
2019 RETREAT AGENDA
Wednesday, April 18th 2018
Old Fayette County Courthouse
3rd Floor - Fayetteville, Georgia

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

General Government

8:30am County Clerk
8:45am Elections
9:00am Finance
9:15am Human Resources
9:30am Information Technology
9:45am Purchasing
10:00am Tax Assessor

Break (10:15am – 10:30am) – 15 minutes

Public Works

10:30am Public Works/Engineering
10:45am Building & Grounds
11:00am Environmental Management/Solid Waste
11:15am Fleet Maintenance
11:30am Road Department

Lunch (11:45am – 1:00pm) – 1 ¼ hour

Water System

1:00pm Water System
1:30pm Marshal/Code Enforcement Office

Public Safety

1:45pm 911 System
2:00pm Animal Control
2:15pm EMA/Fire/EMS

Break (2:45pm – 3:00pm) – 15 minutes

Community Services

3:00pm Building Safety
3:15pm County Extension
3:30pm Library
3:45pm Parks & Recreation
4:00pm Planning & Zoning

2019 RETREAT AGENDA
Thursday, April 19th 2018
Old Fayette County Courthouse
3rd Floor - Fayetteville, Georgia

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

Elected Officials; Constitutional Officers; Boards & Authorities

15 minutes/per

8:30am SPLOST Implementation Overview

9:00am Transportation Project Delivery Overview

Break (9:45am – 10:00am) – 15 minutes

10:00 am Sheriff

10:30am Coroner

10:45am Promise Place

11:00am Fayette County Development Authority

11:15am Court Administrator

11:30am Fayette Senior Services

Lunch (11:45pm – 1:15pm) – 1 ½ hour

Elected Officials; Constitutional Officers; Boards & Authorities

15 minutes/per

1:15pm McIntosh Trail CSB/Fayette Community Options/Fayette County Counseling Center

1:30pm Clerk of Courts

1:45pm Clerk of Courts

2:00pm Magistrate Court

2:15pm State Court Judge

Break (2:30pm – 2:45pm) – 15 Minutes

2:45pm Fayette FACTOR-Family Connection (Non-Profit Proposal)

3:00pm Board of Health/Health Department

3:30pm Planning Commission

3:45pm Zoning Board of Appeals

2019 RETREAT AGENDA
Friday, April 20th 2018
Old Fayette County Courthouse
3rd Floor - Fayetteville, Georgia

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

FY2017 FINANCIAL REVIEW

Financial Overview/Forecast (8:30am-10:00am)

1. Governmental Funds:

- a. General Operating Fund
 - i. Property Digest History
 - a. Real Property Tax
 - b. Personal Property Tax
 - c. Motor Vehicles vs Auto/TAVT
 - ii. Sales Tax & Ad Valorem Revenues
 - a. LOST
 - b. TAVT
 - c. 2017 SPLOST
- b. 911 Operations Fund
- c. Fire Fund
- d. EMS Fund
- e. County Jail Surcharge Fund
 - i. Past Performance
 - ii. Comparison Inmate Counts vs. Cost
 - a. Meals
 - b. Medical

2. Proprietary Funds

- a. Water System
- b. Solid Waste

3. Internal Revenue Funds:

- a. Workers Compensation
- b. Employee Insurance

4. Tax Digest/Millage Rate History

5. Capital/CIP/2017 SPLOST Projects

Break (10:00am – 10:30am) – 30 minutes

ITEMS FOR CONSIDERATION/DISCUSSION

Parliamentary Procedures Overview (10:30am – 11:30pm)

Lunch (11:30pm – 1:00pm) – 1 ½ hour

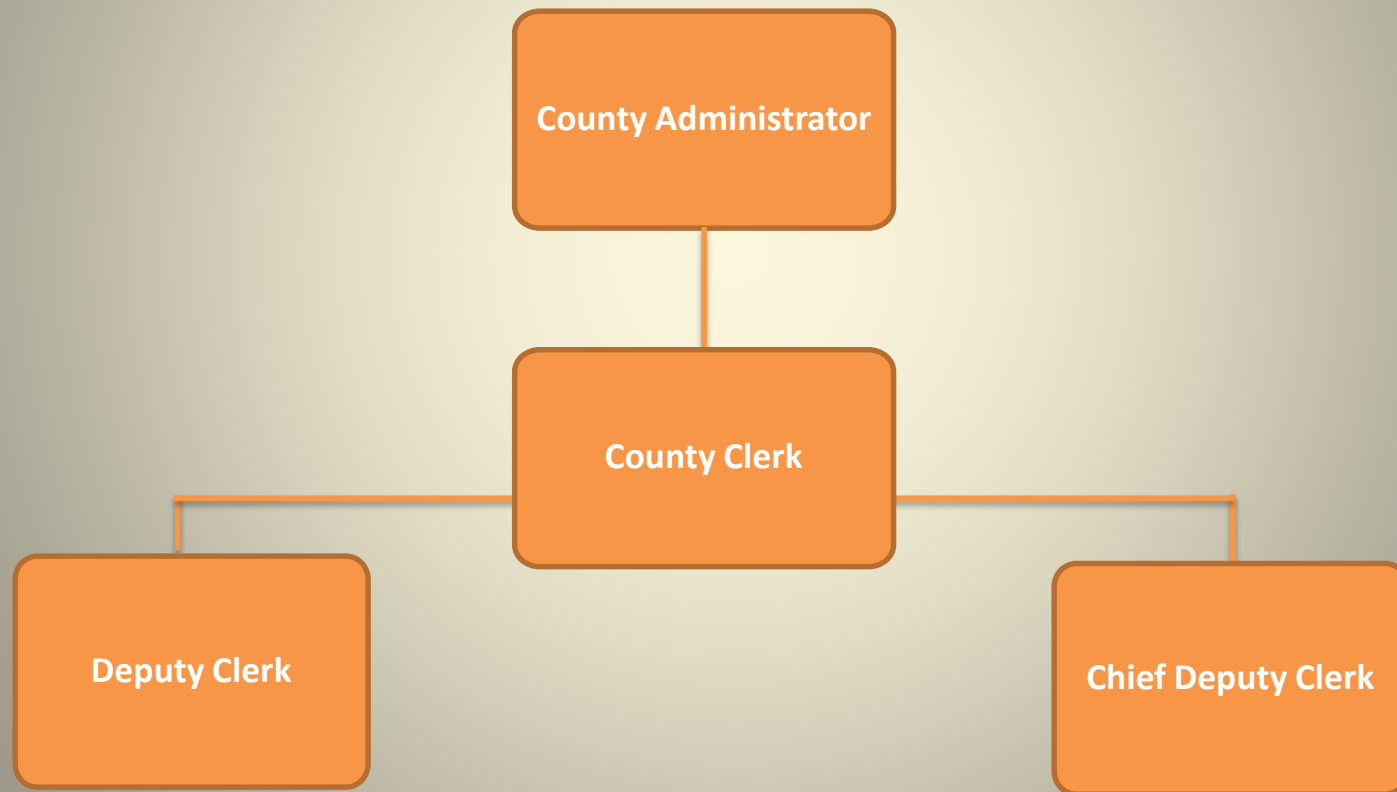
2019 RETREAT AGENDA
Friday, April 20th 2018
Old Fayette County Courthouse
3rd Floor - Fayetteville, Georgia

Chairman & Commissioner Topics (1:00pm-Done) – 20 minutes/per

1. Discussion of County Attorney Contract (Commissioner Brown)
2. Creation Countywide Comprehensive Plan (Commissioner Rousseau)
3. Strengthening Ethics Ordinance Consequences (Commissioner Rousseau)
4. SB 318 EMT & Paramedic Mental Health Determination (Commissioner Rousseau)
5. County Mail Security Handling (Commissioner Rousseau)
6. Comprehensive Plan on Small Cell Tower Impact/Water Lines (Commissioner Rousseau)



Administration/County Clerk





Purpose

What:

Custodian of Records, Open Records Request; Ensure codification of county ordinances; Prepare, distribute agendas, minutes and public notices

How:

Knowledge of local and state laws through continued training and education; Tactfully and courteously deal with general public; Liaison between the Board of Commissioners and citizens

Who:

The Residents of Fayette County



2018 Accomplishments

Hiring and training of new Deputy County Clerk

Certificate of Local Government Management

Implementation of new county logo



2019 Major Projects/Goals

Implement software
for agenda
submissions

Pursue RFP for
implementation of
new website design

Evaluate options for
retention software

Reorganize records
room

Implement new filing
system

Renovation of
audio/visual equipment
in conference room

Refresh of conference
room to include new
chairs, carpet and paint

New carpet and paint in
Commissioner's
Chamber hallway



Budget

Category	FY 2018 Original Budget	FY 2018 Revised Budget	FY 2018 Forecast
Personnel	559,696	569,555	579,835
Maintenance & Operating Costs	307,411	310,411	239,879
Total	\$867,107	\$879,966	\$819,714



2019 Budget Request

Requesting a part-time administrative position at an annual cost of \$23,533

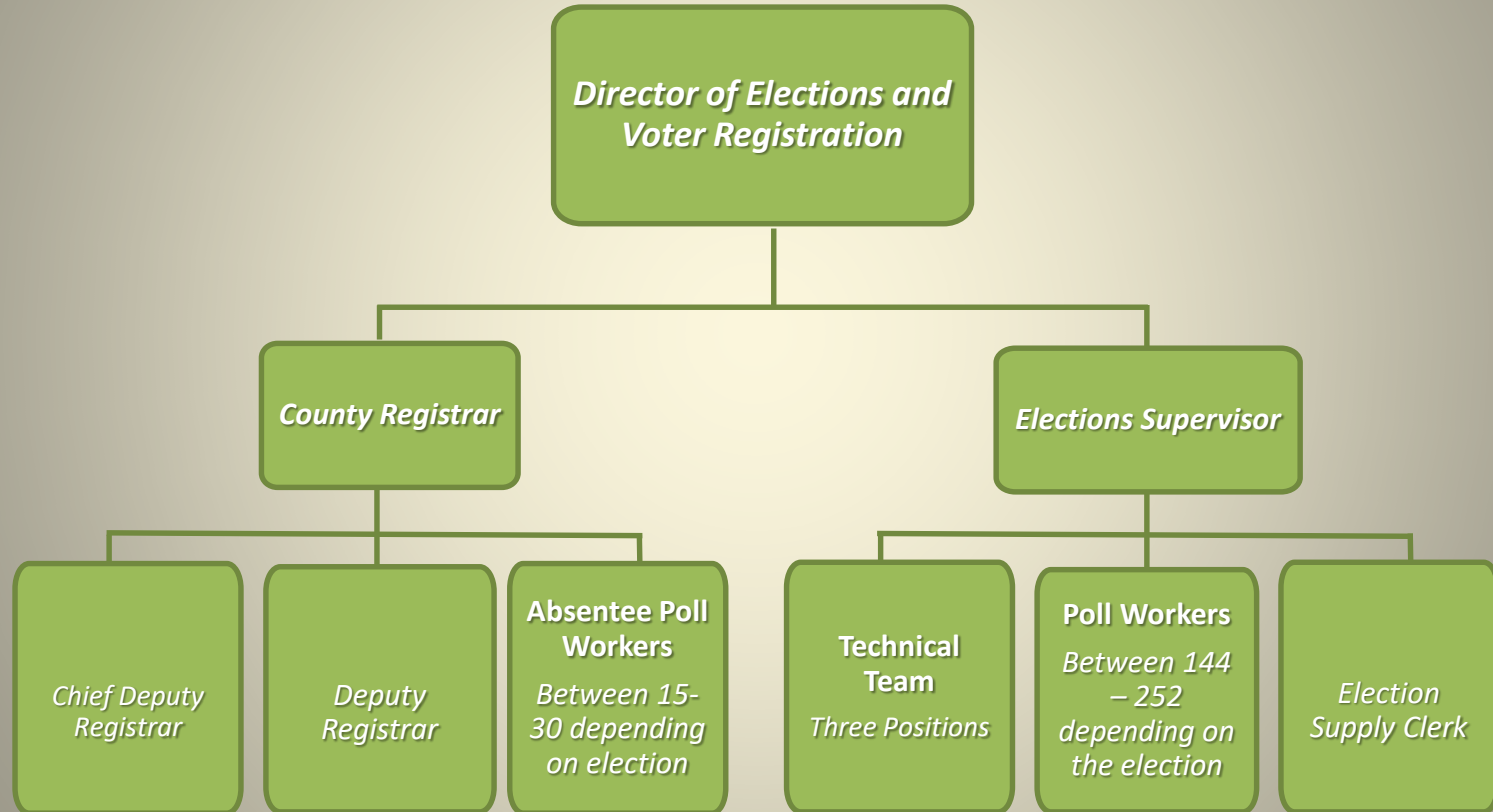
Request for \$1,696 to cover the cost for computer equipment for part-time administrative position

Outfit conference room with new chairs and conference call phone – Estimated \$4,170 (Included in Stonewall Renovation CIP Request)

ELECTIONS



Elections





Purpose

What: Conduct fair, accurate, and legal elections while maintaining and growing citizen's confidence in Fayette County's elections processes.

How: Our office does our work through continual training, open communication with the citizens, and adherence with Georgia's election laws.

Who: Elections are conducted with a primary focus on Fayette County citizens but with a higher goal of serving the citizens of Georgia and the United States of America.



2018 Accomplishments

Opened the possibility for poll workers to be paid by direct deposit- lessening the burden on three departments.

Provided a viable ability to consolidate the 36 precincts into approximately 19 precincts.

The Board and staff worked with the Board of Education, obtaining a 5-0 vote, to allow schools to be used as polling locations.

Conducted four elections: SPLOST, ESPLOST, Municipal, and Peachtree City Runoff Election.

Worked with the Chamber of Commerce in providing Candidate Academy Classes.



2019 Major Projects/Goals

Become a more prominent presence in the Georgia Elections Officials / Voter Registration Association of Georgia (GEOA / VRAG) conferences, and, by so doing, bringing greater training and opportunities to all 159 Elections Offices in the State of Georgia.

Look into the possibility of expanding voting hours during the three weeks of early election.

While this will ultimately be voted on by the Board of Elections, it opens up the possibility of greater voter participation in the elections process.

Engage further with the Secretary of State's Office, local legislators, and state officials as the state explores new machines and procedures in conducting elections.



Budget

Category	FY 2018 Original Budget	FY 2018 Revised Budget	FY 2018 Forecast
Personnel	474,417	539,816	516,790
Maintenance & Operating Costs	140,096	151,162	101,118
Total	\$614,513	\$690,978	\$617,908

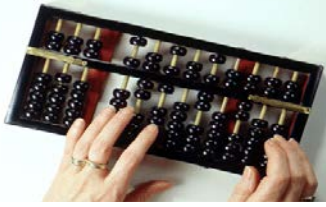


2019 Budget Request

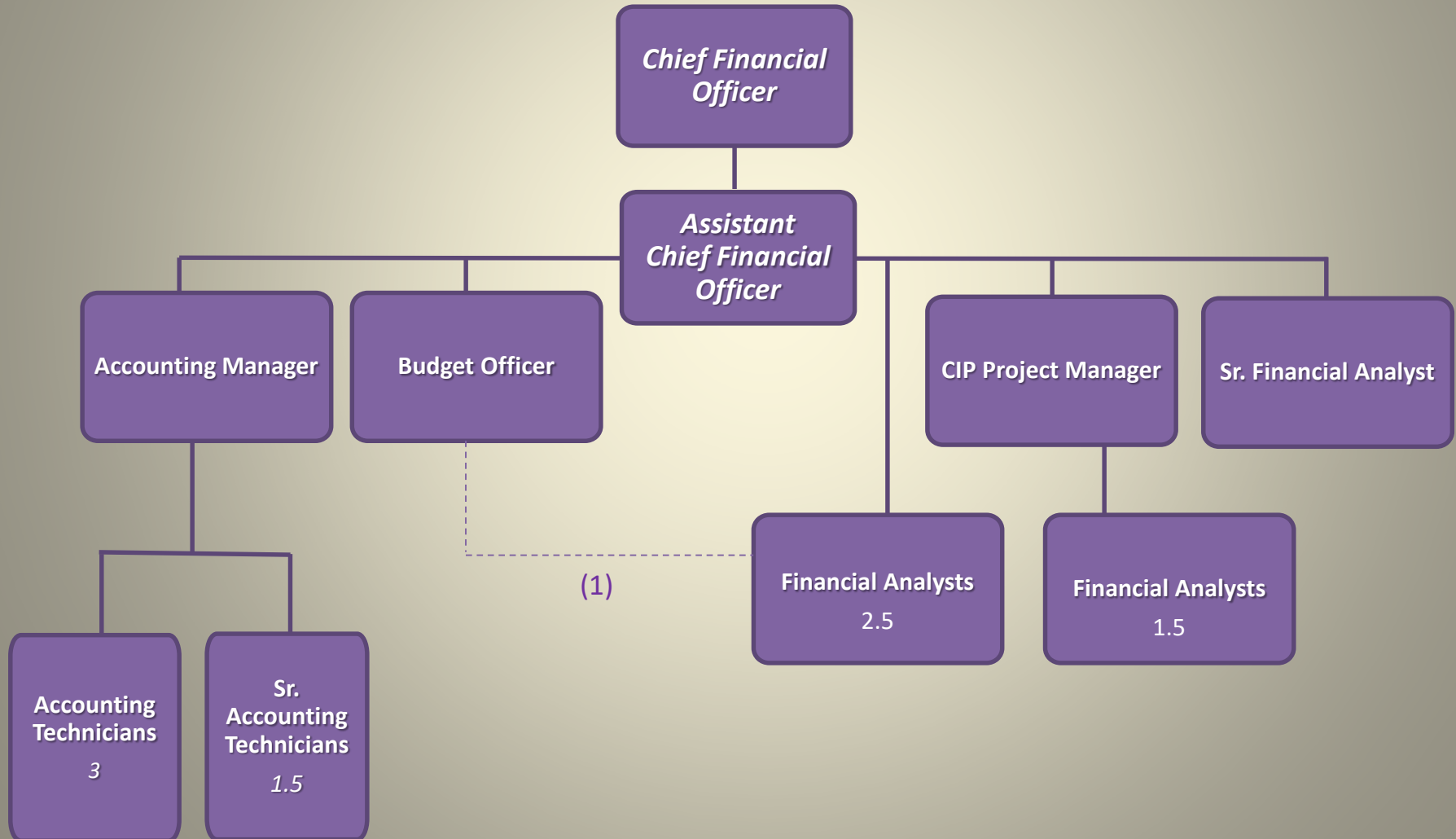
Move the position of seasonal, part-time Elections Supplies Clerk to a permanent, part-time Elections Clerk position to work with the Elections Supervisor annual cost of \$20,293.

CIP request to complete renovations in Elections office- \$8,000

FINANCE



Finance





Purpose

What: Accounting, Analysis, Audits, Budget, Financial Reporting, Forecasting, Payroll Processing and Reporting of all County activity.

How: Consistent adherence with Federal & State Regulatory Agencies, Bondholders, and Rating Agencies pertaining to the reporting & submission of financials, adopted budgets, independent contractors and personnel tax data.

Who: Citizens of Fayette County, Board of Commissioners, County Administration, County Departments, and Governmental Agencies.



2018 Accomplishments

Perfect Reporting from Georgia Department of Audits and Accounts on Audit (3) three consecutive years

24th year of GFOA Achievement in Financial Reporting

20th year of GFOA Distinguished Budget Award

Implementation of new reporting measures for the Department of Community Affairs reporting requirements

Implementation of the 2017 SPLOST Accounting (72 Additional Active SPLOST Projects in FY18)

Implementation of GASB 77 – related to accounting for all tax abatements within Fayette County



2019 Major Projects/Goals

FINANCIALS & REPORTING

- Continue to achieve clean audit opinion and GFOA's CAFR and Budget awards.
- Enhance tracking, and reporting of grant activity with potential process improvements.

FINANCE STAFF

- For continued success, implement the Department's Internal Training Program:
MUNIS/Tyler Univ
UGA / CVIOG
GGFOA / ACCG.

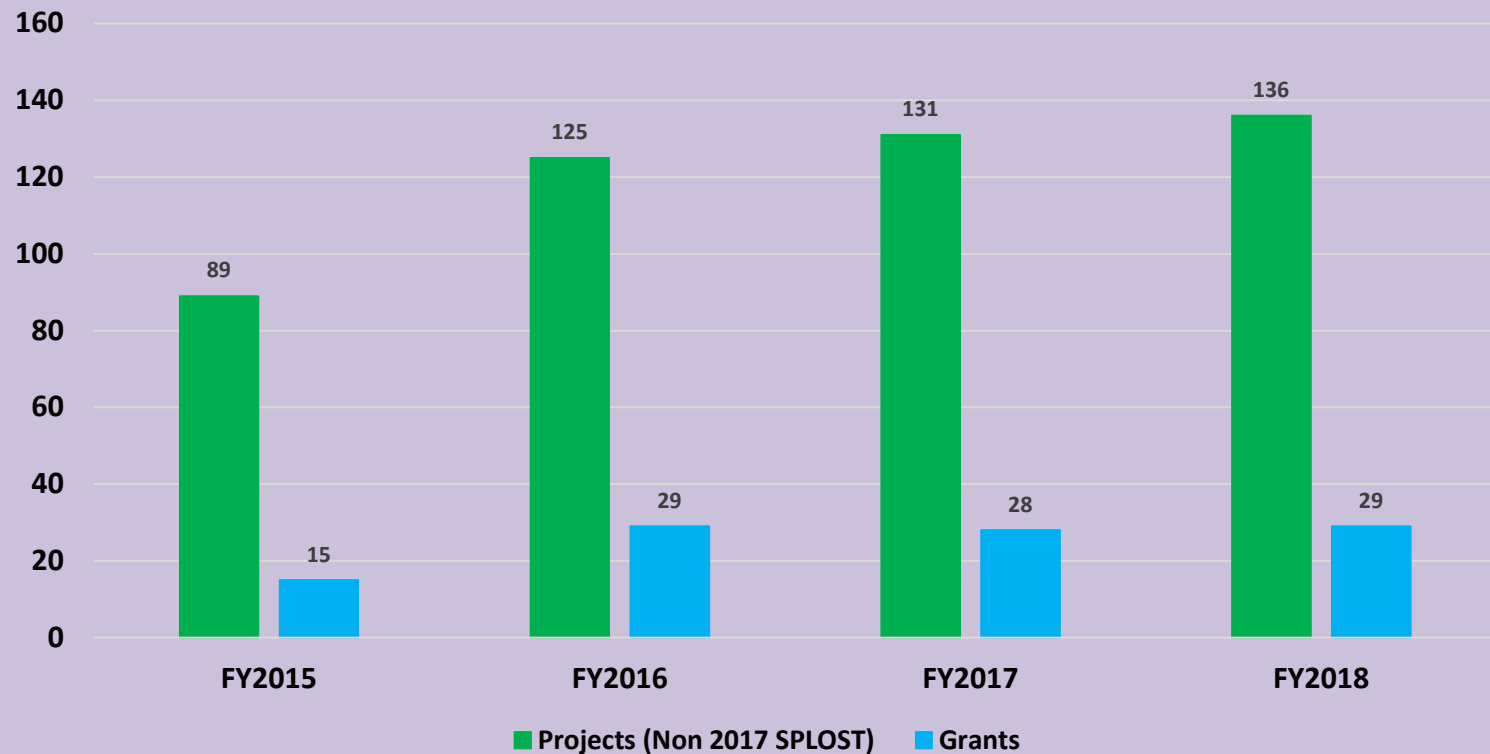
ACCOUNTING CHANGES

- Implement accounting change from Proprietary to Governmental Fund reporting per Stormwater Ordinance.
- Research new GASB pronouncements for potential impacts.



2019 Grant & Project Workload

Increase in Projects and Grants FY2015 through FY2018





Budget

Category	FY 2018 Original Budget	FY 2018 Revised Budget	FY 2018 Forecast
Personnel	984,217	1,002,270	983,102
Maintenance & Operating Costs	208,070	208,070	193,491
Total	\$1,192,287	\$1,210,340	\$1,176,593



2019 Budget Request

Increase a Part-Time Sr. Financial Analyst \$38,562.
Offset increase by reducing Technical Services \$40,000
Grants Analyst contract.

Continued educational funding for staff development.

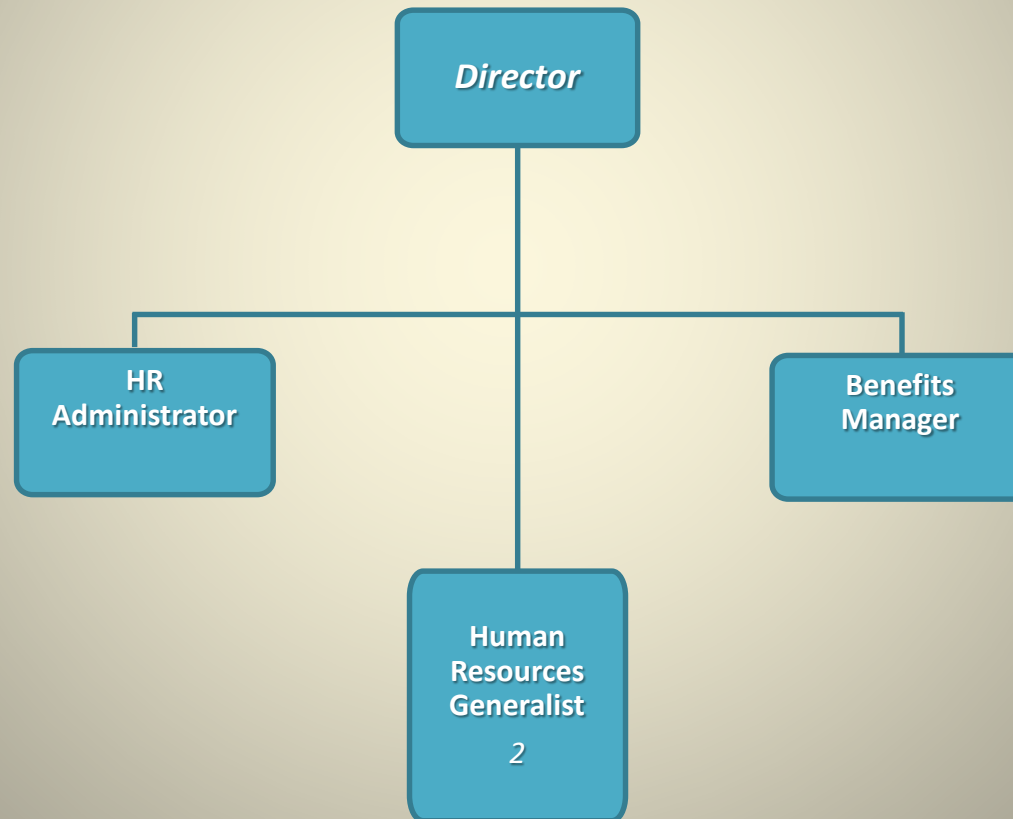
Furniture/equipment for Part-Time Sr. Financial
Analyst.

One-time cost of \$4,400.

HUMAN RESOURCES



Human Resources





Human Resources

What: Full Service HR Department – payroll, benefits, recruitment and selection, workers comp, policy administration, comp & class compliance, employee recognition

How: Fair and Consistent Service Delivery

Who: Serving Employees and Citizens



2018 Accomplishments

Began transitioning Poll Workers and Seasonal employees in Elections to Direct Deposit

Promoted electronic W2 delivery countywide with 542 employees electing to go paperless

Transitioned to a fully automated third party criminal and driver history background check provider: Allowing for quicker turnaround and ability to extend job offers in a more timely manner

Facilitated harassment and substance abuse awareness training for all county employees



2019 Major Projects/Goals

Request for a full time HR Technician to handle front desk duties, scanning, filing, document production for ORR's and legal inquiries as well as other clerical duties.

Redesign and issuance of new county id cards incorporating new county logo.

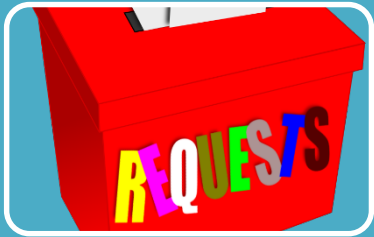
Contingent upon approval to hire a full time HR Technician.

Implement electronic scanning, storage and retrieval of personnel files.



Budget

Category	FY 2018 Original Budget	FY 2018 Revised Budget	FY 2018 Forecast
Personnel	351,946	369,383	367,603
Maintenance & Operating Costs	93,955	113,017	113,856
Total	\$445,901	\$482,400	\$481,459



2019 Budget Request

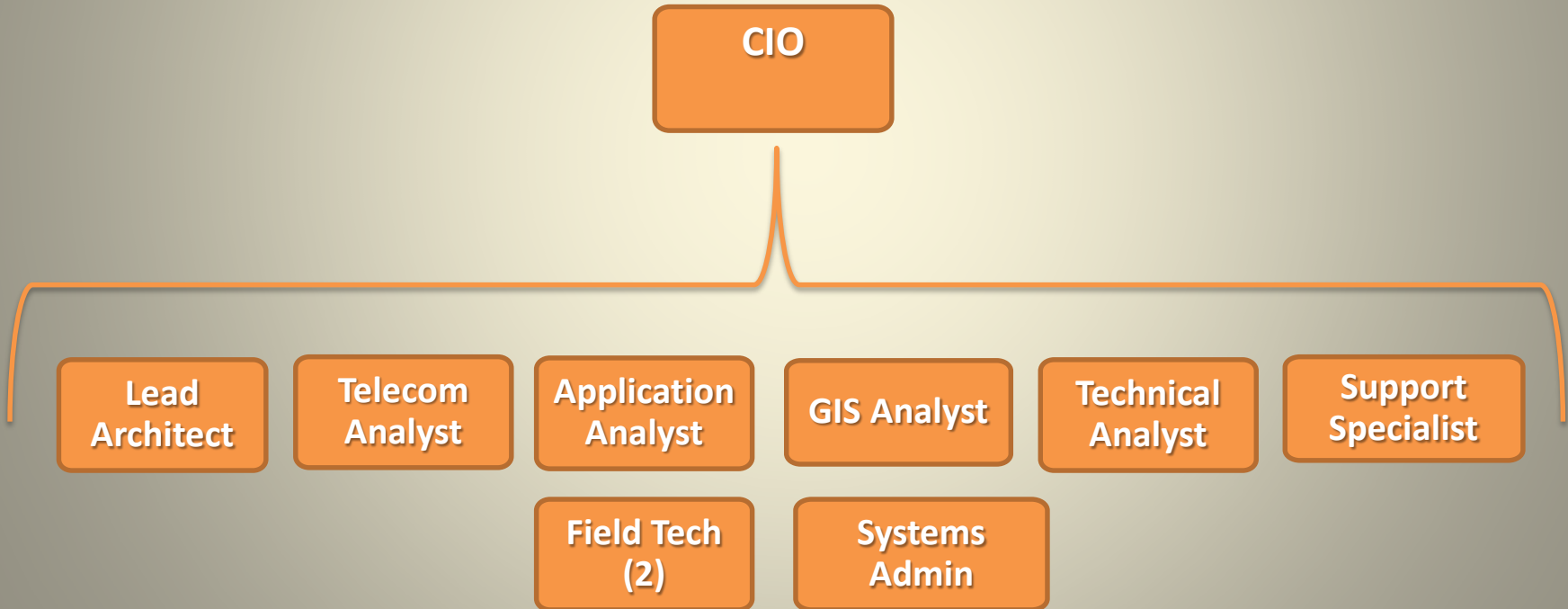
Request for a full time HR Technician at an annual cost of \$48,363 which includes benefits

INFORMATION TECHNOLOGY



Information Technology

Transforming Local Government Through Technology



We sustain and provide the technology enabling County departments to deliver services to the citizens...



Purpose

What: Fayette County IT is committed to effectively providing IT endpoint service, infrastructure management and design, Geographical Information Systems (GIS) services, telecommunications systems management and design, information security and IT Governance, strategic technology development and enterprise application support to all users.

How: Typically work orders for service are created by County staff, received by our helpdesk, reviewed and assigned to the appropriate technologist. Work orders also are generated by IT staff to record technology changes, preventive maintenance, security incidents and situations mandating written documentation. Reports are generated and reviewed at weekly staff meetings to increase efficiency and productivity.

Who: Technology supports just about every business function local government deploys. The IT department services County staff, citizens, municipalities and all private and public entities who interact with Fayette County.

IT is the engine of government business operations...



2018 Accomplishments

Wisely spending taxpayers dollars, scrutinizing technology purchases by aligning expenditures with business demand, the County's mission and the best interest of stakeholders.

Managing change. Promoting the use of a formal change management process among departments to minimize downtime and manage business risk.

Strengthening information security without sacrificing usability, by creating purpose driven physical and logical separate networks.

Developed and implemented Security Awareness Program aimed at thwarting the rising cyber crime threats.

Employing an agile approach to project management, devised strategic plan for upgrading and consolidating the Public Safety enterprise application servers (Spillman and connected programs).

Conducted an assessment of the GIS environment identifying and prioritizing which areas require a remediation plan.



2019 Major Projects/Goals

- Consolidation and upgrade of Public Safety's enterprise application software system and infrastructure (Spillman).
- Redesign the MUNIS support model and reconfigure system information security.
- Develop the cyber landscape to better support electronic "citizen engagement".
- Implement underutilized Office365 features.
- Raise level of Windows Domain to current build.

- Transition remaining digital phone technology to VOIP and reconfigure telecommunication provider circuits to properly sustain current operations.

- Increase window of service for Sheriff's office to accommodate growth of mobile technology and hours of operation.

- Reorganize GIS organization model as outlined in remediation plan.

- Improve cyber security posture by establishing relationship with MS-ISAC designated by DHS as a nation wide key resource for cyber threat prevention, protection and incident response.

- Continue implementing sophisticated VLAN network architecture strengthening information security.
- Routinely exploring utilizing cloud computing where feasible.



Budget

Category	FY 2018 Original Budget	FY 2018 Revised Budget	FY 2018 Forecast
Personnel	764,135	777,660	716,594
Maintenance & Operating Costs	316,357	324,737	227,791
Total	\$1,080,492	\$1,102,397	\$944,385



2019 Budget Request

Request a Full-time Systems Analyst annual cost of \$68,641 including benefits.

Augmentation of professional services to provide GIS support \$50,000 – Operational budget impact.

CIP Aerial Imagery Data Collection \$ 107,479



2019 Budget Request

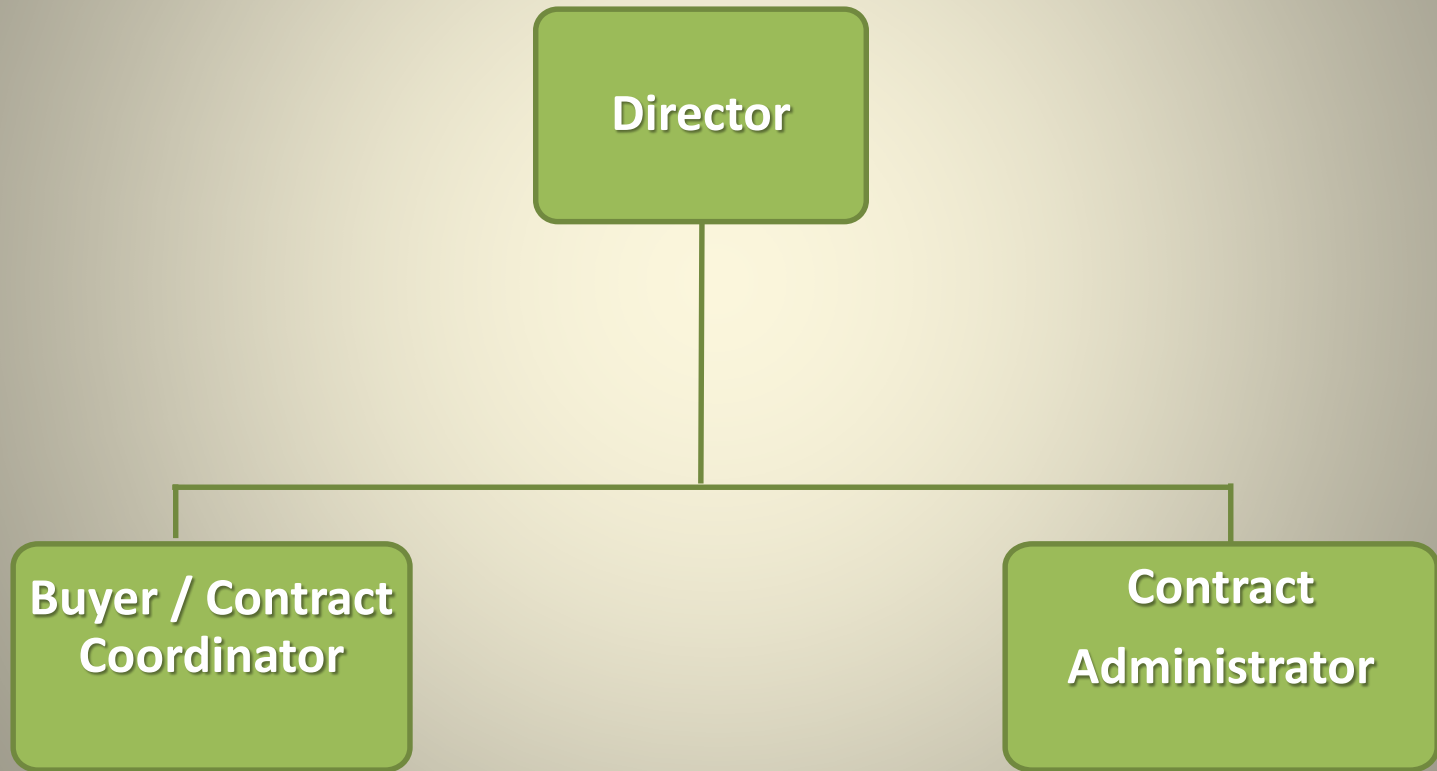
CIP Data Center Fire Suppression \$ 57,000

CIP System Consolidation/Redesign \$ 175,000

PURCHASING



Purchasing





Purpose

WHAT: Balance (1) acquisition of goods & services at best value with (2) equity, opportunity, & fairness for vendors

HOW:

Tools: RFQ (Request for Quotes), ITB (Invitation to Bid), RFP (Request for Proposal)

Product: Purchase Order or Contract

WHO:

Support other Departments

Serve Taxpayers & Board of Commissioners



2018 Accomplishments

Met Increasing Workload Demands

Refined RFP Scopes / Specifications / Process

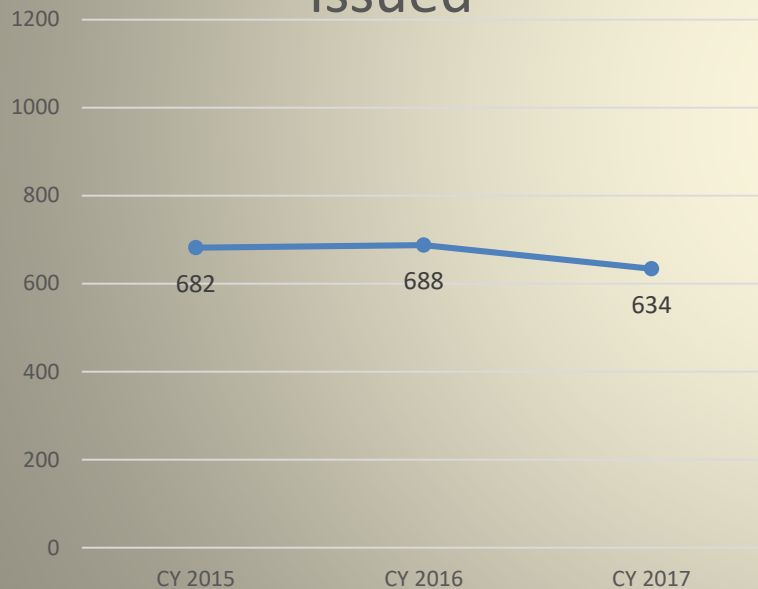
Improvement Initiative: Statewide Organization,
Vendors, County Departments

Annual Customer Survey

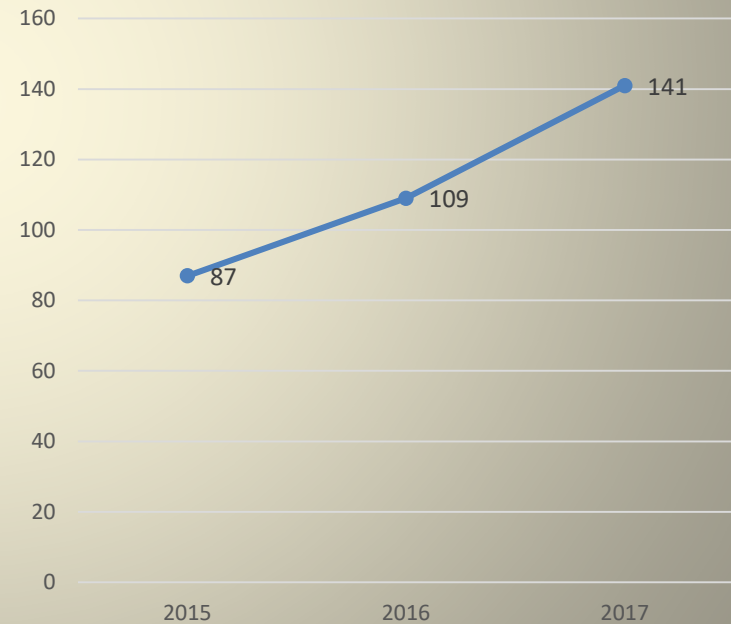
Bid Survey – How Vendors Find Opportunities

Change in Workload

Purchase Orders Issued

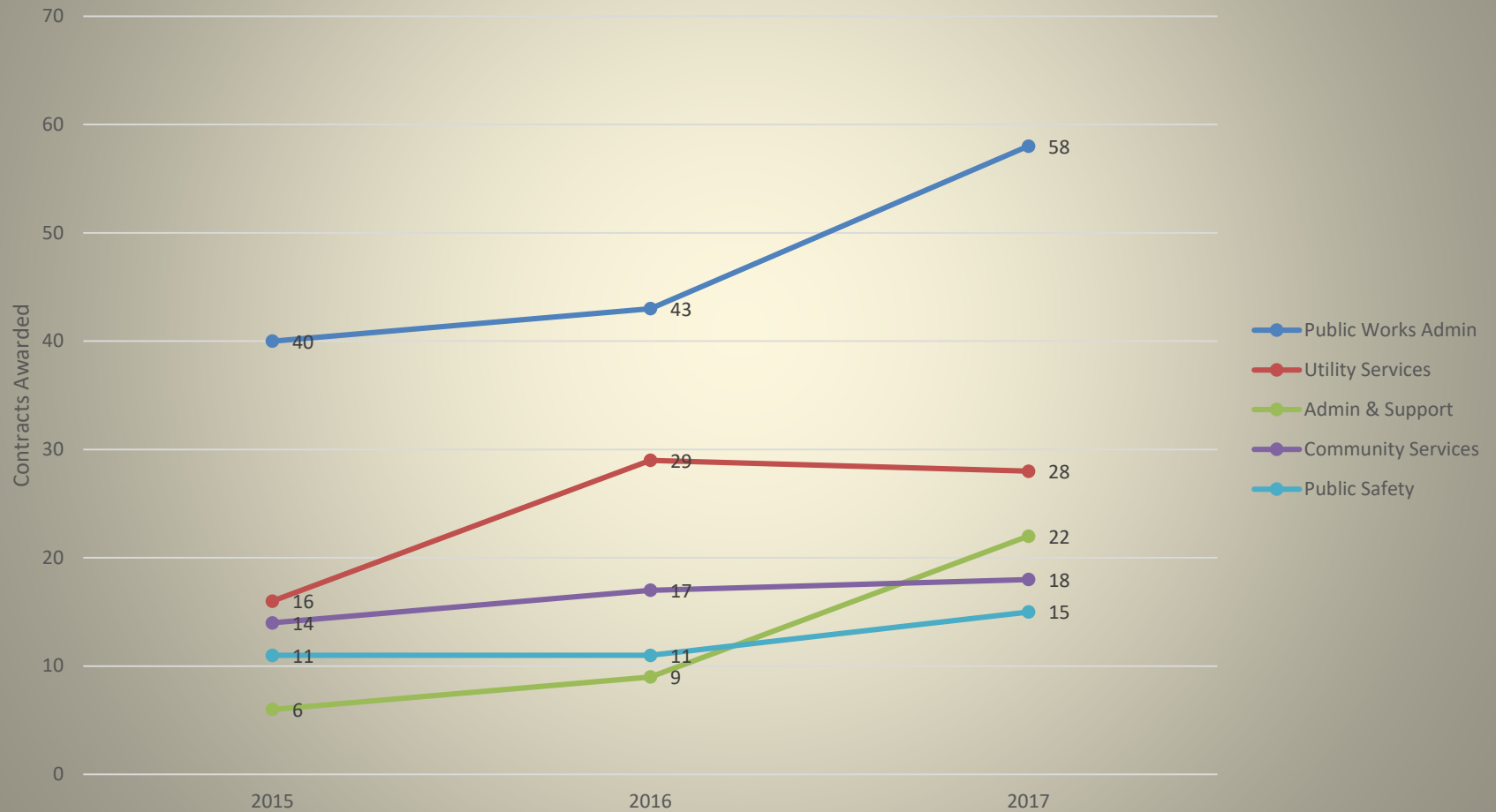


Contracts Awarded

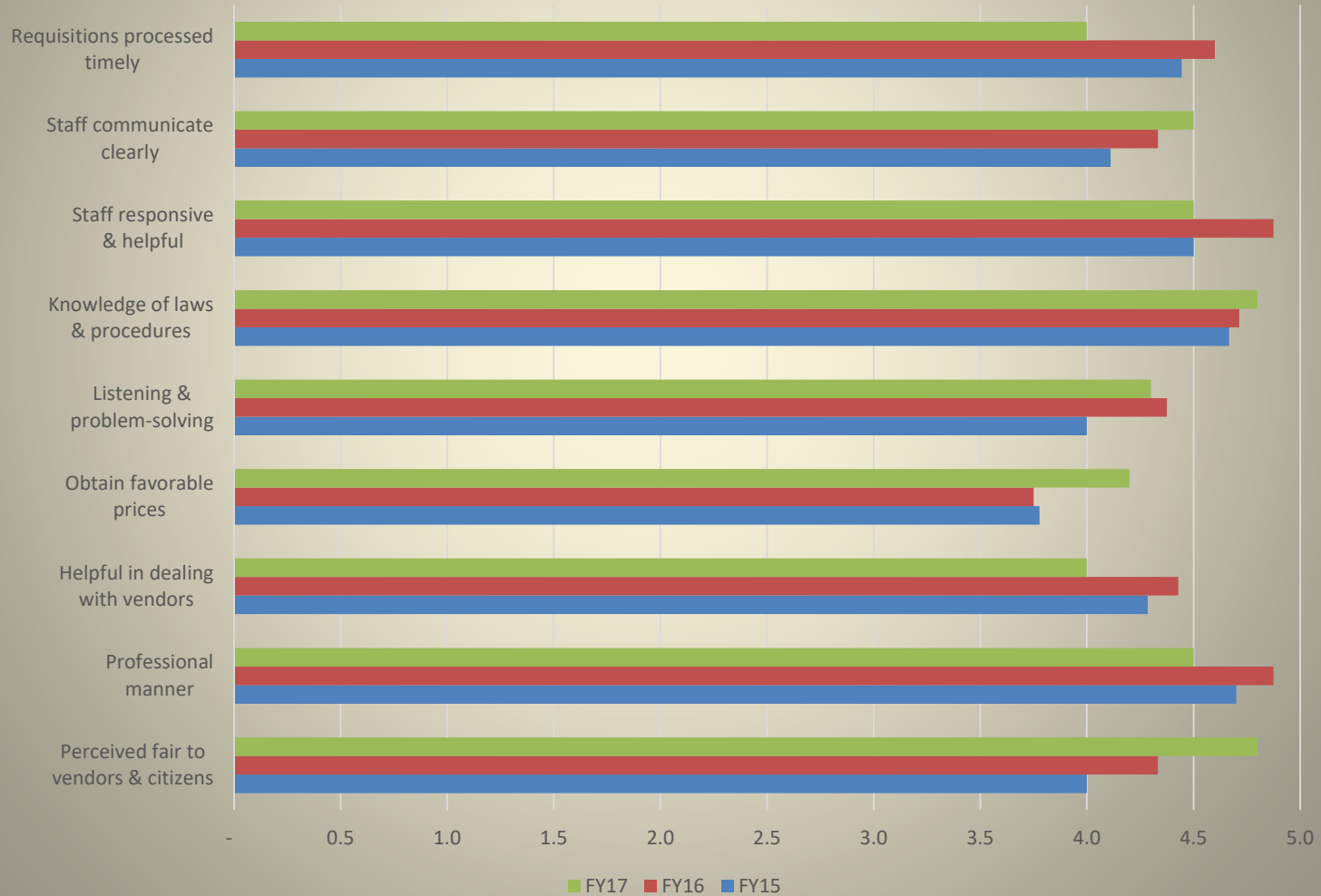


Contracts Awarded by Division

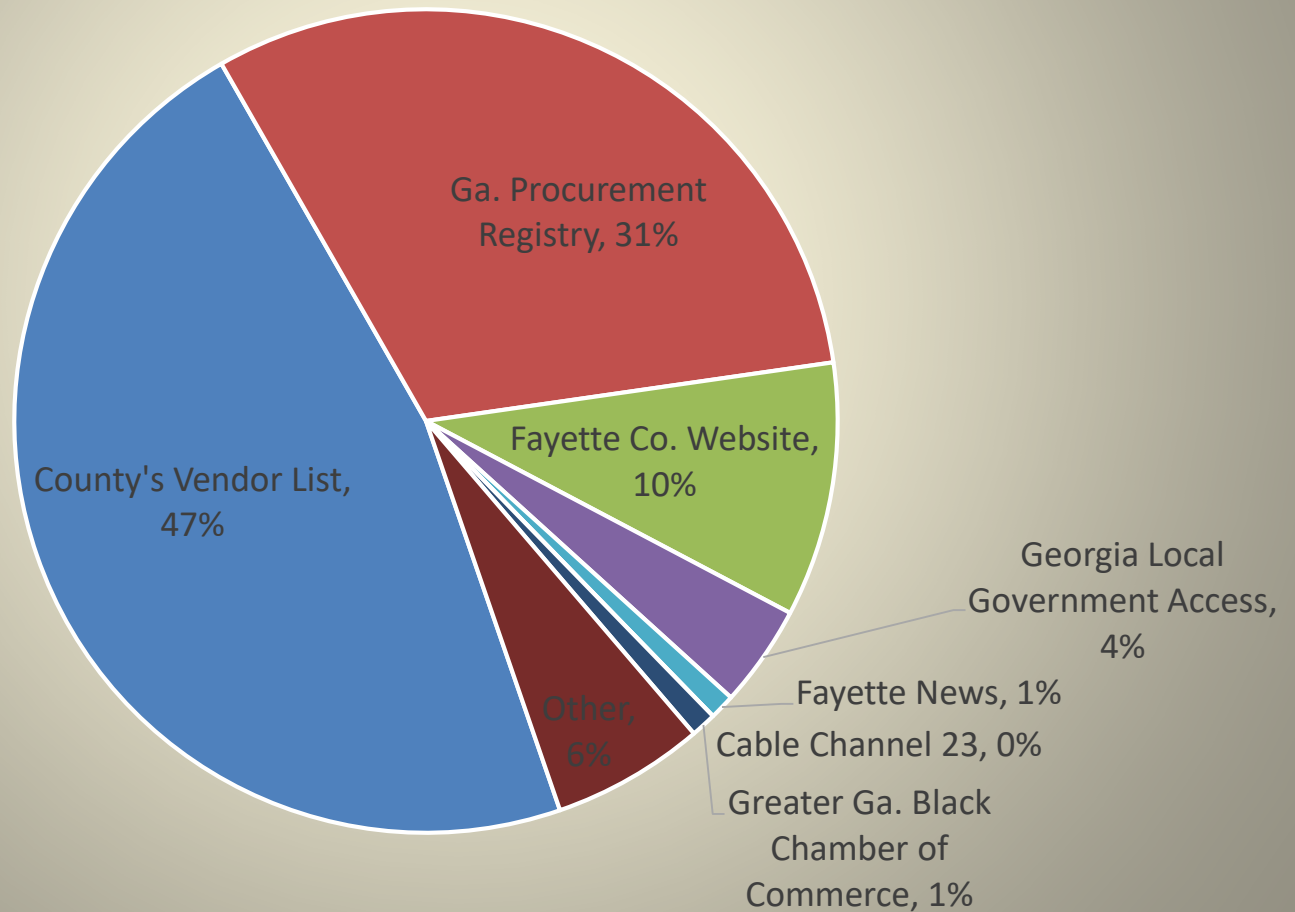
Calendar Years 2015 - 2017



Annual Customer Survey 2017



How Vendors Find Fayette County Bid Opportunities



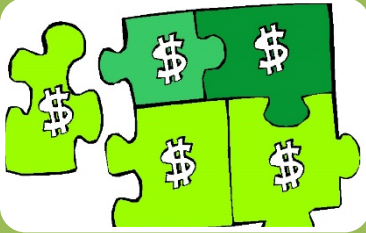


2019 Major Projects/Goals

Request a Contract Administrator position to help meet the challenge of increasing workload and provide sufficient Departmental support through a combination of work reassignment and staff training.

