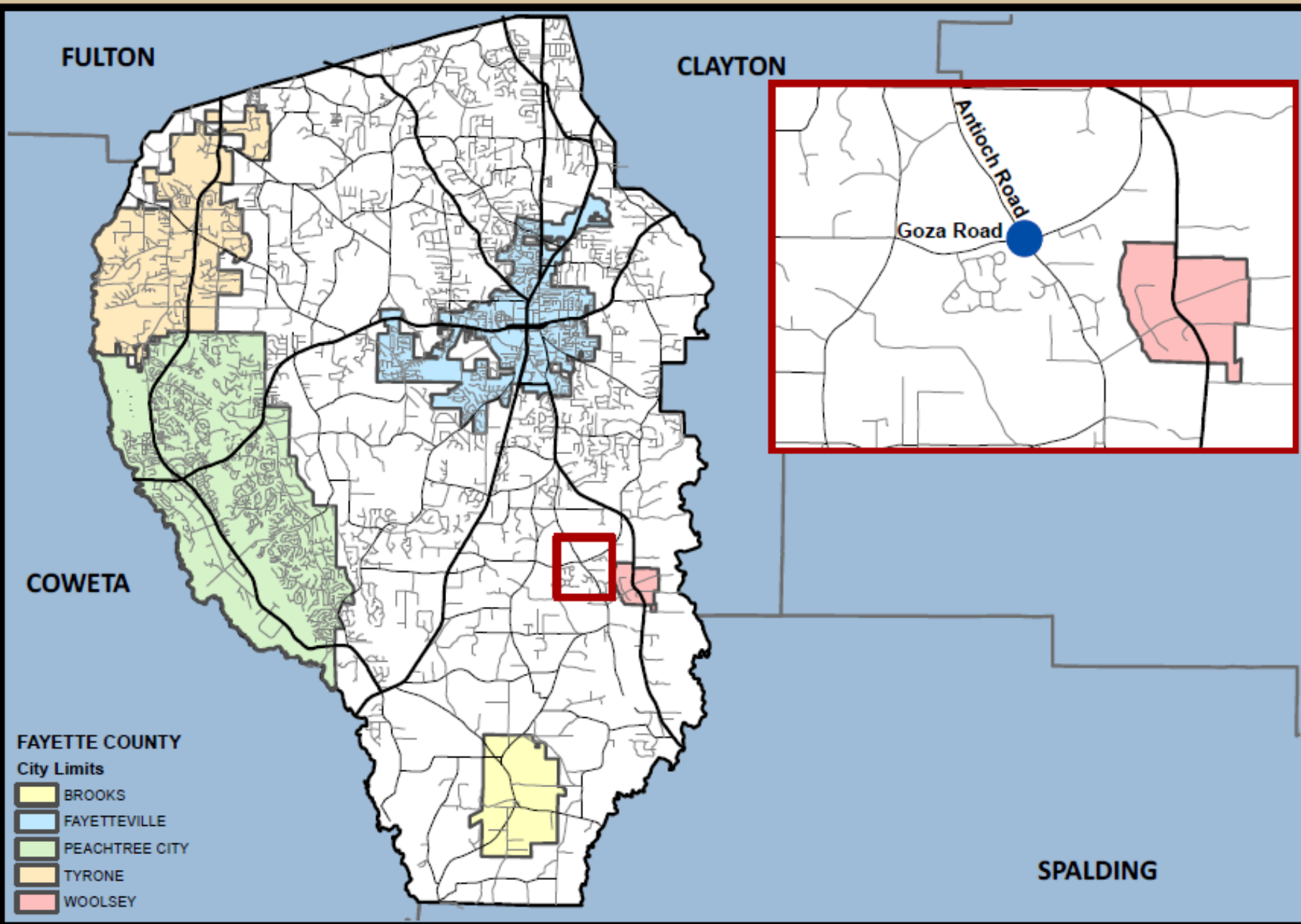
Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