Continue to roll out the initiative to enhance the Purchasing function, locally and statewide.

Conduct the Annual Customer Service Survey, and use feedback for Departmental improvements.



Budget

Category	FY 2018 Original Budget	FY 2018 Revised Budget	FY 2018 Forecast
Personnel	183,357	186,948	181,237
Maintenance & Operating Costs	27,415	27,415	22,751
Total	\$210,772	\$214,363	\$203,988



2019 Budget Request

Request for a full time Contract Administrator at an annual cost of \$60,859 which includes the benefits load

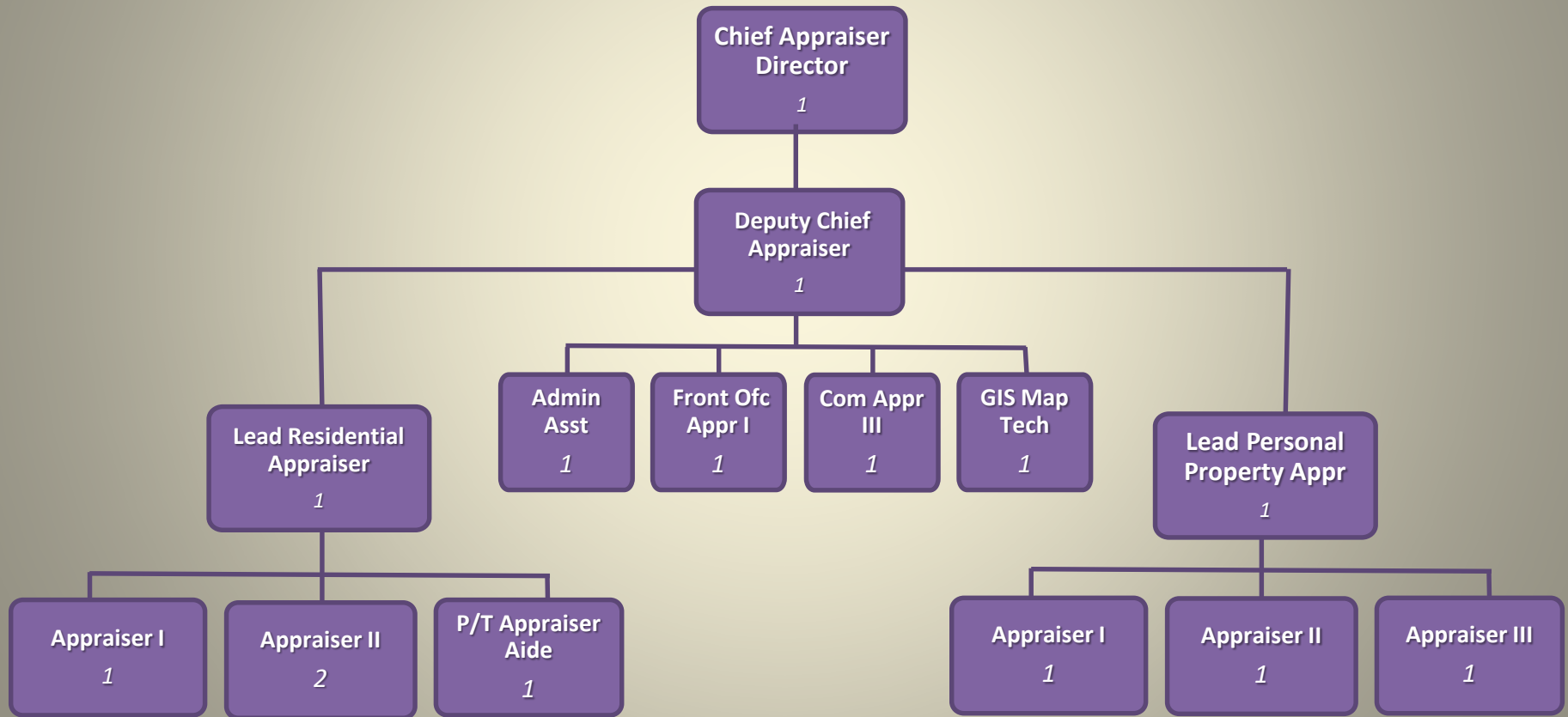
No service or contract changes

No asset or equipment changes

TAX ASSESSOR



Tax Assessor





Purpose

What: Assess all taxable property within the county fairly and equitably.

How: Physically inspect and appraise all property according to the rules and regulations of the Georgia Department of Revenue.

Who: State, school, county and local municipalities as well as the individual taxpayer by ensuring that the taxpayer pays only their fair and proportionate share of taxes.



2018 Accomplishments

Mapping and Admin.: created and appraised nearly 500 New Parcels; processed 29,278 Homestead Exemptions and 9,448 Deeds; and successfully launched Fayette County's newest and enhanced GIS Mapping Website.

Residential: appraised and managed approx. 41,000 Properties as well as added 571 New Improvements, 427 Additions and processed 2,343 Appeals.

Commercial: appraised and managed approx. 2,150 Properties as well as added 66 New Improvements, 141 Additions/Remodels and processed 348 Appeals.

Personal: processed 2,424 Business Personal Property Returns, 38 Appeals; appraised and managed 1,114 Mobile Homes, 66 Heavy Duty Equipment and 58 Public Utilities.

Successfully developed and submitted for approval the 2017 Digest to the Georgia Department of Revenue.



2019 Major Projects/Goals

The implementation of the Tyler Tech/iasWorld Field Mobile software allowing for electronic on-site data collection.

This will aid with the challenges of appraising hybrid and flex homes, geothermal technology, and the complexities of valuing and maintaining multiple assessments for TAD and FCDA Abatements.

The rapid growth throughout the county has resulted in an influx of permits and sales transfers.

Major commercial & industrial projects and multiple new residential subdivisions have been developed – all of which must be physically measured, sketched, appraised and recorded.

Submit a timely and uniform digest for approval to the Georgia Department of Revenue.

Work through all filed appeals within the designated timeframe.

Complete new business account audits and perform comprehensive revaluation of the Mobile Home Digest.



Budget

Category	FY 2018 Original Budget	FY 2018 Revised Budget	FY 2018 Forecast
Personnel	916,876	932,977	893,550
Maintenance & Operating Costs	200,316	200,316	187,527
Total	\$1,117,192	\$1,133,293	\$1,081,077



2019 Budget Request

One new full time Residential Appraiser I position for Residential Property annual cost \$54,149 including benefits.

Force multiplier software enhancement - Tyler Tech/iasWorld – Field Mobile software (\$80,000) and 5 iPads with remote access for on site data collection (\$7,500). Total onetime cost \$87,500
Recurring software maintenance cost \$4,750 year.

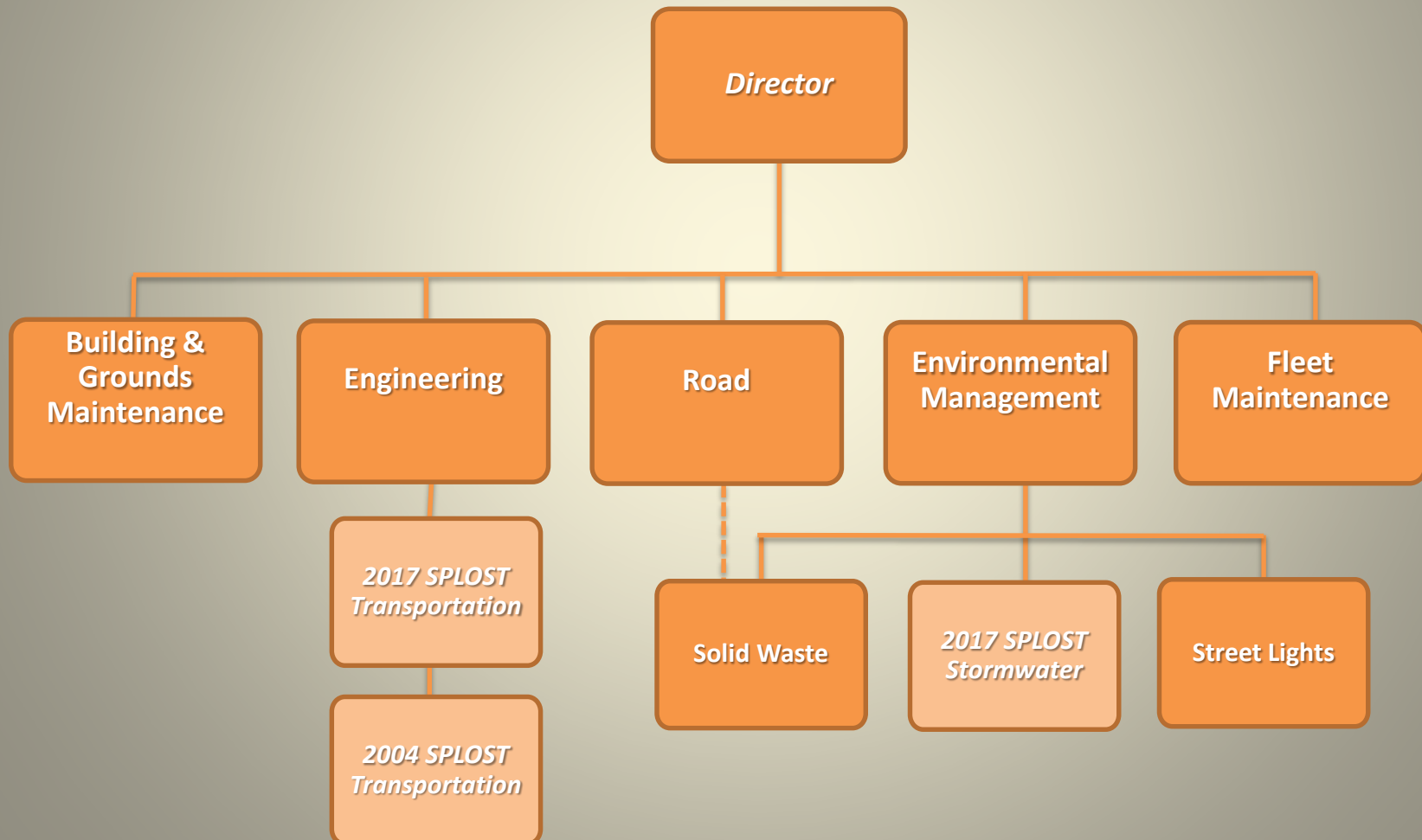
One new vehicle for new appraiser – estimated cost \$28,500.

BREAK
10:15-10:30 AM

PUBLIC WORKS/ ENGINEERING



Public Works





Purpose

What: Coordinates County departments, County BOC, Cities, ARC, GDOT, and other organizations. Focuses on transportation planning, funding, and project delivery

How: Allocation of resources, project prioritization, planning, project management, and communication of information

Who: Public Work activities serve the citizens, other departments, the BOC, other local governments, state and regional agencies, etc.



2018 Accomplishments

Procured a **Transportation Engineer-of-Record** for 2017 SPLOST

Secured **ARC funding** for multiple corridor studies and **resurfacing projects**

Led the substantial completion of three major **transportation studies**

Assisted with Transportation Committee's **recommendations for 2004 SPLOST**

Managed redesign of the **Antioch-Goza Intersection**



2019 Major Projects/Goals

Complete the federal-aid corridor studies under the 2017 SPLOST program:

- Sandy Creek Road (\$176,500)
- Tyrone/Palmetto Road (\$216,000)
- SR 279 (\$253,500)
- Banks Road (\$137,000)

The above values are sum of federal and local money at 80/20 ratio.

Complete the three Transportation Studies underway:

- Comprehensive Transportation Plan
- Master Path Plan
- SR 74 Corridor

Develop “top five list” of County transportation projects through the Transportation Committee and BOC.

These projects are fully funded with federal and local money from previous CIPs. No additional funding is needed.

Improve and standardize project reporting to the BOC and citizens:

- Photo documentation
- Current webpage
- Master database



Budget

Category	FY 2018 Original Budget	FY 2018 Revised Budget	FY 2018 Forecast
Personnel	131,742	134,340	138,274
Maintenance & Operating Costs	21,664	20,664	10,346
Total	\$153,406	\$155,004	\$148,620

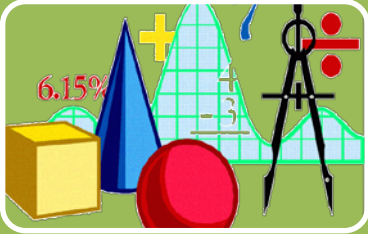


2019 Budget Request

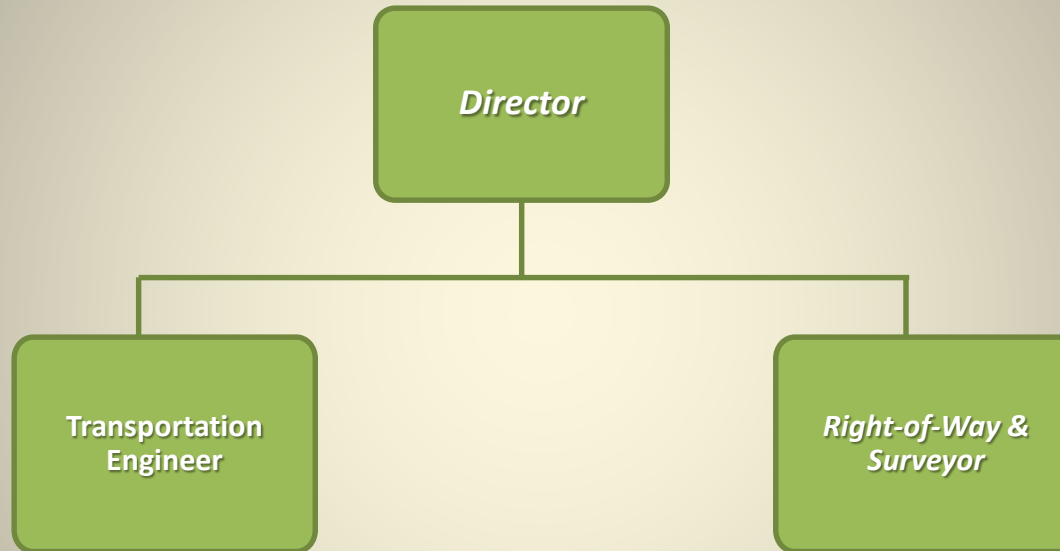
Staff – Public Works is requesting an Engineering Technician to support the operations of the Public Works and Engineering Departments \$56,276.

Contracts – Utilize the Transportation EOR Contract for delivery of 2004 and 2017 SPLOST projects

Assets/Equipment – Office space and materials for new position estimated cost \$4,500



Engineering





Purpose

What: Regulatory oversight of new development and utilities; project delivery; SPLOST program management; technical support; and land acquisition

How: Work is performed through a combination of in-house staff and multiple consultants and contractors

Who: Engineering activities serve the BOC, County Departments, utility companies, GDOT, and the County's development community



2018 Accomplishments

Completion of the McIntosh Road bridge replacement project (2004 SPLOST)

Completion of the Shooting Range

Completed in-house design and ROW of Veterans Parkway Intersection (2004 SPLOST)

Engineering & surveying assistance on multiple Park & Recreation projects

Completed in-house design of the Swanson Road paving project



2019 Major Projects/Goals

Roundabout Project at Intersection of Countyline Rd, Inman Rd, Northbridge Rd & S. Jeff Davis Drive (R-8A) –

- 100% Completion of Preliminary Engineering, Right-of-way Plans, Environmental Permitting, and right-of-way acquisition;
- 50% complete with construction of the roundabout

East Fayetteville Bypass (R-8B) –

- 100% Completion of Preliminary Engineering Right-of-way Plans & Environmental Permitting;
- 25% Complete with right-of-way acquisition

Start work and set firm schedules on any additional 2004 SPLOST projects authorized by the BOC.



Budget

Category	FY 2018 Original Budget	FY 2018 Revised Budget	FY 2018 Forecast
Personnel	263,430	268,156	279,313
Maintenance & Operating Costs	20,464	20,464	7,421
Total	\$283,894	\$288,620	\$286,734



2019 Budget Request

Staff – None

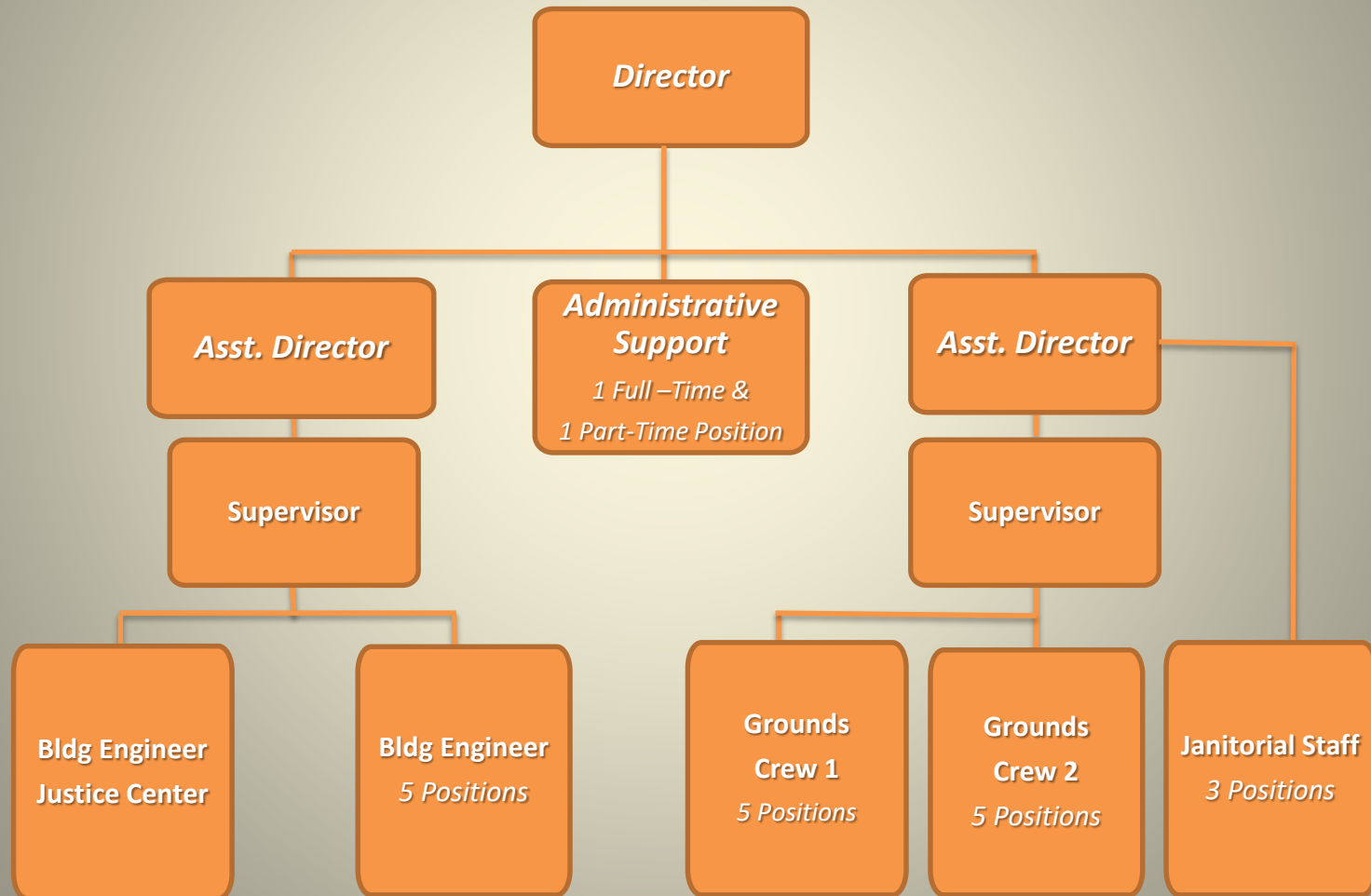
Contracts – Utilize the Transportation EOR Contract for delivery of 2004 and 2017 SPLOST projects

Assets/Equipment – None

BUILDING & GROUNDS



Buildings & Grounds Maintenance





Purpose

What: Ensure that our Parks are clean; fields, landscaping & grass are manicured; and our buildings are in good operating condition.

How: We do this by assuring that staff is qualified, knowledgeable and properly trained to remain current of ever changing regulations, products and methods.

Who: B&G provides a safe, quality environment for our County residents, employees and visitors to ensure they feel welcomed as they conduct business or enjoy leisure and recreational activities within the County.



2018 Accomplishments

Developed and implemented Digital Archive System for all Building/Facility Record Plans

Completed Stonewall Administrative Building Refurbishment Project

Completed nearly 2,000 building maintenance Work Orders and renovation projects

Maintained 89-acres of County property & completed more than 400 Grounds Maintenance Work Orders

Converted entire interior library lights to LEDs



2019 Major Projects/Goals

Build data base of all County Facility Roofs & HVAC Units for future assessment of age, condition, and proposed replacement schedule for which future systems budget recommendations can be established and prioritized.

Stonewall Flooring Replacement & Paint – Lobby Hallways, Lobby Restrooms, Admin Conference Rooms, Planning & Zoning, extension Office, Admin Hallway, Copy Room & BOC Offices.

Budget: \$65,000

Administrative Building Roof Replacement

Budget: \$200,000



Budget

Category	FY 2018 Original Budget	FY 2018 Revised Budget	FY 2018 Forecast
Personnel	1,333,217	1,355,751	1,353,585
Maintenance & Operating Costs	194,218	194,218	186,652
Total	\$1,527,435	\$1,549,969	\$1,540,237



2019 Budget Request

Staff – No 2019 Budget Request for Personnel

CIP Request

Admin Building Roof Repair (#3565A) – Increase Contract by \$200k to Replace Roof

Stonewall Administrative Renovation Improvements
Estimated Cost (\$65,000)

Yard Fence @ Buildings & Grounds Maintenance Shop (\$12,000)

Justice Center Roof Repairs (\$6,000)



2019 Budget Request

CIP Request cont.

Repair undermined concrete sidewalks at Justice Center (\$28,000)

Vehicle

1999 Ford F-250 - \$24,960 (Replacement)

2001 Ford F-150 - \$29,727 (Replacement)

Equipment

Kesmac Sod Roller - \$5,510 (New)

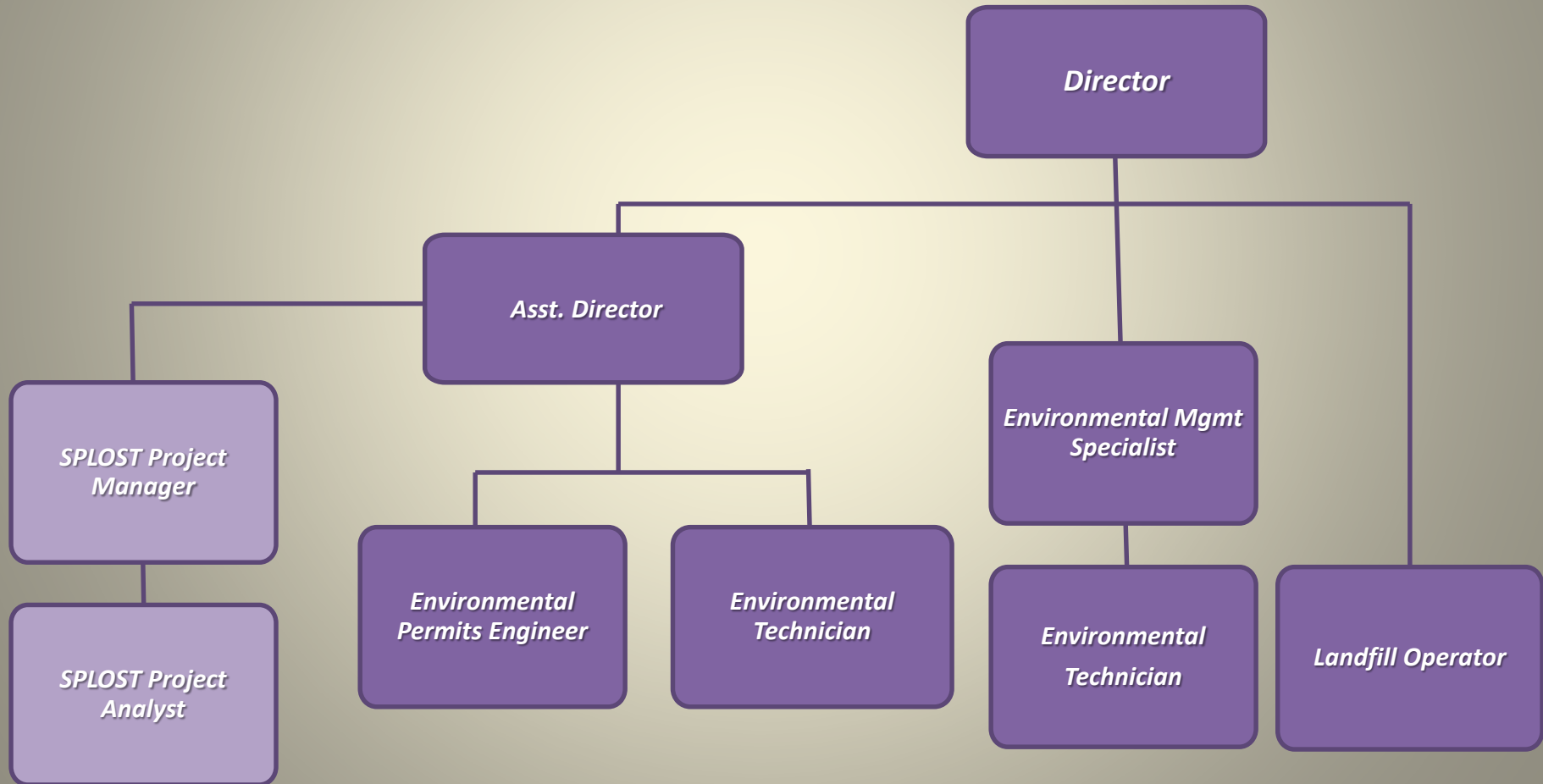
PJ Hauler Tilt Equipment Trailer - \$5,800 (New)

ENVIRONMENTAL MANAGEMENT/ SOLID WASTE



Environmental Management

Permitting/Solid Waste/Street Lights/SPLOST Management





Environmental Management

What: Implement development regulations; meet federal and state stormwater management permit requirements; and, respond to customer service requests.

How: Provide timely plan and permit review and customer service response; implement regulations consistently; and, perform best management practices required for permit compliance.

Who: Environmental Management activities serve the citizens and provided support to other county departments.



2018 EMD Accomplishments

Stormwater Infrastructure Inspections - 3392 (two inspectors)

Erosion Control Inspections – 835 YTD (two inspectors)

Regulations - Updated five Development Regulations*

Digitized Records – Completed Nonresidential Archives*

Upgraded Conference Room - 70" Touchscreen Computer

2017 SPLOST – Began project delivery

*to be completed EOFY 2018



2018 Solid Waste Accomplishments

Topsoil Screener - allowed distribution of buried material

Automated Inert Landfill Gate – EPD-allowed variance

Stormwater Pond Rehabilitation – Restored Southside stormwater pond adding water quality volume

Scrap Tire Abatement Reimbursement Program – obtained EPD funding for disposal of ~ 700 tires dumped on Highland Hills

New Engineer-of-Record – completed process



2019 Major Projects/Goals

Storm Water Management Plan Update

As the owner of a Municipal Separate Storm Sewer System, EPD requires Fayette County to submit an updated Stormwater Management Plan every five years. An updated plan must be submitted this year for EPD approval. New permit requirements include mapping all ditches in the county right-of-way within the next two years.

Community Rating System Audit

As part of floodplain management, Fayette County has maintained a rating of six for the past five years. (Only 12 communities in Georgia have the same rating or better.) This year the ISO auditor will visit our office and review all floodplain management activities to recertify the rating. This rating allows citizens a discount of 10 to 20 percent (flood-zone dependent) on flood insurance.

Sages Digital Plan Review and Inspections

All development plans will be submitted and reviewed electronically by staff. Online review of housing permits began in FY 2018 and the transition should be entirely accomplished in FY 2019. This project includes erosion and sediment control and stormwater infrastructure field inspections to be digitally recorded in the field.



Budget

Environmental Management	FY 2018 Original Budget	FY 2018 Revised Budget	FY 2018 Forecast
Personnel	416,018	423,721	393,532
Maintenance and Operation	109,999	78,502	60,363
Total	\$526,017	\$502,223	\$453,895



2019 Budget Request

There are no personnel changes or requests for 2019 budget.

EMD Vehicle – SPLOST Project Manager and EMD Staff/Inspectors \$20,198

SW Rotary Cutting Attachment - \$2,200

SW Dead animal area buzzard proofing - \$3,658

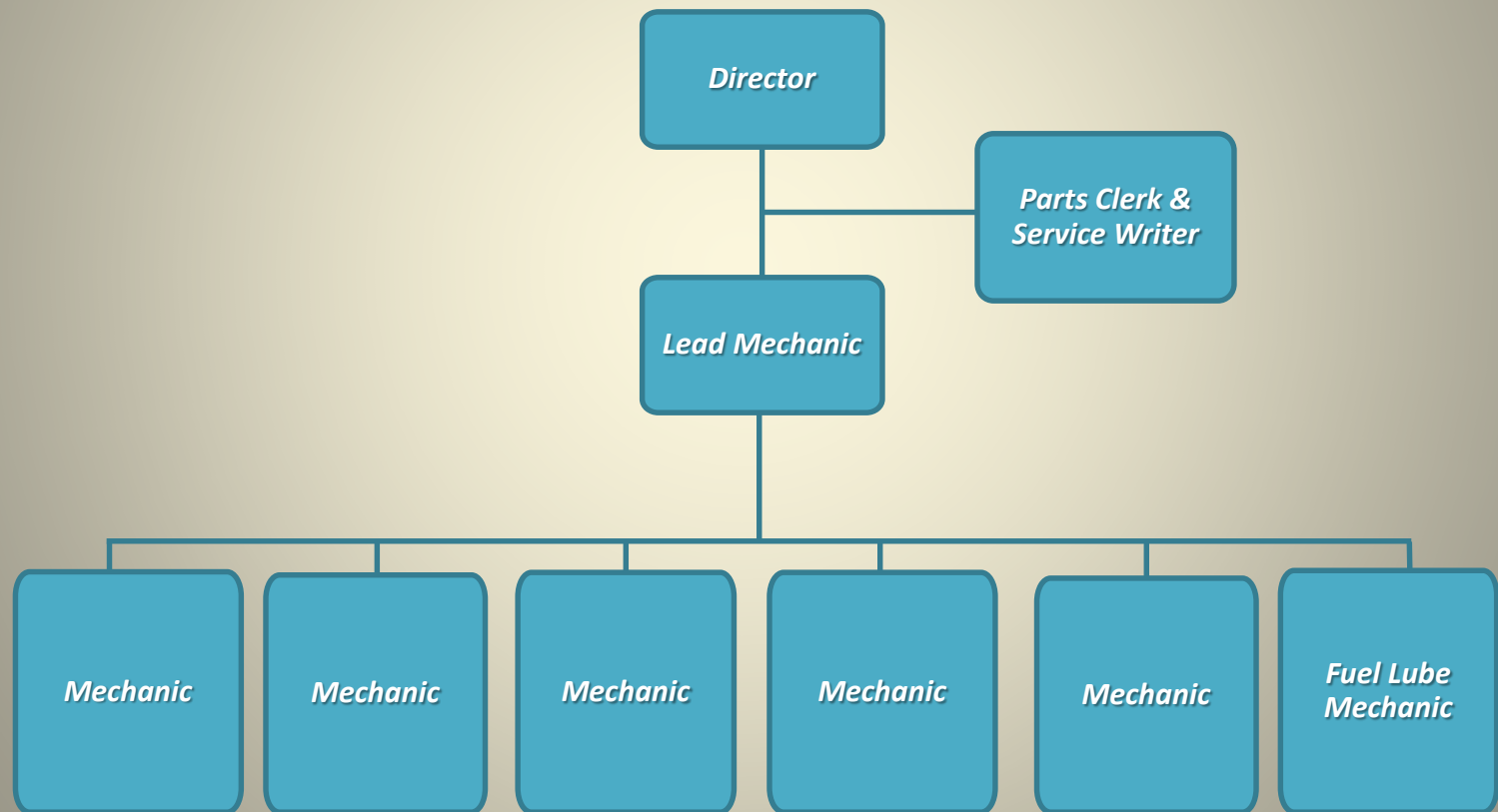
SW Storage area security upgrade – store gator/lawn mower/tools - \$1,550

Permitting System Enhancements (SAGES)- \$18,550 (Included in Building Safety CIP Request)

FLEET MAINTENANCE



Fleet Maintenance





Purpose

What: The Fleet Maintenance Department provides preventive maintenance and repair services for County vehicles and equipment

How: Repairs and maintenance are performed through an aggressive PM program in an efficient and cost effective manner

Who: Our customers are internal, but the services we provide ultimately benefit the citizens of Fayette County



2018 Accomplishments

Continued to provide cost effective preventative maintenance program

Extended oil drain intervals for certain vehicles which has reduced downtime

Safety & Loss Control improvements – Implementation of Bulk MVR program through Department of Drivers Services and Risk Management Software

Continuation of vehicle replacements – 43% of on-road Fleet is aged 5 years or less – More than 20% greater than 2 years ago



2019 Major Projects/Goals

Replacement of Fuel Management System Components at Fleet Maintenance Facility – Estimated cost \$30,500

Install security cameras around Fleet/Public Works Facility – Estimated cost \$6,000

Renovation of Downstairs Offices and Parts Room – Estimated cost \$6,000

Implement metal recycling program to help offset expenses related to the purchase of tools and equipment for shop – (This is a project David Camp is working to implement as part of the Carl Vinson Institute of Government Management Development course)



Budget

Category	FY 2018 Original Budget	FY 2018 Revised Budget	FY 2018 Forecast
Personnel	547,622	556,500	512,108
Maintenance & Operating Costs	74,715	74,715	61,984
Total	\$622,337	\$631,215	\$574,092



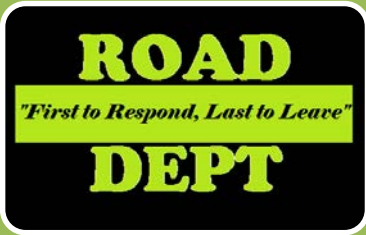
2019 Budget Request

No personnel requests or changes for FY 2019

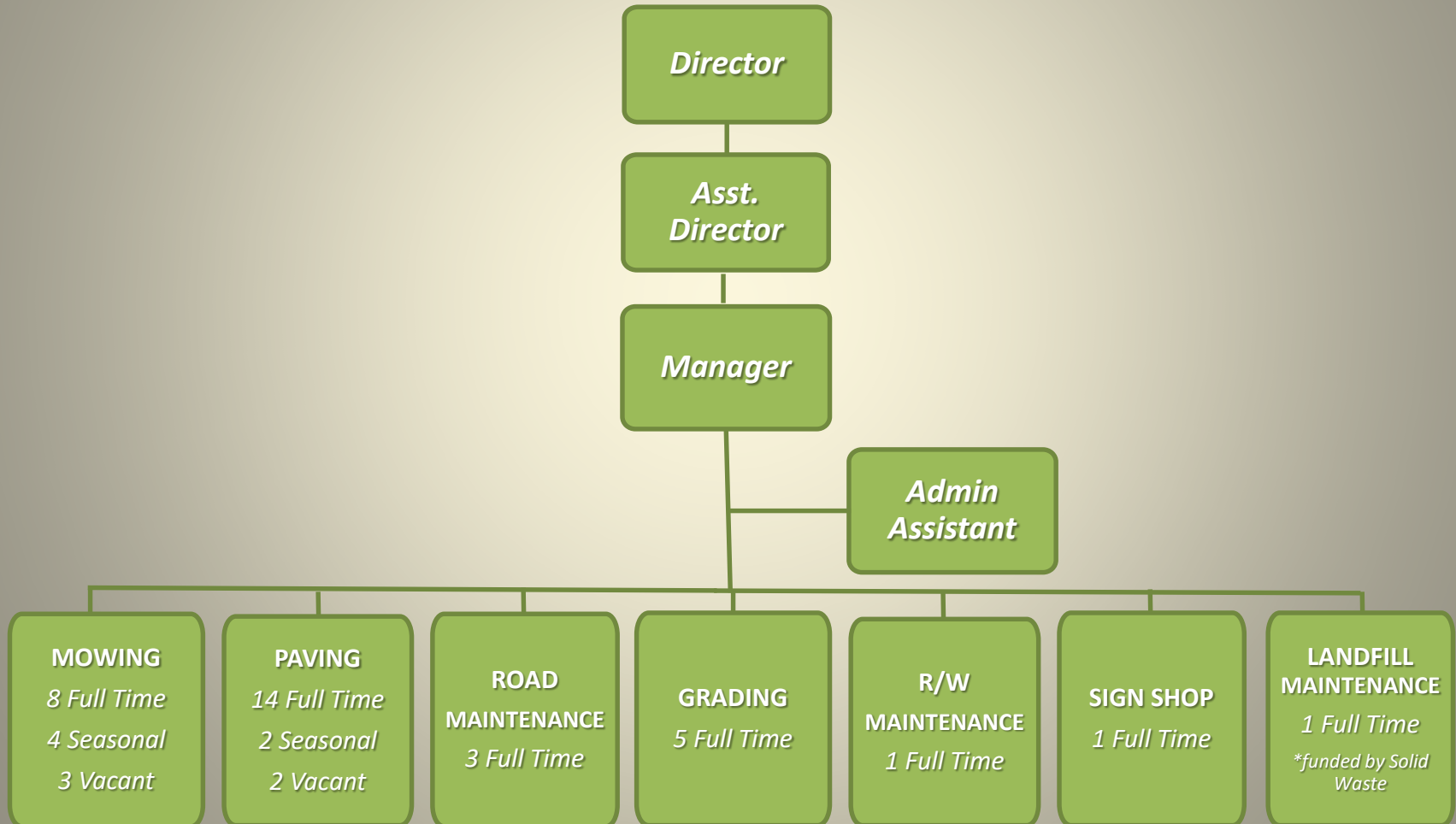
Replacement of Fuel Island/Fuel Management System - Estimated cost \$36,500.

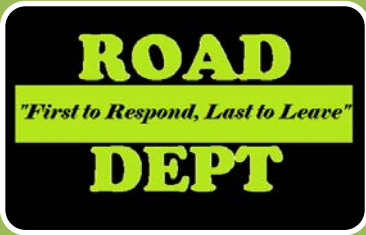
Renovation of Downstairs Offices and Parts Room – Estimated cost \$6,000

ROAD DEPARTMENT



Road Department



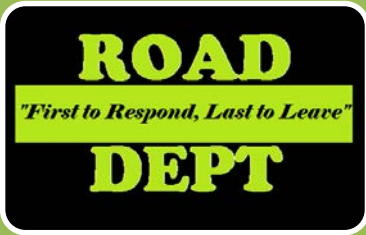


Purpose

What: Road Department is dedicated to provide and maintain a quality road infrastructure for the citizens of Fayette County.

How: Every day the Road Department is cutting roadside vegetation, resurfacing roads or maintaining the road system in various ways.

Who: Road Department provides this maintenance service to the County's residents, local businesses and the traveling public.



2018 Accomplishments

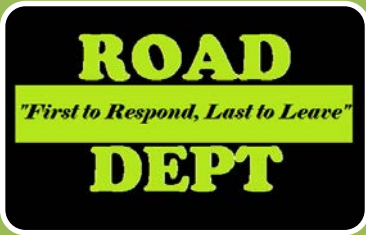
Expanded the mowing operations to include the County's 42 miles of state routes.

Received 826 citizen work requests thru March.

Assisted the Sheriff's Dept with the following CIPs – Shooting Range, Headquarters Parking Lot.

Completed Kiwanis Parking Lot pvmt preservation and actively working on McCurry Park drainage.

Expanded ability to respond to snow events with construction of new snow barn and additional plows



2018 Accomplishments

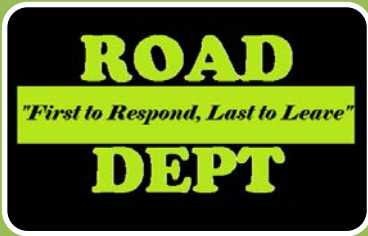
Resurfaced 85 Connector, Brooks Woolsey Rd and Ebenezer Rd using \$860,832.61 from ARC & FHWA.

Resurfacing 16.5 miles of roads with County Crews and an additional 9.5 miles with Contractors.

Pavement rehabilitation of 0.9 miles of the Surrey Park S/D roads at the cost of \$248,590.00.

Over 14 miles of pavement preservation by using HA5, asphalt rejuvenation and chip seal.

Completion of construction of converting school trailers into a new break, offices and training rooms.



2019 Major Projects/Goals

Reach a goal of resurfacing maintenance of 25 miles of County Roads.

Resurface 5 miles of City/Town roads.

Continue to expand pavement preservation to reduce the overall cost of resurfacing maintenance.

Improve the right-of-way maintenance of State Routes so the citizens are unaware of the County/City lines by the appearance of the right-of-way.

Continuation of replacing failing Category III drainage pipes through the 2017 SPLOST program.

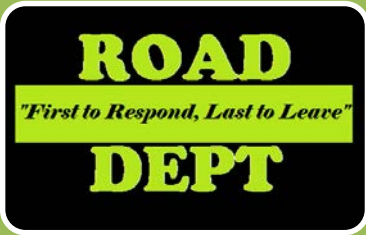
Increase the amount of pro-active maintenance work being performed throughout the County including:

- Dirt Road Maintenance
- Ditch Maintenance
- Potholes
- Trash Pick-up
- Limb Cutting
- Grass Mowing
- Sign Replacement
- Concrete Repair
- Storm Drain Pipe Replacements (Non-SPLOST funded)



Budget

Category	FY 2018 Original Budget	FY 2018 Revised Budget	FY 2018 Forecast
Personnel	1,960,200	1,992,631	1,893,171
Maintenance & Operating Costs	3,115,285	3,496,034	3,494,554
Total	\$5,075,485	\$5,488,665	\$5,387,725



2019 Budget Request

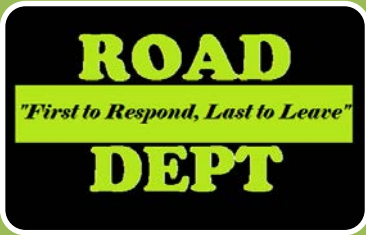
Requesting the additional crew implemented to expand the countywide mowing plan be reclassified from an Equipment Operator 1 to a Lead Mowing Equipment Operator. Total yearly estimated impact is \$4,267

Increase Road Seasonal hourly rate from \$11.90/hour to \$13.80/hour. Total yearly estimated impact is \$18,659.

Requesting two new seasonal positions at the increased hourly rate of \$13.80. Total yearly impact \$45,168.

Replace existing equipment including: Gradall #11451 (\$379,000) and 320 Hydraulic Excavator (\$198,400).

CIP Request to fund non SPLOST pipe replacements (\$500,000)



2019 Budget Request

New Equipment: Striping Machine & Trailer (\$21,432), Asphalt Recycler Patch & Tack Trailer (\$50,810), 6" Trash Pump with Hose (\$21,247), & Patch Roller #11455 (\$44,500).

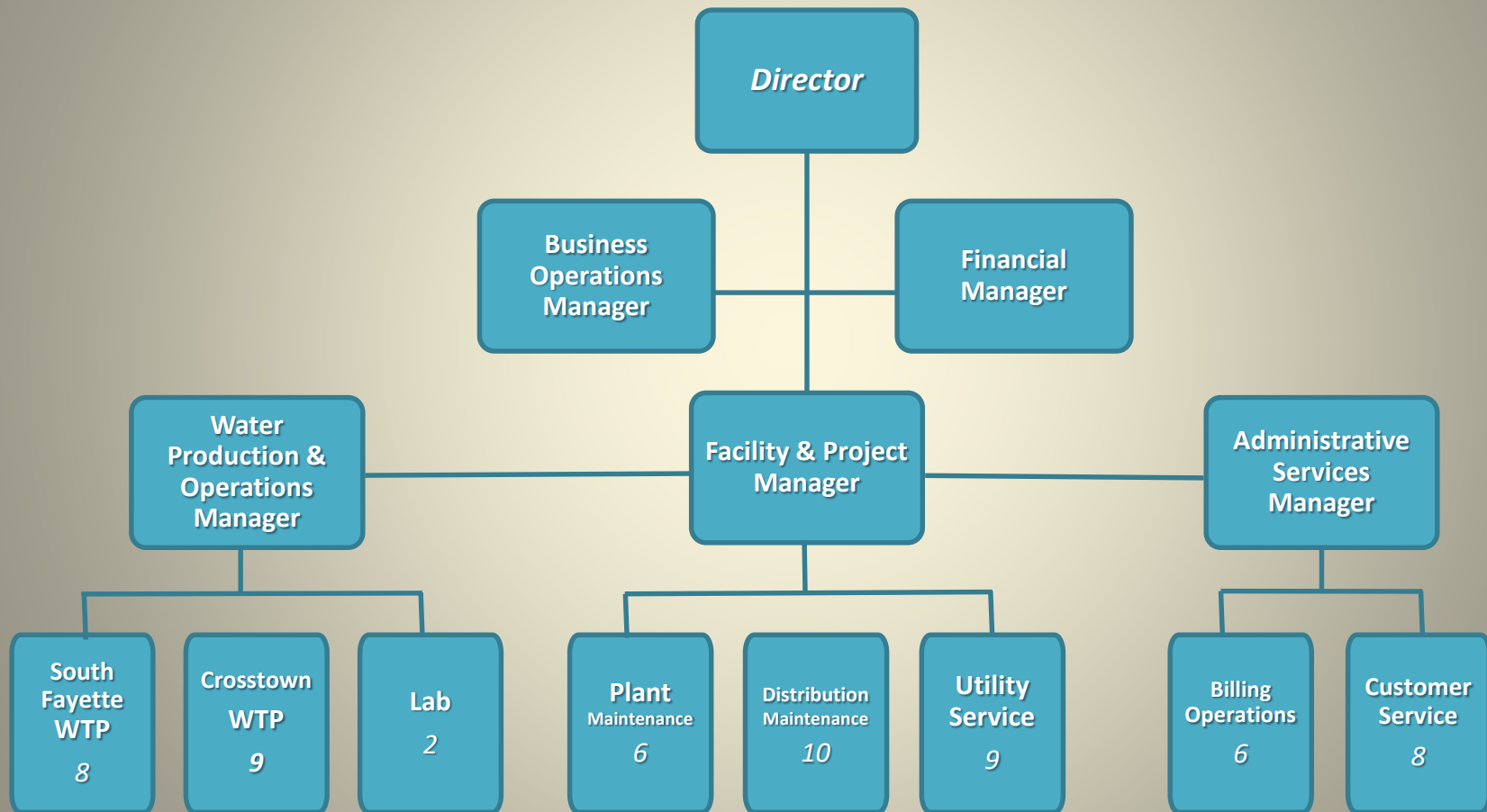
CIP request to construct new crew truck shed, equipment shed and dry storage shed (\$40,000)

Construct a secondary salt barn on the southern portion of the County at Goza Road Board of Education Bus Barn. Same construction as the one recently completed at the Fire Station off of SR 92 N. Total estimated cost \$18,278.

Also replace 3 existing trucks #11554, #10804 & #10808 (\$90,068).

LUNCH
11:45 AM – 1:00 PM

WATER SYSTEM





Purpose

What: To reliably provide cost-effective, customer-focused services to over 100,000 citizens in a manner that protects public health and safety. Providing high-quality drinking water services that exceed all regulatory requirements in a way that protects the quality of life as our water resources flow through Fayette County.

How: The Fayette County Water System is committed to providing the best customer service while maintaining a competitive status with all water utilities. Staff is committed to maintain high levels of skill and will provide results-oriented organizational preparedness to meet Fayette County Water System customers' demands today and tomorrow.

Who: As associates within the Fayette County Water System we will always be honest, loyal and uphold integrity at all times. Our team maintains effectiveness by always keeping in mind the best interest of the Water System infrastructure and our rate payers.



2018 Accomplishments

With completion of the Coastline Road project, our Water System has gained complete independence and eliminated the need to purchase water from City of Atlanta for residents of North Fayette County.

Crosstown WTP improvements include new filter media/filter bottoms, Zero2Waste, new control panels (Human Machine Interface) and a operator console which all allow for greater water treatment control and efficiency.

Formation of the Utility Service division has each team member cross trained in all field areas of locating, customer service field operations and meter reading. Being under one management team has streamlined processes, provided the ability to achieve more tasks with less overtime and improved morale of field staff by providing the support they need while working in the field.

An important cost saving measure is Citizen Self Service. This portal provides 24/7 access for customers to view their water account information and processing of payments. Citizen Self Service also provides customers the opportunity to GO GREEN and receive an electronic water bill which has saved a total of \$27,063 on postage in annual year 2017.

Earned the 2017 GAWP Gold Award for 100% compliance at Crosstown and South Fayette Water Treatment Plants.

2019 Major Projects/Goals

Plant Operation

Improvements: Changing solids handling, removing chlorine gas, and updating SCADA system, all at both Water Treatment Plants.

Evaluate implementing a Mass Meter Changeout Program to change out all meters to an AMI type system to improve efficiencies and better customer service.

Distribution System

Hydraulic Modeling: Identify valves, pipe sizes and age of water as it moves through the distribution system.

Evaluate Interconnects with neighboring Water Systems: To assist with meeting water demands statewide and complying with the pending GEFA/EPD planning for Water Interconnection and Reliability underway.

Tank Maintenance:

Inspect and repair the five elevated storage tanks. Apply Fayette County Water System logo on each tank. Working with EOR to finalize cost estimates.

Evaluate the concept of developing a water conservation and education outreach center located at Starr's Mill property.

Category	FY 2018 Original Budget	FY 2018 Revised Budget	FY 2018 Forecast
Personnel	4,181,273	3,975,371	3,837,613
Maintenance & Operating Costs	14,133,477	16,088,143	15,744,518
Total	\$18,314,750	\$20,063,514	\$19,582,131

2019 Budget Request

Request for a full time Engineer at an annual cost of \$84,473 which includes the benefits load

Staff Certifications Achieved; Increases total \$6,171

Engineering Consultant contract for plant and distribution improvements.

Each WTP - Plate press solids handling – \$1,000,000

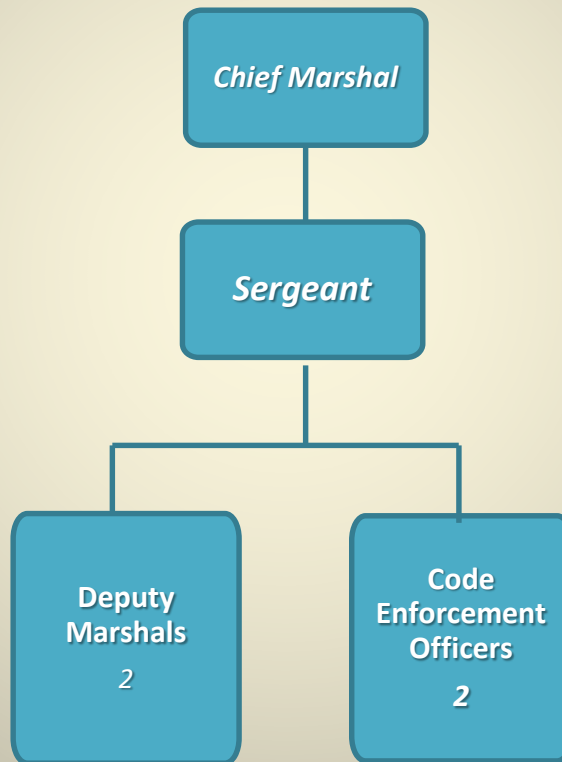
Each WTP – Backwash Return Elimination - 900,000

Each WTP – Sodium Hypochlorite - \$500,000

MARSHAL/ CODE ENFORCEMENT



Marshal Office





Purpose

What: The Marshal's Office and Code Enforcement Unit are responsible for the enforcement of Fayette County Code of Ordinances, security of County facilities and law enforcement duties at County recreation facilities.

How: Marshal Deputies and Code Enforcement Officers answer calls for service and provide security of County facilities through routine patrols.

Who: We promote a positive image for the citizens of Fayette County by being helpful, approachable, knowledgeable and of the highest integrity.



Accomplishments

Marshal's Office – Review of calendar year 2017
Deputy involved activities

Code Enforcement Unit – Review of calendar year
2017 activities

Administration/Community Service



Major Projects/Goals

Major Goals:

- Certify all members of the Marshal's Office as Breath Alcohol Technicians
- Partner with the Zoning Department to amend the current Tourist Accommodation Regulations

Major Goals:

- Improve the visibility of the Code Enforcement Unit
- Improve and maintain the Marshal's/CE website and handouts

Major Goals:

- Ensure that Deputies and CE Officers remain current in local and state organizations and continue to work toward their highest level of certifications
- Ensure that the County remains compliant with GCIC Security and Awareness training for MO and IT



Budget

Marshal	FY 2018 Original Budget	FY 2018 Revised Budget	FY 2018 Forecast
Personnel	272,780	277,450	273,259
Maintenance & Operating Costs	40,548	43,140	38,015
Total	\$313,328	\$320,590	\$311,274

Code Enforcement	FY 2018 Original Budget	FY 2018 Revised Budget	FY 2018 Forecast
Personnel	85,106	86,754	81,877
Maintenance & Operating Costs	9,355	9,355	7,368
Total	\$94,461	\$96,109	\$89,245



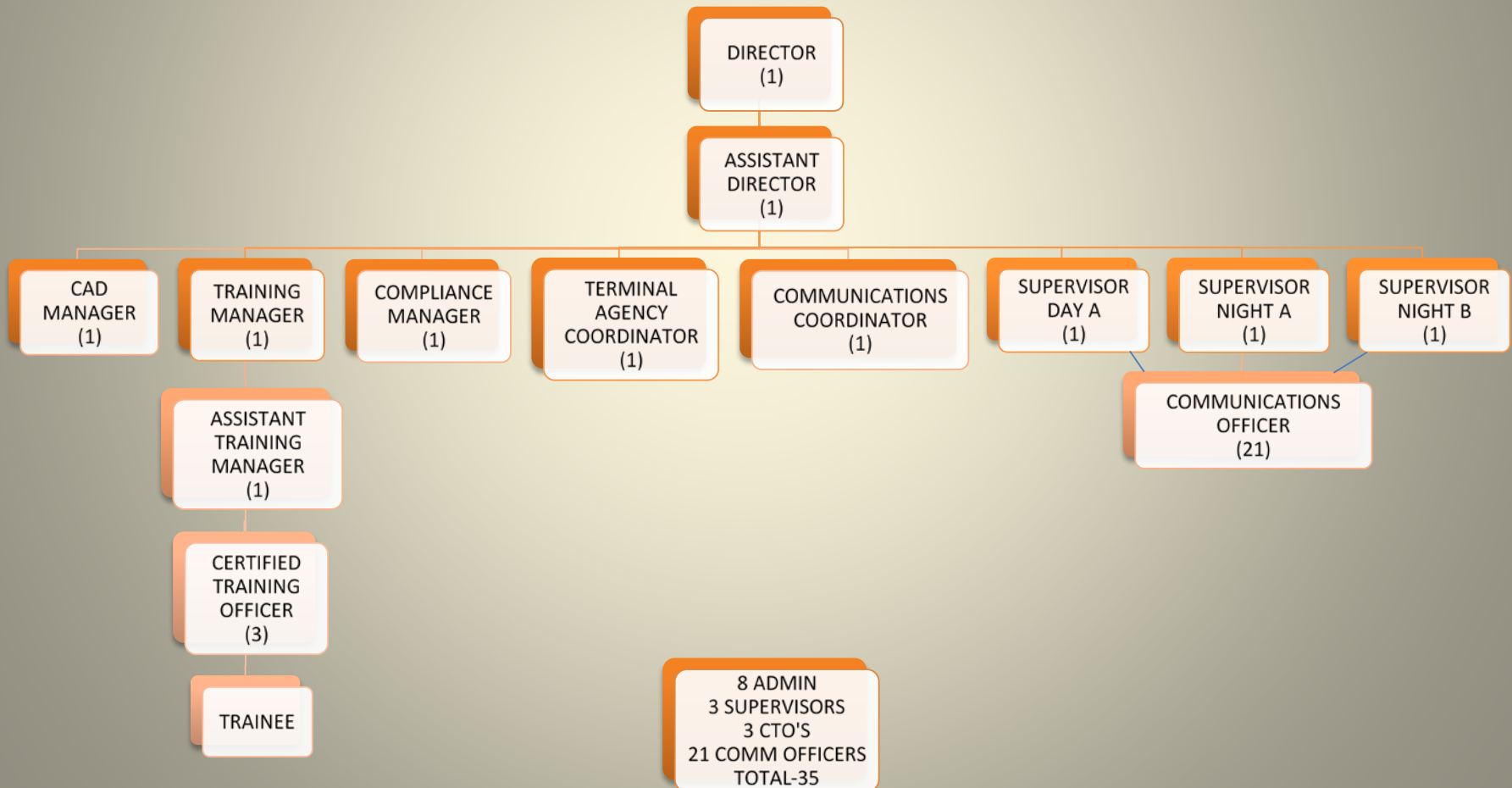
2019 Budget Request

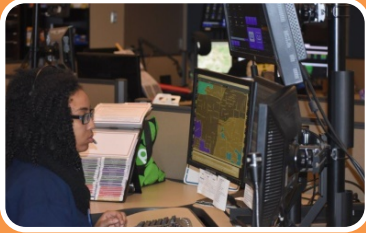
For the 2019 Budget Year, we have no significant personnel, contract, asset or equipment changes or requests.

911 SYSTEM



911





Purpose

WHAT: The Fayette County 911 Communications Center is the relay point for the dissemination of information to public safety field units from the general public and between public safety field units and agencies.

HOW: We receive emergency and non-emergency calls for service, accurately document the information and disseminate it to the appropriate agencies for response.

WHO: The relay of this information is of vital importance in the protection of life and property for the citizens of Fayette County.



2018 Accomplishments

First in North America to pilot Carbyne

Completion Phase I Public Safety Radio System

Implemented Quality Assurance program

911 Calls: 55,111 Admin Calls: 104,825

Total Calls: 159,936 Total Radio Calls: 154,327

Spillman CAD platform: multi-server to single server

Training program restructured

Multiple advanced 911 training courses

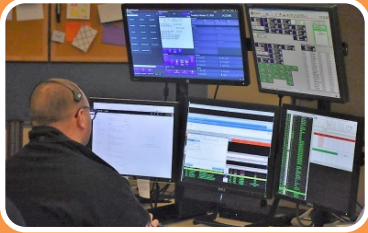


2019 Major Projects/Goals

- Complete Phase II and initiate Phase III of the Public Safety Radio System
- Complete HVAC system equipment room project
- Create a comprehensive 3-5 year plan for the Center (equipment and services)

- Update the COOP and the 911 Center's Emergency Evacuation Plan
- Implementation of a Mobile 911 Emergency Communications Center

- Implementation of Carbyne 911 technology
- Implementation of FSC and LE APCO Guide Cards
- Continue enhance education and advanced training of personnel



Budget

Category	FY 2018 Original Budget	FY 2018 Revised Budget	FY 2018 Forecast
Personnel	1,892,191	1,925,805	1,892,985
Maintenance & Operating Costs	1,118,605	1,084,992	1,026,648
Total	\$3,010,976	\$3,010,976	\$2,919,633



2019 Budget Request

No personnel changes/request for 2019 budget

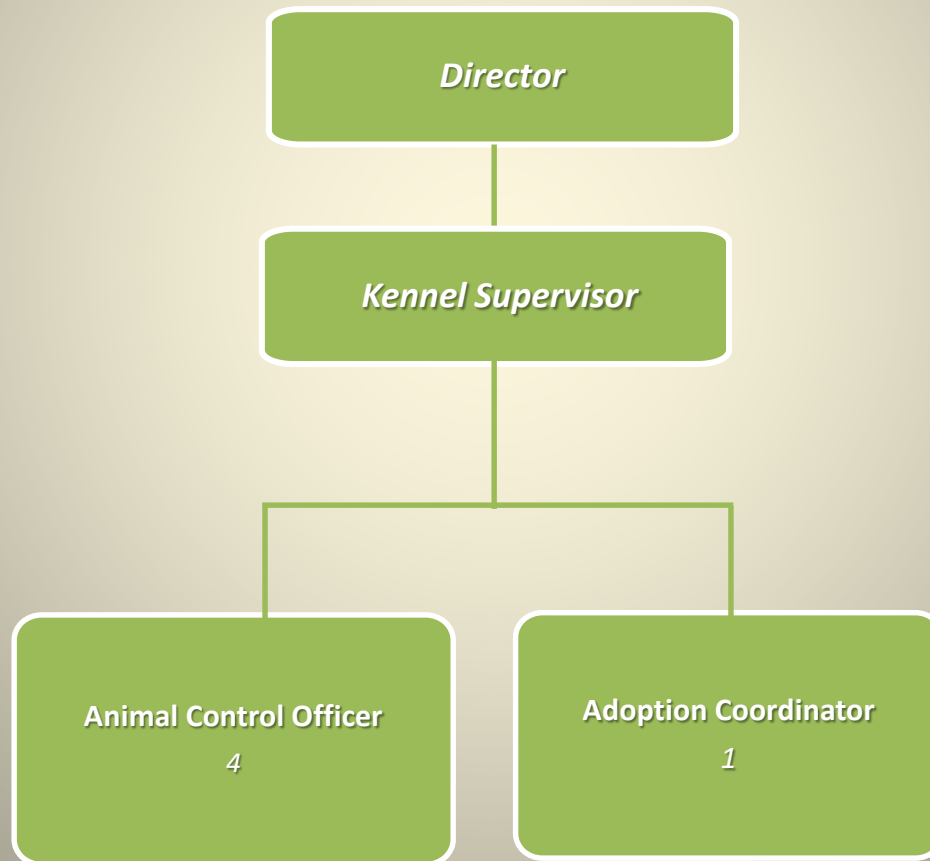
Adding new 911 Carbyne Technology to the infrastructure of the 911 Center \$192,000.

No significant asset or equipment changes/request for 2019 budget

ANIMAL CONTROL



Animal Control





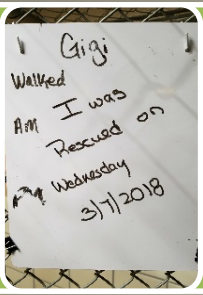
Purpose

Animal Control

What: Animal Control is responsible for protecting the public and animals in Fayette County along with sheltering

How: Animal Control answers calls for service and maintains a facility to care for the animals

Who: Animal Control is responsive to the Citizens and animals of Fayette County along with the municipalities within the County



2018 Accomplishments

Increased live release rate from 86% to 93% which is considered to be no-kill

Increased operational hours and adoptions by changing part-time position to full-time

Increased a presence and response to animal calls with a dedicated patrol Monday through Friday

Implemented a new Kennel Management and Euthanize Policy

Implemented a Sterilization policy and increased fees to pay for the service



2019 Major Projects/Goals

Major Goals:

- To put into place a TNVR policy that would work with the current County ordinance.
- Implement a one day fostering program to allow adoptable animals to leave the shelter for more visibility.
- Maintain a 90% live release rate.

Major Project:

Develop a five year plan to purchase new cat condo's. The current condo's are made of laminated wood and do not hold up to the chemicals and cleaning necessary to keep them clean. One has been purchased with a donation.

Major Project:

To construct a potential adopter area that can be used as a place where Citizens would be able to spend time with a animal to evaluate the potential of making it part of their family.



Budget

Category	FY 2018 Original Budget	FY 2018 Revised Budget	FY 2018 Forecast
Personnel	367,158	373,389	361,872
Maintenance & Operating Costs	62,864	62,864	67,936
Total	\$430,022	\$436,253	\$429,808



2019 Budget Request

Request a part-time Animal Adoption Counselor to work Thursday and Friday afternoons and Saturday and Sunday – annual cost \$20,293

One (1) Four unit Stainless Steel cat condo per year for the next 5 years to replaced damaged cat cages at a cost not to exceed \$6,000 per unit

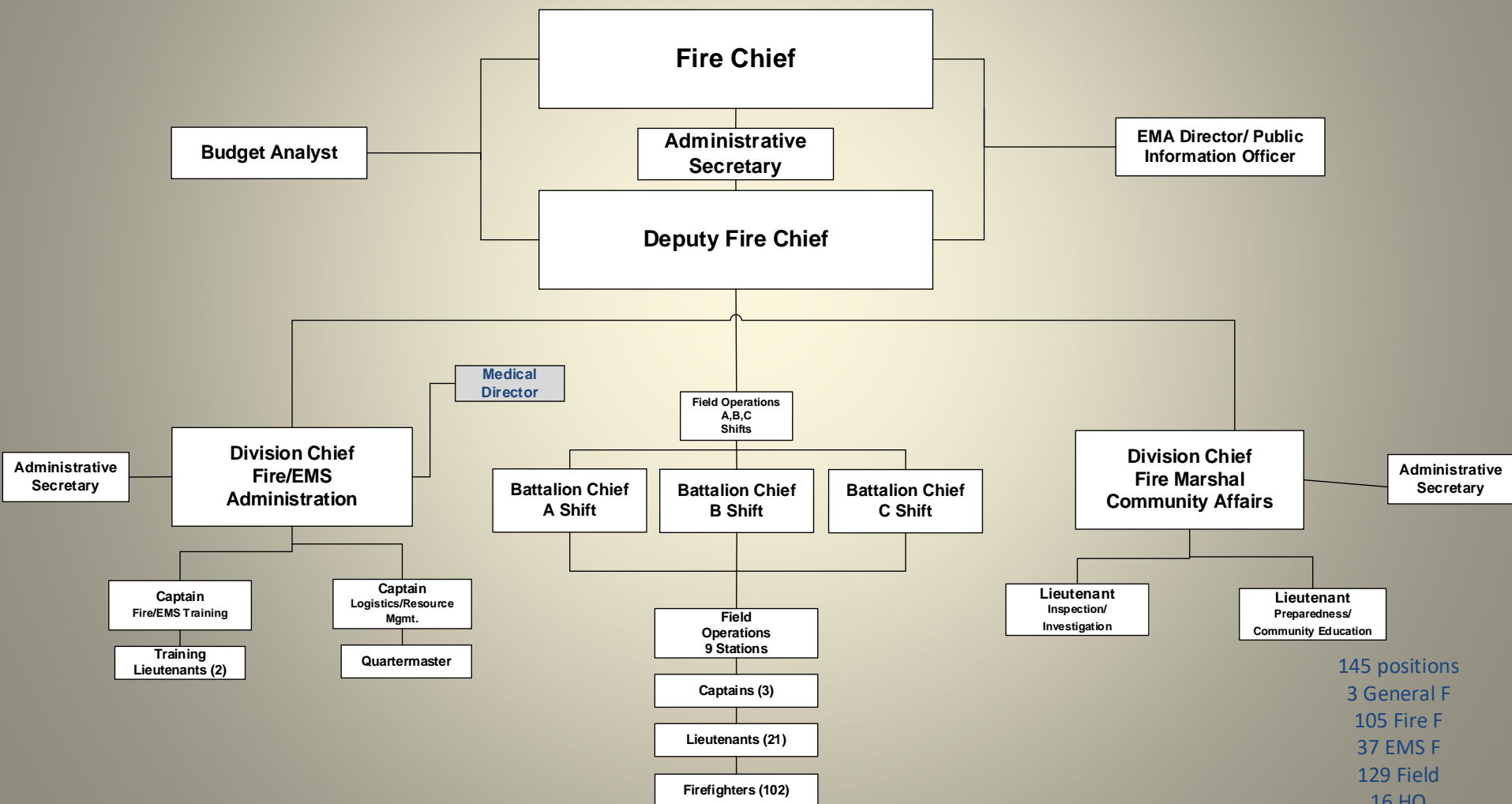
Funds to plan and build a screened area in the back of the kennel for an adoption area at a cost not to exceed \$15,000

EMA/FIRE/EMS



Fire & Emergency Services

Emergency Management



145 positions
3 General F
105 Fire F
37 EMS F
129 Field
16 HQ
8/2017



Purpose

What: Provide Fire, EMS, and Emergency Management Services to the Un-incorporated County, Brooks, Tyrone, and Woolsey. Provide EMS to Fayetteville.

How: 9 fire station locations, 5 of which have ALS Ambulances. Achieve an average response time of 5:19 to calls for service and provide a Medic unit response time of 6:13.

Who: Serve the traveling transient daily population while protecting 165 square miles of the 199 total square miles of the county with a population of 76,441. Funded through the Fire tax mill rate of 3.07 and an EMS tax mill rate of 0.456.



2018 Accomplishments

Improved Insurance Services Office (ISO) Rating reduction from a 4/4Y to a 3/3Y for property insurance savings to residents.

Replacement of County-wide AED's.

Coordinated BOE "Stop the Bleed" training.

SPLOST participation resulting in Fire Station #4 approval, including one fire pumper.

Tropical Storm Irma – Response and Recovery.



2019 Major Projects/Goals

Construction of Fire Station #4 at McElroy Rd and McDonough Rd with a completion and occupancy by the fall season of 2019. This project is SPLOST funded.

Inspection and acceptance of 2 new fire apparatus to be placed in service at Fire Station #1 located on Hwy 279 in north Fayette and Fire Station #5 located on Hwy 85 South in the central southern portion of the county. These apparatus are expected to be delivered in April 2018 and expected to be placed in-service during May 2018.

Development of ambulance and fire apparatus specifications for purchase.

Hiring process for new employees.

Firefighter safety improvements with Self Contained Breathing Apparatus (SCBA) .



Fire Budget

Category	FY 2018 Original Budget	FY 2018 Revised Budget	FY 2018 Forecast
Personnel	7,525,015	7,681,524	7,675,032
Maintenance & Operating Costs	1,226,445	1,112,736	1,082,793
Transfers	2,384,422	2,426,380	2,426,380
Total	\$11,135,882	\$11,220,640	\$11,184,205



EMS Budget

Category	FY 2018 Original Budget	FY 2018 Revised Budget	FY 2018 Forecast
Personnel	2,441,412	2,491,835	2,565,464
Maintenance & Operating Costs	724,258	673,834	648,263
Transfers	150,000	150,000	150,000
Total	\$3,315,670	\$3,315,669	\$3,363,727



2019 Budget Request

Request six (6) FF/EMT staff positions to facilitate expanding EMS operations from five zones to six zones based upon significant call volume growth within our EMS zone. Mid-Year Implementation \$168,829 - FY2019. Annual cost \$337,658 including benefits

Replacement of three (3) Fire station roofs at Fire Station #1, #6 and #10 for a total cost of \$129,897.

New Ambulance \$321,600 and advancement of 2020 Replacement Ambulance. Replacement one fire apparatus pumper; one tanker and two (2) staff pickup trucks per vehicle replacement schedule.

BREAK
2:45 PM – 3:00 PM

BUILDING SAFETY



Building Safety





Purpose

What: Provide protection to the citizens of the county by ensuring minimum code compliance is achieved throughout every phase of construction

How: Service is delivered by experts who excel in the field of permitting, plan reviews and inspections

Who: Citizens of Fayette County, County Internal and External Departments, Gov. Agencies, and Building Industry



2018 Accomplishments

- Implementation of Sages – Paperless Permitting, Plan Review and Inspection System.
- Automated 85% of Site Addressing Process
- Automated Enforcement Processes
- Implemented Quarterly Departmental Newsletter
- Improved Commercial ISO Score from 4 to 3
- Automated Inspector Arrival Time Notification
- Moved inspection cutoff time to 4pm
- Disaster Recovery response to USVI by Building Official



2019 Major Projects/Goals

Employee Growth

- ICC Certified Permit Technicians / Career Path
- Begin transition to Inspector Commercial Comb. Certifications / Cross Training. Multi-Year Plan.
- Certify Inspectors as CAL-EMA Site Assessment Personnel
- Training for continuing education and new ICC Certifications
- Red Cross Training

Customer Experience

- Redesign DBS Website to be more efficient
- Permitting System Enhancements
 - Electronic Signature
 - Pre-Con Meetings
 - E-Permits
 - DCA code changes
- Residential Roofing permits
- Renew EPD MOU
- 3rd Party Inspections for BOC consideration
- After Hrs Inspections for BOC consideration

Department Efficiencies

- Develop Fayette Co. specific Performance Dashboards for Permitting System
- Automate Building Statistics and Census information
- Develop Code Officials Roundtable
- Automate Inspector checklist
- Update all department processes



Budget

Category	FY 2018 Original Budget	FY 2018 Revised Budget	FY 2018 Forecast
Personnel	547,907	557,420	469,232
Maintenance & Operating Costs	190,066	135,346	133,963
Total	\$737,973	\$692,766	\$603,195



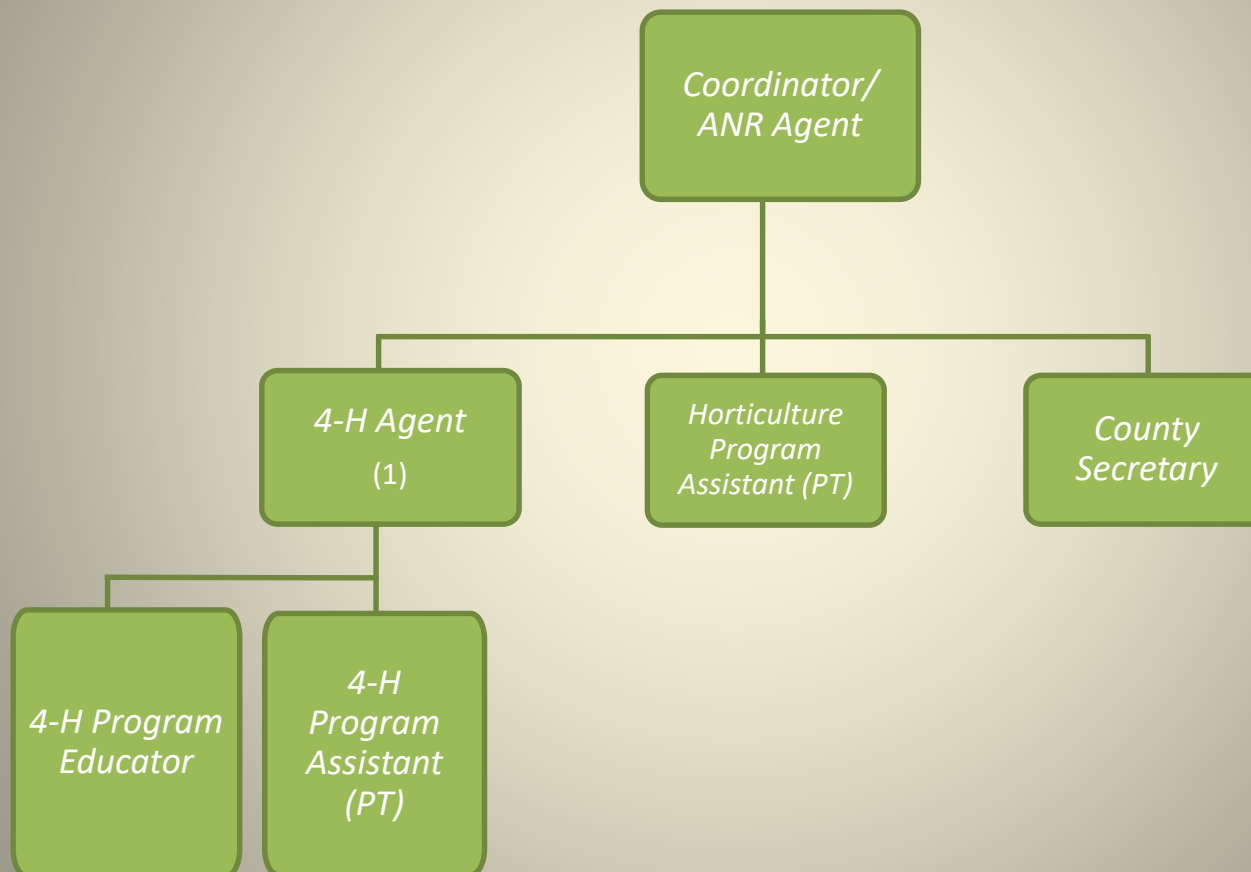
2019 Budget Request

- Staff Certifications Achieved; Increases total \$18,138
 - One Permit Technician \$4,152
 - One Plan Reviewer \$3,434
 - Two Inspectors \$10,552
- Enhanced training for staff certifications and development.
- Permitting System Enhancements (SAGES) -\$59,050. Total cost includes the following departments Building Safety \$35,000, Planning & Zoning \$5,500, and Environmental Management \$18,550.
- Vehicle Replacement – F150 (21810) End-of-life-\$25,985

COUNTY EXTENSION



County Extension





Purpose

What: Our goal is to provide information that will contribute to continual learning to help citizens make informed decisions with research-based information from the University of Georgia. Youth in the Fayette County 4-H program are given a chance to "learn by doing" through project work, classes, workshops, judging events, camps and other learning activities.

How: Our office responds to needs and interests of our citizens through face to face consultations, telephone consultation, site visits, news articles, publications, website, laboratory services, and social media.

Who: We serve the residents, youth, farmers, and green industry professionals of Fayette County



2018 Accomplishments

Enhancing pollinator awareness and conservation through the development of the Fayette County Monarch Butterfly and Pollinator Trail in cities, public areas, and schools in Fayette.

Developed 116 adult education programs related to horticulture, agriculture, and environmental concerns reaching 3,064 county citizens.

Provided assistance to 7,425 walk-in clientele and 1,352 telephone consultations.

Developed 129 youth programs and events reaching over 2,531 youth ages 9-18.

Georgia 4-H Top Ten camping county.



2019 Major Projects/Goals

- Continue to offer quality, timely service to clientele
 - Increase educational displays in our office for programs and presentations
 - Increase community and stake holder relationships through partnerships
- Continue the development of the Monarch and Butterfly trail through the addition of 10 new gardens, educational signage, and teacher trainings
 - Increase educational outreach and programming to Fayette County Citizens by 10%
- Increase 4-H participation by 10% in specialty clubs and programs
 - Develop new 4-H specialty programs and clubs for in school and afterschool youth
 - Utilize 4-H participants to develop county wide programs per needs assessments



Budget

Category	FY 2018 Original Budget	FY 2018 Revised Budget	FY 2018 Forecast
Personnel	30,839	31,505	24,702
Maintenance & Operating Costs	109,281	109,281	106,549
Total	\$140,120	\$140,786	\$131,251



2019 Budget Request

No significant personnel changes/request

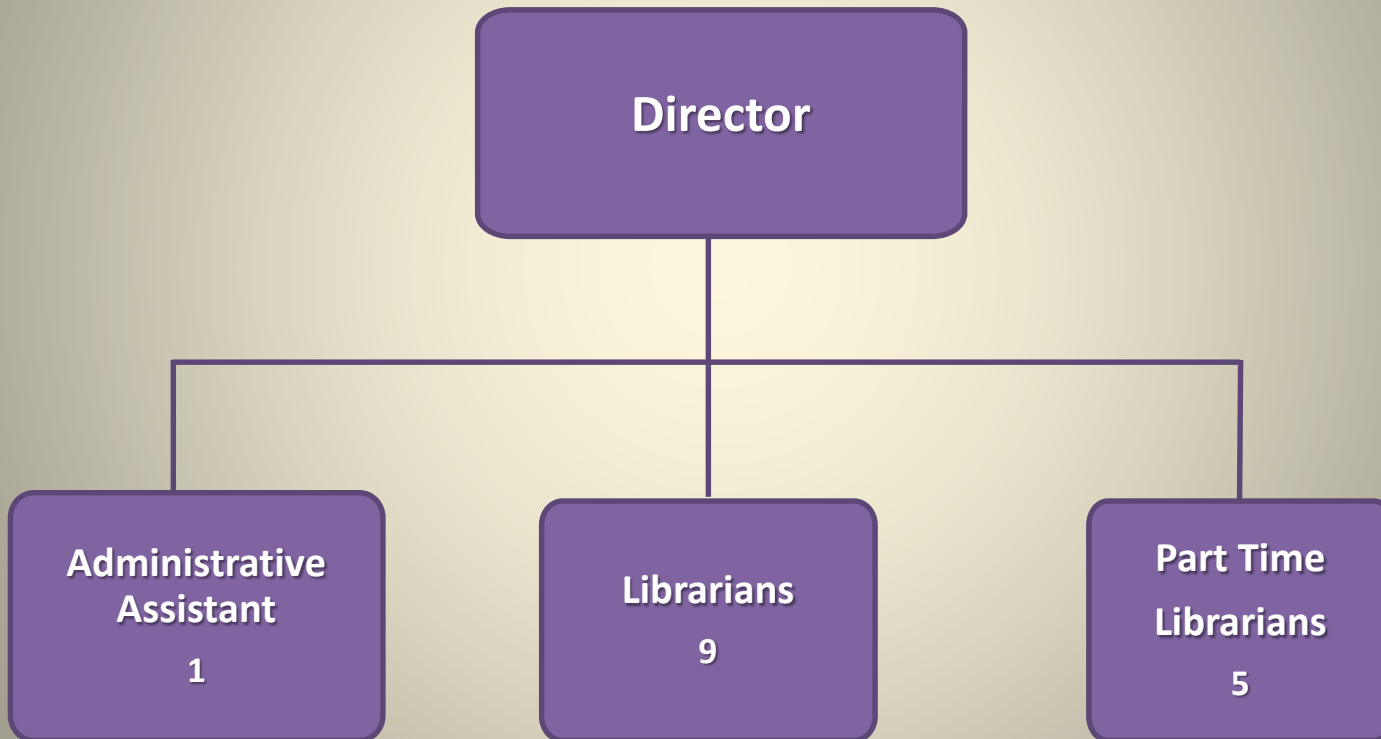
No significant service or contract changes/request

Request: New flooring for office- Estimate: 13,787
(Included in Stonewall Renovation CIP Request)

LIBRARY



Library





Purpose

What: The library is a growing organism that contributes to innovation and collaboration.

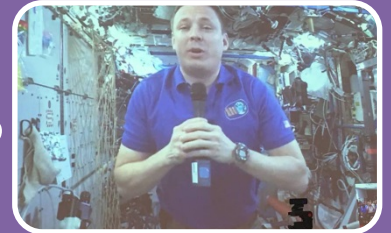
We connect people to people and people to information. The public library provides sources of information and knowledge and creates successful programming that is relevant to the community.

How: A generous approved library budget from the BOC;
We are the experts at helping children and adults develop the skills they need to be sufficient in this digital era.

Who: The library is a port of entry for providing access to a full range of information; serving patrons of every age, income level, ethnicity, and physical ability

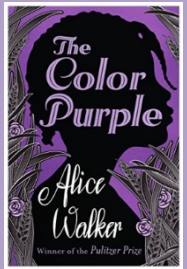


2018 Accomplishments



On June 19, 2017, the library hosted NASA Link Live where we gave the community the opportunity to call into the International Space Station and speak with astronaut Jack "2fish" Fisher. Chairman Eric Maxwell welcomed the world to the Fayette community. Over 650 people from all over the state attended.

We celebrated the 10th anniversary of Fayette on the Page: One Book, One Community, our county-wide reading initiative, by inviting all of Fayette county to read "The Color Purple" by Georgia-native Alice Walker.



And we celebrated the **20th** anniversary of the Blended Heritage program with the Sensational Soul Cruisers from New Jersey along with the famed Beulah Boys and a Flamenco dancer.



2018 Accomplishments

53,123 free computer sessions

317,263 items circulated

337 children's programs offered with 16,178 in attendance

126 adult programs offered with 6,253 in attendance

Interlibrary loan borrowing and lending continued to increase with over 10,000 items accessed

A growing collection, now totaling over 128,000 items

Increase local artist showcase by 75 %





2018 Accomplishments

The Fayette County Public Library again served as the key venue for the annual state-wide Performers' Showcase which boasted over 15 entertainers and 120+ in participation.

The library received a matching state grant to upgrade the parking lot and the interior lights with beautiful LED lighting.

The library's Facebook page has more than 1,000 likes and our reach increased by 20%.

The library was awarded the Constellation Community Champions award to purchase chess tables for the library.

Employee Charlotte Stargell received the GLA Paraprofessional of the Year Award!

Successful programs: weekly Spanish classes, Literature for Life class, Hot Off the Press: coffee, conversation, and community at your library, The Poet Tree, Emerging Writers Showcase, monthly book discussion groups, and Fayette Face to Face.





2018 Accomplishments

Partnerships

Our continued partnerships with local agencies have become very robust:

- Red Cross Blood Drive
- 92.5 The Bear
- AARP
- Fayette County School System
- Internship program with the BOCC
- ARC Career Bus
- Piedmont Fayette Hospital
- Fayette Senior Services
- The 6th Judicial District ADR program
- US Immigration Services
- The University of Georgia's Carl Vinson Institute of Government
- The Rotary Club of Fayetteville
- The Friends of the Fayette County Public Library
- CAREing Paws
- Niagara Water



2019 Major Projects/Goals

- To complete the deselection of the reference materials to ensure that the collection is current and relevant
 - To complete the planned 20 year-old roof for the facility
- To transform the Reference Room to a “Learning Commons” area to respond to the growing needs of more space for socialization and study
 - To continue finding joy while assisting our patrons
- To complete the planned capital renovation project of the men’s and women’s restrooms



Budget

Category	FY 2018 Original Budget	FY 2018 Revised Budget	FY 2018 Forecast
Personnel	666,765	666,765	661,112
Maintenance & Operating Costs	384,703	392,127	366,986
Total	\$1,051,468	\$1,058,892	\$1,028,098



2019 Budget Request

Requesting a part -time Library Assistant I to assist in the innovative growth of community activities and engagement – annual cost \$20,293 includes associated benefit

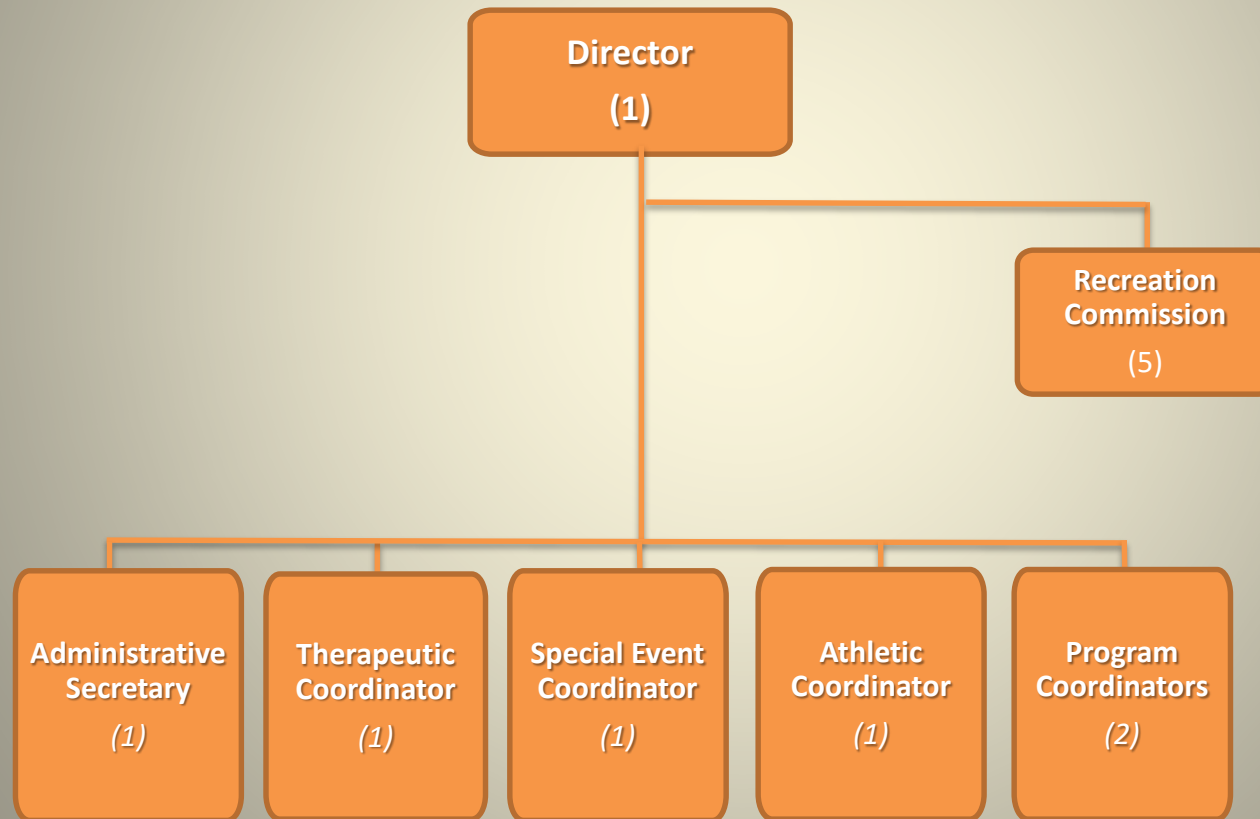
No significant service or contract changes/request for 2019 budget

Library roof and restroom renovation capital projects as outlined in existing Five-year capital program

PARKS & RECREATION



Parks & Recreation





Purpose

What: Provide services that promote healthy lifestyles, connects families & neighbors, encourages lifelong learning, and “creates stories”. Basically, our services help make Fayette County a quality place to live, work, and play.

How: Manage four parks, provides a variety of programs, athletics, and special events that meets the needs of all our citizens.

Who: Members of our community benefit in many ways from these services either by utilizing one of our park facilities or by engaging in programs offered through our department.



2018 Accomplishments

Many facility upgrades and improvements throughout our park system

Began installation process for Kenwood Park Phase II

Set guidelines for all youth sports associations to develop a written safety plan specifically for their sport

Developed and implemented a new application form for special event request for the various park facilities

Continued to form partnerships and collaborative agreements with individuals and organizations

Continued growth of new programs, activities, & special events for our citizens



2019 Major Projects/Goals

SHORT TERM:

- Continue to complete existing park projects while maintaining existing park facilities.
- Continue offering a variety of classes, programs, and special events.

MID-TERM:

- Continuation of field light refurbishment program in each of our parks.
- Update the security camera plan and decide priority order for the next phase of implementation.
- Update park rule signs.

LONG TERM:

- Update the needs assessment and strategic plan for Parks and Recreation.
- Continue to seek input from our participants and citizens.



Budget

Category	FY 2018 Original Budget	FY 2018 Revised Budget	FY 2018 Forecast
Personnel	429,909	437,540	404,621
Maintenance & Operating Costs	801,406	801,406	754,644
Total	\$1,231,315	\$1,238,946	\$1,159,265



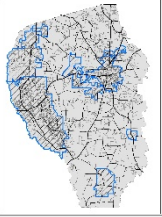
2019 Budget Request

Temporary Seasonal Employees during the summer months (July 2018 and June 2019) for the various day camp programs estimated annual costs is \$9,947.

Technical Services enhancements:

- Update Needs Assessment and Strategic Plan estimated cost \$45,000.
- Tree Removal Services in various parks estimated annual costs is \$17,000.
- Upgrade of customer notification system. Total One-time costs \$9,000.00. Recurring cost is \$8,300.00.
- Replacement of SUV per Vehicle and Equipment Program. Estimated cost \$31,000.

PLANNING & ZONING



Planning & Zoning



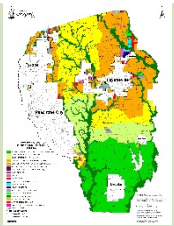


Purpose

WHAT: The Fayette County Planning and Zoning Department is responsible for developing long and short range plans to guide the growth of the unincorporated county and the administration of regulations that implement these plans for growth.

HOW: The main functions include: rezoning procedures, variances procedures, subdivision platting procedures (preliminary plats, final plats minor subdivision plats and revised plats), and site plan procedures (nonresidential development). On a daily basis the Planning and Zoning Department is available to serve the public in-person or by phone with planning and zoning functions, inquiries and permits (building, sign, fence, etc.)

WHO: The department works with citizens, developers/builders and business owners.



2018 Accomplishments

The key accomplishment was the completion of the update to the Fayette County Comprehensive Plan.

To date (March 2018), the department has administered public hearings for seven (7) rezonings, 22 variances, one (1) revised development plan, five (5) revised plats and one (1) cell tower.

To date (March 2018), the department has worked four (4) ordinance amendments concerning: Planned Unit Development – Planned Residential and Business Development, Accessory Structures and Uses, Corner Lots, and Procedure for Flag Lots and Land Locked Lots

To date (March 2018), the department has administered seven (7) final/minor subdivision plats and two (2) preliminary plats.

The conference room has been setup with a computer and large screen to better facilitate meetings with the public allowing the viewing of plats, maps, regulations, etc.

2019 Major Projects/Goals

The department is working with SAGES to develop an on-line system to allow submittal of Planning and Zoning applications (rezoning, variance, subdivision plat, site plan, etc.).

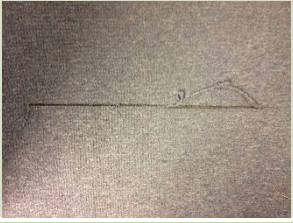
The department will be leading the LUCA (Local Update of Census Addresses) program for the 2020 Census.

The department will work with Code Enforcement /Marshals and all other applicable departments to coordinate and amend the Tourist Accommodation Regulations.