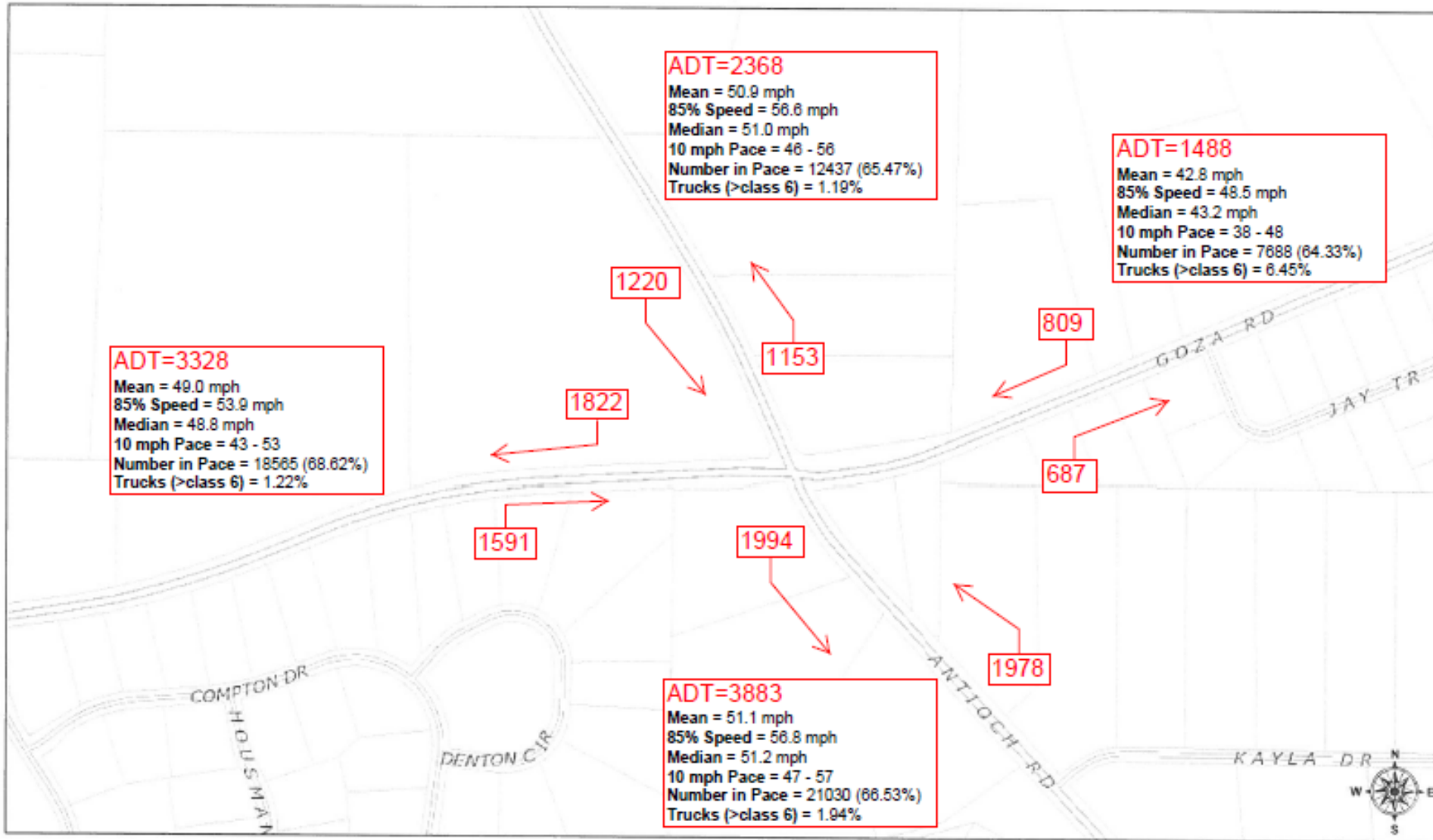
Staff Notes:



- FAYETTE COUNTY**
City Limits
- BROOKS
 - FAYETTEVILLE
 - PEACHTREE CITY
 - TYRONE
 - WOOLSEY

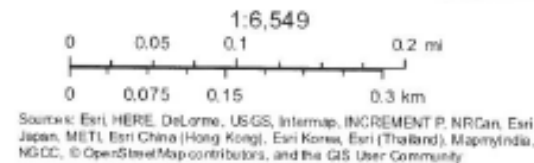
Fayette County
Vicinity Map - Intersection of Antioch and Goza Roads