\$\$\$\$\$\$\$\$\$\$

Budget

Category	FY 2018 Original Budget	FY 2018 Revised Budget	FY 2018 Forecast
Personnel	301,535	307,138	274,558
Maintenance & Operating Costs	39,913	13,793	11,902
Total	\$341,448	\$320,931	\$286,460



2019 Budget Request

There are no significant personnel changes/request for 2019 budget

Permitting System Enhancements (SAGES)- \$5,500
(Included in Building Safety CIP Request)

Replace carpet and paint the office (\$14,000 +/-).
(Included in Stonewall Renovation CIP Request)

	Sponsor	Project Name	Project Description	Finance Number	Funding Source	Subcategory	Status
1	Engineering	EFB - Bridge @ Morning Creek	New construction for the EFB.	R-8D	2004 T-SPLOST	Bridge	Pending
2	GDOT	McIntosh Rd @ Flint River Bridge Replacement	This project is to provide improvements to the bridge infrastructure at Fayette County Rd (CR) 360/McIntosh Road/Spalding Cr 502 at the Flint River. The project location is east of Brooks at the Fayette/Spalding county Line. The project will serve to replace exist bridge structure(ID:113-009-0) built in 1950, which is substandard in the areas of Load Capacity; structural integrity, shoulder width and Guardrails. Proposed enhancement will increase load capacity, improved structural integrity and eliminate weight restrictions. Total length of project is 0.246 miles, including 0.173 miles of approach improvements.	B-6	GDOT 2004 T-SPLOST	Bridge	Complete
3	GDOT	SR 85 @ Whitewater Creek Bridge Replacement	The existing bridge was built in 1950 and has a SF rating of 44.5 out of 100. The project length is 0.26 miles. The proposed new bridge would be 200' long by 43.25' wide. A temporary detour bridge is planned.	013734	GDOT	Bridge	PE
4	GDOT	Pedestrian Bridge over SR 54 at Hospital	The purpose of the project is to provide an improved pedestrian and cycling crossing facility at SR 54. The pedestrian bridge will be located approx. 941' w of Piedmont Fayette Hospital at the intersection of Togwotee Parkway at SR 54. The bridge will be a pre-fab truss bridge 12' wide and approximately 165' long. The bottom of the bridge will be elevated no less than 18' 6" above the pavement surface of SR 54. The shared-use trail will also be 12' wide and will ramp up to the overpass bridge. The proposed trail location north of SR 54 will continue northbound for approx. 380' to connect to Piedmont Fayette Hospital. On the south side of SR 54, the trail will ramp down into existing grade and continue east for approx. 350' along the south side of SR 54, outside of the existing right-of-way, before turning due south. The trail will run through a forested area for approximately 3,700', making at least two stream crossings, and connect to the existing shared-use trail along Lester Road.	12878	GDOT Fayetteville	Bridge	ROW
5	GDOT	Coastline Road Bridge Replacement	A GDOT Local Bridge Replacement Program (LOCBR) to replace the wooden, CSX railroad bridge on Coastline Road. The road will be closed for construction.	B-1	GDOT 2004 T-SPLOST	Bridge	PE
6	GDOT	Ebenezer Church @ Whitewater Creek Bridge Replacement	This bridge (Structure ID 113-5024-0; CR 287 over Whitewater Creek) was built in 1965. The bridge consists of four spans of reinforced concrete deck girders on steel piles, concrete columns and concrete caps. The design vehicle used for this bridge is below the current standards. This bridge is currently posted. The overall condition of this bridge would be classified as satisfactory to good. The deck and superstructure are in good condition with some minor problems. The substructure is in satisfactory condition due to minor scour. Due to the structural integrity of the bridge and the bridge being posted replacement is recommended.	17TAA	GDOT 2017 SPLOST	Bridge	PE
7	Engineering	Veterans Parkway Intersection @ SR 92	Construction of 2-way stop intersection at Veterans Parkway, SR 92 and Westbridge Road.	R-5F	2004 T-SPLOST	Intersection	CST
8	Engineering	EFB - County Line, Inman, S. Jeff Davis & N. Bridge Road	Design and construction of a roundabout to improve intersection safety, operations and geometry.	R-8A	2004 T-SPLOST	Intersection	PE
9	Engineering	EFB - Corinth & Carter Roads	Realignment of horizontal curve. Project on hold pending result of SR 279 intersection realignment study.	R-8E	2004 T-SPLOST	Intersection	Pending
10	Engineering	SR 85 (North of Bernhard)	Funding for joint project with GDOT, scope for safety improvements at select intersections.	R-19	2004 T-SPLOST	Intersection	Pending
11	Engineering	SR 85 (South of Bernhard)	Funding for joint project with GDOT, scope for safety improvements at select intersections.	R-20	2004 T-SPLOST	Intersection	Pending
12	Engineering	SR 92 South of McBride	Funding for safety and operational improvements at intersection of SR 92 and Hampton Road in Woolsey; possible state-aid.	R-21	2004 T-SPLOST	Intersection	Pending
13	Engineering	Sandy Creek Road, Sams Drive & Eastin Road	Minor reconfiguration of intersections to improved operations and safety. Limited funding.	I-2	2004 T-SPLOST	Intersection	Pending

	Sponsor	Project Name	Project Description	Finance Number	Funding Source	Subcategory	Status
14	Engineering	Other Intersections	Possible intersection improvements at locations TBD.	17TAG	2017 SPLOST	Intersection	Pending
15	Engineering	Redwine, Bernhard & Peachtree Parkway	Intersection modification for safety and operational improvements. Scope TBD.	17TAL	2017 SPLOST	Intersection	Pending
16	Engineering	Brogdon & New Hope	Intersection modification for safety and operational improvements. Scope TBD.	17TAM	2017 SPLOST	Intersection	Pending
17	Engineering	Ebenezer Church, Ebenezer & Spear	Intersection modification for safety and operational improvements. Scope TBD.	17TAN	2017 SPLOST	Intersection	Pending
18	Engineering	Antioch & Goza	Intersection improvement - conversion to a roundabout.	17TAO	2017 SPLOST	Intersection	ROW
19	GDOT	SR 74 & SR 54 CFI (Peachtree City)	The proposed project will evaluate the need for a Displaced Left Turn(DLT) at the intersection of SR 54 and SR 74. Also, evaluate the operations by providing an exclusive lane for SR 74 southbound right traffic to SR 54 westbound.	0013726	GDOT	Intersection	PE
20	GDOT	SR 74 & I-85 Interchange	This is an interchange reconstruction to reduce congestion and provide capacity to the I-85 @ SR 74. The project involves adding turn lanes at the ends of the exit ramps and widening the SR 74 bridge to include turn lanes. The new interchange will be a Partial cloverleaf (ParClo) design.	07841	GDOT	Intersection	PE
21	GDOT	SR 85 & SR 279 Operational Improvements	This project proposes to convert mainline Type A median opening to Type B to allow for a protected/permissive operation, increase the SR 85 Northbound left turning storage length to 540 feet and SR 85 Southbound left turning length to 480 feet and assign lagging left turning phase for SR 85 Southbound.	15291	GDOT	Intersection	PE
22	GDOT	SR 92 @ Antioch - Roundabout	The purpose of the proposed project is to reduce crash frequency and severity while improving operational efficiency at the intersection of State Route 92 (SR 92) at CR149/Antioch Road & CR 308/Lockwood Road in Fayette County, GA. Project paired with 0009972.	na	GDOT	Intersection	ROW
23	GDOT	SR 92 @ Seay - Roundabout	This project proposes to reduce the frequency and severity of crashes while improving the operation of the existing intersection of SR 92 at CR 138/Seay Road and CR 129/Harp Road. Crash data from 2009 to 2013 indicated that 9 correctable crashes occurred at this intersection resulting in 5 injuries and 4 property damage only. Of those crashes, 44% were angle collisions with two resulting in injury. A safety improvement project has been recommended for this intersection to reduce the crash frequency and severity while also reducing congestion. Project paired with 0009971.	na	GDOT	Intersection	ROW
24	GDOT	SR 74 @ SR 54 - Grade Separation	This is a GDOT Long Range project that would provide for grade separation at the intersection. Program year for construction is 2052.	na	NA	Intersection	Pending
25	GDOT	SR 54 (from Coweta County to McDonough Rd)	A maintenance project for the rehabilitation and resurfacing of SR 54. Contract was Let to E.R. Snell Contractor, Inc. in summer 2017.	M004955	GDOT	Maintenance	CST
26	GDOT	SR 85 resurfacing from SR 314 to Clayton County Line	A maintenance project for the resurfacing of SR 84. Contract was Let to E.R. Snell Contractor, Inc. in 2017. The project is complete.	M004984	GDOT	Maintenance	Complete
27	GDOT	SR 92S resurfacing from Westmoreland Rd (Spalding County) to SR 85 in Fayetteville	This project, selected by the District Maintenance Office, is the resurfacing of SR 92 to improve the roadways current low PACES rating of 61.	M005003	GDOT	Maintenance	PE
28	GDOT	SR 92N from SR 85 to Fulton County Line	A lump sum maintenance project Let in Spring 2017 to CW Matthews. Project provides resurfacing of SR 92 from SR 85 to the Fulton County Line, approximately 7 miles. The work is complete except for final stabilization of shoulders.	tbd	GDOT	Maintenance	PE

	Sponsor	Project Name	Project Description	Finance Number	Funding Source	Subcategory	Status
29	Road	Fayette County Federal-Aid Resurfacing	This project consists of resurfacing multiple off-system roadways in Fayette County including: CR 875 / SR 85 Connector from Tri County Rd on the southern terminus to Woods Rd on the Northern Terminus, CR 359 / Brooks Woolsey Rd from Hwy 85 Connector on the southern terminus to Brooks Rd on the Northern Terminus, and CR 364 / Ebenezer Rd from Robinson Rd on the southern terminus to Ebenezer Church Rd on the Northern Terminus. The project will also include shoulder building and grassing.	0012623	Road O&M	Maintenance	CST
30	Road	Surry Park FDR	Rehabilitation of roads within the Surry Park S/D using Full Depth Reclamation. Work is complete.	tbd	Road O&M	Maintenance	CST
31	Engineering	Redwine Rd Path Project	A 10-ft wide multi-use path along Redwine Road between Birkdale Drive and Newhaven Drive (a distance of 4,300 feet) with a similar path between Preserve Place and Foreston Place (a distance of 3,600 feet. Includes crossing improvements near Old Ivy / Carnoustie Way and other path improvements along Redwine Road as deemed appropriate and feasible.	17TAH	2017 SPLOST	Multi Use Path	ROW
32	Engineering	Veterans Parkway Ped Bridge @ Sandy Creek	Design and construction of multi-use path over Sandy Creek.	R-5G	2004 T-SPLOST	Path	PE
33	Engineering	Starrs Mill Tunnel & Path	Design and construction of multi-use path tunnel under Redwine Road.	17TAI	2017 SPLOST	Path	PE
34	Engineering	Bike Lanes and Paths	TBD maintenance, operations and expansion projects.	17TAJ	2017 SPLOST	Path	Pending
35	Engineering	Starrs Mill / Camp Creek Trail (Concept Level)	Concept for nature trail / path between Starrs Mill and school complex.	17TAJ-1	2017 SPLOST	Path	PE
36	Road	Swanson Road Paving	Realignment and paving of gravel road.	7220G	CIP	Paving	CST
37	Engineering	EFB - New Road Construction	Design, permitting, ROW and construction of the EFB. The work includes approximately 3 miles of new road construction and two major intersections.	R-8B	2004 T-SPLOST	Road	PE
38	Engineering	EFB - SR 279 Intersection / Additional Funding	Additional funding for project - options include possible realignment of SR 279 and / or operational improvements to Inman and Corinth Roads.	R-8	2004 T-SPLOST	Road	Pending
39	Engineering	Goza Road Realignment at Bernard Rd	Funding for realignment, to encourage use of existing traffic signal on Bernhard and possibly avoid need for major improvements at Goza and SR 85.	R-23	2004 T-SPLOST	Road	Pending
40	Engineering	Kenwood Road Corridor Improvements	Safety and operational improvements along corridor, scope to be dictated by budget.	R-6	2004 T-SPLOST	Road	Pending
41	Engineering	Kenwood Road School Zone	Safety and operations project at elementary school on Kenwood Road.	17TAB	2017 SPLOST	Road	PE
42	Engineering	Paved Road, Gravel Roads & Bridges	Maintenance work on County roads and bridges.	17TAC	2017 SPLOST	Road	CST
43	Engineering	SR 74 Corridor - Implementation of Study Projects	Study for future corridor improvements.	17TAF	2017 SPLOST	Road	Pending
44	Engineering	Realignment of SR 279 & Corinth Rd. Study	Study for future corridor and intersection improvements. Includes feasibility assessment for alignment of Corinth Road and SR 279.	17TAD	2017 SPLOST	Study	Pending
45	Engineering	Sandy Creek Road Study	Study for future corridor improvements.	17TAE	2017 SPLOST	Study	Pending
46	Engineering	Other Studies	Future studies, as needed. Locations TBD.	17TAK	2017 SPLOST	Study	Pending
47	Engineering	Banks Road Study	Corridor study to identify possible safety, capacity, and/or operational improvements.	17TAP	2017 SPLOST	Study	Pending
48	Engineering	Tyrone & Palmetto Roads	Corridor study to identify possible safety, capacity, and/or operational improvements.	17TAQ	2017 SPLOST	Study	Pending
49	Engineering	Lees Mill, New Hope & Kenwood Roads Study	Corridor study to identify possible safety, capacity, and/or operational improvements.	17TAR	2017 SPLOST	Study	Pending

	Sponsor	Project Name	Project Description	Finance Number	Funding Source	Subcategory	Status
50	Engineering	Inman Road Study	Corridor study to identify possible safety, capacity, and/or operational improvements.	17TAS	2017 SPLOST	Study	Pending
51	Engineering	SR 279 Planning Study	Corridor study to identify possible safety, capacity, and/or operational improvements.	17TAT	2017 SPLOST	Study	Pending
52	Engineering	Master Path Plan	A study to provide common goals, project priorities, and operating & maintenance standards for local governments within Fayette County for bike/ped/golf cart use. The study will be developed along with the CTP update.	6220J	CIP	Study	PE
53	GDOT	SR 74 Corridor Study	Study to provide a vision and plan to address traffic growth, access management, overlay zones, landscaping, ROW maintenance, multi-use trails, intersections controls, etc. along SR 74.	R-3	2004 T-SPLOST	Study	PE
54	Road	Comprehensive Transportation Plan	A study to update Fayette County's transportation needs and priorities.	6220K	CIP	Study	PE
55	GDOT	SR 85 North Widening (from SR 279 to Point South)	This project will encompass work along the length of existing SR 85 between SR 279 and Roberts Drive. SR 85 has four 12 foot lanes, two in each direction, separated with a depressed median from the beginning of the project at the intersection with SR 279 to just south of the intersection with Bethsaida Road/Lamar Hutcheson Parkway where SR 85 transitions to three lanes in each direction to the northern project terminus at Roberts Drive. The proposed project would provide shoulder improvements between SR 279 to Pointe South Parkway adding sidewalk and curb and gutter. This will include adding sidewalk to the southbound bridge on SR 85 over Camp Creek and reconstructing the existing outside barrier to ensure pedestrian mobility. An additional lane in each direction will be added to provide a continuous three lane section in each direction between Pointe South Parkway and Roberts Drive. The project will reconstruct both the northbound and southbound bridges on SR 85 over Camp Creek.	0721290	GDOT	Widening	PE
56	GDOT	SR 54E Widening	SR 54 will be widened from 2 to 4 lanes from just north of McDonough Road in Fayette County to US 19/41 in Clayton County. Three existing bridges will be widened. A raised median, sidewalks, and bike lanes will be included. Existing traffic signals will be upgraded as well as their communication systems.	NA	GDOT	Widening	CST
57	GDOT	McDonough Road Widening	SR920/McDonough Rd from SR54 in Fayette Co to US19/SR3/Tara Blvd in Clayton Co, including bridge replacements at Hurricane Creek and Flint River. Proposed typical is 4-lane, 20' raised median, with curb and gutter and sidewalk.	0742870	GDOT	Widening	PE
58	GDOT	SR 85 South Widening	This project includes the widening of SR 85 from a 2 lane facility with turning lanes to a 4 or 6 lane facility with urban shoulders. The project is located on SR 85 just south of the city of Fayetteville and begins on the south terminus Just north of Price Rd and ends on the north terminus just south of Grady Avenue.	321960	GDOT	Widening	PE

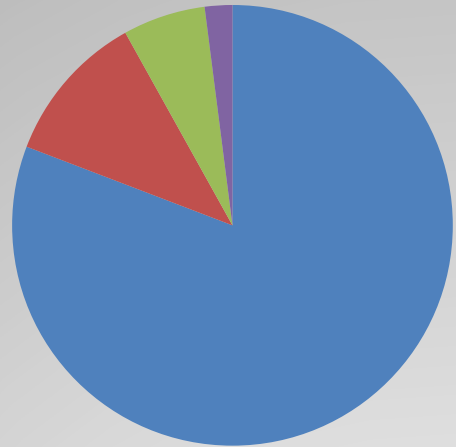
Fayette County Coroner's Office

W. Bee Huddleston, Coroner

Wendy Moulder, Deputy Coroner

Jim Eason, Deputy Coroner

2017 Fayette County Manner of Death Data: 259 Total Deaths



Natural	(208)	80%
Accidental	(28)	11%
Suicide	(16)	6%
Homicide	(4)	2%
Undetermined	(2)	<1%

There were **259** deaths reported to the Fayette County Coroner's Office in **2017**. This is an increase of 23 deaths from a total of 236 in 2016.

208 Natural Causes (80%)

28 Accidental Deaths (11%)

(10 accidental overdoses, 11 motor vehicle incidents, 5 involving falls (non-work related), 1 work-related fall, and 1 hit by falling tree)

16 Suicides (6%)

(10 by gunshot, 1 by intentional drug overdose, 1 by ingestion of anti-freeze, and 3 by hanging)

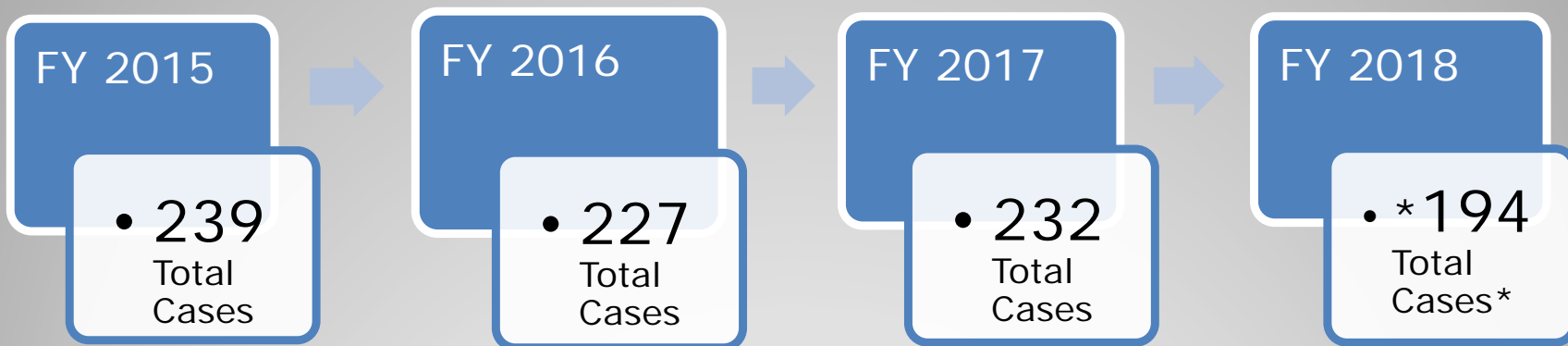
4 Homicides (2%)

(3 due to gunshot wounds and 1 due to sharp force injuries to the neck)

2 Undetermined (<1%)

There is 1 death investigation that is not yet closed because autopsy and toxicology results from the GBI Crime Lab are still not complete.

Case Load (as of February 2018)



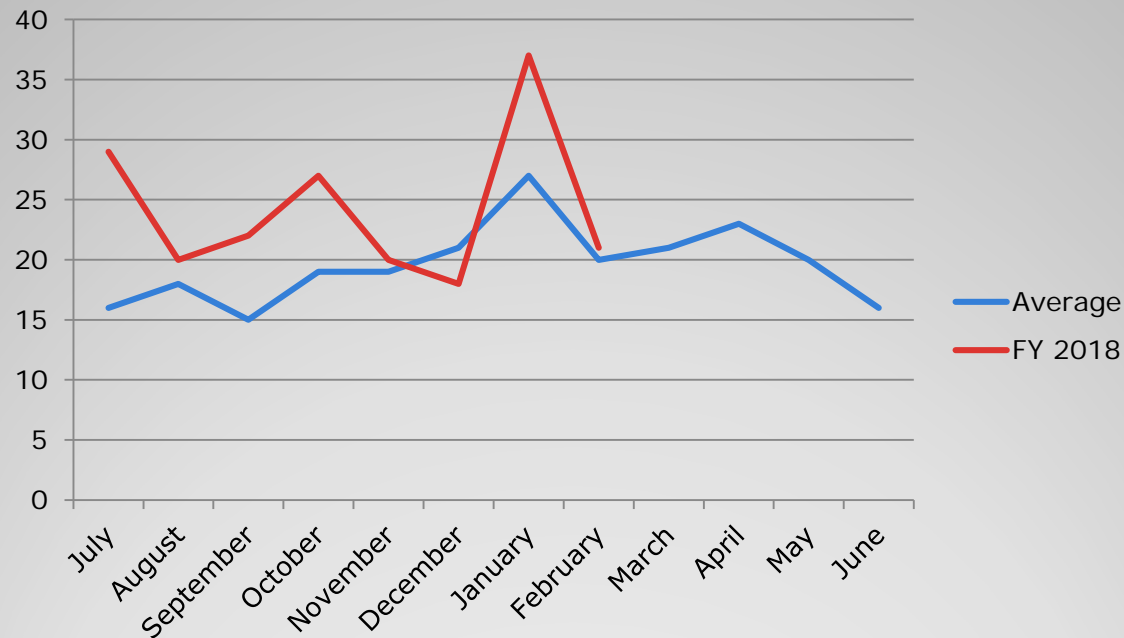
The Coroner's Office has seen an increase in the overall case load this year.

At the end of February in FY 2017, a total of 151 investigations had been completed or were underway.

At this same point in FY 2018, 194 investigations have been completed or are underway, leading to a **28.6%** increase.

Case Load Comparison

Average of FY's 2013-2017 vs FY 2018



December is the only month below the average of the last 5 years.

Possible Reasons for Increased Case Load FY 2018

Piedmont
Fayette
Hospital
expansion

Extremely
difficult winter
season
particularly for
the elderly

Opportunities
to age in place
with excellent
local senior
resources

Increased
visibility and
effectiveness of
the Coroner's
Office

Budget Needs

Upkeep for the Morgue Cooler

EMC for Electricity (approx. \$700), Basic Supplies (Cleaning Needs \$200, Office Supplies \$200)

Increase Training Budget

Add an additional training seminar for one deputy coroner, send coroner's assistant to basic coroner information course

Shift Existing Budget Funds

Shift budget funds and add accounts to more accurately reflect current usage

****Salaries will be affected by the case load.****

PROMISE PLACE



Fayette County Presentation



*"Where Domestic
Violence Ends"*

Promise Place – Who We Are

- Domestic Violence Shelter Program
- An emergency domestic violence shelter in Fayette county as well as an office in each of the 4 counties in the Griffin judicial circuit providing services to over 3,000 individuals per year.



Services

- Emergency shelter
- Transitional housing
- 24 hr crisis hot line
- Crisis counseling
- Legal advocacy
- Safety planning
- Emergency needs assistance
- Weekly support groups
- Follow up services
- Community education, including : teen dating violence prevention and presentations to local groups and/or businesses on domestic violence.

How Prevalent in Georgia?

- Georgia ranks 14th in the nation for the rate at which women are killed by men.
- From 2003 through 2017, at least 1,926 Georgia citizens lost their lives due to domestic violence. 12 in Fayette county
- In 2017, 149 Georgians died due to domestic violence.



Certifications

- State certified – annual process
- 5% certified - eligibility to receive 5% funding as a victim assistance program through the Criminal Justice Coordinating Council as outlined in Georgia Code section 15-21-132

Georgia Statistics

- 52% of Ga Fatality victims were between the ages of 16 and 24 when they began relationships with the partners who killed them. 5 of these victims were 15 years old.
- In 18% of the cases studied through Georgia's fatality review project, children witnessed the domestic violence killing.




Statistics

- Crisis Line – 1,404 calls
- Shelter – 130 w & c
- Support Groups – 53
- TPOs – 82
- Jail Program – 128
- TDV – 1,636 students
- 341 Fayette County clients
- Represents 36 children



What is domestic violence?

- 
- A pattern of behaviors used to gain or maintain power and control over an intimate partner
 - Types of Abuse
Physical, Emotional, Psychological, Sexual



Who does it affect?



Impact on Community


- Family and Friends
- Child Development
- Faith based organizations
- Workplace
- Schools
- Public Health



Funding Request

To provide

- Safety
- Basic needs
- Emergency Shelter



Investing in shelters is an
investment in the health and
wellbeing of our entire
community

DEVELOPMENT
AUTHORITY



FY 18-19 Overview

**Fayette County Board of
Commissioners Fayette**

April 19, 2018

Fayette County Development Authority

- Staffing
- Nine Board Members
 - Fayette County Board of Commissioners (5)
 - Peachtree City (1)
 - Fayetteville (1)
 - Tyrone (1)
 - Peachtree City Airport Authority (1)

Budget

Fayette County	\$225,696
Town of Brooks	\$2,227
City of Fayetteville	\$67,766
City of Peachtree City	\$146,047
City of Tyrone	\$29,235
Town of Woolsey	\$672
<hr/>	
Total Budget Request	\$471,943

*Based on \$4.25 per capita

Target Industries

- Corporate Headquarters
- Film/New Media
- Info Tech
- Advanced Manufacturing
- Aerospace
- Life Sciences



2017-2018 Project Overview

- Projects
 - 17 totaling \$2.5 B in Investment and 1195 jobs
 - Project Condor and Project Morning Hornet
 - Projects Landed: Rinnai HQ and Silon
- Business Retention and Expansion
 - 6 Totaling \$92.5 MM investment and 176 jobs
 - Pinewood Atlanta Studios, Panasonic Automotive, Gerresheimer, NAECO, Calpis, Interfor



FY 2018 – 2019: Focus on Readiness: Land Availability/Suitability

- Fayetteville – 900 acres
- Peachtree City
 - 37 acre Vistas Site
 - 60 acre Falcon Field Site
- Tyrone
 - 85 acre Hobgood Site
 - 28 Acre Whitlock
 - 37 acre Campbell
- Future site identification
 - Zoning
 - Infrastructure (sewer/water/roads/telecom)
 - Site Due Diligence
 - Conceptual
 - Marketing

FY 2018 – 2019: Focus on Readiness

- Current Projects
 - 9 BRE Projects
 - 6 New Project Inquiries
- Lead Generation
 - Research based on targeted industries
 - Outreach to project managers, site consultants
 - Participate in business development outreach opportunities
- Ongoing Brand Building
 - Website development in process – Scheduled Rollout June 2018
 - Template development

FAYETTE SENIOR SERVICES

Fayette **Senior** Services

May 1, 1978



Celebrate with us on
July 26 at 5:30pm

Facing Forward



SENIOR SERVICES BY THE NUMBERS

37 Employees (25 FTE)

12 Serving Full-Time / 25 Part-Time

300 Volunteers @ 2000 Hrs / Mth

Providing volunteer opportunities to enhance lives serve and

12 Drivers

Providing 1300 Rides Per Month

14 Vehicles / 8 Wheelchair Enabled

1000 Medical / 1300 Life Saving

2200 Members

Visiting 8000 Times Per Month

Sharing hundreds of "saved my life"

"I don't know where I would be"

8000 Meals A Month

5000 Meals On Wheels Delivered

It's More Than a Meal

3000 Meals Served in the Ultimate Café

Socializing 36,000 times each year



SENIOR SERVICES DOLLARS



\$1.9M for Fayette Seniors

A 501(c)(3) annual total expenditures

Fayette County Funding: FY18 Actual \$270K

FY19 Foundational Choices Long Term

Option 1 – Services Cutback \$295K (FY18 Req level)

Option 2 – Maintain Current \$335K (FY19 Req)

Option 3 – Enhanced Services \$367K (Extend Hrs Sat)

\$850,000 Life Enrichment

Senior Fitness, Recreation, Education, Travel & Café Operations

\$650,000 Social Services

Meals On Wheels, Homemaker, Case Mgmt

\$400,000 Transportation

1300 trips Per Month. NET / Voucher

Sr. Svcs. Fleet to date 3/31/18	Category	Mileage
2003 Chevrolet Trail Blazer SUV	Passenger	272,148
2003 Dodge Caravan - Conversion	Wheelchair	251,709
2003 Dodge Caravan - Conversion	Wheelchair	209,863
2005 Dodge Caravan	Mini van	207,107
2001 Ford Crown Victoria	Passenger	189,462
2012 MV-1 Wheelchair	Wheelchair	104,733
2005 Ford Econoline Transit	Oversize wheelchair	85,618
2014 MV-1 Wheelchair	Wheelchair	71,386
2014 MV-1 Wheelchair	Wheelchair	49,338
2006 Ford Econoline Transit	Oversize wheelchair	47,990
2006 Ford passenger bus	14 Passenger Bus	38,218
2017 Dodge Caravan (2017 Purchase)	Mini van	30,468
2016 MV-1 (2017 Purchase)	Wheelchair	24,316
2017 Dodge Caravan (2018 Purchase)	Mini van	860

Funding Sources Requested FY19

Citizen Return On Investment

Life Enrichment Activity – Senior Centers

\$853K Total - Activity & Sponsor Funded. County Bldg Mtn & Support Est = \$25K = 30:1 Return

This is foundational physical plant which supports all programs. There are ancillary FC bldg. own exp.

\$ 32K County (plus 32K FSS Match) for extended service hours would reduce ROI from 30:1 to 15:1

Nutrition Programs – MOW & STARS (excludes café)

\$ 99K Total for Congregate STARS. Fed/State support requires \$10K County = 10:1 Return

\$ 330K Total for Meals On Wheels. \$119K Fed/State \$52K FSS. \$160K County = 2:1 Return

Social Services

\$ 75K Case Management Social Workers/Qualifying. \$ 69K Fed/St. \$ 6K County. = 10:1 Return

\$105K in-Home Services, Personal Care, Respite. \$ 100K Fed/St. \$ 5K County. = 20:1 Return

Transportation

\$400K Transportation Services. \$56K Fed/St. \$212K FSS. \$130K County (General). = 3:1 Return

Summary Return Ratio Cross Analysis

\$ 1.91M FY19 Senior Services Enhanced. Requested 367K County Match = 5.2:1 Return

\$ 1.88M FY19 Senior Services Standard. Requested 335K County Match = 5.6:1 Return

Both Include 25 FTE Employees (55K hrs annually) Plus 300 Volunteers (24K hrs annually)

Senior Services Challenges in FY2019

Increasing Operational Costs

Insurance cost increase projected at 9% (60K / yr)

Nutrition & Café costs projected increase at 7%

In Home Services contract increase at 10%

\$100,000 FY18 at Risk

\$12,000.00 Down in ARC/State/Fed Funds

\$43,000.00 Req 40% Match for FTA Voucher Funds (52K)

\$30,000.00 Unknown United Way Funds (likely < 20K)

\$15,000.00 Piedmont Transportation Grant ends

\$80K Annual Vehicle Cost

\$30K Need to replace 272K mile vehicle with Mini

\$50K Need to replace 252K mile vehicle with MV1

\$35,000.00/year loss projected FY 2018 even with reduction in Trans Services

\$33K loss in 2017.

Plus \$90K in depreciation annually.

If we do the same,

We will see negative results!



What Your Seniors Need From You



Budget Priority

Plan to increase funding 20% This Year!

5% catch up / 5% Inflation / 5% More Seniors / 5% increased service levels and 10 % each year going forward.



Facilities

Continue maintaining facilities at current levels. Our seniors need well maintained facilities as they age. **Reminder – FSS uses the Public Safety Radio System and will need twelve radios in the Upgrade.**

Partnership Opportunities

As you visit with new and existing businesses, look for opportunities that can benefit Senior Services. Encourage groups to volunteer, new businesses to engage.



Senior Input Opportunities

Join us in advertising and collecting input from our seniors May 22, 2018 from 2-4PM in Fayetteville and May 30, 2018 from 6-8PM in PTC so we can recommend how we can improve services heading into the next 40 years as FSS and Fayette County continue to serve our seniors together.

BOARD OF DIRECTORS

CHAIRMAN | Bob Truitt

VICE CHAIRMAN | Jim McCullough

PAST CHAIRMAN | Chris Mallon

TREASURER | Mark Gray

SECRETARY | Martha Teal

EXEC BD MEMBER | Dan Vano

DIRECTOR | Emily Poole

DIRECTOR | Rev. B.A. Jackson

DIRECTOR | Kim Schnoes

DIRECTOR | Bob Reeves

DIRECTOR | Carol Davis

DIRECTOR | Sharon Brooks

DIRECTOR | Donnie Davis



Senior Services



LUNCH
11:45 PM – 1:15 PM

BREAK
2:30 PM – 2:45 PM

**FAYETTE F.A.C.T.O.R.
FAMILY CONNECTION
(NON-PROFIT PROPOSAL)**

NON-PROFIT COMMUNITY GRANT PROCESS

FACTOR

Becky Smith & Dawn Oparah



— FAYETTE FACTOR —
family connection™

Non-Profit Community Grant Background for Discussion

At the November 9th Board of Commissioners Meeting there was a staff recommendation regarding a previous Board discussion about creating a non-profit policy. The recommendation was to NOT create one-meaning no funding for non-profits except those state mandated or through local ordinance.

- FACTOR asked the Board to table that vote until we could come back to them with a proposal for some type of community grant process based on our research of best practices from other counties and discussion with a base of our non-profits.**

Current Non-Profits Who Meet the State Mandated Criteria

- McIntosh Trail Community Service Board
- Fayette Counseling Center
- Fayette Community Options
- Fayette Senior Services
- Promise Place (Domestic Violence)

While all of these are well deserving organizations there are other non-profit organizations in Fayette who provide critical services to some of our most vulnerable citizens.

What We Know About the Needs in Fayette County

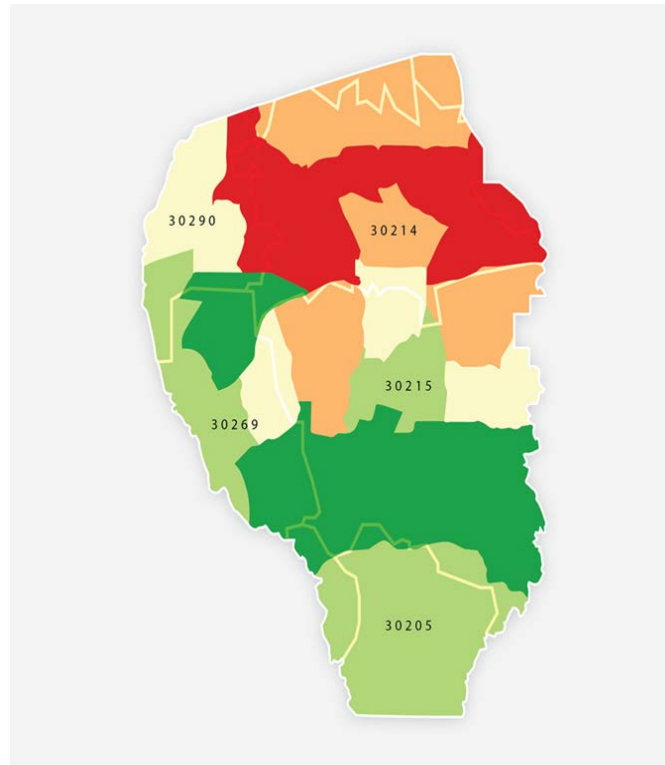
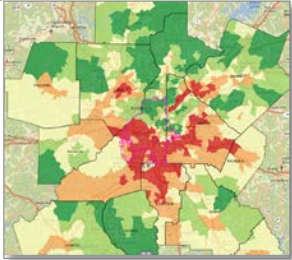
The following are the percentages of Free and Reduced Lunches (FRDL) in the 24 Fayette County Public Schools

- 4 Schools have between 50 % to 60% of it's students receiving FRDL
- 4 Schools have between 40% an 49% of it's students receiving FRDL
- 4 Schools have between 25% to 39% of it's students receiving FRDL
- 12 Schools have between 24% to <5% of it's students receiving FRDL

While we have schools with great affluence we do have pockets of poverty and need in Fayette County.



IT STARTS WITH THE CHILDREN



LEVEL OF CHILD WELL-BEING

veryLow med VeryHi



State of the Children in Fayette County

Overall Child
Well-Being
Score
82.2

Child
78.9

Family
79.1

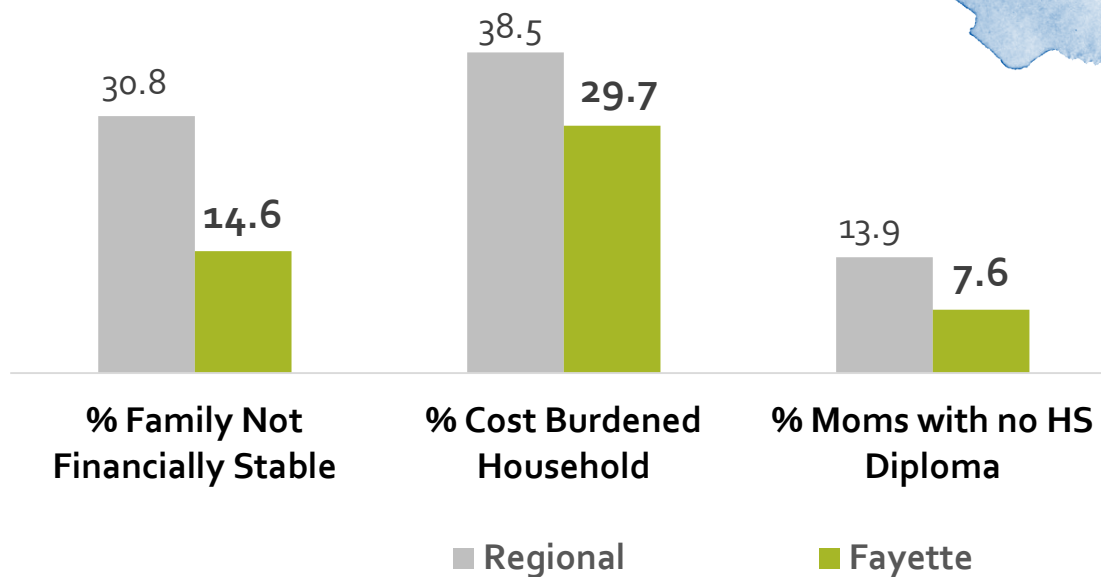
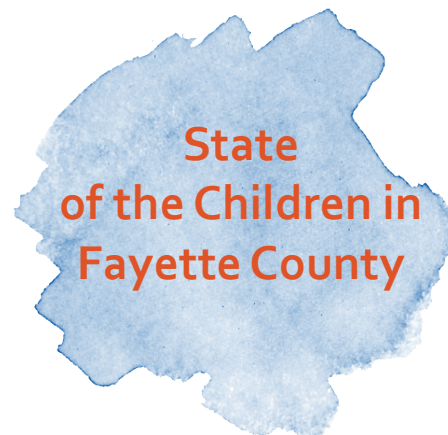
Community
83.1

5,893 (19.2%) children in Fayette live in communities with very low Child Well-Being compared to the rest of the county



IT STARTS WITH THE CHILDREN

Family Measures in Fayette



What Our Human Service Non-profits Report

In a 2018 Fayette FACTOR Survey, Local Non Profits Reported the following

- **Providers biggest challenges:**

- Need more community support/manpower and financial
- Transportation options for clients to obtain their service

Greatest Client Needs in 2015

- Financial Support
- Healthcare
- Children Resources
- Educational Resources
- General Resources

Greatest Clients Needs in 2018

Same as 2015 Plus
Housing
Transportation

What Our Human Service Non-profits Report

In a 2018 Fayette FACTOR Survey, Local Non Profits Response to question below:

- Looking at financial resources from 2014-2017 has it become easier or harder to obtain grants?

88% harder, 6% the same and 6% not applicable

- If it was harder what are the reasons?

Grants are more competitive and more people are applying. 12% reported a loss in staff capacity to serve due to lack of sufficient funding

Fayette FACTOR's Due Diligence

Research of Counties Providing Grants

- FACTOR researched a number of counties providing grants to their local non-profits
- While FACTOR found a good number in our region providing grants, FACTOR reached out to the ones who were well established
- Cobb County has been providing Community grants through its Family Connection organization for over 10 years

Meetings with Collaborative Local Non Profit-Partners

- FACTOR had a meeting in January with the Fayette FACTOR local collaborative non-profit partners to discuss their findings and to develop a proposal for the Fayette Board of Commissions
- The 30 Collaborative Partners agreed that a proposal should be submitted to the BOC and asked if FACTOR would be the neutral body to administer the grant process if the proposal was accepted by the BOC

Fayette NON-PROFIT COMMUNITY GRANT

PURPOSE

While non-profits and government try to address many of the same social issues, the approaches usually vary. Our goal is to seek a more comprehensive support to the most vulnerable citizens of Fayette County through the implementation of a Grant making Process to support local human services non-profits who serve this population in Fayette County.

Purpose of Grant Program

- Provides a way to equitably support non-profits that provide necessary human services for Fayette County residents
- Provides a way of collaboration between non-profits and local government for efficient use of tax payers dollars
- Allows local government a means to support the needs of its most vulnerable residents

NON-PROFIT COMMUNITY GRANT

- **Created out of General Funds**
- **Administered by third party to provide neutrality**
- **Grants reviewed and scored by trained volunteer review panel**
- **Final recommendations are reviewed and approved by Board of Commission or their designees**
- **Process prepared and implemented by a local advisory committee of subject matter experts from government, business and non-profit community.**

CRITERIA FOR GRANT APPLICATION

- ✓ Must be a 501(c)3 for at least 2 years and in good standing with the IRS
- ✓ Must provide programs that address human service needs
- ✓ Must maintain a local office and serve clients in Fayette County-if serving multiple counties, amount requested may not exceed the same % the Fayette County budget. (Ex. 20% of clients from Fayette- request cannot exceed 20% of organization's total budget)
- ✓ Must have a current registration with Georgia Secretary of State
- ✓ Must have an independent governing body with local volunteers
- ✓ Must be able to provide two years of documented outcomes
- ✓ Must provide two years of financial records

Priority Areas of Grant (suggestions)

Current Priorities:

- Basic Human Needs
- Education/Employment
- Prevention

PROPOSED GRANT PROCESS

- RFP Open-Mandatory Training for Applicants
- Grant Application Submission
- Eligibility Review
- Grant Review Evaluation (Scoring rubric)
- Funding recommendations -Volunteer Advisory Team
- BOC Review Recommendations for Approval
- Grants Awarded
- Implementation of funding award
- End of grant report submitted by grantees

Funding Request

- **For FY19 \$100,000 be set aside from the general funds to be used for a Grant Making Process to administer funds through a 3rd party entity for local non-profits involved in the provision of human services to vulnerable citizens in Fayette County.**

BOARD OF HEALTH

Fayette County Health Department



Georgia Department of Public Health

District 4 Public Health

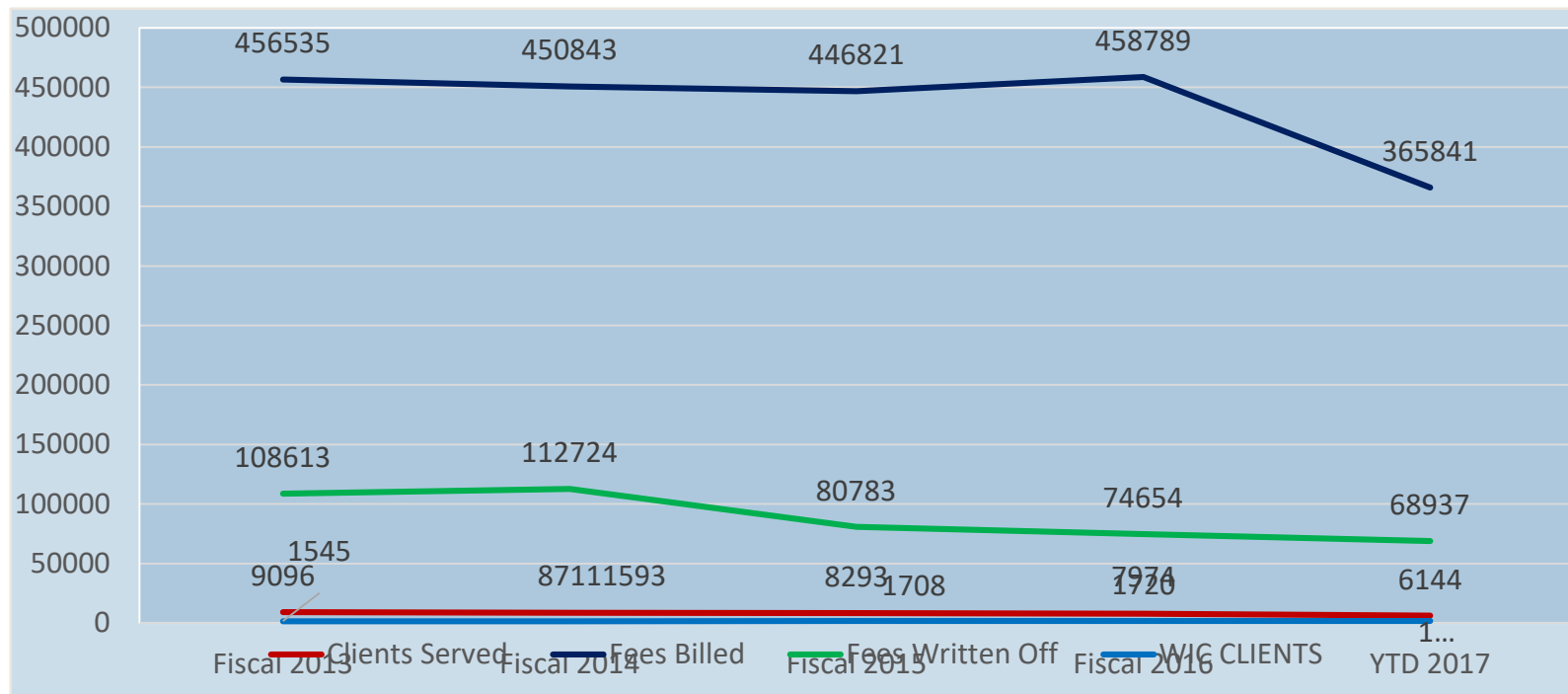
PRESENTATION TO THE FAYETTE COUNTY BOARD OF
COMMISSIONERS

APRIL 10, 2018

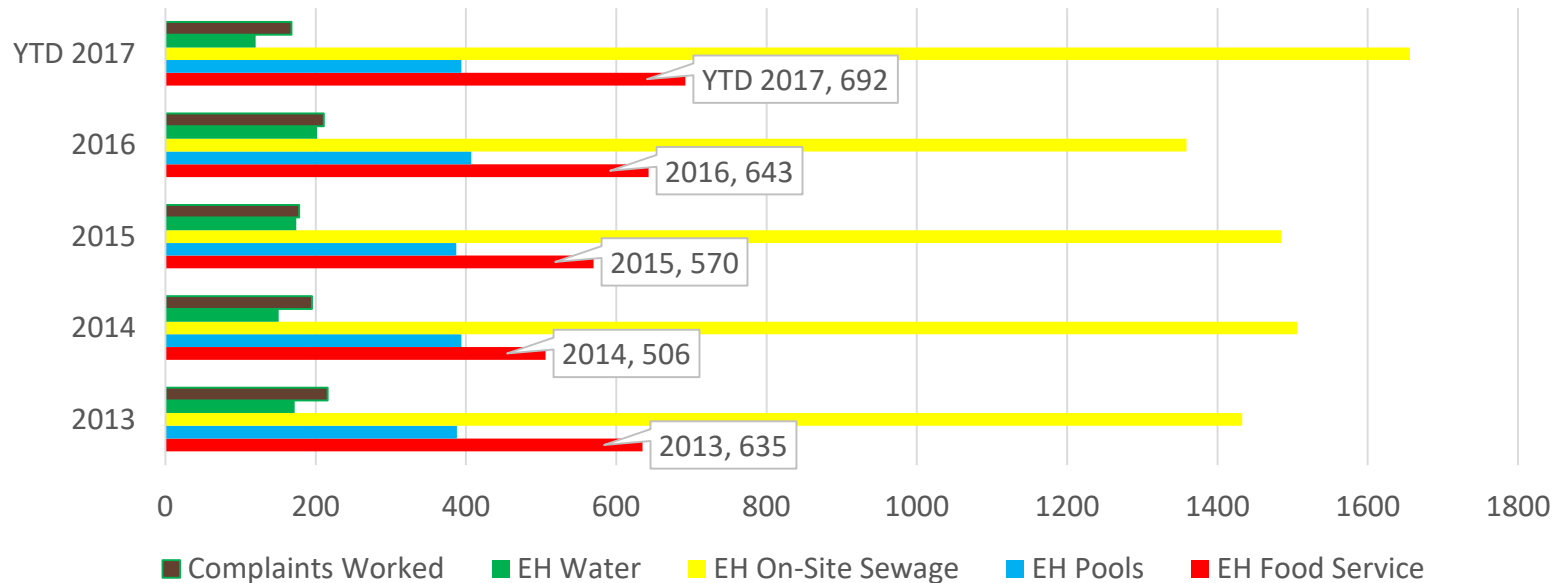
Fayette County Health Department Services

- Womens' Wellness
- Pregnancy Testing
- Child Healthchecks
- Immunizations-Vaccines – Travel Vac.
- STD Testing, Prevention, Education
- Breast & Colon Cancer Screening
- Specials Needs Children Referral
- Emergency Preparedness
- Emergency PODS
- Environmental Health Services
- Teen Pregnancy Prevention
- Right from the Start(Pregnancy) Medicaid
- Hearing Dental Vision Screening
- TB Testing & Treatment
- HIV Testing & Treatment
- BCCP Referral & Treatment
- Dental Screening
- Emergency Operations Center
- WIC Nutrition & Education
- Permits, Water/Sewer/Restaurants

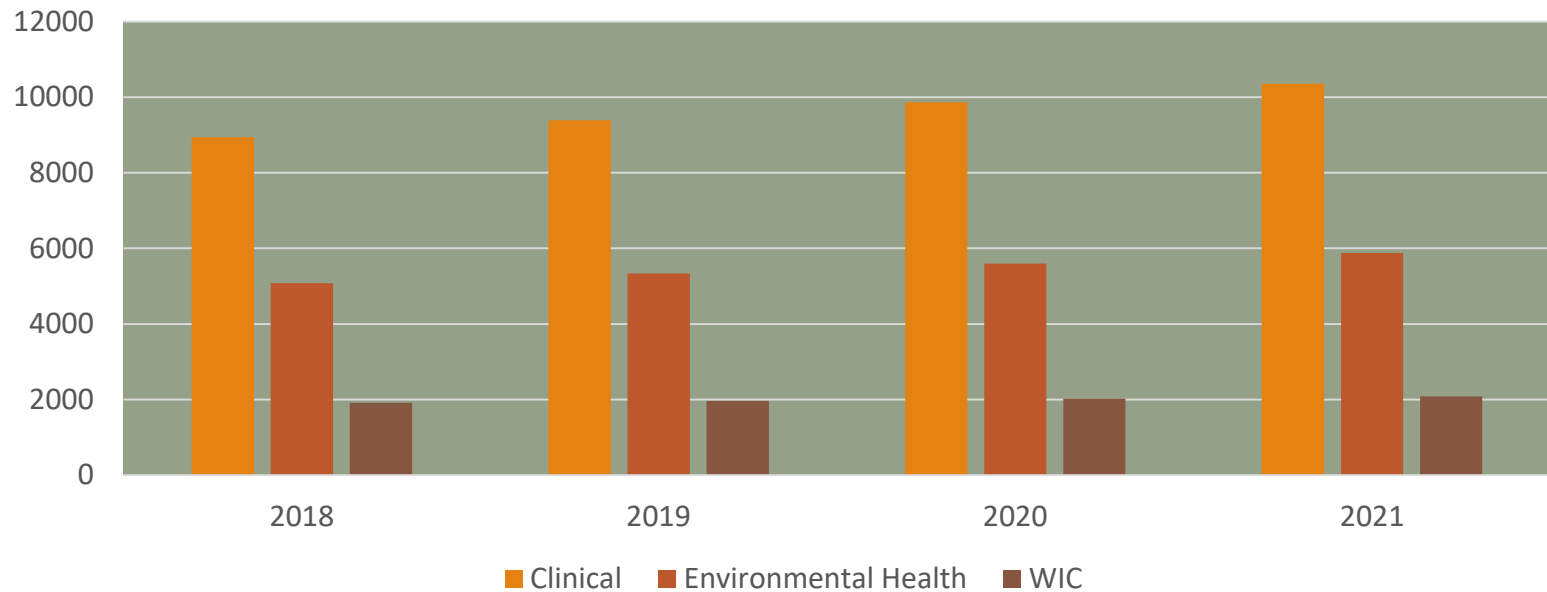
Fayette County Health Department Patient Trends Fiscal 2013-2017



Fayette County Environmental Health Services Trends 2013-2017



Fayette County Health Department Projected Growth in Services



GOALS 2018

Continue to deliver quality services

Work with community partners on ways to address community health needs

Continue toward Public Health Accreditation

Maintain a positive cash flow, with focus on increasing revenue

Improve our facility



Fayette Health Department Budget

- **Operating budgets of health departments come from:**

Typical Health Department Funding

- GGIA funding [30%]
- County contributions [16%]
- Fees (variable) [54%]



Source: Dr. Lawton Davis et al., District Health Director, Department of Public Health

Current Facility Impacts Ability to Expand Services to the Fayette Public

- Limitations:
- WIC Is currently off-site - Limits number of clinical referrals PH receives
- Clinical space limited - only 3 exam rooms currently - increases patient wait times
- Clinic flow is not user and patient friendly – dead end hallways – no patient restrooms
- Location in a very Publicly used facility precludes patient privacy
- Location is prohibitive to teens who could come in for confidential services
- Location is prohibitive for all clients who wish to obtain confidential STD & HIV testing
- Parking severely limited - Patient access to care and preventative services obstacle
- Current facility not ADA compliant
- Tight spaces and exam rooms limit ability of staff to provide adequate care & remain HIPPA compliant

Fayette County Employee and Position Listing

FAYETTE COUNTY					
EMPLOYEE AND POSITION LISTING					
	C-Classified				
	U-Classified				
NAME	POSITION #	PAY GRADE	HIRE DATE	YRS. OF SERVICE	JOB TITLE
A VACANT (Hall)	00149534/U	F	01/00/00	✓	CUSTOMER SVC REP 1
GAY, BERNICE	00003915/U	F	09/18/95	22.56	CUSTOMER SVC REP 1
HALL, JANET	00207488/U	G	09/01/93	24.61	ADMIN ASST 2
MATHIS, JOANN A.	00003917/U	F	10/16/97	20.48	CUSTOMER SVC REP 1
WILLIAMS, SELEANIA V.	00003914/U	F	02/16/17	1.15	ADMIN ASST 1
DEILEY, JUDITH KATHLEEN	00164275/U	F	04/02/18	0.02	LAB TECH 3
A VACANT (Sorrow)	00204717/U	H	01/00/00	✓	E.H. SPEC 1
AMOROSO, ROXANNE L.	00003913/U	F	08/01/17	0.69	CUSTOMER SVC REP 1
EADEN, BERNADETTE T.	00206640/U	F	08/01/14	3.69	CUSTOMER SVC REP 1
FRANKLIN, KATONJUA M.	00206639/U	J	08/01/14	3.69	E.H. SPEC 3
KILGORE, JEFF	00206520/U	HR.	10/02/17	0.52	E.H. TEMP. TRAINER
KIRKLAND, AUSTIN M.	00210054/U	I	02/01/16	2.19	E.H. SPEC 2
KURBES, ROBERT	00003903/C	M	06/01/87	30.86	E.H. MANAGER 1
LUCAS, DONALD D.	00003908/U	K	09/01/06	11.61	E.H. SPEC 4
STRAIGHT, DEBORAH	00003906/U	K	06/01/01	16.86	E.H. SPEC 4
A VACANT (Adamson)	00003897/U	L	01/00/00	✓	PH REG NURSE 3
A VACANT (Dixon-Frazier)	00003895/U	M	01/00/00	✓	ADV PRACT RN 1 (NP)
A VACANT (Bolton)	00207411/U	L	01/00/00	✓	PH REG NURSE 3
A VACANT (Kates)	00003900/U	L	01/00/00	✓	PH REG NURSE 3
BACON, ANNIE C.	00203512/U	HR.	03/01/13	5.11	HEALTHCARE ASST (PT LPN)
CORONA, DONNA J.	00188041/U	G	10/01/02	15.53	PH LPN 3
MCKISIC, VALERIE L.	00003655/U	L	01/02/18	0.27	PH REG NURSE 3
				✓	
				✓	
				✓	

Where do we go from here?



FAYETTE COUNTY, GA.

Financial Overview

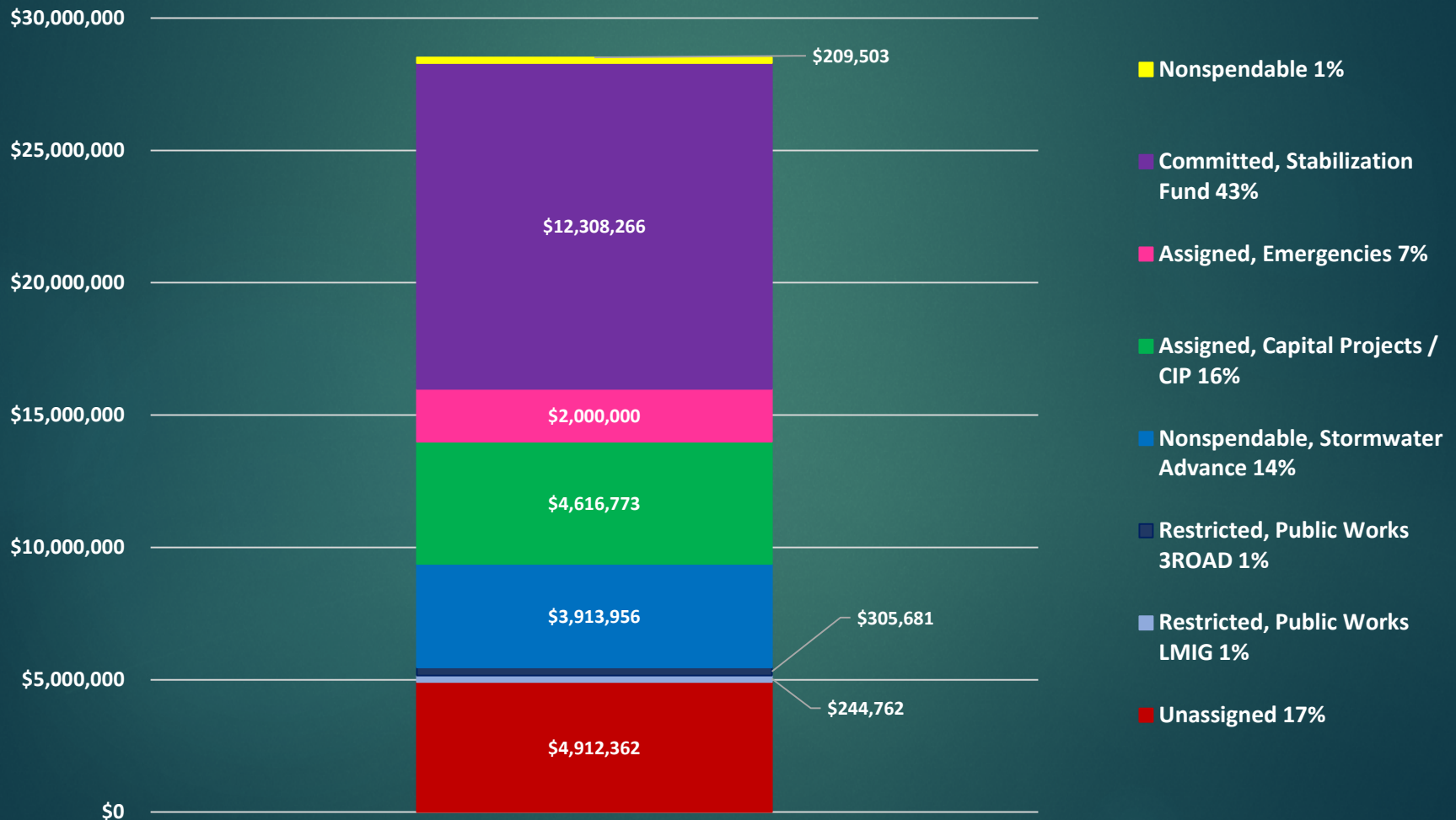
BOARD OF COMMISSIONERS
RETREAT

APRIL 20, 2018

Financial Review – General Fund

Fund Balance at June 30, 2017 - \$28,511,303

Classification Breakdown Per GASB Statement No. 54



Financial Projections – FY 2018

General Fund - Revenues

OPERATING BUDGET	FY 2017 ACTUAL	FY 2018 ADJUSTED BUDGET	FY 2018 ESTIMATED*	BUDGET VS. EST. VARIANCE
Revenues:				
Property Taxes	\$ 28,342,385	\$ 26,774,400	\$ 26,240,790	\$ (533,610)
LOST / TAVT / Auto	12,603,265	15,549,262	16,006,856	457,594
Licenses and Permits	992,763	984,500	1,016,467	31,967
Intergovernmental	1,849,573	2,089,221	1,581,382	(507,839)
Charges for Services	3,229,163	3,180,880	3,269,718	88,838
Fines and Forfeitures	1,827,388	1,624,000	1,721,740	97,740
Other Revenues	362,209	430,400	218,010	(212,390)
Transfers In	110,286	-	-	-
Total Revenues	<u>\$ 49,317,032</u>	<u>\$ 50,632,663</u>	<u>\$ 50,054,963</u>	<u>\$ (577,700)</u>

*Based Upon Actuals Through February 2018

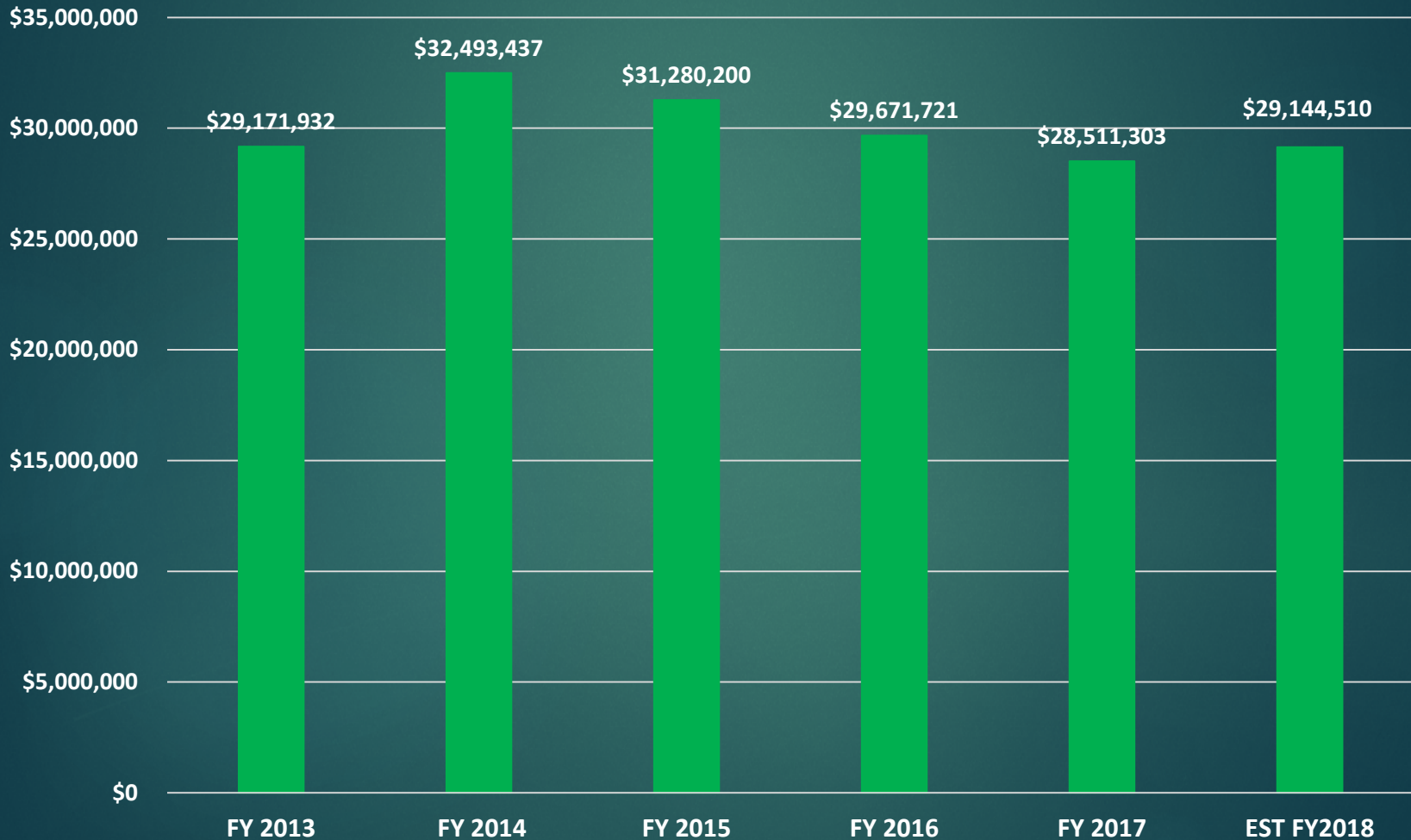
Financial Projections – FY 2018

General Fund - Expenditures

	FY 2017 ACTUAL	FY 2018 ADJUSTED BUDGET	FY 2018 ESTIMATED*	BUDGET VS. EST. VARIANCE
Operating Expenditures:				
Current:				
General Government	\$ 7,936,679	\$ 9,176,445	\$ 8,777,421	\$ 399,024
Judicial System	5,249,902	5,659,704	5,495,685	164,019
Public Safety	19,668,064	20,016,790	19,716,101	300,689
Public Works	6,751,330	6,777,108	6,576,106	201,002
Health and Welfare	794,390	853,869	854,236	(367)
Culture and Recreation	2,194,680	2,309,819	2,193,129	116,690
Housing and Development	1,245,260	1,493,124	1,400,046	93,078
Debt Service	3,260,048	3,260,117	3,260,117	-
Transfers - Recommended for Jail Surcharge	-	-	70,000	(70,000)
Total Operating Expenditures	<u>\$ 47,100,353</u>	<u>\$ 49,546,976</u>	<u>\$ 48,342,841</u>	<u>\$ 1,204,135</u>
Net Operations	<u>\$ 2,216,679</u>	<u>\$ 1,085,687</u>	<u>\$ 1,712,122</u>	<u>\$ 626,435</u>
CAPITAL BUDGET				
Transfers Out - Capital Projects	<u>3,377,097</u>	<u>1,078,915</u>	<u>1,078,915</u>	<u>-</u>
Sub-total Expenditures	<u>50,477,450</u>	<u>50,625,891</u>	<u>49,421,756</u>	<u>1,204,135</u>
Impact to Fund Balance	<u>\$ (1,160,418)</u>	<u>\$ 6,772</u>	<u>\$ 633,207</u>	<u>\$ 626,435</u>

*Based Upon Actuals Through February 2018

General Fund Fund Balance Trends





Fayette County, Georgia

Property Digest History

Local Option Sales Tax

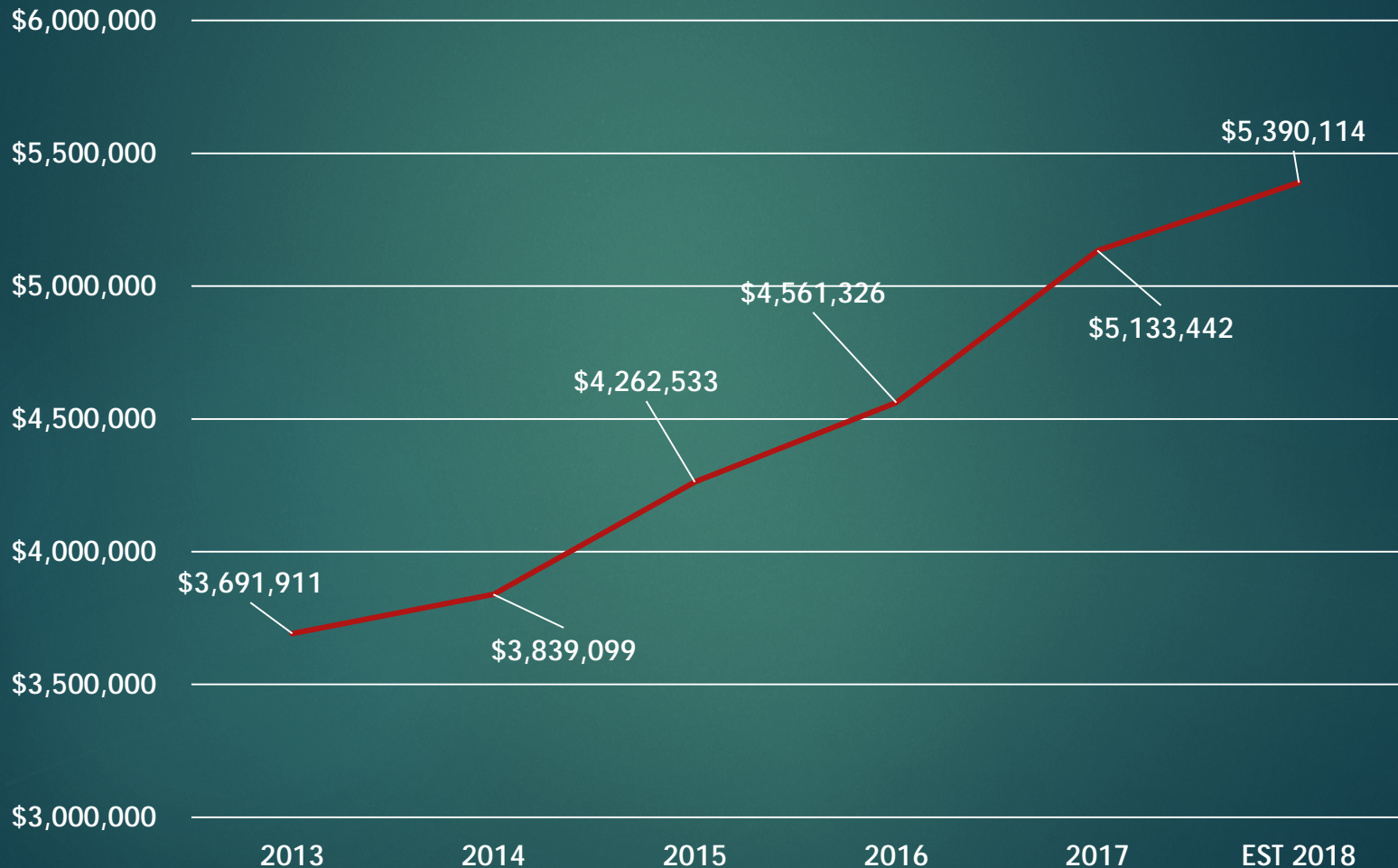
Ad Valorem Auto Tax

Title Ad Valorem Tax

Special Local Option Sales Tax

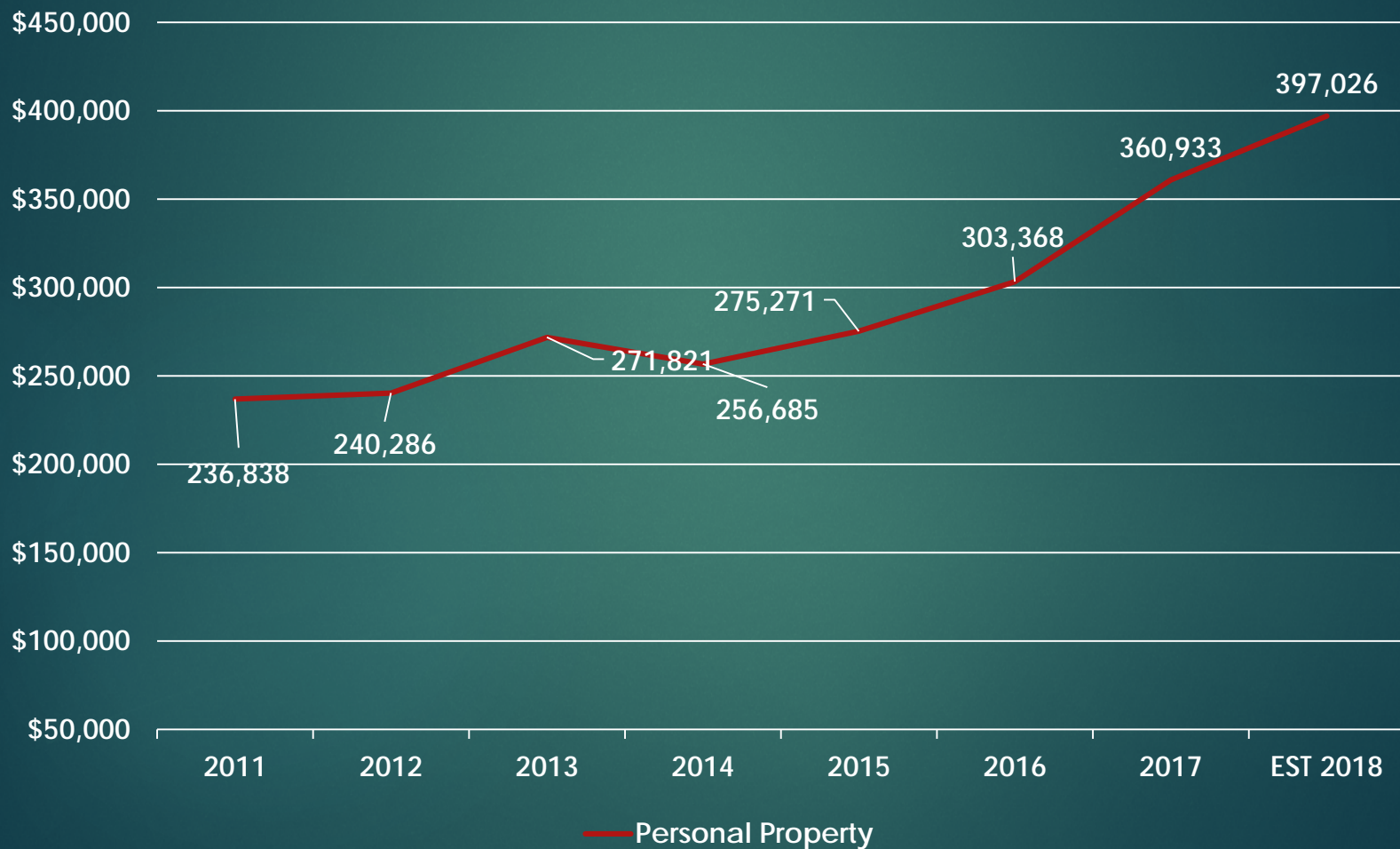
Real Property Digest (Net of Exemptions)

in thousands

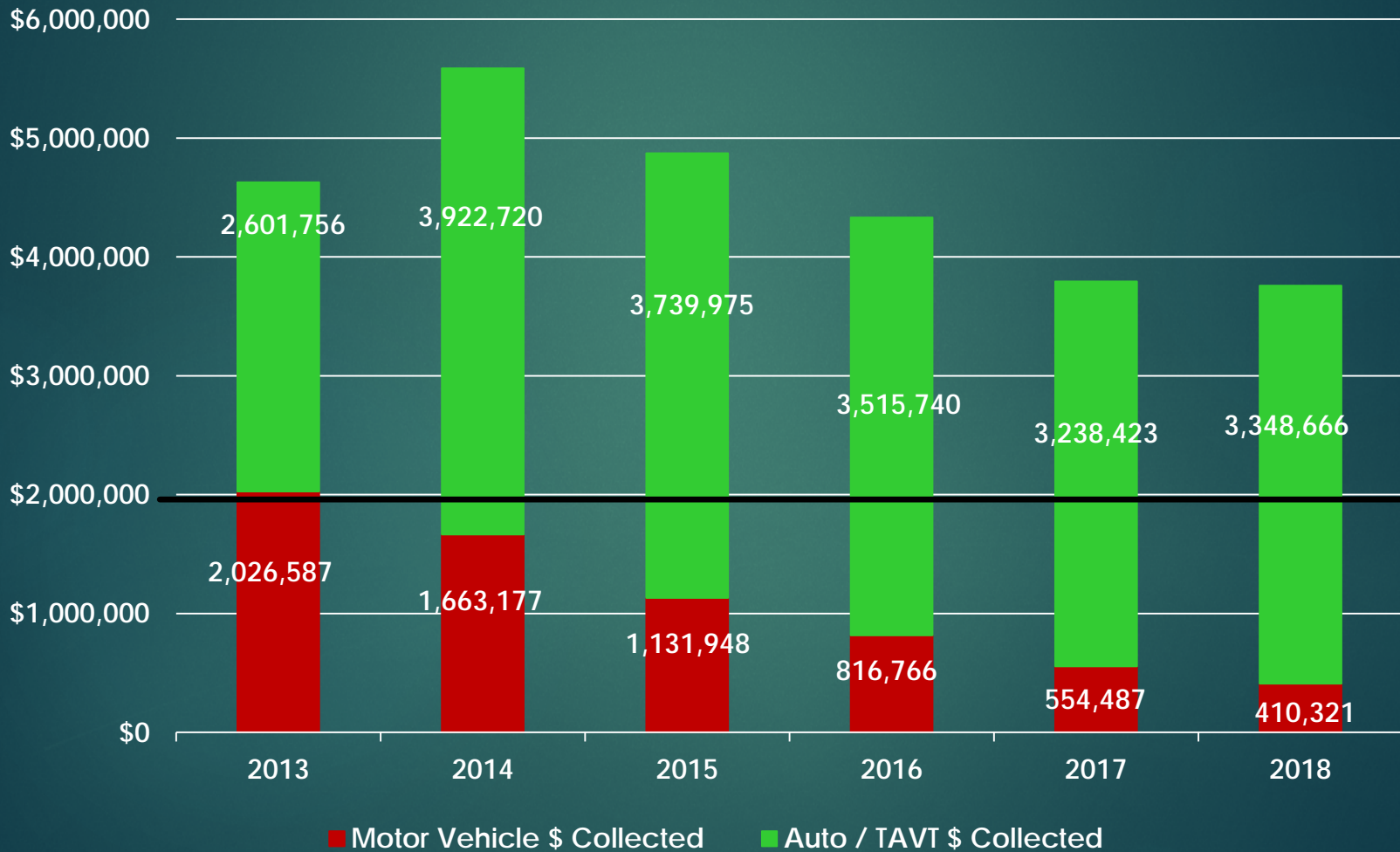


Personal Property Digest (Net of Exemptions)

in thousands

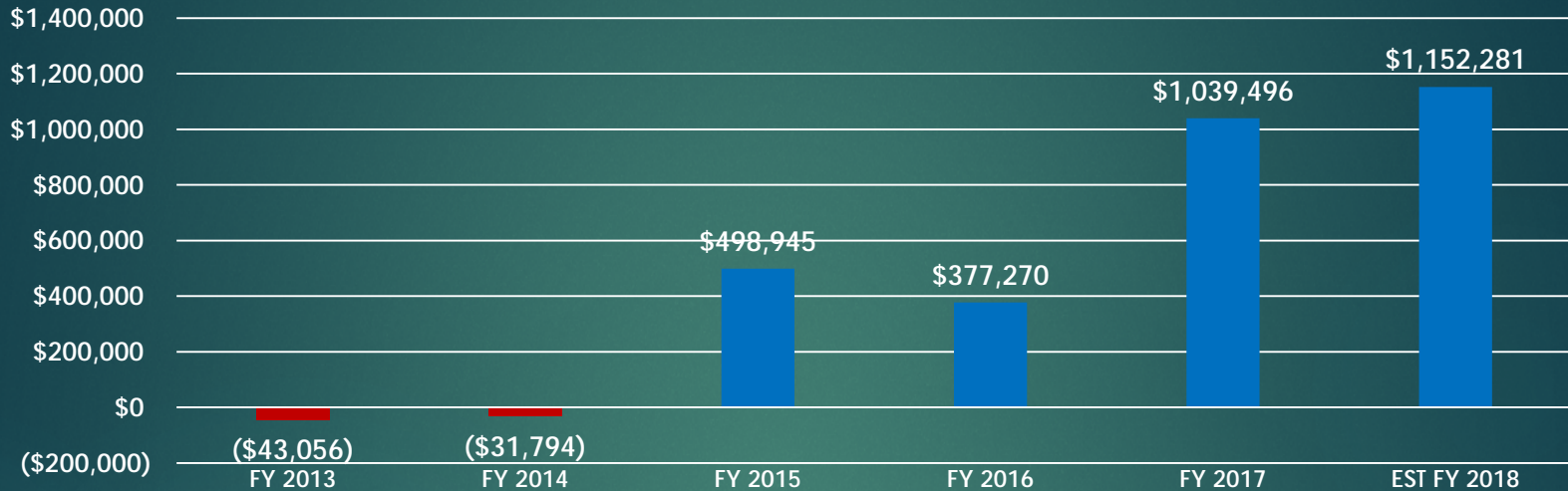


Motor Vehicles vs. Auto/TAVT \$ Collected

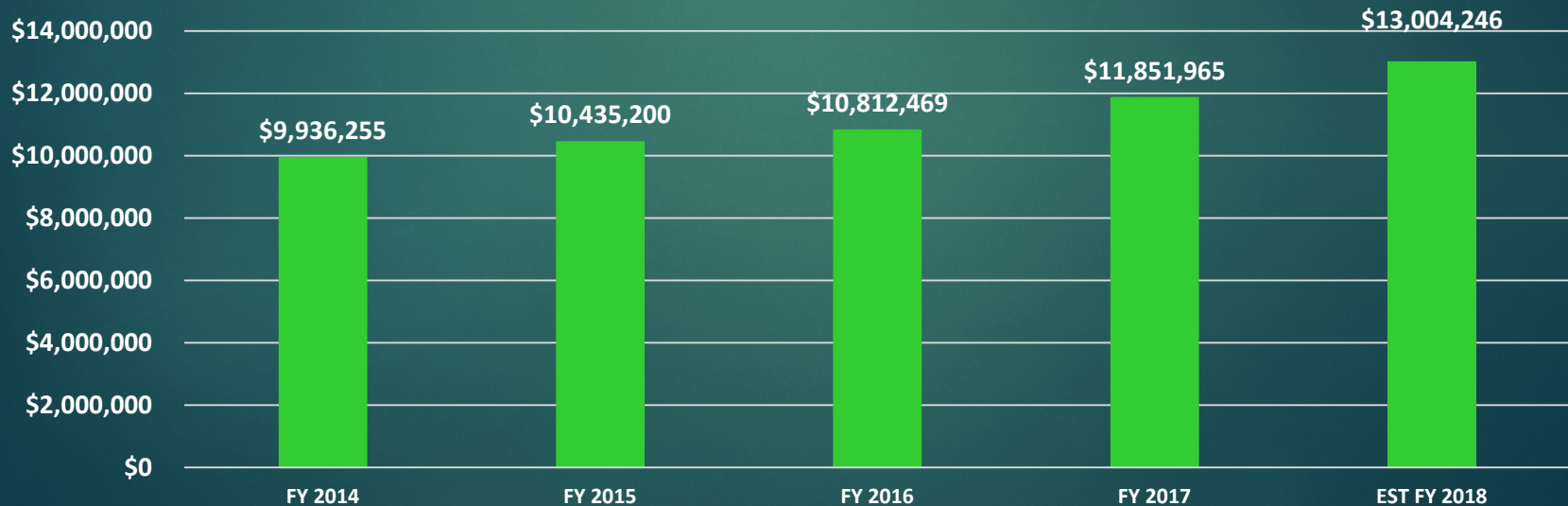


LOST Revenues

Variance from Previous Year

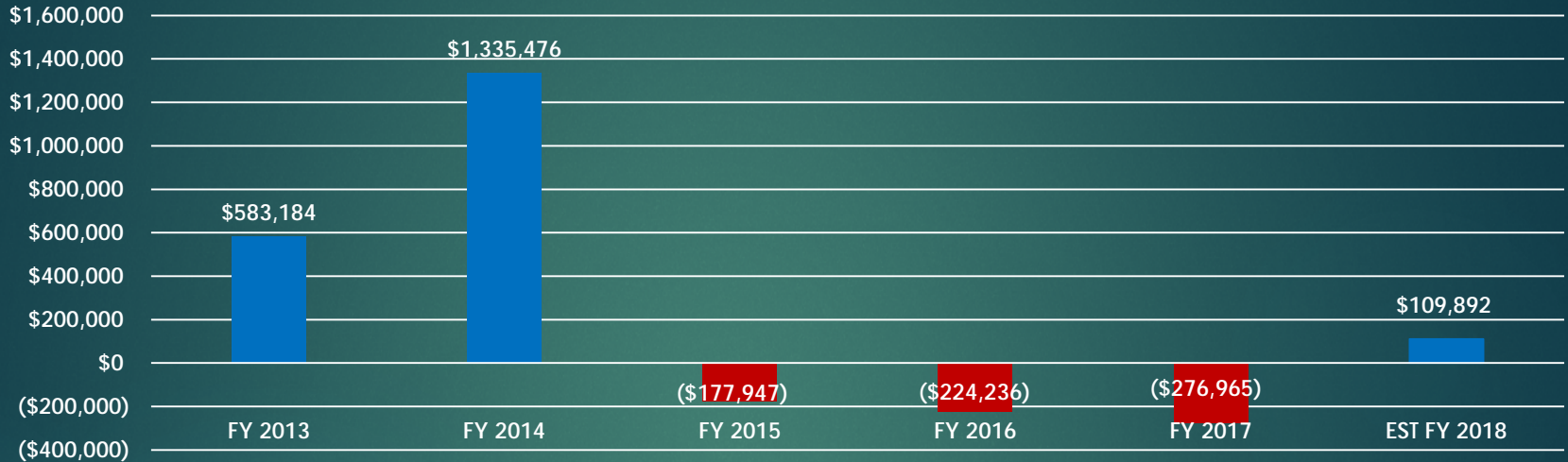


\$ Collected

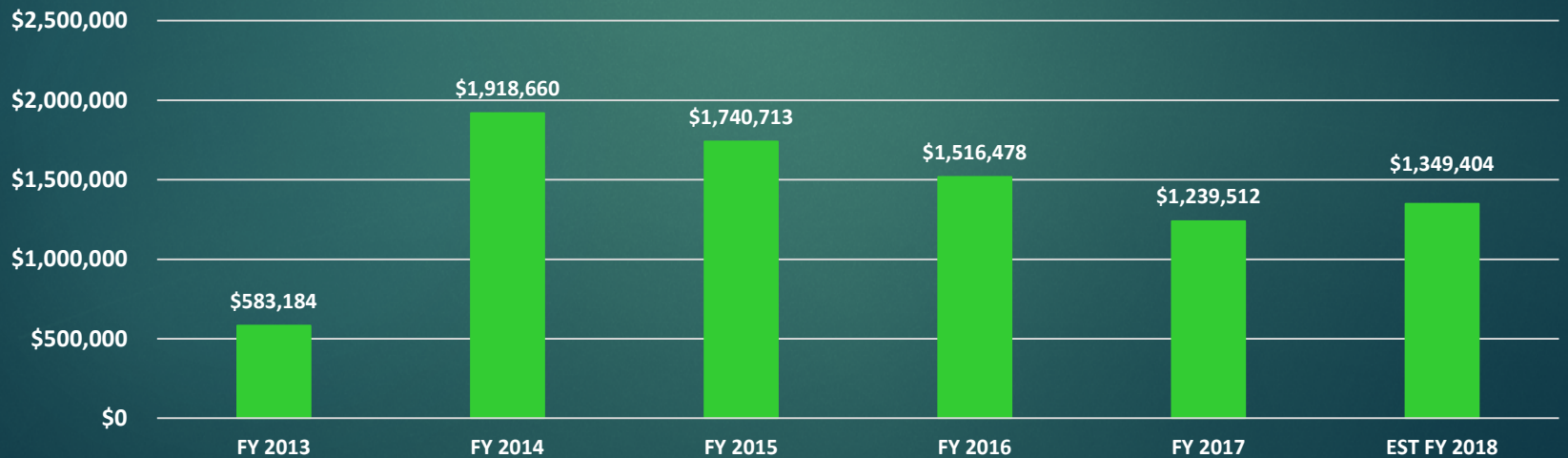


TAVT Revenues

Variance from Previous Year



\$ Collected



2017 SPLOST Revenues

2017 SPLOST FY 2018 Collections

<i>Sales Month</i>	<i>Distribution</i>	<i>Amount</i>	<i>% Change</i>
July	31-Aug-17	2,070,274.29	na
August	30-Sep-17	2,057,236.66	-0.63%
September	31-Oct-17	2,069,717.99	0.61%
October	30-Nov-17	1,910,760.57	-7.68%
November	31-Dec-17	2,151,202.62	12.58%
December	31-Jan-18	2,512,671.90	16.80%
January	28-Feb-18	1,840,309.31	-26.76%
February	31-Mar-18	1,635,758.15	-11.12%
March			
April			
May			
June			
	Total FY2018	16,247,931.49	

45.844%	14.962%	32.247%	6.455%	0.492%
FC	Fayetteville	PTC	Tyrone	Brooks
\$949,096.55	\$309,754.44	\$667,601.35	\$133,636.21	\$10,185.75
\$943,119.57	\$307,803.75	\$663,397.11	\$132,794.63	\$10,121.60
\$948,841.53	\$309,671.21	\$667,421.95	\$133,600.30	\$10,183.01
\$875,969.08	\$285,888.00	\$616,162.96	\$123,339.59	\$9,400.94
\$986,197.34	\$321,862.94	\$693,698.30	\$138,860.13	\$10,583.92
\$1,151,909.32	\$375,945.97	\$810,261.30	\$162,192.97	\$12,362.35
\$843,671.40	\$275,347.08	\$593,444.54	\$118,791.97	\$9,054.32
\$749,896.97	\$244,742.13	\$527,482.93	\$105,588.19	\$8,047.93
7,448,701.74	2,431,015.51	5,239,470.44	1,048,803.98	79,939.82

FY 2018 Projected SPLOST
Annualized based on YTD
Over/(Under)

\$10,338,461
\$11,173,053
\$834,592

Financial Review – 911 Special Revenue Fund

Fund Balance at June 30, 2017 - \$3,134,186



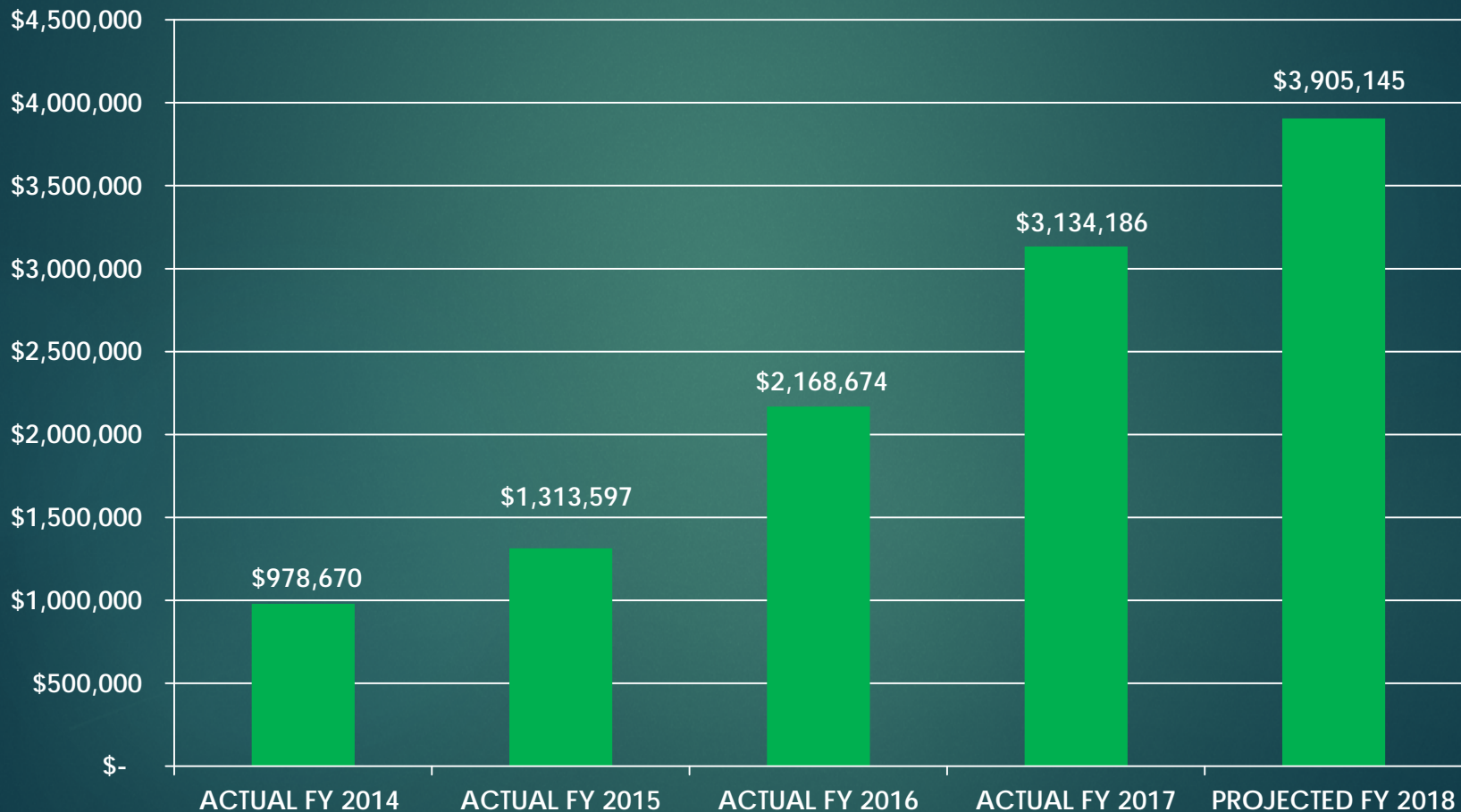
Financial Projections – FY 2018

911 Special Revenue Fund

	FY 2017 ACTUAL	FY 2018 ADJUSTED BUDGET	FY 2018 ESTIMATED*	BUDGET VS. EST. VARIANCE
OPERATING BUDGET				
Revenues:				
Property Taxes	\$ 1,063,841	\$ 1,170,000	\$ 1,166,165	\$ (3,835)
Other Taxes	1,246	1,500	2,080	580
Telephone Surcharge (Landline)	236,428	190,000	226,829	36,829
Wireless Surcharge	2,135,989	2,100,000	2,134,161	34,161
PrePaid Wireless 911 Charges	213,859	225,000	161,357	(63,643)
Miscellaneous	-	-	-	-
	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Total Revenues	<u>\$ 3,651,363</u>	<u>\$ 3,686,500</u>	<u>\$ 3,690,592</u>	<u>\$ 4,092</u>
Operating Expenditures:				
Current:				
Public Safety	<u>\$ 2,645,597</u>	<u>\$ 3,010,796</u>	<u>\$ 2,919,633</u>	<u>\$ 91,163</u>
Total Operating Expenditures	<u>\$ 2,645,597</u>	<u>\$ 3,010,796</u>	<u>\$ 2,919,633</u>	<u>\$ 91,163</u>
Net Operations	<u>\$ 1,005,766</u>	<u>\$ 675,704</u>	<u>\$ 770,959</u>	<u>\$ 95,255</u>
CAPITAL BUDGET				
Transfers Out - Capital Projects	<u>40,254</u>	<u>-</u>	<u>-</u>	<u>-</u>
Impact to Fund Balance	<u><u>\$ 965,512</u></u>	<u><u>\$ 675,704</u></u>	<u><u>\$ 770,959</u></u>	<u><u>\$ 95,255</u></u>

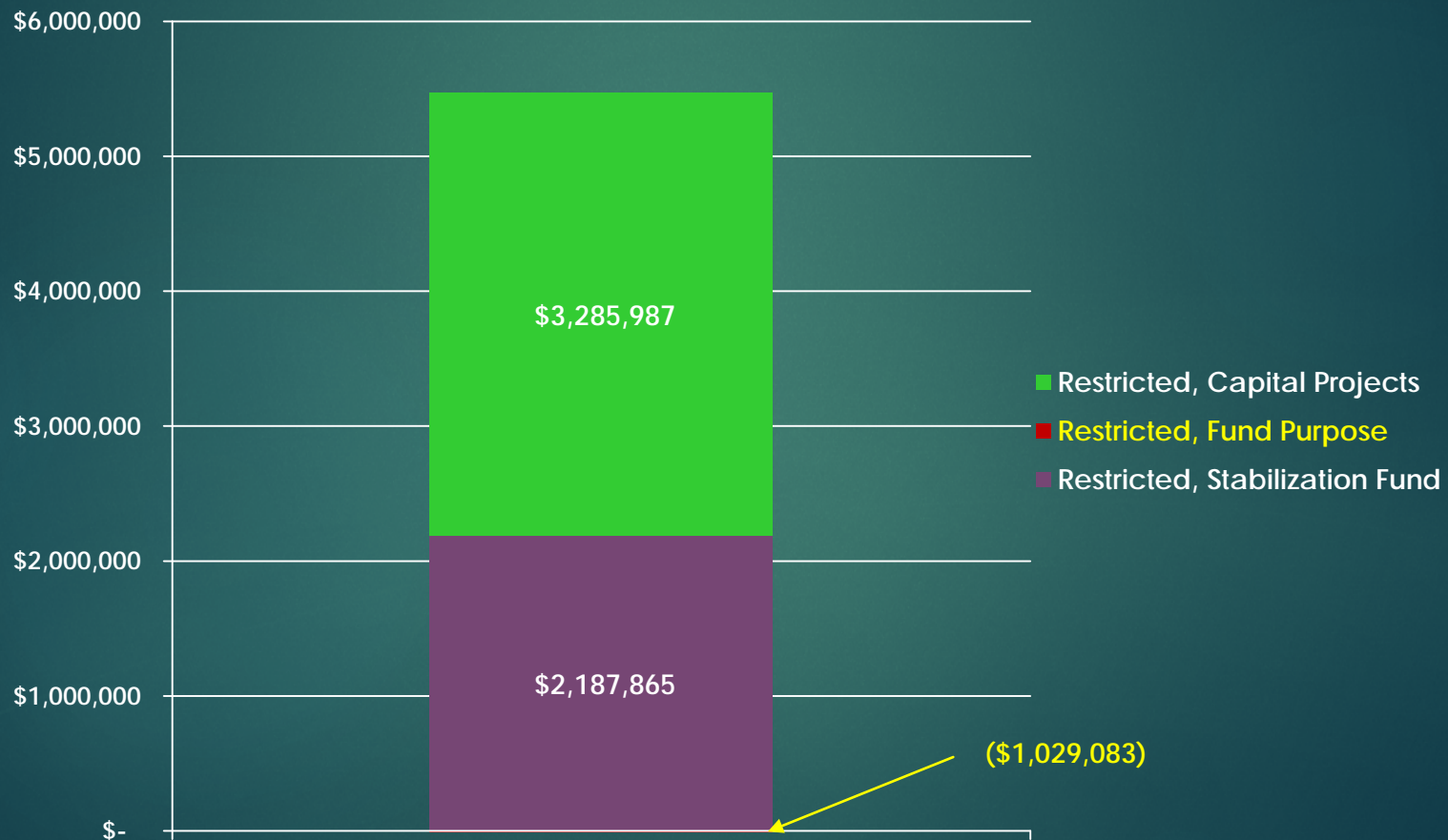
* Based Upon Actuals Through February 2018