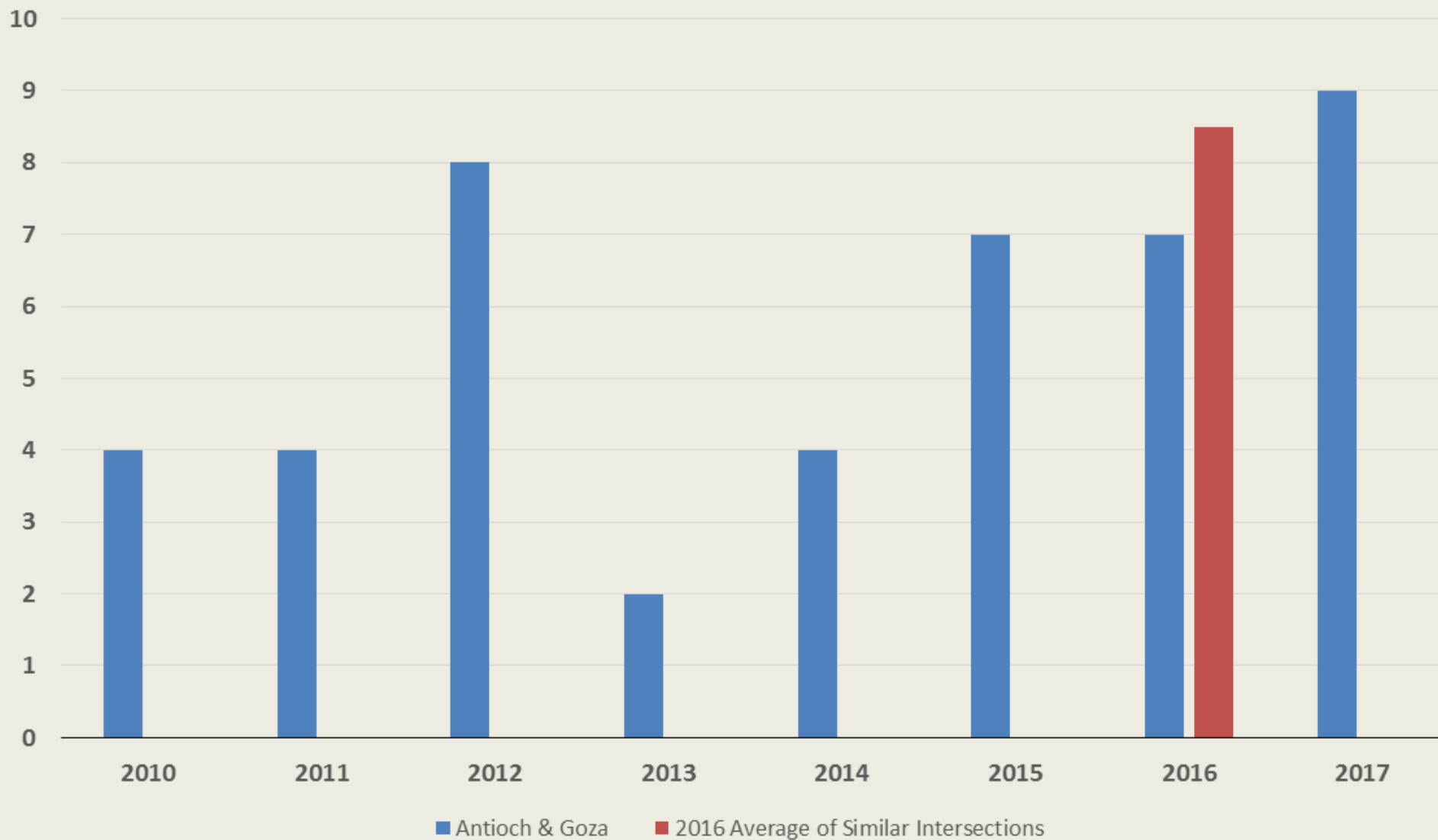


May 16, 2017

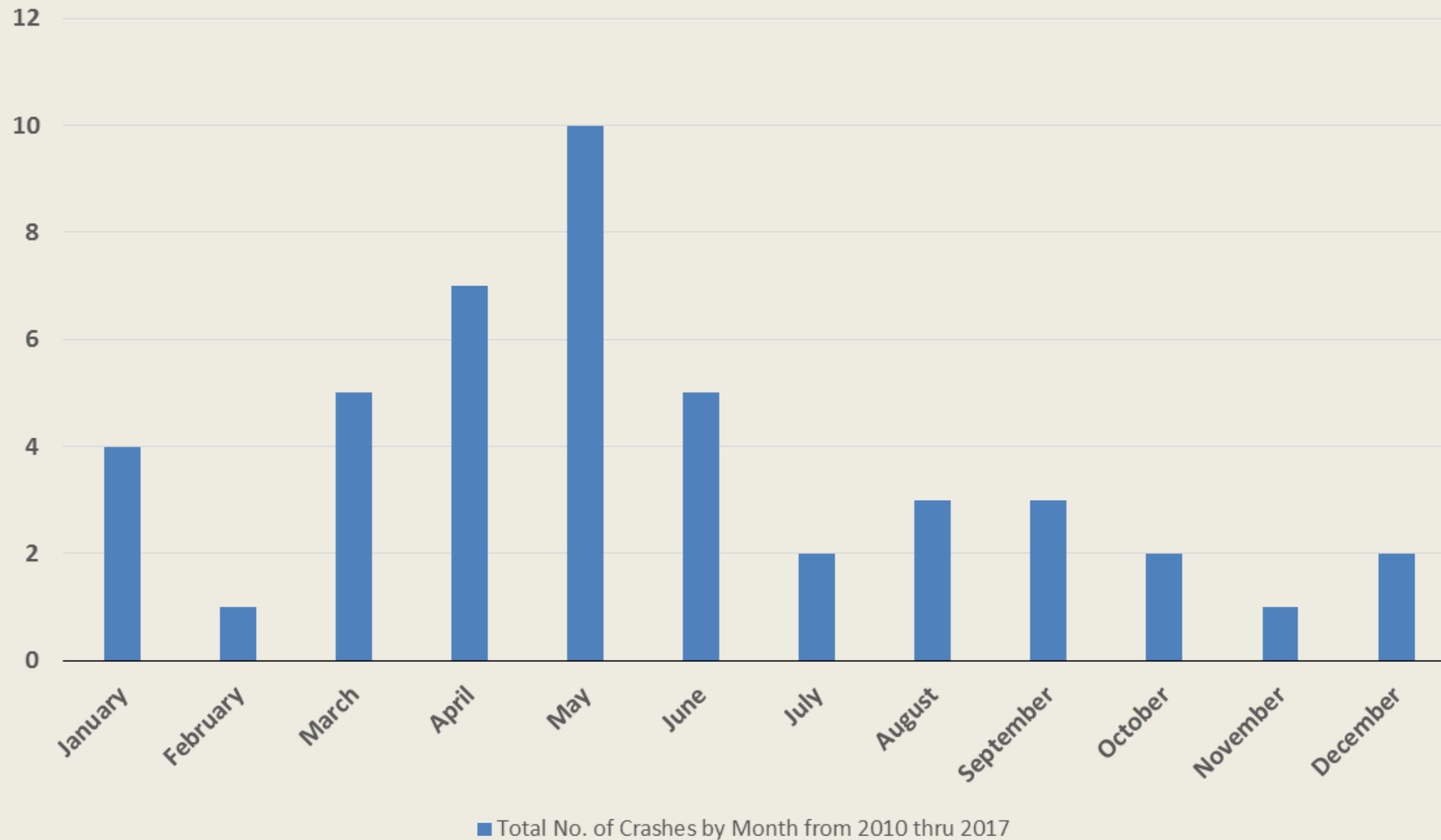
Traffic Count May 17 to May 25, 2017



Intersection of Antioch & Goza Roads Number of Crashes Documented by Sheriff's Office



Intersection of Antioch & Goza Roads Crashes by Month over 8-Year Period



Search Google Maps

Sign in



COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Discussion regarding the Transportation Committee.

Background/History/Details:

The purpose of the Transportation Committee is to identify traffic problems in the county, provide recommendations for short-and-long term priorities, provide input on project alignments and alternatives; assist with identification and solicitation of federal funds and grants, assist with coordination of projects between the county and municipalities, and to provide appropriate focus that ensures accountability of staff and consultants. Other tasks for the Transportation Committee include providing recommendations for long-term goals, identifying and supporting safety initiatives, and assembling information and facilitating communication of the County's views and concerns to the Georgia Department of Transportation and the Atlanta Regional Committee. It is the intention of the Board of Commissioners that the Fayette County Transportation Committee shall fully explore traffic issues and provide information and recommendations to the Board of Commissioners.

Commissioner Steve Brown has requested to have this item placed on the agenda for discussion.

What action are you seeking from the Board of Commissioners?

Discussion regarding Transportation Committee.

If this item requires funding, please describe:

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

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

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:

COUNTY OF FAYETTE

STATE OF GEORGIA

BYLAWS OF THE

TRANSPORTATION COMMITTEE OF FAYETTE COUNTY

A public body created by the Board of Commissioners of Fayette County

ARTICLE I – NAME

The name of this Committee shall be the “Transportation Committee of Fayette County,” hereinafter, the “Committee.”

ARTICLE II – PURPOSE

The purpose of the Committee shall be:

1. To identify traffic and explore problems in the county. (Safety, congestion, alternatives (Multiuse Paths) and other issues);
2. Prioritization – provides recommendation to the County Board of Commissioners and City Councils of short and long-term priorities;
3. Vetting – provides input on project alignments and alternatives;
4. Funding – assists with identification of funding sources, solicitation of federal funds, grants, etc. All funding will have to be approved by the appropriate governmental entity. Some funding may require an intergovernmental agreement;
5. Planning – provides recommendation for long-term traffic goals (capacity, paths, senior services, etc.);
6. Safety – identification and support of safety initiatives; and

7. Put together information in a form that will help communicate Fayette County's views and concerns to the Georgia Department of Transportation and the Atlanta Regional Commission.