911 Special Revenue Fund Fund Balance Trends



Financial Review – Fire Services Special Revenue Fund

Fire Fund Balance as of June 30, 2017 - \$4,444,769



Financial Projections – FY 2018

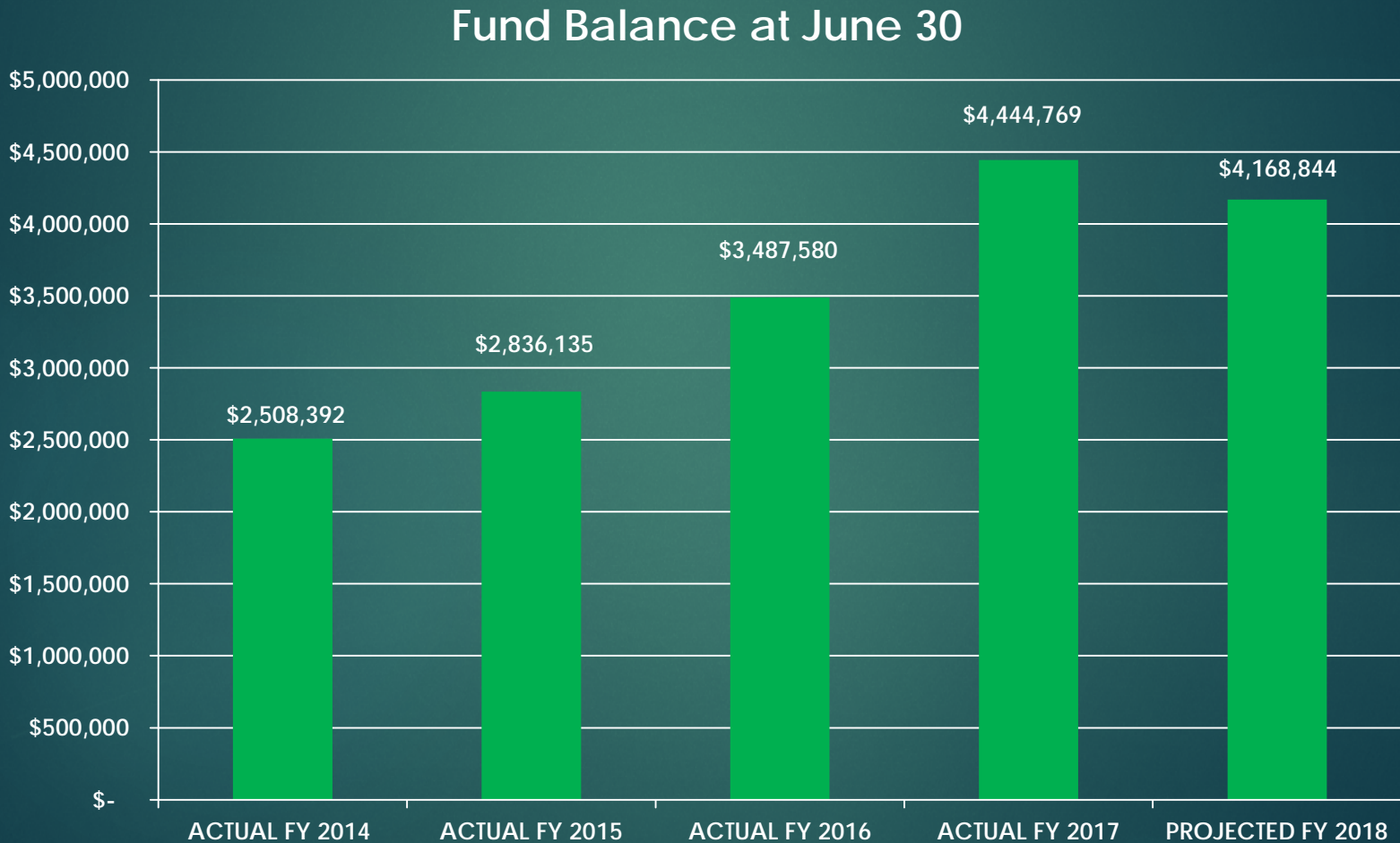
Fire Services Special Revenue Fund

	FY 2017 ACTUAL	FY 2018 ADJUSTED BUDGET	FY 2018 ESTIMATED*	BUDGET VS. EST. VARIANCE
OPERATING BUDGET				
Revenues:				
Property Taxes	\$ 7,129,546	\$ 7,228,000	\$ 7,586,520	\$ 358,520
Other Taxes	2,720,357	3,046,000	3,119,501	73,501
Charges for Services	168,922	234,500	186,434	(48,066)
Miscellaneous	87,872	124,400	104,725	(19,675)
Transfers In	-	-	-	-
Total Revenues	<u>\$ 10,106,697</u>	<u>\$ 10,632,900</u>	<u>\$ 10,997,180</u>	<u>\$ 364,280</u>
Operating Expenditures:				
Current:				
Public Safety	\$ 8,197,513	\$ 8,623,167	\$ 8,328,605	\$ 294,562
Public Safety Overtime	<u>323,662</u>	<u>171,093</u>	<u>428,650</u>	<u>(257,557)</u>
Total Operating Expenditures	<u>\$ 8,521,175</u>	<u>\$ 8,794,260</u>	<u>\$ 8,757,255</u>	<u>\$ 37,005</u>
Net Operations	<u>\$ 1,585,522</u>	<u>\$ 1,838,640</u>	<u>\$ 2,239,925</u>	<u>\$ 401,285</u>
CAPITAL BUDGET				
Transfers Out - Capital Projects	<u>628,333</u>	<u>2,426,380</u>	<u>2,426,380</u>	<u>-</u>
Impact to Fund Balance	<u><u>\$ 957,189</u></u>	<u><u>\$ (587,740)</u></u>	<u><u>\$ (186,455)</u></u>	<u><u>\$ 401,285</u></u>

*Based Upon Actuals Through February 2018

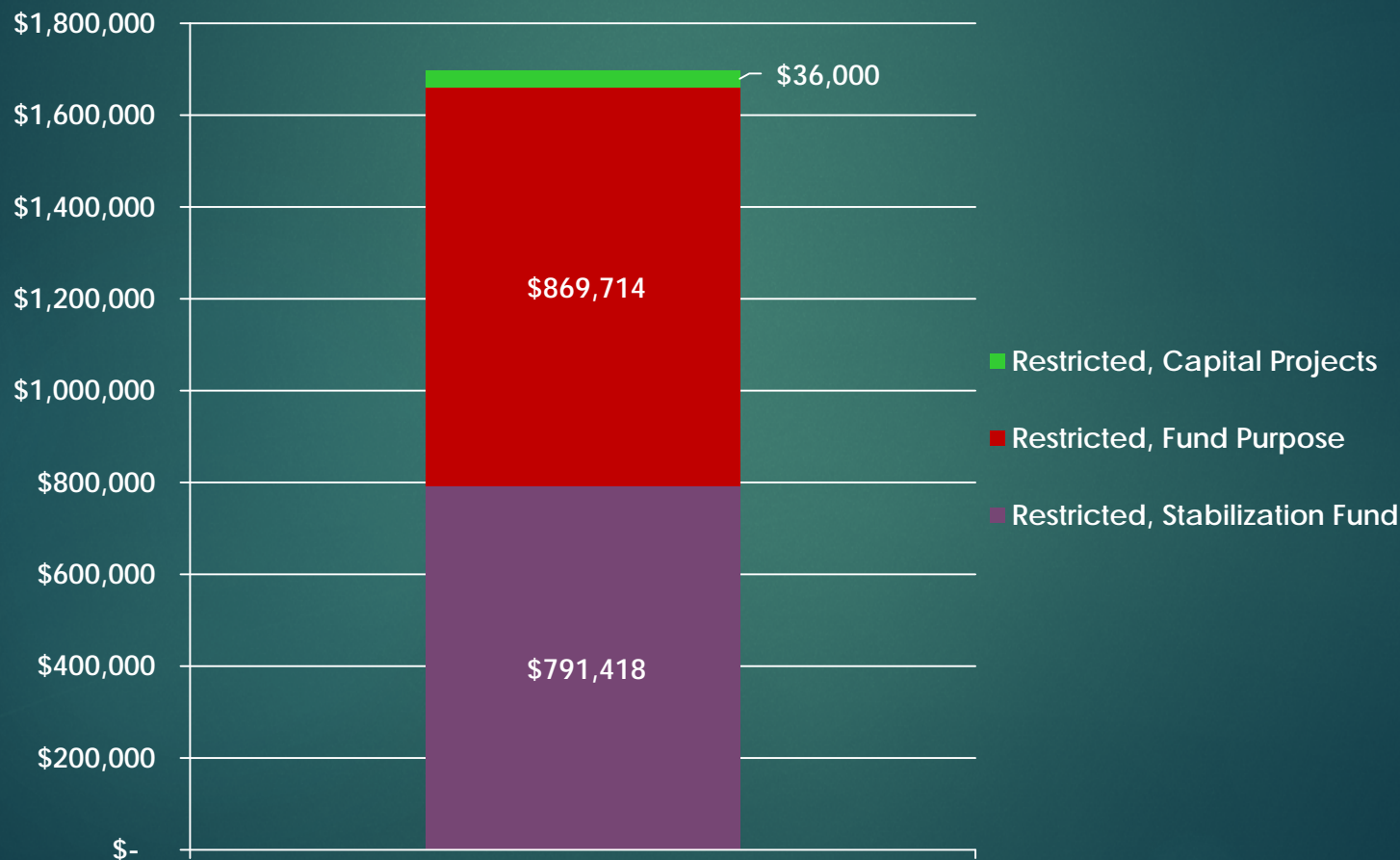
Fire Services Special Revenue Fund

Fund Balance Trends



Financial Review – EMS Special Revenue Fund

Fund Balance as of June 30, 2017- \$1,697,129



Financial Projections – FY 2018

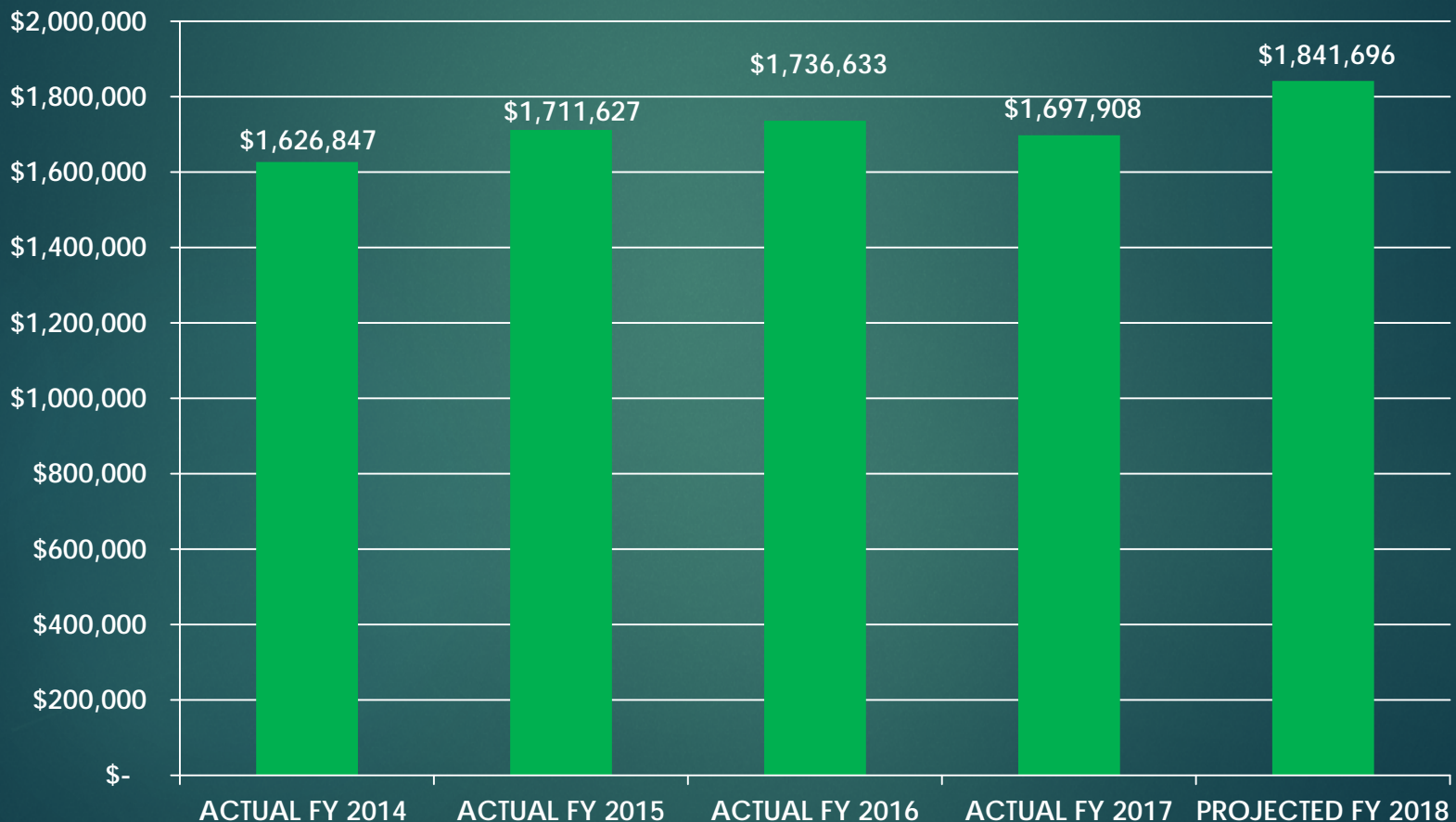
Emergency Medical Services SR Fund

	FY 2017 ACTUAL	FY 2018 ADJUSTED BUDGET	FY 2018 ESTIMATED*	BUDGET VS. EST. VARIANCE
OPERATING BUDGET				
Revenues:				
Property Taxes	\$ 1,421,716	\$ 1,468,500	\$ 1,513,356	\$ 44,856
Other Taxes	7,757	33,000	34,062	1,062
Charges for Services	1,754,751	2,330,000	1,964,241	(365,759)
Miscellaneous	4,880	3,000	15,806	
Transfers In	10,701	-	-	-
Total Revenues	<u>\$ 3,199,805</u>	<u>\$ 3,834,500</u>	<u>\$ 3,527,465</u>	<u>\$ (319,841)</u>
Operating Expenditures:				
Current:				
Public Safety	<u>\$ 3,013,142</u>	<u>\$ 3,165,670</u>	<u>\$ 3,213,727</u>	<u>\$ (48,057)</u>
Total Operating Expenditures	<u>\$ 3,013,142</u>	<u>\$ 3,165,670</u>	<u>\$ 3,213,727</u>	<u>\$ (48,057)</u>
Net Operations	<u>\$ 186,663</u>	<u>\$ 668,830</u>	<u>\$ 313,738</u>	<u>\$ (367,898)</u>
CAPITAL BUDGET				
Transfers Out - Capital Projects	<u>226,167</u>	<u>150,000</u>	<u>150,000</u>	<u>-</u>
Impact to Fund Balance	<u>\$ (39,504)</u>	<u>\$ 518,830</u>	<u>\$ 163,738</u>	<u>\$ (367,898)</u>

*Based Upon Actuals Through February 2018

Emergency Medical Services SR Fund Fund Balance Trends

Fund Balance at June 30



County Jail Surcharge Fund Financial Activity - 4 FYs

Revenues:	<u>FY 2015</u>	<u>FY 2016</u>	<u>FY 2017</u>	<u>FY 2018</u> <u>PROJECTED**</u>
Fine Surcharges - County Jail				
Fayetteville	\$68,672	\$77,811	\$74,147	\$64,672
Peachtree City	124,937	95,069	92,725	108,625
Tyrone	28,268	25,898	25,920	25,233
County	134,221	162,916	179,127	155,129
Total Surcharges	356,098	361,693	371,919	353,660
Transfers From General Fund	-	40,000	40,000	70,000 *
Total Revenues	\$356,098	\$401,693	\$411,919	\$423,660

* Recommended FY2018 YE Budget Adjustment

Expenditures:				
Inmate Meals	394,322	412,551	426,321	448,882
Total Expenditures	\$394,322	\$412,551	\$426,321	\$448,882

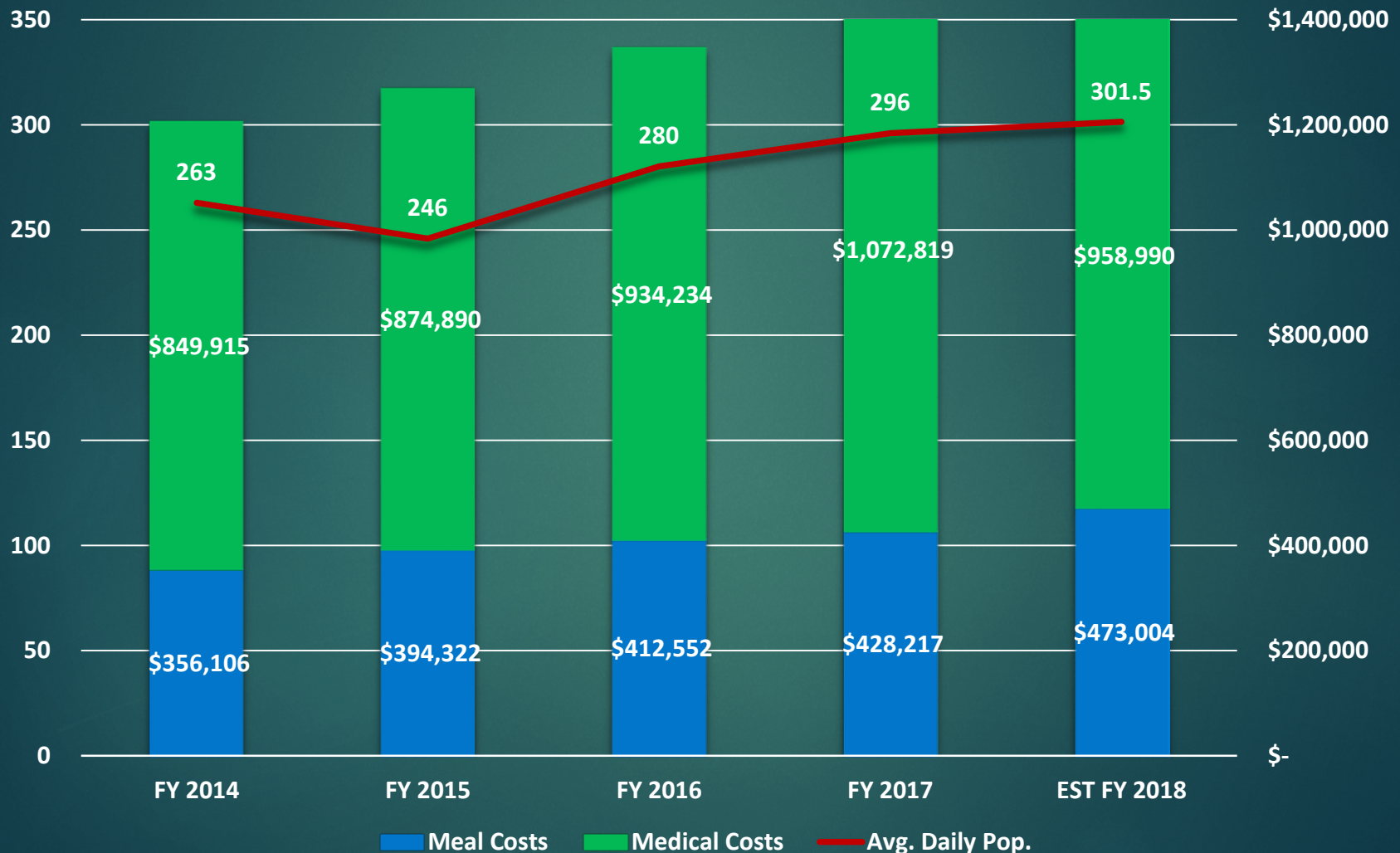
Revenues Over (Under) Expenditures	(38,224)	(10,858)	(14,402)	(25,222)
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Fund Balance, Beginning	\$90,293	\$52,069	\$41,211	\$26,809
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Fund Balance, Ending	\$52,069	\$41,211	\$26,809	\$1,586
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**Includes Projected Revenue from new SDS

Comparison of Inmate Counts vs. Costs



Fayette County, Georgia

Proprietary Funds Statistics

Proprietary Funds

Summary of Net Assets

Water System

	<u>FY 2016</u>	<u>FY 2017</u>	<u>YTD FY 2018*</u>
Net Assets:			
Invested In Capital Assets,			
Net of Related Debt	\$62,610,973	\$67,192,871	\$68,259,292
Restricted For:			
Encumbrances			
Debt Service	8,742,170	8,856,453	7,322,684
Renewal and Extension	2,740,356	5,903,522	5,398,245
CIP	4,070,514	3,202,129	2,809,873
Bond Funds	2,742,781	570,016	513,864
Unrestricted	321,213	(234,412)	(0)
Total Net Assets	<u>\$81,228,007</u>	<u>\$85,490,579</u>	<u>\$84,303,957</u>

Solid Waste

Net Assets:			
Invested In Capital Assets,			
Net of Related Debt	\$127,348	\$178,357	\$198,783
Unrestricted	<u>464,861</u>	<u>330,373</u>	<u>234,700</u>
Total Net Assets	<u>\$592,209</u>	<u>\$508,730</u>	<u>\$433,483</u>

*YTD - February 2018



Fayette County, Georgia

Internal Service Funds Statistics

Workers' Compensation Self-Insurance Fund

CHANGE IN NET POSITION

	<u>FY 2015</u>	<u>FY 2016</u>	<u>FY 2017</u>	<u>FY2018</u> <u>PROJECTED</u>
Revenues				
Charges for Services Original Budget	\$415,000	\$470,000	\$330,532	\$600,000
Recommended Workers' Comp Funding	\$818,690	-	\$698,000	-
Total Revenues	\$1,233,690	\$470,000	\$1,028,532	\$600,000
Expenses				
Cost of Claims	276,128	567,162	381,510	439,202
WC Settlements	197,500	327,790	190,500	186,100
Administration	131,638	154,374	154,764	174,981
Total Expenses	605,266	1,049,326	726,774	800,283
Change in Net Position	\$628,424	(\$579,326)	\$301,758	(\$200,283)
Total Net position- beginning	71,575	700,000	120,674	\$422,432
Total Net Position- ending	700,000	\$120,674	\$422,432	\$222,149

Major Medical Self-Insurance Fund

CHANGE IN NET POSITION

	<u>FY2015</u>	<u>FY2016</u>	<u>FY2017</u>	<u>FY2018 PROJECTED</u>
Revenues	6,207,684	6,980,400	7,386,259	7,471,000
CIGNA StopLoss *	-	1,207,617	483,015	689,000
Stabilization	<u>450,000</u>	<u>-</u>	<u>-</u>	<u>-</u>
Total Revenues	\$6,657,684	\$8,188,017	\$7,869,274	\$8,160,000
Expenses				
Cost of Claims	5,746,127	7,758,459	7,172,363	7,400,000
Administration	<u>472,507</u>	<u>485,473</u>	<u>498,189</u>	<u>500,000</u>
Total Expenses	\$6,218,634	\$8,243,932	\$7,670,552	\$7,900,000
Change in Net Position	\$439,050	(\$55,915)	\$198,722	\$260,000
Total Net position- beginning	<u>689,270</u>	<u>1,128,320</u>	<u>\$1,077,647</u>	<u>\$1,276,369</u>
Total Net Position- ending	<u>\$1,128,320</u>	<u>\$1,072,405</u>	<u>\$1,276,369</u>	<u>\$1,536,369</u>

*Includes reimbursement provided from insurance broker. FY2017 received 10-13-17.

Dental / Vision Self-Insurance Fund

CHANGE IN NET POSITION

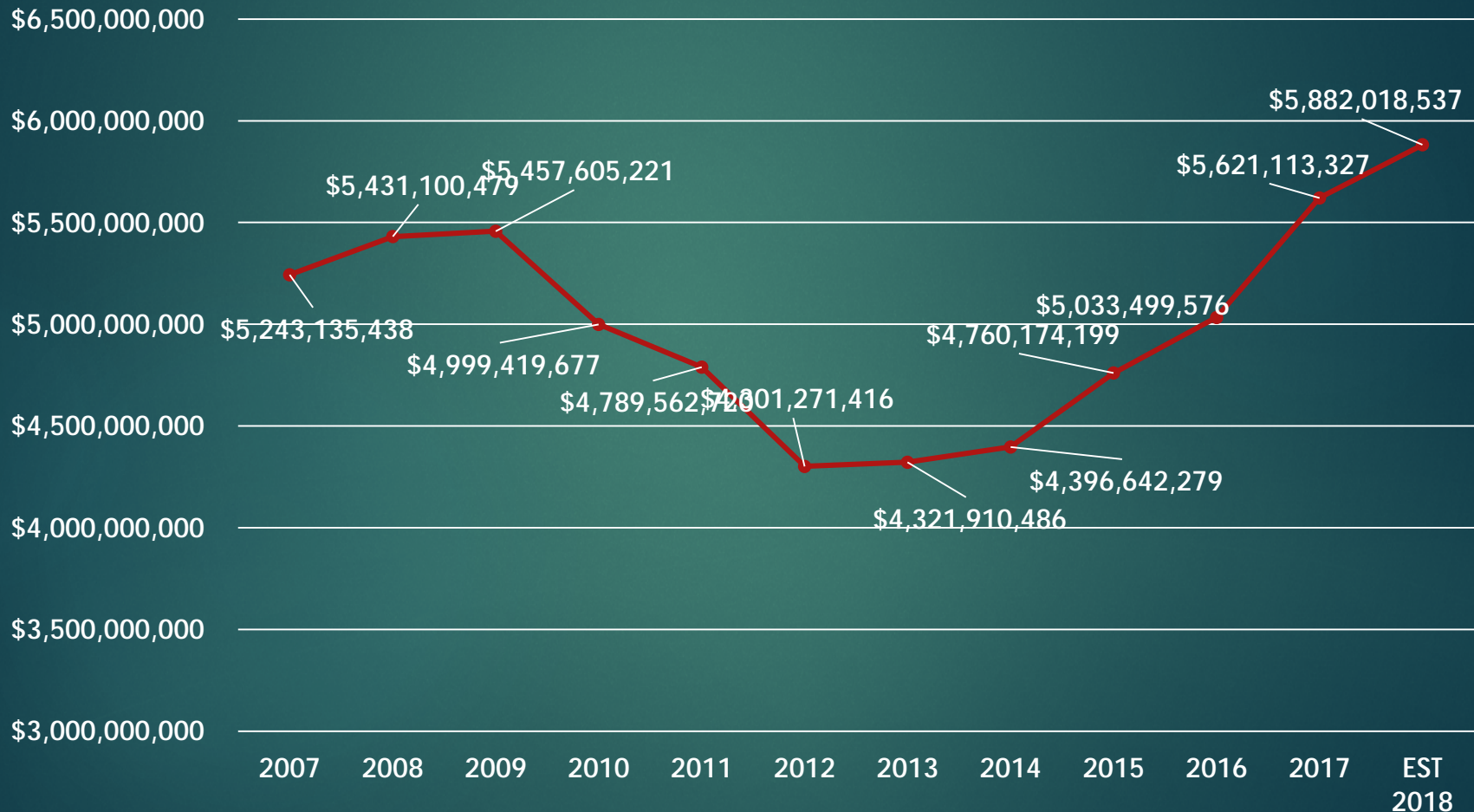
	<u>FY2015</u>	<u>FY2016</u>	<u>FY2017</u>	<u>FY2018</u> <u>PROJECTED</u>
Revenues	\$442,049	\$477,433	\$507,322	\$473,748
Expenses				
Cost of Claims	456,797	493,765	556,986	517,286
Total Expenses	456,797	493,765	556,986	517,286
Change in Net Position	(14,748)	(16,332)	(49,664)	(43,538)
Total Net position- beginning	<u>137,691</u>	<u>122,943</u>	<u>\$106,612</u>	<u>\$56,948</u>
Total Net Position- ending	<u>\$122,943</u>	<u>\$106,611</u>	<u>\$56,948</u>	<u>\$13,410</u>



Fayette County, Georgia

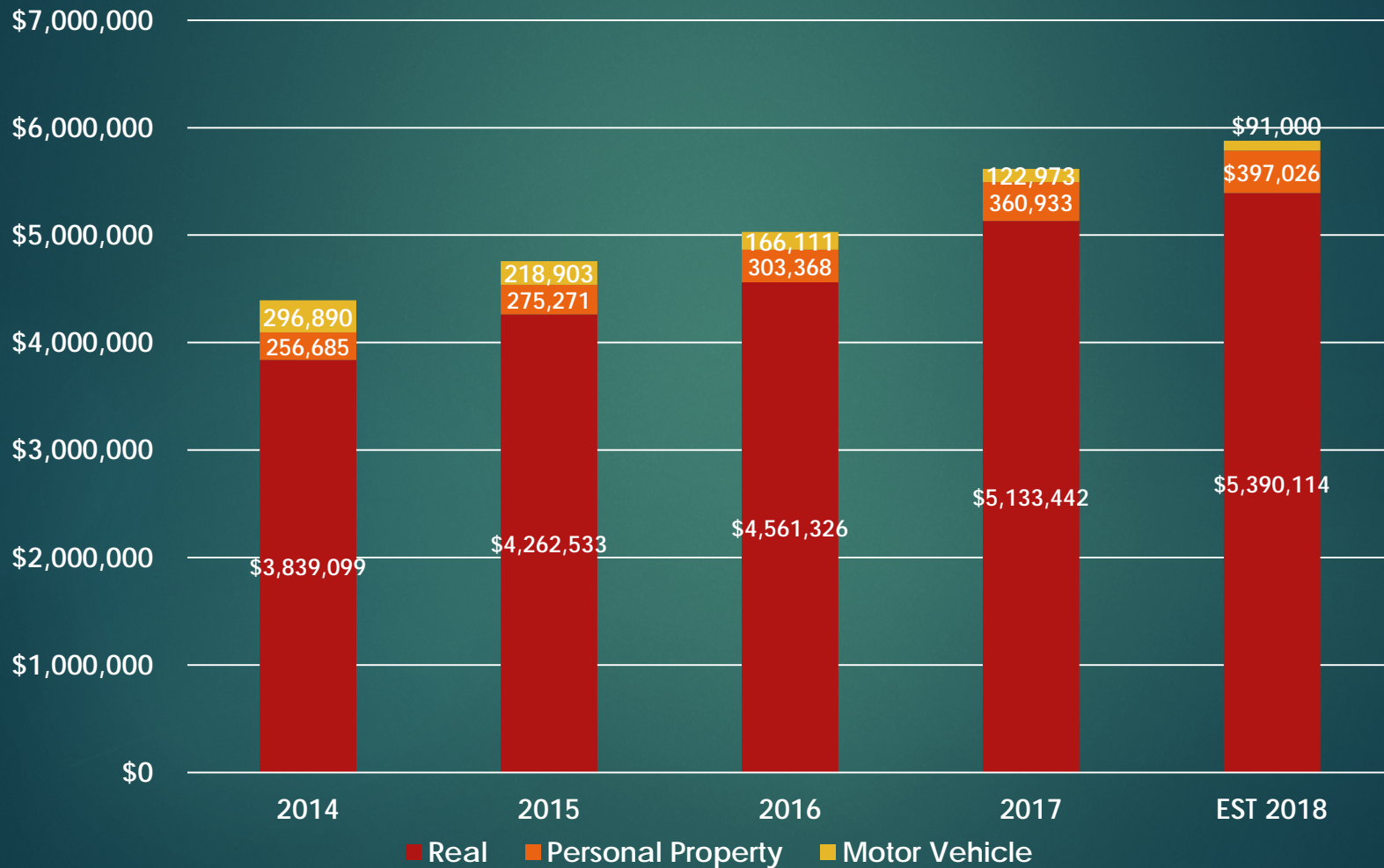
Tax Digest / Millage Rates Statistics

Net M&O Tax Digest Trends – 10 Years

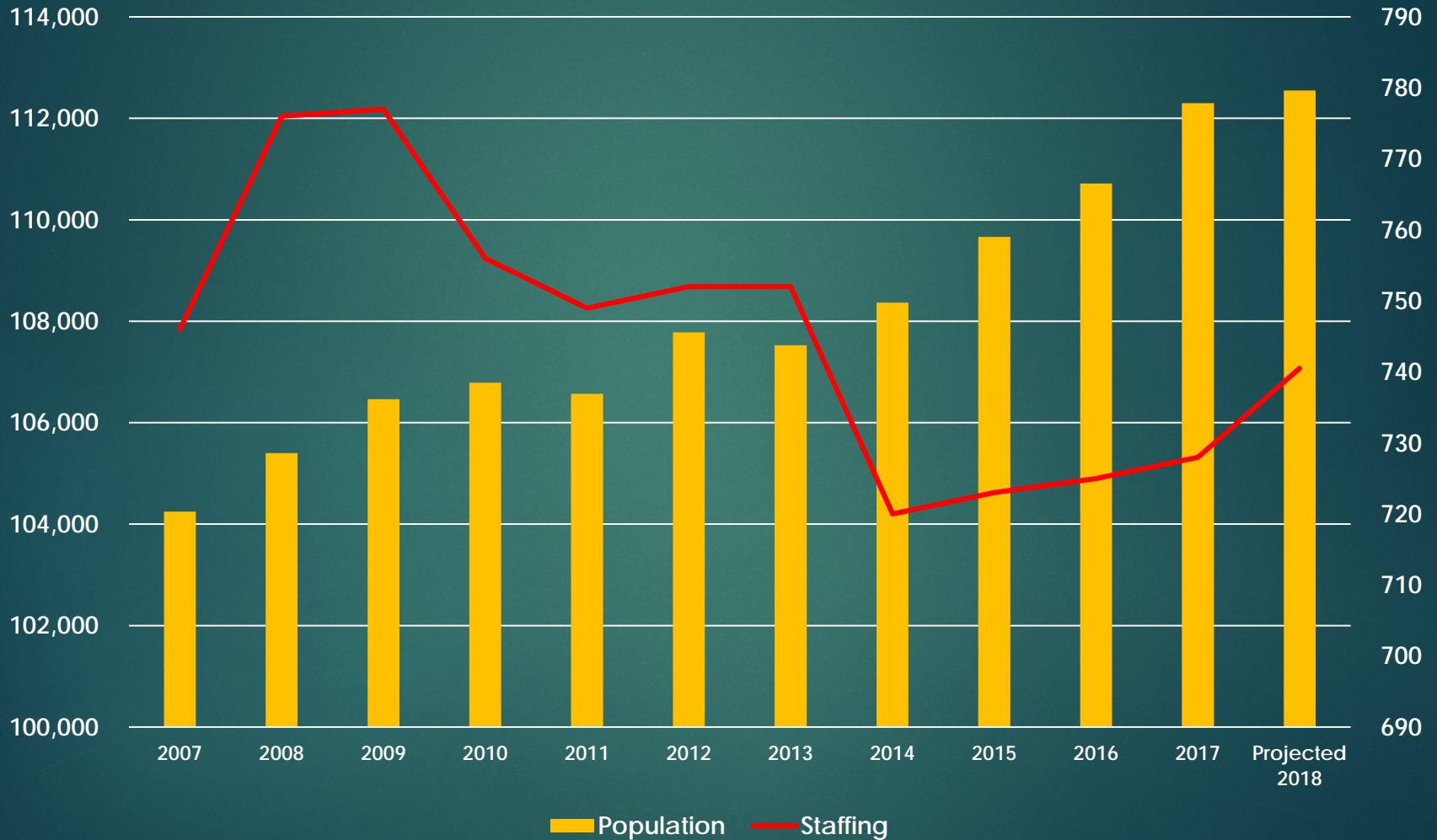


Tax Digest – 5FYs

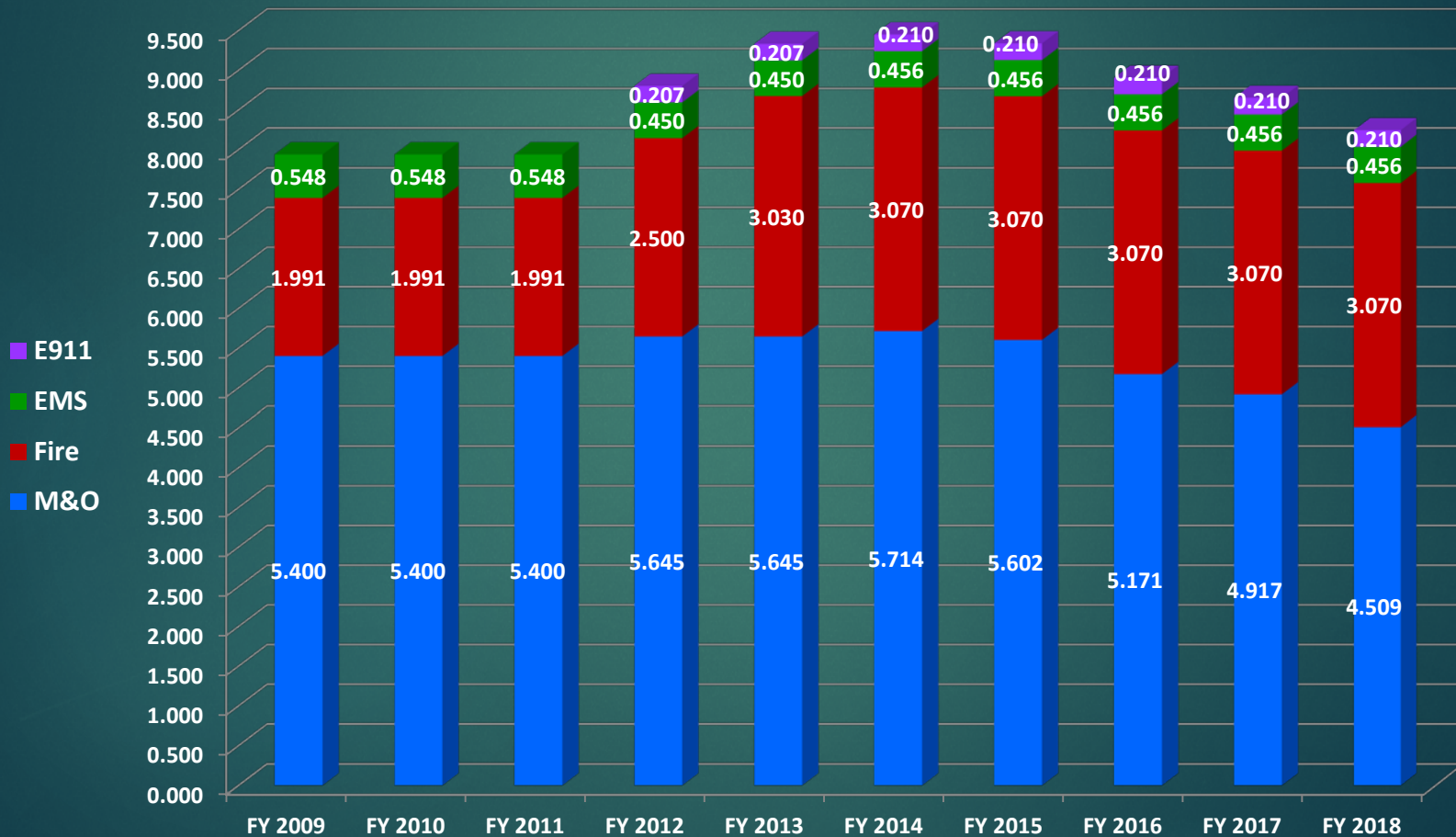
(in 000's)



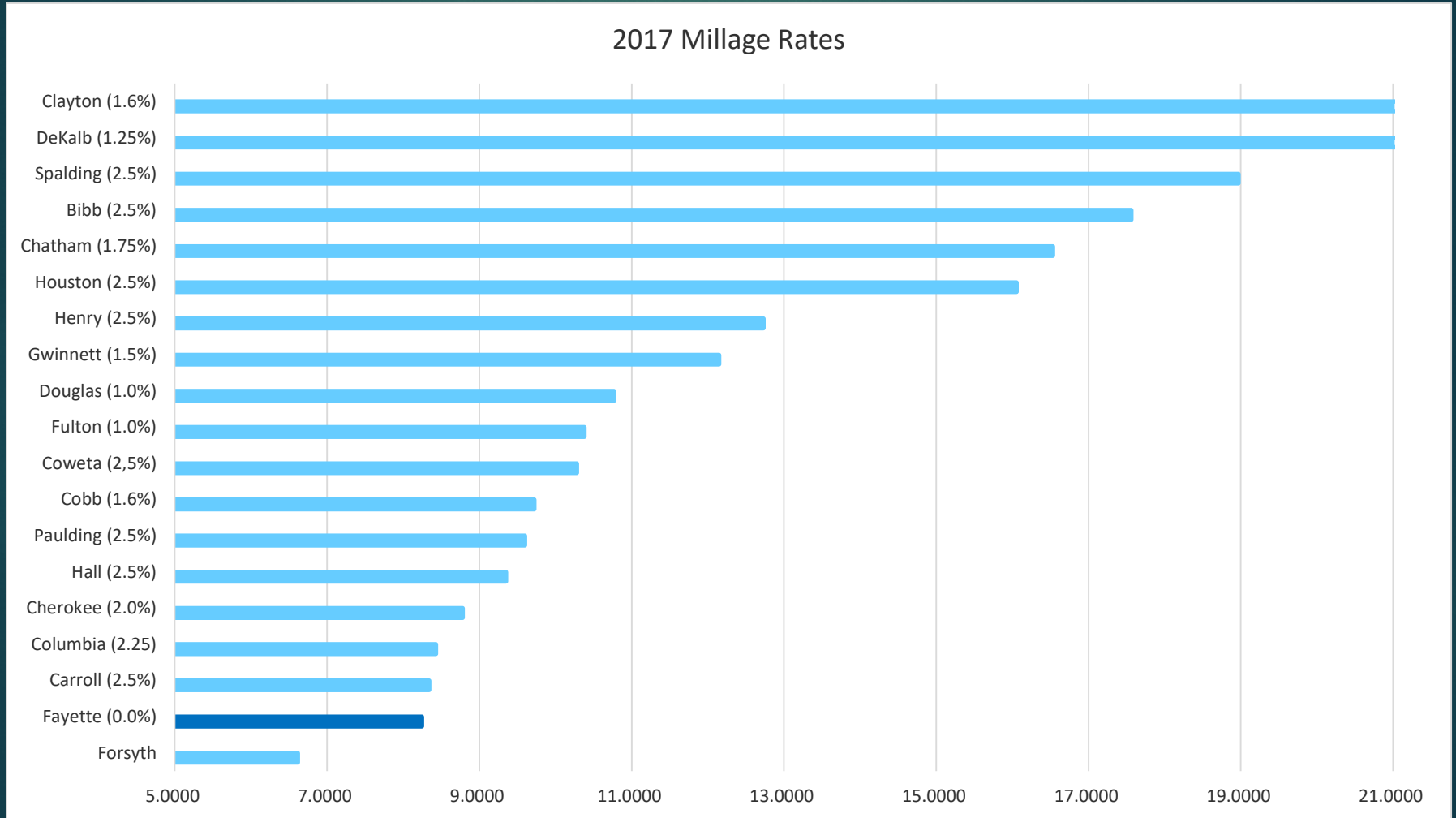
Population and Staffing



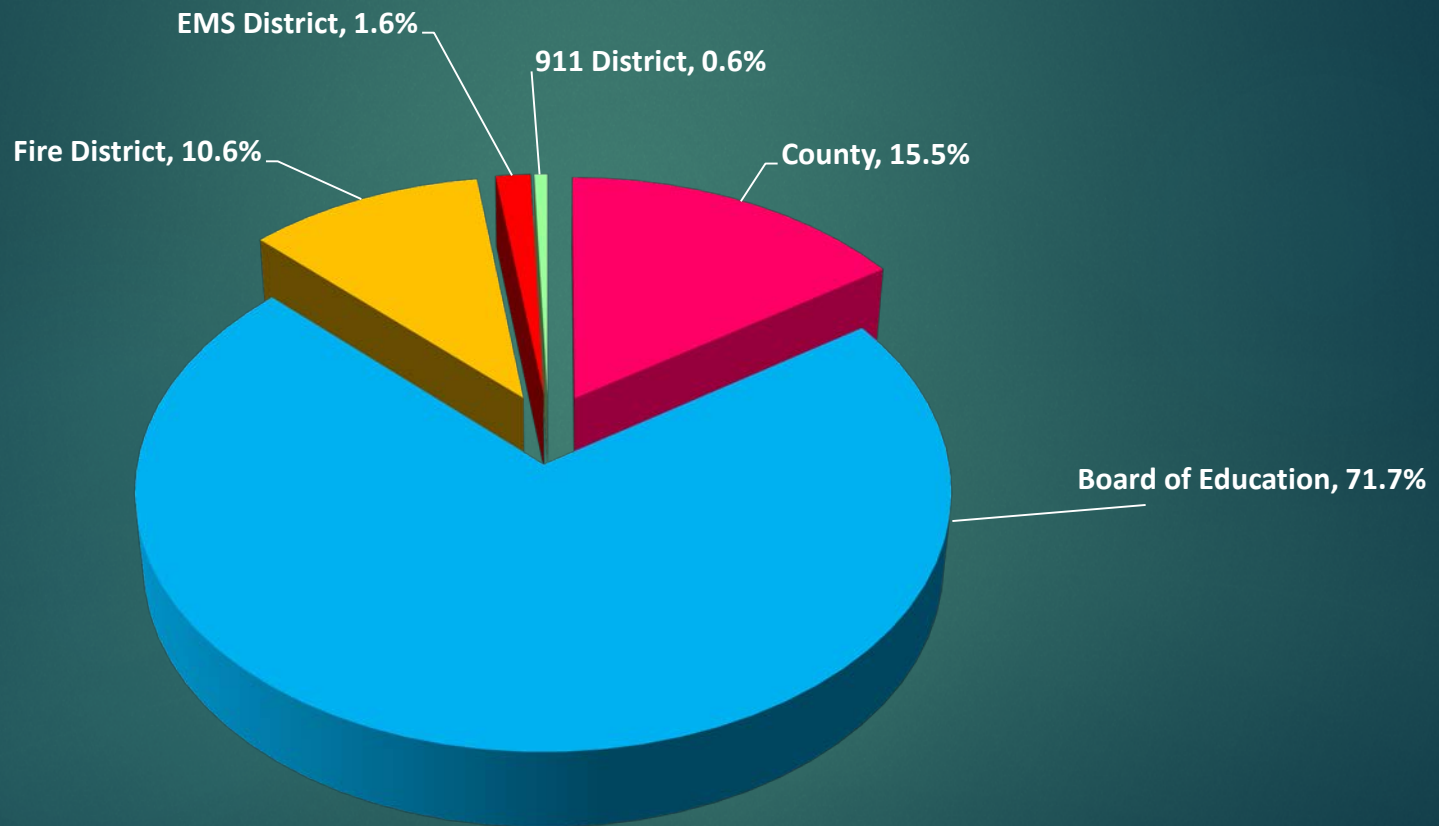
Millage Rates for Fayette County



Millage Rates for Local Counties



Tax Rate





Fayette County, Georgia

Capital / CIP / Non-SPLOST

FY 2017/2018

Capital/CIP Projects - Completed

Year	Fund	Department	Project/Asset Description	Cost	Dept Total	Fund Total
2017	100	B & G	Justice Center Sidewalks	108,812.25	\$ 108,812.25	
2017	100	IS	Aerial Photography - Orthophotography	149,010.00		
2017	100	IS	Fiber Optic - McDonough Road	181,170.00		
2017	100	IS	FY2017 Systemwide Consolidate/Redesign	274,044.45	\$ 604,224.45	
2017	100	Recreation	Brooks Park Field #5 Fencing	33,059.45		
2017	100	Recreation	Brooks Field #5 Backstop	12,805.00		
2017	100	Recreation	Brooks Field House Roof	12,404.00		
2017	100	Recreation	McCurry Park Softball Fence	17,840.00	\$ 76,108.45	
2017	100	Roads	Snowplow Blades	18,450.00	\$ 18,450.00	
2017	100	Sheriff	Old Jail Renovation - Bond - Fund 361	2,211,950.27		
2017	100	Sheriff	Building A Carpet	20,813.16	\$ 2,232,763.43	
2017	100	Sheriff - Jail	Renovation of Old Jail - Study	51,049.06	\$ 51,049.06	\$ 3,091,407.64
2017	215	911	911 Voice Logger Upgrade	40,254.00	\$ 40,254.00	\$ 40,254.00
2017	270	Fire	SCBA - Breathing Apparatus	168,717.36		
2017	270	Fire	Station 11 - HVAC/Lighting/Ceiling	25,390.70	\$ 194,108.06	\$ 194,108.06
2017	272	EMS	Mobile Data Communcations	10,701.36		
2017	272	EMS	Stretchers	14,533.00	\$ 25,234.36	\$ 25,234.36
2017	320	2004 SPLOST	Harp Rd @ SR85 Signal/Lanes	759,864.77		
2017	321	2004 SPLOST	McIntosh Rd Bridge	984,998.06		
2017	321	2004 SPLOST	Kenwood Rd Op Improv 2008	260,850.90	\$ 2,005,713.73	\$ 2,005,713.73

FY 2017/2018

Capital/CIP Projects - Completed

Year	Fund	Department	Project/Asset Description	Cost	Dept Total	Fund Total
2018	100	B & G	Historical Courthouse Refurbish	375,557.12		
2018	100	B & G	Library Expansion	102,957.27		
2018	100	B & G	Courthouse/Jail Booster System	22,964.00		
2018	100	B & G	Pole Barn at Maintenance Shop	13,500.54	\$ 514,978.93	
2018	100	IS	Audio Visual Upgrades - Justice Center	105,889.03	\$ 105,889.03	
2018	100	Probate Court	Cubicle Replacement	18,289.72	\$ 18,289.72	
2018	100	Public Works	Plotter	5,395.00	\$ 5,395.00	
2018	100	Recreation	All Parks/Security Cameras	198,999.92		
2018	100	Recreation	Kiwanis Parking Lot Coating and Striping	66,820.73	\$ 265,820.65	
2018	100	Roads	Message Board (2)	31,700.00	\$ 31,700.00	
2018	100	Sheriff	Courthouse Ballistic Desks	13,756.68		
2018	100	Sheriff	HVAC Equipment Replacement Program	74,300.00		
2018	100	Sheriff	Inmate Medical Computerized Work Station & Monitors	14,701.78		
2018	100	Sheriff	Sheriff's Office Parking Lot Repair	102,206.92		
2018	100	Sheriff	Taser Replacement Program	50,932.90	\$ 255,898.28	
2018	100	Sheriff/B&G	Links Master Plan Shooting Range	\$ 449,037.00	\$ 449,037.00	\$ 1,647,008.61
2018	270	Fire	Fit Test Machine	7,495.00	\$ 7,495.00	\$ 7,495.00
2018	509	Stormwater	Engineering Design of Multiple Projects	28,775.00		
2018	509	Stormwater	Projects - Replace/Upgrades	28,116.64		
2018	509	Stormwater	Partridge Point	73,723.00	\$ 130,614.64	\$ 130,614.64
2018	545	Solidwaste	Inert Landfill	95,336.20	\$ 95,336.20	\$ 95,336.20
FY2017/2018 TOTALS				\$ 7,237,172.24	\$ 7,237,172.24	\$ 7,237,172.24

Planning for FY2019



RULES OF PROCEDURE

- I. Sounding the Agenda Item
 - A. Presentation of the Item
 - B. Public Comment
- II. Motion on the Agenda Item
 - A. Brief and concise
 - B. Pitfalls of reading the agenda item verbatim
- III. Motion requires a Second
 - A. Nothing happens until a second is received
 - B. A lack of a second should require another motion
 - C. The person making the second is not required to vote for the motion
- IV. Discussion of Motion
 - A. Discussion begins only after motion and second
 - B. No other substantive motion may be made until the underlying motion is adequately addressed
- V. Amending the Motion
 - A. Brief and concise
 - B. More than 2 amendments can be challenging
- VI. Voting
 - A. Agenda item is adequately addressed if motion passes
 - B. Failure of motion may require a new motion

DIVISION 2. RULES OF PROCEDURE

Sec. 2-48. Open meetings.

All meetings of the board of commissioners shall be held in accordance with the provisions of O.C.G.A. title 50, ch. 14 (O.C.G.A. § 50-14-1 et seq.) the “Open Meetings Law.” The public shall at all times be afforded access to all meetings other than executive sessions.

Sec. 2-49. Executive sessions.

(a) *Closed meetings.* ~~As provided below or in~~In accordance with state law, the board may close a portion of a meeting to the public to discuss certain topics that are exempted from the Open Meetings Law, ~~O.C.G.A. title 50, ch. 14 (O.C.G.A. § 50-14-1 et seq.).~~ Such ~~meetings~~meeting shall be referred to as an executive ~~session~~session. Any portion of the meeting not subject to any exemptions authorized by law shall be open to the public.

~~(b) *Executive sessions.* Executive sessions of the board may be held for the purpose of discussing topics exempted from public access requirements by O.C.G.A. §§ 50-14-2 and 50-14-3, including, but not limited to:~~

~~(1) *Pending or potential litigation.* The board may close an open meeting to discuss topics subject to the attorney-client privilege to the extent the commissioners consult and meet with the county attorney or other legal counsel to discuss pending or potential litigation, settlement, claims, administrative proceedings or other judicial actions brought by or against the county, a county official or employee. The county attorney or other attorney representing the county must be present in the executive session. In order to close a meeting because of potential litigation, there must be a real and tangible threat of legal action indicated by a formal demand letter or other writing presenting a claim or a sincere intention to sue, previous or pre-existing litigation between the county and the other party, or the hiring of an attorney by the threatening party.~~

~~(2) *Personnel matters.* The board may close an open meeting to discuss or deliberate on the appointment, employment, compensation, hiring, disciplinary action, dismissal or evaluation of a county official or employee except that the commissioners must receive evidence or hear arguments on proposed disciplinary action or dismissal of a county official or employee in an open meeting. Any votes by the board must be taken in an open meeting and be entered in the minutes of the open meeting.~~

~~(3) *Records that could compromise public security.* The board may close an open meeting to review or discuss records that, if made public, would endanger life, safety or public property by compromising security against sabotage, criminal acts or terrorist acts. Such records include, but are not limited to, security plans, vulnerability assessments for public buildings or facilities, anti-terrorist plans, plans or blueprints that~~

~~reveal security devices, or otherwise compromise security and contingency plans for meetings.~~

~~—— (c) — *Procedure for entering into executive sessions.* — An executive session shall not be held except pursuant to a majority affirmative vote of the board members present taken in an open meeting. The minutes of the open meeting shall reflect the names of the commissioners present, those voting for the executive session, and the specific reasons for the executive session.~~

~~—— (d) — *Who can attend executive sessions.* — Board members and only individuals necessary to conduct an executive session may be present. The clerk of the board of commissioners and the county administrator shall be included in any executive session approved by the board of commissioners unless expressly barred by majority vote of the board members present prior to or during the course of an executive session. The county attorney or other attorney representing the board must be included in any executive session pertaining to litigation or claims against the county. Other individuals may be invited to participate in an executive session by majority vote of the board members present prior to or during the course of the executive session but only if the presence of such individuals is consistent with the applicable exception authorizing the executive session. No other individuals shall be permitted in the executive session.~~

~~—— (e) — *Nonexempt topics.* — If a commissioner or any other person in an executive session attempts to discuss a non-exempt topic during an executive session, the chair shall immediately rule that commissioner or person out of order and such discussion shall cease. If the commissioner or other person persists in discussing the non-exempt topic, the chair shall either cause the person or commissioner to be removed from the executive session or adjourn the meeting immediately.~~

~~—— (f) — *Executive session minutes.* — Minutes of executive sessions shall also be recorded but shall not be open to the public. Such minutes shall specify each issue discussed in executive session by the agency or committee. In the case of executive sessions where matters subject to the attorney-client privilege are discussed, the fact that an attorney-client discussion occurred and its subject shall be identified, but the substance of the discussion need not be recorded and shall not be identified in the minutes. Such minutes shall be kept and preserved for in-camera inspection by an appropriate court should a dispute arise as to the propriety of any executive session.~~

~~—— (g) — *Chair or presiding officer affidavit.* — The chair or other presiding officer shall execute an affidavit stating, under oath, that the executive session was devoted to topics exempt from the public access requirements. The affidavit shall include the specific exemption to the Open Meetings Law. The affidavit shall be notarized and filed with the minutes of the open meeting.~~

~~—— (h) — *Discussion of executive session business.* — Commissioners, officials, employees and other individuals who attend executive sessions are prohibited from discussing or in any other way disclosing confidential information, legal advice and/or legal strategy discussed in the executive session unless:~~

- ~~_____ (1) The disclosure is required by law;~~
- ~~_____ (2) The disclosure is part of a judicial or administrative proceeding; or~~
- ~~_____ (3) Three members of the board authorize the disclosure.~~

~~In no way shall this subsection prevent a county attorney or other attorney representing the board from discussing any matters discussed in executive session relative to settlement or negotiation of a lawsuit or other claim against the county. Any commissioner that divulges has previously divulged or has threatened to divulge confidential information, legal advice or strategy discussion may be excluded from participation in an executive session by affirmative vote of three commissioners. A commissioner that divulges confidential information, legal advice, or strategy discussions may be publicly sanctioned by a majority affirmative vote of the board of commissioners.~~

Sec. 2-50. Visual and sound recordings.

Visual, sound, and visual and sound recordings shall be permitted for all open meetings.

Sec. 2-51. Quorum.

(a) A quorum of the members of the board of commissioners must be present for conducting meetings of the board. Three members of the board shall constitute a quorum and no action shall be taken by the board without the concurring vote of at least three members of the board. It is the duty of the chair to enforce this rule.

(b) Any commissioner may raise a point of order directed to the chair if he/she believes that a quorum is not present. If, during the course of a meeting, a commissioner or commissioners more than one commissioner leaveleaves and a quorum no longer exists, the meeting may not continue.~~If a quorum is not attained within 30 minutes, the meeting may be rescheduled by the chair with the approval of a majority of the commissioners present.~~

(c) The chairpersonchair shall be entitled to the same voting rights as other members of the board on questions considered by the commissioncommissioners.

Sec. 2-52. Chair.

(a) The chair shall be appointed at the first meeting of each year. The county attorney shall call the first meeting to order and call for nominations for the chair as the first order of business. After receiving nominations, the county attorney shall ask for a motion to appoint the chair. The motion to appoint the chair requires a second prior to a vote. If a motion to appoint the chair fails, the county attorney shall call for additional motions until a chair is selected.

(b) The chair ~~of the board of commissioners~~, as presiding officer, is responsible for the orderly conduct of the meeting. In order to fulfill this duty, the chair shall enforce the rules of procedure that are adopted by the board of commissioners. The chair shall be impartial and conduct the meetings in a fair manner. The chair may introduce motions or second motions.

Sec. 2-53. Vice-chair.

The board shall select a vice-chair from the board members at the beginning of each calendar year. The vice-chair shall fulfill the duties of the chair if the chair is not in attendance. The motion to appoint the vice-chair requires a second prior to a vote.

Sec. 2-54. Presiding officer.

If the chair and the vice-chair are absent or otherwise unable to serve as presiding officer at a meeting and a quorum of commissioners is present, the remaining commissioners shall select a commissioner to serve as presiding officer of the meeting until either the chair or vice-chair is present at the meeting.

Sec. 2-55. Parliamentarian.

The county attorney shall serve as the parliamentarian for board meetings.

Sec. 2-56. Rules of order.

(a) *Call to order.* If, at the time of a meeting, the chair determines that all commissioners have been notified or an attempt has been made to notify all commissioners and that a quorum of board members is present, he shall have the authority to call the meeting to order. The call to order shall not require any preceding action but may be issued solely by the authority of the chair.

(b) *Motions; general requirement.* The board of commissioners can take action only when a motion to take such action is made and passed by the board.

(1) *Procedure.*

a. Before a motion can be discussed or voted upon by the board of commissioners, it must be presented to the board by a member of the board. The presentment is made by merely stating the motion.

b. Immediately after the motion is presented to the board, the ~~chairperson~~chair shall ask for a commissioner to second the motion. If the motion

is not seconded, it shall fail for lack of a second and cannot be remade until the next meeting of the board, except as otherwise provided herein.

c. If the motion is seconded, the chair shall immediately ask for discussion of the motion. Discussion of the motion shall be limited to the board of commissioners and shall relate solely to the motion ~~on~~at hand; however, any commissioner may question a member of the audience or staff provided such question shall pertain strictly to the motion ~~on~~at hand.

d. Upon the conclusion of discussion, the chair shall cause the motion to be restated and shall then call the question.

(2) *Amendment.*

a. An amendment may be suggested by any member of the board. The amendment shall be suggested only during the discussion of the original motion.

b. A motion can be amended only with the consent of the commissioner making the motion. If the commissioner who seconded the original motion disagrees with the amendment, he/she shall be allowed to withdraw his/her second. When a second is withdrawn, the chair shall immediately request a new second to the amended motion.

c. After a motion is amended and seconded, the chair shall call for discussion and proceed with the consideration of the motion in the manner provided above.

(3) *Withdrawal.*

a. Any motion may be withdrawn at the discretion of the commissioner making the motion.

b. Motions may be withdrawn at any time prior to but not during nor after the restating of the motion by the ~~chairperson~~chair.

(4) *Tabling.*

a. During the discussion of a motion, the motion may be tabled for further discussion by the board upon the motion of any commissioner other than the commissioner who made the original motion.

b. The motion to table shall specify the time and place for the continued discussion.

c. Discussion of the original motion shall immediately cease when a motion to table is made.

d. A motion to table shall not require a second but shall require discussion, restating the motion and a call of the question.

(5) *Reconsideration.*

a. A motion, which has been passed or defeated, or which fails for lack of a second, may be reconsidered by the board of commissioners during the same meeting provided the board ~~pass~~passes a motion for reconsideration. Otherwise, the original motion may not be presented to the board again until its next meeting.

b. A motion for reconsideration can only be made by a commissioner who voted against the original motion, if defeated, or in favor of the original motion, if passed. Otherwise, any commissioner may make a motion for reconsideration.

(6) *Vote.*

a. A commissioner in favor of a motion shall say “aye” while holding up his/her right hand.

b. A commissioner against a motion shall say “nay” while holding up his/her right hand.

c. A commissioner present but refusing to vote shall be recorded as abstaining.

d. A unanimous passing vote shall mean a vote in which all members of the board of commissioners present vote in favor of the motion.

(c) *Ordinances.* The passage of all ordinances must be accomplished by motion.

(d) *Special motions.* Call the question.

(1) During the discussion of any motion, any commissioner may move to call the question in order to end discussion and have the vote on the pending motion.

(2) When a commissioner has moved to call the question, discussion of the original motion shall cease and the ~~chairperson~~chair shall immediately restate the motion and then proceed with a vote on whether to call the question. A second of a motion to call the question shall not be necessary.

(3) If the vote is in favor of the motion to call the question, the chair shall immediately call the question on the original motion.

(4) If the vote is against the motion to call the question, discussion of the original motion shall continue.

(e) *Point of order.*

(1) Whenever a commissioner has a question as to the procedure being followed by the ~~chairperson~~chair, he/she may raise a point of order. A point of order requires no second.

(2) Upon the raising of a point of order, the ~~chairperson~~chair shall stop the meeting and the commissioner shall state his/her question. The meeting shall continue after a determination of the question has been rendered by a majority vote of the members in attendance at the meeting.

(f) *Out of order.*

(1) The chair shall have the authority to cite any individual out of order when that individual, in the opinion of the ~~chairperson~~chair, violates these rules of procedure.

(2) No other action shall be required in citing an individual out of order.

(3) When an individual has been cited as out of order, the ~~chairperson~~chair shall state the reasons therefor and shall give the individual directions regarding compliance with these rules.

(4) If a commissioner believes that the chair has inappropriately cited an individual as out of order, the commissioner may raise a point of order.

(g) *Adjournment.*

(1) Adjournment of the meeting must be by motion.

(2) A motion to adjourn does not require a second but does require discussion.

(3) When a motion to adjourn is passed, the board of commissioners can no longer act until another meeting is called to order.

(h) *Public discussion.*

(1) **Whenever public discussion of a matter before the board of commissioners is allowed, any member of the public shall have the right to discuss the matter at hand prior to the presentment of the motion.**

~~(2) —The right of a member of the public to discuss a matter before the board shall be limited to three minutes per topic, unless as otherwise granted by special permission of the chair.~~

(3) All discussion shall relate solely to the matter at hand.

(i) *Vice-chair references.* All references in this division to the chair shall also include the vice-chair when the vice-chair is conducting the meeting.

(j) *Action chart.* Actions shall be taken on motions as follows:

<i>Type</i>	<i>Second</i>	<i>Discussion</i>	<i>Vote</i>	<i>Priority</i>
Regular motion	x	x	x	None
Amendment	x	x	x	None
W/draw motion	None	None	None	x
Table	None	x	x	x
Reconsideration	x	x	x	x
Call the question	None	None	x	x
Point of order	None	x	None	x
Out of order	None	x	None	x
Adjournment	None	x	x	None

Sec. 2-57. Suspending the rules of order.

Rules of order (section 2-56) may be suspended in the case of an emergency. A motion to suspend the rules requires a second, is debatable, and requires three votes of the board. Rules governing quorums, voting methods and requirements, notification to commissioners of meetings and rules necessary for compliance with state law may not be suspended; provided, however, that, in the event that a state of emergency is declared by the governor or other authorized state official, the board may waive time-consuming procedures and formalities imposed by state law.

Sec. 2-58. Regular meetings.

The board of commissioners shall establish a schedule for regular meetings at its first meeting of each year. The schedule shall state the time and place for each meeting. A notice containing the foregoing information shall be posted and maintained in a conspicuous place available to the general public at the regular meeting place of the board.

Sec. 2-59. Meetings other than regular meetings.

(a) The board may meet at times and locations other than those regularly scheduled meetings.

(b) Special meetings and rescheduled regular meetings. A regular meeting may be canceled, rescheduled or moved to a new location within the county site by the chair for any reason. Other special meetings may be scheduled by the chair or at the request of at least two commissioners. ~~Whenever a rescheduled regular meeting or any other special meeting is to be held at a time or place other than the regularly scheduled time or place, written notice of the change shall be posted for at least 24 hours at the regular meeting place. In addition, written or oral notice shall be given by the clerk at least 24 hours in advance of the meeting to either the legal organ of the county or a newspaper having general circulation at least equal to that of the legal organ, as well as to each member of the county governing authority.~~

(c) Meetings with less than 24 hours notice. When emergency circumstances occur, the board may hold a meeting with less than 24 hours notice to the public in accordance with state law. ~~When such meetings are to be held, the clerk shall provide notice to the legal organ of the county or a newspaper with a general circulation at least equal to that of the legal organ and to each member of the county governing authority as soon as possible. The notice shall include the subjects expected to be considered at the meeting. In addition, the minutes shall reflect the reason for the emergency meeting and the nature of the notice given to the media.~~

(d) Meetings during a state of emergency. When it is imprudent, inexpedient or impossible to hold board meetings at the regular meeting place due to emergency or disaster resulting from manmade or natural causes, as declared by the governor or other authorized state official, the board may meet anywhere within or outside of the county. Such a meeting may be called by the chair or by any two commissioners. ~~At the meeting, the commissioners shall establish and designate emergency temporary meeting locations where public business may be transacted during the emergency. Any action taken in such meetings shall have the same effect as if performed at the regular meeting site.~~

Sec. 2-60. Order of business.

All regular board meetings shall substantially follow an established order of business. The order shall be as follows:

- (1) Call to order.
- (2) Invocation and pledge to the flag.
- (3) Acceptance of agenda.
- (4) Recognitions, proclamations, and awards.
- (5) Public hearings.
- (6) ~~Public comment~~Consent agenda.
- (7) ~~Consent agenda~~Old business.
- (8) ~~Old~~New business.
- (9) ~~New business~~Public comment.
- (10) Reports (administrator, attorney, departments, board members).
- (11) Executive session.

(12) Adjournment.

Sec. 2-61. Agenda.

The agenda shall be prepared in accordance with the county policies and procedures manual.

Sec. 2-62. Consent agenda.

A consent agenda may be prepared by the county administrator for the board to unanimously adopt on routine items. Any items of business that are expected to receive unanimous approval without debate may be placed on a consent agenda. If a commissioner objects to an item being on the consent agenda, the chair shall move that particular item to the regular agenda. ~~The chair may ask for unanimous approval of the items on the consent agenda. If there are no objections, all the items on the consent agenda shall be approved by a vote of three members of the board.~~

Sec. 2-63. Decorum.

The chair shall enforce the rules of decorum. The purpose of meetings of the board of commissioners is to conduct the county's business. Meetings shall be conducted in an orderly and respectful fashion. ~~They are not a forum to belittle, ridicule or embarrass county commissioners, other county officials, county employees, or others.~~

- (1) Conduct of members of the board of commissioners.
 - a. Commissioners should arrive on time for a meeting and be prepared.
 - b. Commissioners should attend the entire meeting.
 - c. Cell phones or other communications devices shall be turned off or in silent mode.
 - d. Commissioners should not take phone calls or check emails, social networking sites, chat rooms or other internet sites during a meeting.
 - e. Commissioners shall conduct themselves in a professional and respectful manner.
 - f. Commissioners desiring to speak must first be recognized by the chair.
 - g. Commissioners may only address the motion that is being discussed.

h. Commissioners shall direct their remarks to the chair and not to individual commissioners, staff, or citizens in attendance.

i. Only one commissioner at a time is permitted to speak. Commissioners shall not interrupt any other person who has the floor.

j. Personal attacks and inappropriate remarks shall be ruled out of order by the chair. Commissioners may not use ~~commission~~-meetings to make derogatory comments about particular employees or to air their personal grievances with other commissioners.

k. There shall be no use of profanity during the meeting.

l. Remarks may not address the character of the person involved.

m. Commissioners shall not confront other board members, department heads, employees or other officials in an accusatory manner.

n. Commissioners may raise a point of order if a rule is believed to have been broken. Commissioners violating any rule of the board may be ruled out of order by the chair or on a point of order made by a commissioner other than the chair. Any point of order raised by a commissioner other than the chair shall be ruled on by a majority vote of the board.

o. While commissioners may not agree with all decisions of the board, all commissioners shall recognize the validity of any lawful action approved by the board. Commissioners shall not refuse to sign any ordinance, resolution, contract or other document because he/she did not vote for the action taken.

p. Commissioners should keep an open mind on all issues coming before the board.

(2) Conduct of the chair or presiding officer. In addition to rules of decorum applicable to commissioners generally, the following rules shall apply to the chair or presiding officer:

a. The chair or presiding officer shall recognize any commissioner who has the right to speak.

b. The chair or presiding officer shall rule out of order any discussion on topics other than the motion being discussed.

c. The chair or presiding officer shall only permit one commissioner at a time to speak.

d. Personal attacks, breaches of the rules of decorum and inappropriate remarks shall be ruled out of order by the vice-chair or ~~presiding officer~~other commissioner.

e. The chair or presiding officer shall not confront other board members, department heads, employees or other officials in an accusatory manner.

f. While the chair or presiding officer may not agree with all the decisions of the board, he/she shall recognize the validity of any action approved by the board.

g. The chair or presiding officer shall not refuse to sign any ordinance, resolution, contract or other document because he/she did not vote for the action taken.

h. The chair or presiding officer shall keep an open mind on all issues coming before the board.

(3) Conduct of members of the public in meetings generally.

a. All cell phones and other communication devices shall be turned off or in silent mode; provided, however, that a cell phone or device may be used to make a video or audio recording of the meeting.

b. All meeting attendees must be silent during the meeting while business is conducted.

c. Anyone wishing to speak must first be recognized by the chair.

d. All comments must be directed to the chair and not to individual commissioners, staff and others.

e. All meeting attendees must conduct themselves in a respectful manner.

f. Personal attacks and derogatory or inappropriate remarks are not permitted.

Sec. 2-64. Abstentions.

A commissioner shall vote on all motions unless he/she has a conflict of interest preventing him/her from making a decision in a fair and legal manner. If a conflict of interest does exist, the commissioner shall explain for the record his/her decision to abstain on any vote.

Sec. 2-65. Public participation.

Public participation in meetings of the board of commissioners shall be permitted in accordance with the provisions of this section.

(1) *Public hearings.* Advertised hearings on zoning matters, including zoning map and ordinance text amendments, shall be governed in accordance with the zoning policies and procedures adopted by the board of commissioners and by state law. However, if an individual wishes to oppose a rezoning action and has contributed more than \$250.00 to the campaign of a commissioner within two years immediately preceding the filing of the rezoning action being opposed, the individual shall also file a campaign disclosure form as required by O.C.G.A. § 36-67A-3 at least five calendar days prior to the first hearing by the board of commissioners.

(2) *Public comment.* All members of the public wishing to address the board under the public comment portion of the agenda shall submit their name to the county clerk ~~prior to the beginning of the meeting. Individuals may be allotted five minutes to make their comments. These limits may be waived by a majority of the board members present.~~

(3) *Decorum.* Members of the public are expected to comply with the rules of decorum established in this article. Individuals violating any rules of the board may be ruled out of order by the chair or on a point of order made by a commissioner other than the chair. Any point of order raised by a commissioner other than the chair shall be ruled on by a majority vote of the board. An individual violating the rules of decorum may be removed from the meeting at the direction of the chair.

~~Sec. 2-66. Meeting summary.~~

~~—The county clerk shall prepare a written summary of the subjects acted upon in a meeting and the names of the commissioners present at a meeting within two business days following the meeting. The meeting summary shall be made available to the public for inspection.~~

~~Sec. 2-67. Minutes.~~

~~—(a) The clerk of the board shall promptly record the minutes for each board meeting. The minutes shall specify the names of the commissioners present at the meeting, a description of each motion or other proposal made at the meeting, the name of the commissioner who proposed each motion, the name of the commissioner who seconded each motion, and a record of all votes. It shall be presumed that a commissioner has voted in the affirmative unless the minutes show otherwise. More detailed information may be included in the minutes at the request of the board.~~

~~—(b) The board shall approve the minutes before they may be considered as an official record of the board. The minutes shall be open for public inspection once approved as official by the board but in no case later than immediately following the next regular meeting of the board. A copy of the minutes from the previous meeting shall be distributed to the commissioners at~~

~~least three business days before the following meeting. The minutes of the previous meeting shall be corrected, if necessary, and approved by the board at the beginning of each meeting. A vote of three commissioners is required for approval. Conflicts regarding the content of the minutes shall be decided by a vote of three commissioners. Upon being approved, the minutes shall be signed by the chair and attested to by the clerk of the board of commissioners.~~



Strengthening Ethics Ordinance Consequences

Commissioner Charles D. Rousseau

Documents provided as backup for discussion purposes.

Fulton County Sec. 2-82.-Violations

Gwinnett County Ethics Ordinance; An Analysis and Comparison

Fulton County Sec. 2-82. - Violations.

(a) Any intentional violation of this code of ethics, the furnishing of false or misleading information to the board of ethics, the failure to follow an opinion or decision issued by the board of ethics, or the failure to comply with a subpoena issued by the board of ethics, as determined by the board of ethics after notice and the right to be heard in accordance with the hearing requirements of this code of ethics, shall subject the violator to:

(1) An administrative sanction not to exceed \$1,000.00, which sanction shall be deposited into the general fund of Fulton County; and/or

(2) A public reprimand.

(b) In addition to those sanctions provided for at subsection (a), with regard to a violation of this code of ethics committed by an employee of Fulton County, the board of ethics may recommend to the board of commissioners or the appropriate appointing authority disciplinary action in accordance with the personnel rules and regulations of Fulton County.

(c) In addition to those sanctions provided for at subsection (a), with regard to a violation of this code of ethics committed by any person, business, or other entity, the board of ethics may recommend to the purchasing agent that debarment proceedings be commenced in accordance with applicable ordinances of Fulton County.

Forsyth County Sec. 2-125. - Disciplinary action.

County officials are subject to the following penalties and actions for a violation of this Code of Ethics:

(1) Written warning, censure, or reprimand;

(2) Removal from office to the extent provided by state law; and

(3) Repayment to the county of any unjust enrichment.

(c) Upon direction of an ethics panel, a petition may be filed for injunctive relief, or any other appropriate relief, in the county superior court, or in any other court having proper venue and jurisdiction, for the purpose of requiring compliance with the provisions of this Code of Ethics. In addition, the court may issue an order to cease and desist from the violation of this Code of Ethics. The court may also void an official action that is the subject of the violation, provided that the legal action to void the matter was brought within 90 days of the occurrence of the official action, if the court deems voiding the action to be in the best interest of the public. The court, after hearing and considering all the circumstances in the case, may grant all or part of the relief sought. However, the court may not void any official action appropriating public funds, levying taxes or providing for the issuance of bonds, notes or other evidences of public obligation under this Code of Ethics.

(d) In addition to any other remedy provided in this Code of Ethics, upon determination of a violation of this Code of Ethics, an ethics panel may recommend to the board of commissioners in writing that any contract, bid, or change order that was the subject of the violation should be cancelled or rescinded. The board of commissioners, however, shall retain the discretion to determine whether such a cancellation or rescission would be in the best interest of the county and shall not be bound in any way by a recommendation of an ethics panel.

(e) An ethics panel may also forward its findings of fact and conclusions of law to the county district attorney's office for appropriate action.

County Ethics Ordinances

An Analysis and Comparison

for

Gwinnett County, Georgia

October 2007



Carl Vinson Institute of Government
University of Georgia

County Ethics Ordinances – An Analysis and Comparison for Gwinnett County

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Executive Summary

This study was initiated at the request of the Gwinnett County Board of Commissioners to fulfill a goal adopted by the Commission in planning for 2007. Our hope is that this report brings together valuable and practical information that the county can readily utilize in crafting guiding principles.

An ethical government is often seen by the public as a precondition for making good public policy; political ethics are one basis by which citizens judge official actions. Generally, ethics codes fall into two categories: prohibitive or aspirational. An effective ethics code is directed at providing guidelines for ethical behavior and eliminating opportunities for unethical practices. Among the important elements of an effective governmental ethics code are political commitment, an effective legal framework, clear and comprehensive standards, workable codes of conduct, education and enforcement structures, clear leadership, and an ethics coordinating body.

Gwinnett County's current ethics ordinance was enacted in the early 1990's and applies to both county officials and employees. However, interviews revealed that most county officials have only a vague awareness of the county's ethics ordinance and that only three complaints have been filed under the current ordinance in the 14 years since its adoption. The purpose of this study and report is to provide an analysis of the current ethics ordinance, policies, and procedures in Gwinnett County in comparison to relevant state law and ethics ordinances in comparable counties within Georgia and nationally.

A total of 22 counties, including Gwinnett County, were identified for the study, within and outside the state of Georgia. The ethics ordinances of each of these counties were reviewed and analyzed with regard to the key issues identified for the study. Eight Georgia counties with a mid-decade population over 175,000 were selected for the study:

Fulton	DeKalb
Cobb	Clayton
Cherokee	Chatham
Augusta-Richmond	Columbus-Muscogee

Outside the state of Georgia, counties were selected for the study on the basis of population and an effort was made to include counties from across the country with a wide variety of approaches to the regulation of ethics. The 13 selected counties, by state, are:

- California: Kern County and San Francisco City and County
- Colorado: Denver City and County
- Florida: Orange County and Palm Beach County
- Illinois: Lake County
- Kentucky: Lexington-Fayette County and Louisville-Jefferson County
- Maryland: Montgomery County
- New Mexico: Bernalillo County
- Tennessee: Nashville-Davidson County
- Washington: King County and Snohomish County

In addition, codes of ethical conduct from the National Association of Counties (NACo) and a number of state associations of counties were also reviewed.

Faculty from the Carl Vinson Institute of Government conducted interviews with the Gwinnett County Board of Commissioners, the District Attorney, the county administrator, deputy county administrator and the heads of key county departments and divisions using a survey instrument to examine knowledge of and experience with the current county ordinance and its perceived effectiveness and opinions of certain provisions found in the ethics ordinances of other counties.

The report examines 15 specific characteristics identified in the surveyed ordinances and the status of each issue within the counties in the study. (*See Tables 1 and 2*).

The categories include

1. Conflicts of interest
2. Activity that gives the appearance of impropriety
3. Gifts
4. Disclosure and Disqualification
5. Lobbying of local officials
6. Procurement process
7. Permanent Ethics Board or Commission
8. Incompatible employment
9. Unauthorized disclosure of confidential county information
10. Private use of county property
11. Representation of third parties against the county
12. Nepotism
13. Restrictions on employees or officials after they leave county service
14. Penalties
15. Ethics education

Each of the identified topics is examined through a statement of the issue and an examination of Georgia county ordinances, non-Georgia county ordinances, and the application of the current Gwinnett County ordinance, as well as county official's perceptions of the issue as indicated in interviews conducted in the county. A more detailed analysis of each topic is found in the report.

The three issues most commonly-addressed in county ethics ordinances are a general prohibition on engaging in an activity that creates a conflict of interest with one's official county responsibilities, a ban on the receipt of gifts from prohibited sources, and a requirement that outside or conflicting interests be disclosed and that the official or employee disqualify himself from participating in county action affecting such interests. Virtually all of the surveyed counties address these issues, including Gwinnett County. In fact, the Gwinnett County ordinance contains many of the prohibitions and restrictions found in the survey of county ethics ordinances undertaken for this report.

A review of the current Gwinnett County ethics ordinance reveals that the county addresses the majority of the issues identified for the study, with three notable exceptions: a permanent ethics body, lobbying, and ongoing ethics education. A relatively high proportion of other counties within the study have a permanent ethics body and a significant number of those interviewed in Gwinnett County expressed either support for establishment of a permanent body or concern with the current process. On the issue of lobbying, slightly less than a majority of the 13 counties outside the state but only two of the eight Georgia counties address the issue of lobbying county governing authorities. This was a topic on which most of those interviewed expressed strong opinions, either pro or con. Ongoing ethics education was also addressed by six of the 13 non-Georgia counties studied but was not addressed by any Georgia counties studied. Given the level of activity on these issues in other counties and the often intense opinions expressed by those in the county on these three issues, they are worthy of serious consideration if the county seeks to amend its ordinance.

Ethical leadership and a climate of ethics are among the most important factors in determining whether an ethics code is truly effective. Extensive interviews reveal that this is where Gwinnett leadership truly shines. The good news appears to be that Gwinnett County has an excellent reputation for ethical behavior among its citizens and employees, other local governments, businesses, and vendors.

Introduction

Maintaining public trust in the integrity of government is essential to the success of democratic government. The public expects its elected officials and public employees to conduct themselves with integrity while working for the public good. Public trust in the integrity of government is cultivated when individual public servants act with integrity and the public is aware that they do. An ethical government is often seen by the public as a precondition for making good public policy; political ethics are one basis by which citizens judge official actions.

Ethics can be an elusive concept. Behavior may be legal but not ethical. There are many definitions of “ethics,” but the common thread is that it involves a theory or system of moral principles and values and the establishment of rules of conduct for individuals or groups. Many professions such as medicine, law, business, journalism, and public management, as well as service organizations such as the Red Cross, United Way, and Rotary have developed and implemented codes of ethics that provide standards of behavior and principles to be observed regarding moral and professional obligations toward one another, their clients, and society in general.

Ethicists argue that mere adherence to legal strictures does not promote consideration of values, in other words, restrictions alone do not reach fundamental motivations and behaviors. Ethical decisions may be simple, choosing right from wrong, but are often more complex, choosing right from right or wrong from wrong. Just being a good person with high ethical standards may not be enough to handle the tough choices that arise day to day in the workplace. Although ethics is an individual responsibility, a strong culture of ethics with clear leadership combined with an effective legal framework and efficient enforcement mechanisms can help prevent conflicts of interest and resolve those conflicts that do occur. Thus, the primary function of a code of ethics is to provide guidance to employers and employees in ethical dilemmas, especially those that are particularly ambiguous.

Background and Purpose

The purpose of this study and report is to provide an analysis of the current ethics ordinance, policies, and procedures in Gwinnett County in comparison to relevant state law and ethics ordinances in comparable counties within Georgia and nationally. The study identified the following categories of issues:

1. Conflicts of interest
2. Activity that gives the appearance of impropriety
3. Gifts

4. Disclosure and Disqualification
5. Lobbying of local officials
6. Procurement process
7. Permanent Ethics Board or Commission
8. Incompatible employment
9. Unauthorized disclosure of confidential county information
10. Private use of county property
11. Representation of third parties against the county
12. Nepotism
13. Restrictions on employees or officials after they leave county service
14. Penalties
15. Ethics education

Methodology

Selection of comparison counties

A total of 22 counties, including Gwinnett, were identified for this study, both within and outside the state of Georgia. Population was the initial factor used in selecting comparable local governments. Gwinnett County's phenomenal growth was a significant factor in the selection of comparison counties, since it remains one of the fastest growing counties in the nation. Its population nearly tripled from 165,687 in 1980 to 588,448 in 2000 and the 2005 mid-decade U.S. Census Bureau population estimate for the county was 726,723. The county's population expansion continues giving it a current estimated population of 751,693 in 2006. For purposes of standardization of comparison populations, this study utilizes the 2005 census estimates of populations of all counties in the study. Of the 22 counties reviewed, seven are consolidated city-county governments, two within the state of Georgia and five in other states (identified with an asterisk).

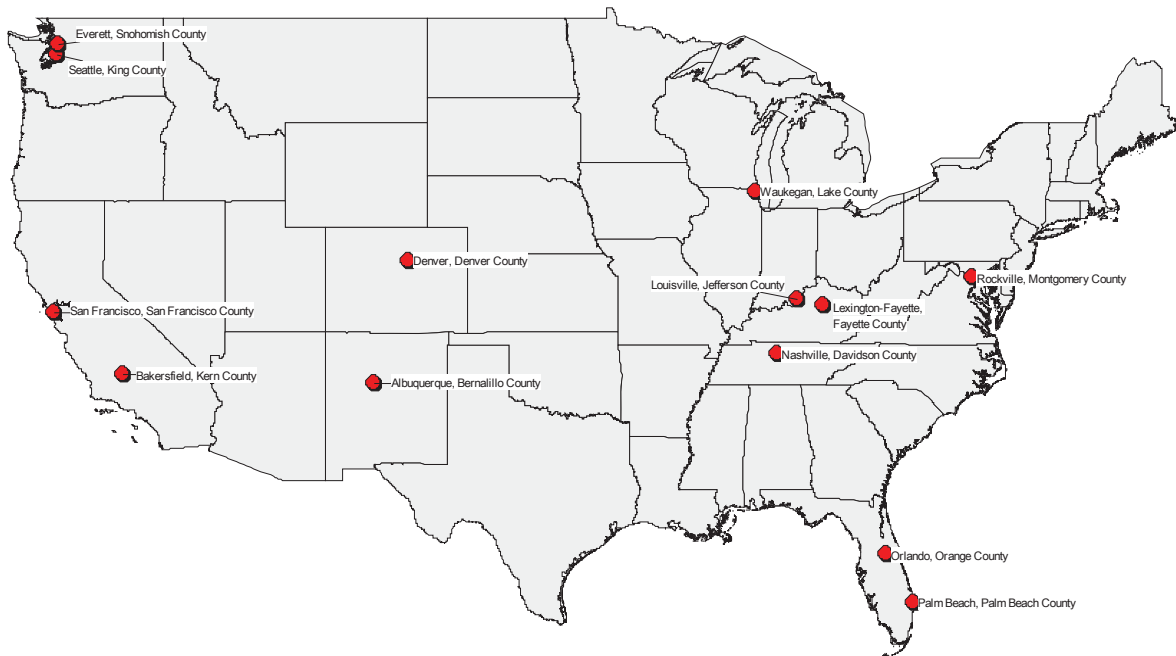
Eight Georgia counties were selected as comparison counties for the study. Of the selected Georgia counties, three – Augusta-Richmond, Columbus-Muscogee, and Chatham – are located outside the Metropolitan Atlanta area. Gwinnett is one of four Georgia counties with a population in excess of 500,000 and five additional counties have populations over 175,000.

- Fulton County (915,623)
- DeKalb County (677,959)
- Cobb County (663,818)
- Clayton County (267,966)
- Chatham County (238,410)
- Augusta-Richmond (195,769)*
- Columbus-Muscogee (185,271)*
- Cherokee County (184,211)



Outside the State of Georgia, initial county selections were also based on population. Additionally, effort was made to include counties from across the country with a variety of approaches to the regulation of ethics. The following counties outside the state of Georgia were included in the study:

- Kern County, CA (756,825)
- San Francisco City and County, CA (739,426)*
- Denver City and County, CO (557,917)*
- Orange County, FL (1,023,023)
- Palm Beach County, FL (1,268,548)
- Lake County, IL (702,682)
- Lexington-Fayette County, KY (268,080)*
- Louisville Jefferson County Metro Government, KY (699,827)*
- Montgomery County, MD (927,583)
- Bernalillo County, NM (603,562)
- Metropolitan Government of Nashville and Davidson County, TN (575,261)*
- King County, WA (1,793,583)
- Snohomish County, WA (655,944)



The ethics ordinances of each of these 22 counties were reviewed and analyzed with regard to the 15 key issues identified for the study. This report does not attempt to examine policies and procedures of counties that are not contained within the ordinance themselves, though recognizing that these may affect the ultimate implementation of the ordinances studied. The state statutes for the states in which the study counties are located were reviewed to determine their impact on local government ethics ordinances.

Codes of Ethical Conduct

Faculty also reviewed the Codes of Ethical Conduct of the National Association of Counties (NACo) and of those states in which survey counties are located. The following state associations have adopted Codes of Ethics that apply to county officials and employees: the California State Association of Counties (CSAC), the Florida Association of Counties (FAC), the Association County Commissioners of Georgia (ACCG), the Kentucky Association of Counties (KACo), and the Washington Association of County Officials (WACO). Most of these codes address elected and appointed officials and employees equally, but those that primarily address county elected officials often also recognize the need to apply such standards to the day to day conduct of appointed officials and employees.

Interviews

Faculty from the Carl Vinson Institute of Government conducted interviews with the Gwinnett County Board of Commissioners, the District Attorney, the county administrator, the deputy county administrator, and the heads of 11 key county departments and divisions. The faculty developed a survey instrument (Appendix A) that examined the official's knowledge of and experience with the processes and perceived effectiveness of the current county ordinance, perception of the county's ethical climate, and existing or emerging areas of concern relative to the county's ethics ordinance. Additionally, the interview sought to obtain the thoughts and reactions of these officials to certain provisions found in the ethics ordinances of other local governments.

Ethics Codes Generally

Generally, ethics codes fall into two categories: prohibitive or aspirational. Ordinances define a community's minimum ethical standards. Many, if not most, government ethics codes are compliance codes, specifying activities that are forbidden, establishing a minimum level of acceptable behavior, and containing strong enforcement measures and sanctions. In contrast, aspirational codes seek to express core values and desirable moral qualities and place a greater reliance on creating an organizational culture of voluntary adherence. Effective ethics codes often contain statements of broad principles designed to encourage positive behavior as well as limitations and prohibitions.

It is impossible for a code to cover all possible decisions and actions of individuals serving in the public sector, thus an effective ethics code is directed at providing guidelines for ethical behavior and eliminating opportunities for unethical practices.

Common provisions found in county ethics codes include

- restrictions on the receipt of gifts;
- regulations on outside employment both during and after public service;
- limitations on the holding of financial assets including investments and other income producing property;
- requirements for disclosure of financial assets;
- obligation to disclose conflicts of interest;
- the duty to abstain from participating in any official action affecting personal interests;
- prohibitions against the use of public property for private gain, the unauthorized disclosure of confidential information, and the representation of third parties before or in opposition to the county government;
- regulation of lobbying;
- procurement;
- a permanent ethics body with authority to enforce the ordinance and procedural safeguards built into the investigation and hearing of complaints;
- a clear statement of the penalties for violations; and
- ethics education.

Studies of state ethics statutes and local ordinances have discovered that ethics policies are often adopted in response to a scandal and as a result may be narrowly targeted. A related issue is that such statutes and ordinances may be directed at a particular group of officials or employees and thus may be applied unevenly. Among the important elements of an effective governmental ethics structure identified in the academic literature are political commitment, an effective legal framework, clear and comprehensive standards, workable codes of conduct, education and enforcement structures, clear leadership, and an ethics coordinating body.

Three tables are presented below to give a snapshot of the counties in the study. Tables 1 and 2, examine 15 specific characteristics identified in the surveyed ordinances and the status of each of these issues within the counties in the study. Each of these issues is examined in greater detail in subsequent sections of the report. Table 3 looks at the application of each county's ethics ordinance to elected county governing authorities, appointed officials, and employees.

Table 1. A Survey of Selected County Ethics Ordinances – A Matrix of Characteristics

<u>Comparison County</u>	Conflict of Interest	Appearance of Impropriety	Gift Ban	Disclosure of Interest & Disqualification	Lobbying	Procurement	Permanent Ethics Body
<i>Within Georgia</i>							
Gwinnett County	X		X	X		*	
Augusta-Richmond	X	X	X	X	X	X	
Chatham County	X	X	X	X			X
Cherokee County	X	X	X	X			X
Clayton County	X	X		X			
Cobb County	X	X	X	X			X
Columbus-Muscogee	X		X	X			
DeKalb County	X	X	X	X			
Fulton County	X	X	X	X	X	X	X
<i>Outside Georgia</i>							
Kern County, CA	X		X				
San Francisco, CA	X		X	X	X		X
Denver, CO	X		X	X ¹	X		X
Orange County, FL	X		X	X	X	X	²
Palm Beach County, FL	X		X	X	X		²
Lake County, IL			X ³				
Lexington-Fayette County, KY	X		X	X			X
Louisville-Jefferson County, KY	X		X	X			X
Montgomery County, MD	X	X	X	X ⁴	X	X	X
Bernalillo County, NM	X	X		X			X
Nashville-Davidson County, TN	X		X	X		X ⁵	X
King County, WA	X	X	X	X			X
Snohomish County, WA	X	X	X	X	X		X

* Separate ordinance.

¹ State law requirement.

² State commission fulfills function for local governments.

³ Ordinance is only a ban on gifts as required by state law.

⁴ Disqualified official or employee may act under limited circumstances if the nature of conflict is disclosed.

⁵ Procurement-related standards, only applicable to employees.

Table 2. A Survey of Selected County Ethics Ordinances – A Matrix of Additional Characteristics

<u>Comparison County</u>	Incompatible Employment	Disclosing Confidential Information	Use of Public Property	Representing 3 RD Party	Nepotism	Post-service Restriction	Penalties	Ethics Education
<i>Within Georgia</i>								
Gwinnett County	X	X	X	X	*	X	X	
Augusta-Richmond	X	X			X		X	
Chatham County	X	X					X	
Cherokee County	X	X		X		X	X	
Clayton County	X	X		X				
Cobb County	X	X						
Columbus-Muscogee	X	X	X	X			X	
DeKalb County	X	X		X			X	
Fulton County	X	X		X	X	X	X	
<i>Outside Georgia</i>								
Kern County, CA	X	X	X				X	
San Francisco, CA	X	X		X	X	X	X	X
Denver, CO	X	¹			X	X		X
Orange County, FL								
Palm Beach County, FL	X							X
Lake County, IL							X	X
Lexington-Fayette County, KY		X	X	X	X	X	X	
Louisville-Jefferson County, KY	X	X		X	X		X	X
Montgomery County, MD	X	X	X	X	X	X	X	X
Bernalillo County, NM			X				X ²	
Nashville-Davidson County, TN	X	X	X	X		X	X	
King County, WA	X	X	X	X		X	X	
Snohomish County, WA		X	X			X	X	

*Addressed in employee handbook.

¹ State law prohibition applies to local governments.

² Penalties apply to employees only.

Table 3. A Survey of Selected County Ethics Ordinances – Applicability of Ethics Ordinances

Comparison County	To Elected Officials	To Appointed Officials	To Employees
<i>Within Georgia</i>			
Gwinnett County	X	X	X
Augusta-Richmond	X	X	X
Chatham County	X		
Cherokee County	X	X	
Clayton County	X	X	X
Cobb County	X		
Columbus-Muscogee	X	X	X
DeKalb County	X	X	
Fulton County	X	X	X
<i>Outside Georgia</i>			
Kern County, CA	X	X	X
San Francisco, CA	X	X	X
Denver, CO	X	X	X
Orange County, FL	X ¹		
Palm Beach County, FL	X	X	X
Lake County, IL	X	X	X
Lexington-Fayette County, KY	X	X	X
Louisville-Jefferson County, KY	X	X	X
Montgomery County, MD	X	X	X
Bernalillo County, NM	X	X	X
Nashville-Davidson County, TN	X ²		
King County, WA	X	X	X
Snohomish County, WA	X	X	X

¹ Local act on lobbying is applicable only to Board of Commissioners; charter incorporates state ethics law by reference which applies to elected, appointed officials, and employees.
² Limited application to employees.

Georgia's Ethics Laws

The Georgia Constitution provides that public officials are both trustees and servants of the people.¹ It is a fundamental tenet of good governance that a public official or employee has a responsibility to give objective consideration to all official decisions, act impartially, and not give preferential treatment and that a public official or employee may not use public office for private gain.

Georgia law contains a number of criminal laws relative to prohibited behaviors in public office. Bribery of a public official is a felony, either the offering or giving or the soliciting or accepting of the bribe.² A local government officer or employee who sells real or personal property to the political subdivision he serves is, with certain exceptions, guilty of a felony.³ The "Ethics in Government Act," addresses campaigns for public office at all levels of government and requires public disclosure of contributions made to candidates for public office, campaign committees, and political parties and expenditures relative to the seeking of elective office.⁴ Every local elected county official is prohibited from accepting an honorarium or fee in excess of \$101 for a speaking engagement or other activity related to the office.⁵

The state's ethics laws provide criminal penalties for certain actions by state and local elected and appointed officials and employees. These statutes generally attempt to regulate a number of actions and activities that may not constitute a crime but may violate or give the appearance of violating the public trust and are therefore deemed appropriate for civil and regulatory enforcement. Conflict of interest laws focus on the ethical concerns involved in a particular transaction and are primarily concerned with defining and prohibiting conduct in particular situations and circumstances. The "Code of Ethics for Government Service" is primarily an aspirational statement of principles applicable to those at all levels of government in the state but with no specific penalties for violation of these principles.⁶

The state conflicts of interest law is generally applicable to state elected and appointed officials and employees with only very limited application to county and municipal officials and employees.⁷ The state law also addresses lobbying both at the state level and at the local government level, though with some distinctions. The application of the state law on conflicts of interest and lobbying at the local level is discussed in greater detail in the issues section of this report.

One additional area of state law should also be noted. The Conflict of Interest in Zoning Actions⁸ law requires a local government official to disclose to his local government any ownership interest in real property affected by a rezoning action by the local government, a financial interest of either direct ownership or at least 10 percent stock interest in a business with interests in real property affected by a rezoning action by the official's government, or any such interests held by a family member of the official. The law further requires the official to disqualify himself from voting on the rezoning and prohibits any other action to influence the application for rezoning. Applicants for and

opponents of a rezoning are also required to disclose campaign contributions aggregating \$250 or more to a local official of the government considering the application. This law is directly applicable to local governments and no local ordinance is necessary to bring a county within the purview of this law. Clayton County is the only Georgia county within this survey that specifically provides that a violation of state law is also a violation of its county ethics ordinance.

Gwinnett County's Ethics Code

Gwinnett County's current ethics ordinance was enacted in the early 1990's and applies to both county officials and employees. "County official" is defined to include the Board of Commissioners, the county administrator, the county attorney, county employees exempt from the merit system, and any member of any other county board or authority. "Employee" includes all full-time and part-time employees and contract employees. Among the surveyed counties, all have ordinances that apply to the elected county governing authority and the majority of these ordinances also apply to county officials appointed by the board of commissioners and county employees. This study did not attempt to address other elected county officials or individuals appointed by elected officials other than the county governing authority. (*See Table 3*)

The Gwinnett ordinance contains statements of prohibited conduct and identifies standards and exceptions to those standards. It also requires disclosure of financial or personal interests and abstention from participation in county matters in which an official or employee has a private interest. The ordinance prohibits disclosure of confidential county information, incompatible outside employment, the representation of a third party before the county or against the county's interest, and the use of county property for personal gain. These prohibitions and restrictions are among the most common standards of conduct found in ethics ordinances in the surveyed counties in Georgia and across the country. Specific aspects of the ordinance are discussed in more detail in relation to each of the identified issues.

The current ordinance does not create a standing or permanent ethics board, instead it establishes a procedure for the creation of an ad hoc ethics panel by the grand jury when a complaint is filed. Ethics complaints are filed with the District Attorney who directs them to the panel which is empowered to make findings and non-binding recommendations to the Board of Commissioners and the District Attorney for disciplinary or criminal action. The ethics ordinance is included within the county's employee handbook which is given to all employees, but there is no provision for ongoing education or training regarding the ordinance or ethics in general.