ARTICLE III – PRINCIPAL OFFICE

The principal office of the Committee shall be at 140 Stonewall Avenue W., Fayetteville, Fayette County, Georgia.

ARTICLE IV Members

Section 1. The Committee shall have eleven members.

Section 2. The term of office of the members shall be as described in the Fayette County Code.

Section 3. Any vacancy on the Committee shall be filled in the same manner as the original appointment to the position vacated. The appointment shall be for the unexpired term of such member.

Section 4. The Committee members shall receive no compensation for their services, but shall be reimbursed for their actual expenses incurred in the performance of their duties.

ARTICLE V – OFFICERS

Section 1. The officers of the Committee shall be a Chairman, Vice-Chairman and Secretary, all of whom shall serve for a period of one (1) year, or until such time as their successors are elected and qualified.

Section 2. The Committee shall elect one (1) of its members as Chairman and another as Vice-Chairman. The Committee shall also elect a Secretary who need not be a member of the Committee.

Section 3. The Chairman shall preside at all meetings of the Committee, and shall have a vote on all matters. The Chairman shall communicate to the Committee such matters and make such suggestions as may in the Chairman's opinion tend to promote the purposes and increase the usefulness of the Committee, and shall perform such other duties as are necessarily instant to the office, or as the Chairman may be directed to perform by resolution of the Committee not inconsistent with these Bylaws.

Section 4. The Vice-Chairman shall have and exercise all the powers and duties of the Chairman during the Chairman's absence or the Chairman's inability to act.

Section 5. It shall be the duty of the Secretary to:

- (a) give notice of and attend all meetings of the Committee and to make provisions for the keeping of a record of the proceedings;
- (b) to conduct correspondence and to execute all orders and votes of the Committee;
- (c) keep records as to any members of the Committee; and
- (d) perform such duties as are customarily appurtenant to the office of Secretary or as the Secretary may be directed to perform by resolution of the Committee not inconsistent with these Bylaws.

ARTICLE VII – ELECTIONS

All officers of the Committee shall be elected at the annual organizational meeting of the Committee by a majority vote of the full membership of the Committee.

ARTICLE VIII – MEETINGS

Section 1. There shall be a monthly meeting of the Committee, unless otherwise suspended by action of the Committee. The monthly meetings are to be held on the first Tuesday of every

month at 4:00 p.m. at 140 Stonewall Avenue W. in the public meeting room. The annual organizational meeting of the Committee shall be held at 140 Stonewall Avenue W. in the public meeting room on the first Tuesday in January.

Section 2. A majority of the Committee members shall constitute a quorum but no action may be taken by the Committee without the affirmative vote of the majority of the full membership of the Committee.

Section 3. Special meetings of the Committee may be called by the Chairman or by five (5) members of the Committee. Notice of any special meeting shall be given at least seven (7) days prior to the date of such meeting except that any meeting of the Committee may be held without prior notice, at any place or time, if such notice is waived by a majority of the full membership of the Committee.

Section 4. The order of business at all meetings shall be:

- (a) call to order;
- (b) ascertainment that a quorum is present;
- (c) approval of agenda;
- (d) reading and approval of the minutes of the last meeting;
- (e) report of Committee;
- (f) unfinished business;
- (g) new business; and
- (h) adjournment.

The order of business may be altered or suspended at any meeting by a majority of the full membership of the Committee.

ARTICLE IX – POWERS AND DUTIES

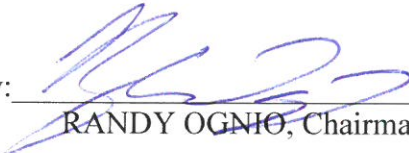
The powers and duties of the Committee shall be those contained within the Fayette County Code, as they now exist or as they may be amended in the future; not inconsistent with these Bylaws.

ARTICLE X – AMENDMENT

Amendments of these Bylaws may be adopted by the affirmative vote of a majority of the full membership of the Committee at any duly held meeting thereof. Notice of any proposed amendment shall be given at least ten (10) days prior to the meeting at which it shall be presented.

APPROVED this 5th day of July, 2016.

TRANSPORTATION COMMITTEE
OF FAYETTE COUNTY

By: 
RANDY OGNIO, Chairman

ATTEST:


JAIMI TAPP, Secretary