In interviews with county officials, most acknowledged having only a vague awareness of the county's ethics ordinance. The District Attorney has the clearest understanding and familiarity with the ordinance since he charged with specific responsibilities under the ordinance. However, since only three complaints have been filed under the ordinance

since its adoption, he acknowledged that he rarely had reason to review it. The District Attorney indicated a number of problems with the current ordinance including the lack of procedural safeguards, absence of a process of initial screening of complaints, and issues related to the imposition of sanctions under the ordinance. Among other county officials and department heads, the fact of so few ethics complaints was seen varying as a reflection that the county doesn't have any serious ethics issues, that the ordinance has no day to day applicability to employees outside of top management, that the ordinance is not user friendly and does not clearly provide a way to express ethics concerns, and that the scope of the ordinance is insufficient.

Issues

It is difficult to directly compare ethics ordinances due to the wide variation in the organization, definitions, actions covered, conduct prohibited, exceptions, and procedures found among ordinances. For this reason, this study examines the ordinances of the surveyed counties within the identified issues, recognizing that individual ordinances may not be organized in this manner and that there is frequently significant overlap in the treatment of issues within an ordinance. It is important to note that many of the ethics issues reviewed may be addressed in state law and a county may or may not have adopted an ordinance to address the issue. This may have several impacts at the county level: a county's ordinance may address an issue only by referencing the state law; the county ordinance may state that it is enacted pursuant to a state law; or, if permitted by state law, the ordinance may include some variation of provisions found in state law. Alternatively, if state law specifically preempts local action on a topic, a county may not have an ordinance addressing the particular issue.

Conflicts of Interest

Conflict of interest laws generally seek to assist the general public in receiving an official's most objective, best efforts and to address possibly competing private interests or other influence. A general definition of "conflict of interest" is any situation in which someone in a position of public trust has competing professional or personal interests. To some extent, conflicts of interest at the local government level are to be expected, since local elected officials are commonly part-time public servants and necessarily have outside employment or business interest. The extent of the conflict and how it is handled are crucial. An effective conflict of interest ordinance should ensure that public officials should have the ability to seek reasonable private gain to the same extent as the general public.

A conflict of interest may exist even if no unethical or improper behavior actually results from it. Ordinances often address this concept with either an affirmative statement that officials and employees should make every reasonable effort to avoid even the appearance of a conflict of interest or as a prohibition against engaging in conduct that would tend to give the impression that a person can improperly influence an official or

employee or unduly enjoy his favor in the performance of official duties. Of the surveyed counties, all but two Georgia counties' ordinances contained such statements while outside the state of Georgia only three of the surveyed counties contained a statement regarding avoiding the appearance of a conflict of interest or impropriety.

Ethical conflicts generally arise when a public official places personal interests above the fiduciary duty to the public or allows personal interests to prevent the making of an impartial, objective decision in his official capacity. Conflict of interest is one of the most basic concepts in ethics laws and yet is an area of significant variance. The two most common prohibitions found in conflicts of interest provisions are using public office for private gain and giving preferential treatment. However, even when ordinances purport to prohibit similar kinds of conduct there can be substantial variation in the actual conduct addressed.

Definitions

These differences among ordinances often begin with the definitions of terms used in the ordinance. An "interest" is defined in the Gwinnett code as a "direct or indirect pecuniary or material benefit." An official or employee is deemed to have an "interest" in the affairs of his immediate family and people and businesses with whom he has various kinds of business relationships, including ownership, investment, employment, or contractual. The definition of "interest" contained in the Gwinnett ordinance is comparable to that found in most of the surveyed counties. "Interest" is a term that can be defined in a myriad of ways: Chatham County contrasts a "substantial interest" as from a "remote" or "incidental" interest; Kern County, California defines "financial interest;" Palm Beach County, Florida defines "material interest;" Montgomery County, Maryland identifies an "economic interest;" and Nashville-Davidson County, Tennessee uses the broad term "anything of value." Such variations in definition can determine the ultimate application of an ordinance to the conduct of officials and employees.

Although the term "interest" is most often defined to mean primarily a financial interest, this definition may produce a result that is somewhat unsatisfying to the public which may want the law to recognize that a conflict exists as a result of other non-financial types of interests. The Fulton County ordinance defines both "financial interest" and "personal interest" and specifically recognizes that an officer or employee may have a personal interest as a result of family or other relationships whether or not a financial interest is involved.

Determining whether an official or employee has a conflict of interest usually also encompasses an examination of whether a family member's interests are likely to be affected by the actions of the official or employee and whether the objectivity of the official or employee is likely to be affected by a family member's interests. This first requires defining who is deemed to be "family." Among surveyed counties, there is a continuum: the spouse and child of an official or employee are universally included in definitions of family and parents and siblings are also commonly included in such definitions (76%). At the other end of this continuum are those counties that include grandparents and grandchildren (38%), in-laws (33%), domestic partners (24%), aunts

and uncles (19%), other dependents living in the household (19%), and cousins (14%). The Gwinnett ordinance defines “immediate family” to include the official or employee’s spouse and “their parents, children, brothers and sisters related by blood or marriage.” This places Gwinnett in the solid majority of counties that include the spouse, parents, and siblings within the definition of family but this definition also seems to include in-laws of the official or employee, thereby placing Gwinnett among those counties using a fairly broad definition of family.

Determining who is an “employee” or “official” subject to a particular ordinance is crucial in discovering the application of the ordinance. A number of ordinances include members of the elected county governing body and members of appointed county boards within the term “employee” thereby indicating that the ordinance applies equally to elected and appointed officials and to those employed by the county. Other ordinances define both “employee” and “official” or “public official” and use the terms throughout the ordinance or distinguish application of specific provisions by the use or non-use of a term. Still other ordinances do not define or use the term “employee,” rather defining and using only “officer,” “official,” or “public official” thereby indicating that the ordinance applies only to those elected and appointed officials.

Other terms and the variation among their definitions that can impact the scope and application of an ordinance include “gift,” “lobbyist,” and “vendor.” These terms are discussed more fully within those specific sections of the report.

Prohibited Conduct

This is an aspect of conflict of interest ordinances where it is particularly difficult to draw direct comparisons. Some ordinances merely contain a statement prohibiting an employee from using his position for private financial benefit or gain to himself or another. Other ordinances regulate specific behaviors.

Augusta-Richmond County’s ordinance prohibits an employee or public official from using his position in any manner that will result in financial benefit to him, his relatives, or any individual with whom he has a financial interest. Chatham County prohibits an officer from taking part in any activity that places him in a position of conflict between his private and public interests. Cobb County’s ordinance, in addition to prohibiting using public office for private gain or giving preferential treatment to any person, provides that officers must not take part in any activity or receive any financial interest that results in a conflict between public and private interests, they must not use their positions to influence employees or subordinates in a way that would provide any benefit to themselves or others, and may not vote on any matter involving an organization of which they are a member.

The two California counties surveyed provide that acceptance of a gift of \$250 or more within the previous 12 months constitutes a “financial interest” and it is then a conflict of interest for the official or employee to use his official position to participate in or influence a county decision affecting the donor of such gift. Kern County, California provides that it is a conflict of interest to engage in any activity in a private capacity

knowing that the act may later be subject to the “control, inspection, review, audit, or enforcement” of the officer or employee or the department by which he is employed.

In addition to addressing general conflicts of interest, many ordinances prohibit officials and employees from participating in or having any interest in a contract awarded by the county. Lexington-Fayette County, Kentucky’s prohibition applies to officers and employees and their immediate families if the officer or employee is authorized to participate in establishing contract specification, award the contract, or manage contract performance; exception is made for contracts entered into prior to the person becoming an officer or employee. King County, Washington prohibits officials and employees from receiving any financial interest in any purchase, sale, or lease to or by the county when the financial interest is a result of prior knowledge of the intended county action. Appoint officials and employees of King County who become aware of a potential conflict of interest in the course of official duties are required to notify their supervisor or appointing authority in writing and the supervisor or appointing authority must take action to resolve the conflict of interest.

Gwinnett County

The “Standards” section of the county’s ordinance contains most of the prohibitions and limitations on a county official’s or employee’s actions while a few prohibitions, such as the gift ban, are modified by an exceptions section. The very first prohibition is that no county official or employee may have an interest in any contract that may be subject to official county action, if he has the power or duty to perform an official act related to such contract. This prohibition also restricts an official or employee from having any interest in a business representing anyone involved in the contract, being employed by anyone with an interest in the contract, or accepting a gift from anyone with an interest in such contract. The county’s ordinance also prohibits acquiring an interest which the official or employee has reason to believe may be affected by future official county action. Gwinnett County’s ordinance may be viewed as the midpoint in terms of the surveyed ordinances, containing somewhat more detail in its description of prohibited conduct than those ordinances that merely prohibit using one’s position for financial gain but not including the often lengthy lists of prohibited behaviors found in some ordinances in the surveyed counties.

Gifts

Virtually every ordinance reviewed for this study includes some type of restriction on the acceptance of gifts by public officials or employees. One county’s ordinance consists entirely of a gift ban and includes a statement that the adoption of the ordinance was not taken because of any perceived problem with county employees but was adopted in response to a state law requirement.

Definitions

Many of the ordinances use variations of similar terms in defining “gift” while a few ordinances impose specific dollar limits on gifts. A few examples of the types of items included in ordinance definitions of gift are: gratuities, favors, loans, services, promises, discounts, forgiveness of debts, tangible or intangible personal property, cash, offers of

employment, subscriptions, dues, tickets and admissions, lodging, transportation, and generally anything of value. Examples of specific dollar limits on gifts that officials and employees may accept within a calendar year are found in the ordinances of Gwinnett and Augusta-Richmond and Snohomish County, Washington (\$100); in the California counties of Kern and San Francisco (\$250). Montgomery County, Maryland's ordinance has multiple limits: \$10 for items of personal property, \$25 for advertising or informational items, \$50 for meals and beverages, and \$100 for ceremonial gifts or awards. Some counties use much broader definitions: Cobb County's ordinance defines gift as the "transfer of anything of economic value, regardless of form, without adequate and lawful consideration" and prohibits an official from accepting a gift for himself, any member of his family, or any other person; Palm Beach County, Florida has adopted the state definition of "anything for which equal or greater consideration is not given within 90 days" and has an extensive list of covered items.

Prohibitions

Those counties with specified monetary limits on gifts that officials and employees may accept tend to have straightforward prohibitions on the acceptance of any gift that has a value in excess of the allowed amount, while those counties without monetary limits generally address the conditions under which an official or employee may accept a gift. Several counties in the survey prohibit an official or employee from accepting a gift if the gift tends to influence the discharge of official duties or there is an understanding that the gift is given for the purpose of influencing such officer, if the gift gives an impression of improper influence, or if the official has a financial interest that can be substantially and materially affected by performance or non-performance of his official duties. The consolidated city-county of Columbus, Georgia prohibits acceptance of a valuable gift from any person which the official knows is interested, directly or indirectly, in business dealings with the consolidated government. Fulton County contains a similar prohibition on accepting a gift from a prohibited source, defined as any person or business the officer or employee knows to be doing business with the county. A somewhat unusual provision found in Augusta-Richmond County requires an official or employee who accepts a gift from a lobbyist, vendor, or any other person seeking to influence official action to return the gift or give it to charity.

Outside of Georgia, King County, Washington has a similar prohibition on employees accepting a gift if the acceptance would conflict with the performance of the employee's official duties and a conflict is deemed to exist when it creates the impression that the gift was given for the purpose of obtaining special treatment or to influence county action. Lake County, Illinois prohibits employees and officials from accepting gifts from a "prohibited source" which is defined as a person or entity who seeks official action from, does business with, conducts activities regulated by, or has interests that may be affected by performance or nonperformance by the gifted employee or official. In Denver, Colorado, officials and employees are prohibited from accepting gifts if the official or employee is in a position to take direct official action with regard to the donor and the city has an existing or pending contractual or regulatory relationship with the donor. Montgomery County, Maryland prohibits the acceptance of any gift from a registered lobbyist.

Exceptions

One of the most significant factors in the scope and application of any ordinance regulating the acceptance of gifts is the exclusion or exemption of certain items. The near-universal exclusions from gift bans include: salaries associated with an authorized nonpublic employment or business; gifts from a family member; awards given in recognition of civic, professional, or public service; commercially reasonable loans; advertising or promotional items; campaign contributions; and occasional nonpecuniary gifts under specified limits. Additionally, in the surveyed Georgia counties, it is common to find exclusions for food, beverages, travel, lodging, and registration for an official or employee to participate or speak at a meeting; food or beverages consumed at a single meal or event; food, beverages, and registration at events to which an entire agency is invited; and for food, beverages, and expenses associated with business or social functions attended by public officials, employees, or their families. A few of the surveyed Georgia counties specifically exempt courtesy tickets or free admission to events, while in others it appears acceptance of such tickets would be permissible if the value was within a maximum limit on gifts. At least one county (Fulton) specifically bans acceptance of tickets to “recreational, musical, theatrical, or sporting” events for less than face value unless the officer or employee is performing an official duty and further prohibits selling any such gifted ticket.

Similar exemptions are found in most of the surveyed counties outside the state of Georgia. Additional exemptions found outside the state include intra-governmental (gifts given by an officer or employee to another officer or employee) and inter-governmental gifts (gifts given by an officer or employee to an officer or employee of another governmental entity); bequests and inheritances; educational materials; refreshments, lodging, travel, and other benefits related to outside employment and not connected to the officer or employee’s position with the county; and gifts provided on the basis of personal friendship so long as there is no reason to believe the gift was given because of the official position or employment of the recipient. Denver specifically exempts expenses paid by nonprofit organizations or other governments for attendance at a convention, fact finding mission, or other meeting if the official or employee is making a speech, participating in some manner or representing the city-county and it exempts memberships and passes from the city’s museums, botanic gardens, and zoo.

Gwinnett County

The current Gwinnett county ordinance prohibits against an official or employee from accepting a gift from a person involved in a contract or transaction that may be the subject of official county action, if the official or employee has the power or duty to perform an official act related to such contract or transaction. Modifying this general prohibition, the section on exceptions provides that accepting a gift with a total value of less than \$100 is not a violation. Other items that officials and employees are allowed to accept without violating the ordinance are included within a list of exceptions: (1) salary, commissions, fees, or benefits associated with a nonpublic business; (2) awards given in recognition of service; (3) food, beverages, and registration at group events for similarly situation employees or officials; (4) actual and reasonable expenses for food, beverages, travel, lodging, and registration for meetings that are provided for an official or employee

speaking at or attending the meeting; (5) commercially reasonable loans; (6) any gift with a total value of less than \$100 in a calendar year; (7) promotional items distributed to public officials; (8) gifts from immediate family; and (9) food, beverages, and expenses given to public officials and employees and their immediate families associated with business or social functions.

Interviews revealed a good, general knowledge of the ordinance limits on accepting gifts, at least by upper management and elected officials. Interviewees repeatedly expressed the importance of being and providing a good role model for employees in the area of acceptance of gifts and what types of gifts could be seen as improper or opening the employee up to scrutiny. It is worth noting that almost no one among the Gwinnett County officials interviewed expressed any concern that there is a problem with officials or employees in the county accepting gifts in violation of the existing ordinance or that the gifts that are accepted present a significant ethical problem. There was general agreement that county employees are ethical in their behavior and would not be swayed by a small, inconsequential gift or meal or even by the occasional ticket to an event. Many of those interviewed indicated that it is and should be easy for anyone to draw the distinction between acceptance of those kinds of gifts and acceptance of larger gifts and the accompanying implication of influence or impartiality.

There appears to be very little support for the imposition of a more restrictive gift ban with a few even expressing that the ban could be loosened without significant harm. However, those who did favor strengthening the current gift ban expressed a strong preference for a comprehensive statement rather than an exhaustive list, noting the impossibility of listing every kind of gift that should be banned. Those favoring a stronger ban on gifts expressed concern not about actual conflicts but about the perception of conflict or undue influence. The primary areas of concern regarding the potential for improper influence of employees tended to be in the procurement process and most interviewees made reference to the effectiveness of the county's existing procurement ordinance as well as internal departmental policies. The county's purchasing and procurement ordinance and policies will be discussed in more detail in the procurement section.

Disclosure and Disqualification

Two of the primary approaches to solving actual or potential ethical conflicts are disclosure and disqualification of the individual official or employee. The rationale for requiring a public official or employee to disclose any personal interest he may have in a matter being considered by the government he serves is that increased public scrutiny will ensure accountability while still allowing the official or employee to fulfill his official duties. In some instances, the personal interest of the official or employee is deemed insignificant and disclosure of the interest is considered a sufficient safeguard of the public interest and the official or employee is permitted to act in his official capacity. The next step along this continuum is for the official or employee to abstain from or be disqualified from participating in his official capacity on behalf of the government in any matter in which he has a personal interest. All of the surveyed Georgia counties require some form of disclosure and disqualification or abstention in the event of a conflict of

interest. The majority of the non-Georgia counties surveyed also require disclosure and disqualification.

Disclosure

Disclosure requirements found in the various ordinances seem to fall into three distinct categories: (1) interests that may be affected by county action or by official action of the official or employee, including real property, business ownership or investment interests, or employment of the official or employee or a family member; (2) general financial interests of the official or employee and their families; and (3) transactions with the county.

Affected Interests

Cherokee County's ordinance requires a public official who believes he may have a private interest affected by his official actions to disclose the nature and value of the interest to the county board of ethics and to ask for an opinion as to the propriety of the interest. Augusta-Richmond requires an employee or official who is uncertain whether a personal or financial relationship with any participant in an official proceeding to disclose the relationship to the person presiding over such proceeding, and that presiding officer is given authority to determine whether the affected employee may participate in the proceeding. Clayton County requires an official or employee to disclose an interest that may be affected by his or the county's actions and requires disclosure of any relationship with a person who has interests that may be affected by such actions.

Any Palm Beach County, Florida commissioner who is disqualified from voting on a matter because of a private interest in the matter must publicly disclose the nature of the interest at the time of the vote and file a written statement to be incorporated in official minutes of the board. Lexington-Fayette County, Kentucky provides a slight distinction in its disclosure requirements, with members of the county council permitted to disclose a private interest in a pending matter either orally during the council meeting or in writing in advance of the council's consideration of the matter to the clerk of council while employees and other officers must disclose interests in writing to the clerk prior to consideration. Of the surveyed counties outside the state of Georgia, only King County, Washington specifically addressed the issue of an elected or appointed official or an employee having an interest in an action for revaluation of real property based either on the official's or employee's ownership interest in the property or a personal interest or connection with another person's petition for revaluation.

Financial Disclosures

The financial disclosure requirements referenced in this section for Georgia counties are in addition to those requirements in state statutes and, in contrast to state law generally, apply to appointed officials and employees as well as elected officials. Cobb County's ordinance requires officers to disclose financial interests of a spouse; interests of any child of the officer, if the interest is controlled by the officer; real estate interests of \$20,000 or more held by a business in which the officer has an interest; and income interests or reversionary trust interests over specified amounts. The ordinance also requires that all county officials subject to the ethics ordinance inform the board of

commissioners and the chief executive in writing of any business relationships with any other official subject to the ordinance within 10 days of any contractual or implied relationship.

A requirement for annual financial disclosure statements for both officials and employees was common, though not universal, among the surveyed counties outside Georgia. San Francisco, California requires officers and employees to disclose personal, professional, and business relationships with any person who is the subject of a governmental decision by the officer or employee. Palm Beach, Florida requires county officials and department heads to file an annual disclosure statement detailing real property interests as well as outside employment and the relationship of the reporting person to the business. Jefferson County, Kentucky and Lexington-Fayette County, Kentucky both require annual financial disclosure statements of all business interests, real property, and outside income of officers and employees and their spouses. Montgomery County, Maryland's ordinance contains a detailed list of public employees who must file financial disclosure forms including the members of a number of appointed boards and commissions. The ordinance includes exhaustive descriptions of the required content of such financial disclosures including the dates that any real property interests were acquired or transferred and from and to whom the interest was transferred, as well as a description of the interest; sources and amounts of income by category; gifts from lobbyists or persons doing business with or regulated by the county; and debts and the amounts, terms, and to whom owed. Similar but less detailed annual disclosure requirements are applicable in King County, Washington and Nashville-Davidson County, Tennessee. The Nashville-Davidson County ordinance includes the required forms for annual disclosure and a statement of intent that the purpose of disclosure is to alleviate reasonable concerns of the public relative to possible conflicts and influences on a member's exercise of legislative discretion and that disclosure statements should be completed consistently with this intent.

Transactions with the County

A third, rarely seen, category of disclosure requirement is that of transactions by an official or employee with the county he serves. Cherokee County requires officials to fully disclose any interest in a county contract to the board of commissioners. Clayton County requires any official or employee transacting business with the county to disclose such transaction with the board of commissioners, with an itemized list of transactions including dollar amounts, but exempts transactions of \$250 or less or \$9,000 in a calendar year. The fact that very few county ordinances directly address transactions between a county and a county official or employee is largely attributable to the existence of state statutes either prohibiting or restricting on such transactions.

Disqualification

There is significant variation in the disqualification provisions among the surveyed counties. Some ordinances specify the conditions under which an official or employee is disqualified from participating in official duties as the result of a conflict of interest while others are silent as to the actual procedures and requirements relative to disqualification. Augusta-Richmond County requires an official or employee to abstain from any official

proceeding where there may be a question of his impartiality. Chatham County requires county commissioners to vote in all questions before the board of commissioners, unless they are immediately and particularly interested in the question or are excused from voting by the board. A Cherokee County official who is required to disclose a conflicting interest must also disqualify himself from participating in any official action affecting even a remote interest, which is defined to include employment in a nonprofit corporation, ownership of less than five percent of a business, or acting in a representative capacity. Cobb County has a lengthy listing of instances in which an official must disqualify himself from participating in an official action and requires the official to leave the meeting room or at a public meeting to move to the area occupied by the general public. Columbus requires an official or employee to disqualify himself from participating in any decision or vote relating to any private interest in a matter pending before the council. DeKalb County's ordinance provides that an elected or appointed official who believes he has an interest that may be affected by his or the county's acts must abstain from participating in such actions. Fulton County prohibits an officer or employee with a disclosable interest from participating in any official action affecting the interest including any discussion of the matter.

Palm Beach County, Florida commissioners are disqualified from voting on matters if they have a private interest in the matter. Denver, Colorado prohibits officials and employees from taking direct official action on a matter in which he or a family member has a substantial interest unless the city attorney advises that the rule of necessity applies. Similarly, Montgomery County, Maryland allows disqualified officials and employees to participate in proceedings, deliberations, and other actions by the county under certain limited circumstances, if the disqualification results in the county council or other agency having less than a quorum or if the disqualified employee is required by law to act or is the only person authorized to act.

Gwinnett County

Members of the Board of Commissioners are required to disclose on the record the nature and extent of any financial or personal interest in proposed legislation pending before the commission. The same disclosures are required of other officials and employees with financial or personal interests in legislation pending before the commission who participate in discussions with or give official opinions or recommendations to the commission regarding such legislation. All such officials or employees who have interests that they have reason to believe may be affected by an official action are required to abstain from participating in such official action.

Gwinnett County's ordinance's disclosure and disqualification requirements are relatively straightforward but do leave substantial room for interpretation by individual officials and employees. The ordinance does not contain any additional financial disclosure requirements for officials or employees. Interviews with county officials and department heads revealed that while some are troubled by a lack of formal reporting requirements under the current ordinance, there is limited interest in substantially increasing reporting requirements, with the most common reason cited being the anticipated costs of implementing such requirements.

Lobbying of Local Officials

One aspect of state law that was identified as being of particular interest to Gwinnett County is lobbying. The Georgia Public Officials Conduct and Lobbyist Disclosure⁹ law includes a lengthy definition of “lobbyist” but essentially provides that any person who is either compensated for or expends money to promote or oppose passage of legislation or its approval or veto is engaging in lobbying. This definition includes lobbying of members of the General Assembly, the Governor, and elected county and municipal officials. The Georgia statute and most local ordinances reviewed do not prohibit lobbying, but rather regulate the activity of lobbying. Georgia’s law requires lobbyists to register with the state ethics commission but contains several exclusions from the registration requirement. Perhaps the two exclusions of most significance to this report are (1) individuals who are expressing their own personal views to any public officer and (2) licensed attorneys appearing on behalf of a client in an adversarial proceeding. Any person engaged in lobbying is required to register with the state ethics commission and file disclosure reports with the state ethics commission. Lobbyists whose reports indicate contain expenditures relating to a county’s affairs are required to file their state disclosure reports with the election superintendent of that county.

A 1995 unofficial opinion of the Georgia Attorney General, specifically addressed the application of the state law to local governments.¹⁰ Tracing the history of the state lobbying law, particularly the 1994 amendment that included persons who undertook lobbying activities in relation to elected county officials, county boards, of education, and elected municipal officials, the Attorney General opined that persons who meet the statutory definition of lobbyist must comply with the law’s registration and reporting requirements. The opinion looked at several categories of persons involved with local governments including business councils, chambers of commerce, private developers, attorneys, neighborhood associations, consultants, and speakers at public hearings. The key to determining if a person representing any of these organizations would be deemed a lobbyist was whether the person was either paid to promote or oppose an ordinance or resolution or expended more than \$250.00 on public officials for such purposes. Whether an individual member of any of the groups or a person representing any of the organizations was categorized as a lobbyist depended upon the circumstances in each case. No exception was found in state law for lobbying activities undertaken by an attorney – the same test applies to an attorney as to any other person, the sole exception being that an attorney representing clients in an adversarial proceeding is exempt from the lobbyist registration. An additional factor that should be considered in determining whether a person’s actions are covered under the lobbying statute is whether the official before whom the person is appearing is appointed or elected since local appointed officials are not included in the definition of public officers.

A 2005 report by the Georgia state auditor examined compliance with the state law by those who lobby local government officials.¹¹ In this report, the auditor found that of the 1,331 lobbyists registered with the ethics commission, only 409 were registered to lobby local governments. Of those 409 registered lobbyists, only 15 reported any local government lobbying expenditures in calendar year 2004, and those reports covered only nine of the 159 counties in the state. The auditor’s office contacted six of those nine

local governments and found that none of the six had received any lobbyist disclosure reports. At the time of the auditor's report, it was found that very few states required lobbyists to report local government lobbying activities and that their statutory requirements were comparable to Georgia's. Only two of the Georgia counties in the survey address lobbying and slightly less than half of the counties outside of Georgia surveyed for this report address the issue of lobbying. (*See Table 1*) Both Augusta-Richmond County and Fulton County define lobbyists as those who are required to register and file reports with the state ethics commission. Augusta-Richmond County prohibits the acceptance of gifts from lobbyists while Fulton County requires lobbyists to file reports locally.

Many of the surveyed counties with a strong lobbying ordinance are located in states that have stringent lobbying statutes and some of those states require local governments to adopt ordinances regulating lobbying, particularly Florida and California.¹² Two lobbying ordinances in non-Georgia counties are worth noting for their strict requirements. The ordinance of the city and county of San Francisco, California differentiates between types of lobbyists, depending upon the type of business or organization the lobbyist represents; the number of contacts with officials in a specified time period; and the amount of lobbyist expenditures. The ordinance prohibits lobbyists from giving gifts to one county officer of more than \$50 within three months of contacting the officer. The county's ethics commission oversees lobbyist registration, disclosures, and sanctions. Orange County, Florida maintains lobbyist logs in the offices of the Board of Commissioners and lobbyists are required to sign the log and indicate the topic of lobbying contacts. Contacts outside the county commission offices are required to be reported by the lobbyist within seven calendar days.

Gwinnett County

The current Gwinnett ordinance does not address lobbying and there appears to be some difference of opinion among officials in the county as to the application of the state lobbying law to county governments as well as whether the county's ordinance should require registration and reporting requirements for lobbyists. However, the issue of lobbying county elected officials appears to be a concern of a number of those interviewed in the county government and may be affecting public perception of the county government. Concern was repeatedly expressed over the issue of lawyer-lobbyists, particularly in the land-use and zoning arenas. When asked about the possibility of revising the Gwinnett ethics ordinance to regulate lobbying, responses ranged from "there is no problem" and "state law addresses this issue" to "registration is needed only for paid lobbyists" and "don't restrict citizen access to Commissioners." There was also significant concern over the enforcement of such a requirement.

The potential for vendor influence in the procurement process was also mentioned by many in the county interviews and is discussed in greater depth in the following section on procurement.

Procurement

Georgia's Public Officials Conduct and Lobbyist Disclosure statute provides that any person who influences a public officer or state agency in the selection of a vendor to supply goods and services to a state agency or who promotes or opposes passage of a rule or regulation by a state agency is engaging in lobbying. State law also requires vendors who sell to state government and who make gifts totaling \$250 or more to one or more public employees in a calendar year to report such gifts to the state ethics commission.¹³ However, neither of these state laws apply to vendors seeking to influence a county's purchasing.

Augusta-Richmond County's ethics in procurement ordinance provides that it is unethical for an employee or official to transact business or participate directly or indirectly in a procurement contract if he or any member of his immediate family has a substantial or financial interest in the contract, and employees and officials are prohibited from participating in the contracting process if employed by a person contracting with the county. Augusta-Richmond further specifically prohibits the acceptance of gifts, kickbacks, and rebates in connection with any aspect of a purchasing contract and requires that this prohibition be included in all county contracts and solicitations. Alone among surveyed counties in Georgia, Augusta-Richmond requires vendors who make gifts totaling \$100 in a calendar year to public officials or employees to file disclosure reports with the clerk of the county commission. Fulton County prohibits officer or employee participation in a contract involving the county if the officer or employee or a family member has an interest in the contract. The county's ordinance defines participation in contracting to mean preparing, influencing the content of, or rendering advice on any part of the purchasing specifications or solicitations for bids or proposals, as well as the generally included meaning of making a decision on or participating in any action affecting the contract.

Outside of Georgia, Nashville-Davidson County, Tennessee has a strong ethics in public contracting ordinance that prohibits an employee from participating in a procurement contract when he knows that he or a family member has a financial interest in the contract and requires the employee to file a written statement of disqualification and withdraw from participation if there is an actual or potential conflict of interest. The ordinance also contains prohibitions against gratuities and kickbacks in the procurement process and a requirement that these prohibitions be included in county contracts.

Gwinnett County

Gwinnett County addresses purchasing in a separate ordinance, which has a section on ethics. The county's purchasing ordinance and its effectiveness was mentioned a number of times in the county interviews. Similar provisions relative to the acceptance of gratuities, kickbacks, and contemporaneous employment are found in Gwinnett's current purchasing ordinance. At the time of this study, a proposal was pending to amend the current ethics section of the county's purchasing ordinance which, if adopted, would provide direct prohibitions on county officials, employees, and their families and on prospective vendors. The amendment would authorize the establishment of procurement initiatives and methods for monitoring compliance with the ordinance. A significant

concern mentioned by several of those interviewed, regarding the potential for improper influence during the solicitation phase of contracting, is addressed in the proposed amendment by adding explicit restrictions on communications regarding active contract solicitations.

When interviewers asked whether lobbying of county staff was perceived as a concern, virtually all of those interviewed indicated that the only lobbying of employees is by vendors seeking to sell products to the county, and it was not deemed to be a significant problem. Several interviewees stressed that the county has a good reputation in the purchasing world for ethical behavior. The county has a centralized purchasing process, which is designed to make improper influence difficult. It was acknowledged that the initiation of contract specifications is an area of potential influence, though there was no sense that this has actually occurred. The Transportation and Water Resources departments are the areas where the potential for improper influence is largest, simply because of the high dollar value and large number of contracts awarded. Those department heads indicated that they have strong internal standards designed to eliminate potential problems, usually much stricter than the county ordinance requirements. An example is found in the Department of Public Utilities which supplements the county's ethics ordinance with a policy limiting acceptance of any gifts from consultants or contractors with a value of more than a coffee mug. Any gift in excess of this value is to be refused, shared within the department if it is a food item, or forwarded to charity.

There appeared to be only limited support for the registration of vendors as lobbyists as is required at the state level. The two most commonly expressed concerns with such a requirement were the cost, as it would require a significant effort to register all those doing business with the county and to monitor compliance with registration and reporting requirements, and that the limits on the ability of new vendors to bring their products to the attention of the county, possibly preventing the county from discovering an item it needs. However, some concern was expressed during interviews that there is a need to strengthen the existing purchasing process to keep politics and political influence out of the purchasing process, especially subtle interference and pressure by elected officials.

Permanent Ethics Body

One of the key enforcement methods for many ethics ordinances is a permanent ethics body. Different terms are used among counties in referring to a local ethics body, it may be called a board of ethics or an ethics commission or even a board of conduct, but differences in name do not necessarily indicate differences in duties, authority, method of creation, membership, level of independence, or procedures. The perceived independence of an ethics board can be a significant factor in its effectiveness. Cherokee County specifies that the board is completely independent and not subject to the control or supervision of the chairman, the commission, the county manager, or any other officer, department, or agency of the county government. Common methods of ensuring board impartiality and independence are the varying of appointing authorities, imposing qualifications for membership, limiting or prohibiting partisan political involvement, and staff and budgeting authority.

Membership

Four of the other eight Georgia counties surveyed, have ordinances creating a permanent boards of ethics. Each of these counties has slightly different methods for appointment of members to its county board of ethics. Chatham and Cherokee counties provide for selection by their chairman and commission, while in Cobb and Fulton Counties specified public and private bodies and organizations including bar associations, chambers of commerce, homeowners associations, county employees, county personnel boards and civil service systems, as well as county commissioners appoint the county ethics boards. Cherokee County requires that one member of its ethics board be an attorney.

The imposition of specific requirements of professional knowledge or expertise for appointment to a board of ethics is common but by no means universal. San Francisco, California provides for the appointment of members by the mayor, the board of supervisors, the city attorney, the district attorney, and the assessor and provides that the members must have specific professional backgrounds or expertise in public information and public meetings, in law and government ethics, in campaign finance, and that two members be broadly representative of the general public. The mayor of Lexington-Fayette County, Kentucky appoints the ethics commission from nominations given by at least seven different professional and civic organizations in the county.

Chatham, Cobb, and Fulton Counties impose strong restrictions on ethics board members engaging in political activities while serving on the board, particularly partisan county politics. However, Cherokee County requires that at least two members of the board be members of the Democratic Party and at least two members must belong to the Republican Party. San Francisco, California prohibits members of its ethics commission from holding office or public employment and strictly prohibits political activity by members including campaign contributions.

Of the surveyed counties, the shortest terms of ethics board members was found in Bernalillo County, New Mexico (two years) and the longest terms were found in San Francisco (six years) and Cherokee County (seven years) with the average terms being three or four years.

Authority

Ordinances in the surveyed counties with ethics boards provide for a variety of powers and duties for the county's ethics board. Almost universally, ethics boards are granted the authority to establish their own procedures, rules, and regulations; prescribe necessary forms; recommend changes to the county's ethics ordinance; and investigate complaints of ethical violations, hold hearings, and make findings concerning those complaints. In a few instances an intervening body is tasked with the initial review of an ethics complaint. San Francisco's ethics commission investigates ethics violations only if the city attorney or the district attorney does not pursue the violation. In Nashville-Davidson County, Tennessee's all ethics complaints are initially reviewed by the county's law department and the board of conduct may then dismiss a complaint or call a formal hearing. King

County, Washington has an ombudsman, who hears all initial complaints, with the ethics board hearing appeals from the decisions of the ombudsman.

Procedural Requirements, Hearings, and Deliberations

The most common procedural requirements found in the surveyed county ethics ordinances include the right of a person who is the subject of a complaint to file a response, the right to call witnesses, and the right to be represented by counsel. Ethics bodies are generally given the authority to issue summons and subpoenas and to take testimony under oath. All ordinances also provide for the judicial review of decisions of an ethics body. The four Georgia counties with ethics boards provide for formal hearing procedures and guarantee due process to those accused of violating the county's ethics code.

There is considerable variation among the surveyed counties, both within Georgia and outside the state, on the subject of open or closed deliberations, though the majority do provide for publication of ultimate findings and orders or recommendations. Chatham County ethics board hearings must conform to the state's open meetings law, but deliberations may be private. The board's final opinion must be published. Cobb County provides that all meetings, including hearings and deliberations are open to the public. San Francisco provides that all proceedings are open, in Denver hearings are open to the public but advisory opinion deliberations are private, and in Louisville-Fayette County, Kentucky proceedings are confidential until the final determination. Montgomery County, Maryland's ethics commission hearings are closed unless the person who is the subject of the complaint requests an open hearing. The ordinance provides for revealing the identity of the person who is the subject of a complaint only if a violation is found.

In recognition of the personal and professional upheaval that an ethics complaint may bring upon an individual, a few counties incorporate an additional procedural protection into their ethics codes, imposing time restrictions on an ethics boards' investigations, hearings, and deliberations and issuance of findings and recommendations. Chatham County requires all hearings to be conducted within 30 days after receipt of a complaint and the board must submit its report and findings to the Board of Commissioners within 60 days. Among the counties that do not have ethics boards, time limits may be imposed on the county governing authority's investigation and final decisions. DeKalb County provides that the committee established by the board of commissioner's presiding officer must complete its investigation of a complaint within 30 days and the board must vote on whether to act on the committee's recommendations at its next regular meeting after receipt of the report.

Preliminary Review and Dismissal of Complaints

Another relatively common authority granted to ethics boards and commissions is the power to conduct a preliminary review of a complaint and determine whether a full investigation and hearing are needed or if the complaint should be dismissed. The imposition of a process for the preliminary review of a complaint and a determination whether the complaint should move forward fulfills the objective of protecting those who devote themselves to public service, both elected officials and employees, from the

unnecessary burden and disruptions of frivolous complaints or those made for political purposes.

Chatham County's ordinance provides that the board is empowered to dismiss complaints that are unjustified, frivolous, patently unfounded, or which fail to state facts sufficient to invoke disciplinary jurisdiction. Both Cobb County and Fulton County provide for dismissal if the board of ethics finds that there is not probable cause to believe an ethics violation has occurred. Denver, Colorado requires its ethics board to meet and screen an ethics inquiry within 14 days of receipt and immediately dismiss if the alleged violation, if true, would not constitute a violation, if it is a minor violation, or if it is frivolous, groundless, or brought to harass.

Advisory Opinions

An ethics board that is empowered to issue advisory opinions, while not eliminating all conflicts, can assist individuals serving in county government in determining whether a specific situation presents a conflict; whether interests held by an official, employee, or a family member should be reported; and whether disqualification in a particular situation would alleviate or resolve a conflict. This is a relatively common authority granted to ethics boards, all of the four ethics boards in the Georgia counties reviewed are authorized to issue advisory opinions as are all but one of those counties outside Georgia that have ethics boards.

Only two of the surveyed counties further provide that ethics board opinions are binding in subsequent complaints concerning the same person and fact situation and only Lexington-Fayette County, Kentucky provides that such opinions are a defense in civil or criminal proceedings. Denver, Colorado authorizes its ethics board to take steps to ensure compliance with the advisory opinions it issues. A corollary authority, granted to ethics boards in two of the surveyed counties is the authority to issue a waiver from a restriction or prohibition in the county's ethics code. In those counties without ethics boards or commissions, similar authority is often specifically granted to the county governing authority, as in Augusta-Richmond and Gwinnett.

The publishing of advisory opinions provides an opportunity for officials and employees, other than the requesting party, to benefit from the open examination and analysis of real-life situations. Cobb and Fulton County require their boards of ethics deliberations on advisory opinions to be public while Chatham provides that board deliberations are private but advisory opinions must be published. Denver, Colorado authorizes publication of advisory opinions but requires removal of information that would identify the individual involved. Lexington-Fayette County, Kentucky's ordinance similarly provides for modifying advisory opinions prior to publication to avoid revealing the identity of the person associated with the opinion but also authorizes the ethics commission to adopt criteria for the issuance of confidential advisory opinions. Montgomery County, Maryland requires weighing the privacy interest of the employee with the public's need to be informed in determining whether to publish advisory opinions and requires publication of an annual list of unpublished opinions and the reason why each opinion was not published.

Statutes of Limitations

Many counties have some statute of limitations on the filing of complaints. At six months, Cobb County has the shortest time limit on filing complaints with the longest limit, five years, founding Snohomish County, Washington County. A slightly different limit is also found in Snohomish County, which places restrictions on the filing of ethics complaints in the period immediately prior to an election. Only complaints that are alleged to have occurred within the prior week may be filed within the four weeks preceding an election. The imposition of a statute of limitations on the filing of ethics complaints would help to ensure that witnesses and documentation relevant to an alleged violation would likely still be available to the body investigating the complaint.

Imposition of Penalties

A concern expressed during the Gwinnett County interviews relative to the possibility of a permanent ethics board was the need for that body to be accountable to the public, rather than an appointed board or a county department. Maintaining the county governing authority as the final decider in the imposition of penalties could be a means of alleviating this concern. A review of county governments with ethics boards or commissions, both within and outside Georgia, reveals that the in majority of counties with ethics boards or commissions the ethics board reports its findings and recommends sanctions to the county governing authority. Fulton County and many of the counties outside the state allow their ethics board to impose minor administrative sanctions, including civil penalties, cease and desist orders, and letters of reprimand. Penalties are discussed more fully in a separate section of this report, but generally boards or commissions may recommend censure, suspension, demotion, or termination of employees; reprimand, censure, or removal from office of elected and appointed officials; debarment or suspension of contractors or vendors. Boards are also often given the authority to refer violations for criminal prosecution and may recommend that the county government seek restitution from the involved parties.

Other Approaches

Counties that do not have an ethics board or commission most frequently assign the authority for administering their ethics ordinance to the county governing authority as is the case in Augusta-Richmond and Clayton counties and Kern County, California or to a committee of the governing body as in DeKalb County. In those counties, the governing authority investigates complaints, holds hearings, and imposes penalties for violations of the ethics code. Alternatively, a county may delegate this responsibility to an existing county agency or department or a full-time county officer as in Lake County, Illinois which has an ethics advisor.

Gwinnett County

As noted earlier in this report, the current Gwinnett ethics ordinance provides for the creation of an ethics panel only when an ethics complaint is filed. Interviews revealed that the ad hoc nature of the ethics panel is perceived as a significant problem with the current ordinance. A number of persons also commented on the intimidation factor present in the current system with complaints required to be filed with the District Attorney and investigated by the grand jury. The potential for the District Attorney to

wield considerable influence with the grand jury in its investigations and deliberations was also commented upon. Several interviewees expressed the need for more professionalism in an ethics panel, noting that under the current system each ethics panel is created from the current grand jury with no requirement that ethics panel members have any specific professional or representative qualifications and no guarantee that any member of the panel will have an understanding of the workings of county government or of the ethics ordinance. These were seen as serious flaws in the current system.

The current ordinance is also silent on a number of issues that are addressed in other counties' ordinances. As noted earlier in the report, the District Attorney expressed concern regarding the lack of procedural due process protections in the ordinance. No procedures are set forth for the conduct of investigations or hearings by the board. All proceedings, deliberations, and records of any ethics panel are specifically exempted from the state open meetings law and only final findings and recommendations of the panel may be disclosed. There is no provision for a preliminary review of a complaint or to allow for its dismissal if it is determined to be frivolous or groundless. The panel must complete its investigation and present its findings and recommendations to the Board of Commissioners within 30 day of receiving the complaint. The ordinance authorizes the creation of an ethics panel to render an advisory opinion upon written request. However, there is no indication that this provision has ever been used. The ordinance specifically provides that advisory opinions are not binding upon a subsequently appointed ethics panel investigating the same matter.

There appears to be mixed interest and support among those interviewed for the creation of a permanent board to administer the ethics ordinance. There were those who either thought the current system was sufficient or adamantly opposed creating an ethics body that was not directly accountable to the voters. If a board were to be created, there was considerable disagreement as to how such a board should be constituted, with some favoring substantial staff involvement and others focusing on the need to specify professional or other qualifications of appointees. The possibility of creating the position of ethics officer to monitor the process, to provide confidential impartial review of complaints, and to ensure the overall integrity of the process was also mentioned by several interviewees.

There is also likely be some expense related to creating a permanent ethics body. Some staffing needs for an ethics body, such as the receipt of complaints and maintenance of board records, could be assigned to existing county staff. It was noted in interviews that assigning a permanent ethics body to an existing county department would alleviate the need to hire new staff but that reliance of a board upon department staff may tend to lessen the board's independence. There would also likely be the need for board meeting space and perhaps office space, depending upon the specific requirements of the ordinance. Additionally, the creation of a permanent ethics body and the implementation of a more user-friendly complaint process may result in an increase in the number of complaints filed.

Incompatible Employment

The surveyed counties' ordinances generally contain some restrictions or prohibitions on employees and officials accepting employment, rendering services to a private business, or engaging in professional activity that is adverse to and incompatible with the proper discharge of official duties. Ordinances may contain exclusions for employees or officers whose government duties are ministerial so long as the private employment doesn't create a conflict of interest. Chatham and Cobb counties exclude from this prohibition officers who are appointed to a regulatory body pursuant to statutory requirement.

Denver, Colorado requires all employees and officers, except elective officers, to report existing or proposed outside employment or business activity annually in writing and to immediately report any change in employment status that could give rise to a conflict of interest. The employee or official is encouraged to seek an advisory opinion or waiver if he believes the outside employment may create a conflict of interest. Louisville-Jefferson County, Kentucky prohibits a county officer from undertaking employment, compensated or not, that might reasonably be expected to prejudice his judgment in the exercise of official duties. Montgomery County, Maryland requires officials and employees to obtain prior approval for outside employment unless the employment was held and disclosed at the time of appointment and prohibits a public employee or official from being employed by or owning more than 1% of a business that is regulated by or contracts with the county. Nashville-Davidson County, Tennessee prohibits the mayor and members of the metropolitan council from employment with a person or organization seeking approval, action, or determination from the council or any committee, except that this restriction does not apply if the outside employment is the member's primary source of income and the member complies with disclosure and disqualification requirements.

Gwinnett County

Gwinnett County's ethics ordinance prohibition on county officials or employees engaging in private employment contains language similar to that found in many other ordinances among surveyed counties. Outside employment is prohibited when incompatible with the proper discharge of official duties or if it tends to impair independence of judgment or action unless the employment is permitted by law and disclosure is made. All of those interviewed in the county appeared to be clear on these provisions. The police chief particularly noted that all outside employment of police officers is screened and monitored and closely governed by internal rules. The current ordinance and employee handbook appear to adequately address this issue and there does not appear to be any need nor was there any support expressed for increasing current restrictions in this area.

Unauthorized Disclosure of Confidential County Information

In the surveyed counties, both within and outside the state of Georgia, the unauthorized disclosure of confidential county information is a nearly universal prohibition in county ethics ordinances. This prohibition is essentially another aspect of the conflict of interest prohibition against using public position for personal gain and showing partiality. There is some variation in the descriptions of the types of information that may not be disclosed, it may include any information that is not generally available to the public or

that is not common knowledge, or it may be defined as information that the individual employee or official receives or acquires in the course of his official position or information that is not required to be released under a state open records statute. Some ordinances specifically tie the requirement for disclosure to whether the disclosure would affect a personal or financial interest of the disclosing individual or prohibit disclosure for private gain. Chatham County's ordinance specifically extends this prohibition to disclosing information to the media. Augusta-Richmond County prohibits the use of confidential information for personal gain and further prohibits the release of information of a proprietary nature or non-public information about customers or suppliers of the county.

Gwinnett County

Gwinnett County specifically prohibits any county official or employee from disclosing, without proper legal authorization, confidential information concerning the property, government, or affairs of the county using such information to advance financial or other private interests. None of those interviewed expressed that this was an area of concern.

Private Use of County Property

Only two of the surveyed Georgia counties and six of the non-Georgia counties specifically address the unauthorized use of county property by employees and officials. The ordinance in Columbus uses a sweeping statement prohibiting the use of property owned by the consolidated government except in accordance with policies of the council. Kern County, California addresses the use of county time while Lexington-Fayette County, Kentucky prohibits the use of public time, funds, personnel, equipment, or real property unless specifically authorized by the county government or the ethics commission or unless its use is available to the general public.

Gwinnett County

The current ordinance prohibits the use of county-owned vehicles, equipment, materials, and property for personal convenience or profit. Most of the department heads interviewed indicated that this is not an issue in the county and that the existing ordinance is sufficient and that employees understand the current restrictions. Of those that expressed some concern on this issue, a few indicated that internet usage is an area in which there is potential for employee abuse. The vast majority expressed confidence in their employees and in their leadership in setting a good example. There does not appear to be any particular need to revise the current ordinance provisions.

Representing Third Parties Against the County

The majority of the surveyed counties, both within Georgia and across the country, provide some restriction on officials and employees representing a third party before any county agency, board, or authority. Additionally, some counties prohibit an official or employee from representing any person or business in any proceeding or litigation in which the county is a party. A few counties restrict county officials from representing a third party before any agency of the county only if the represented party's interest is adverse to that of the government. This conduct should properly be considered as a type

of conflict of interest and, if an ordinance does not specify this as a separate prohibition, it is often included within a list of activities deemed to be conflicts of interest.

Gwinnett County

The current ordinance prohibits an official or employee of the county from appearing on behalf of any private person, other than himself or his spouse or minor children, before any county agency, authority, or board. A county commissioner's representation of his constituents is specifically excluded from this prohibition as being in the course of the official's public duties. No mention was made during interviews in Gwinnett County that would indicate that this is or has been a concern in the county and the current ordinance provision appears sufficient.

Ethics Education

Simply enacting an ethics code does not help officials or employees to resolve ethical dilemmas; however, ethics education can maximize the effectiveness of any ethics code. Effective ethics training encourages ethical behavior and can be particularly useful as a means of clarifying the values of the organization and having individuals understand how to address ethical dilemmas. Among the benefits of training are ensuring familiarity with organizational policies and legal requirements; increasing general ethics awareness, including an understanding of the purpose of a code of ethics; providing an opportunity for a discussion of ethics standards and expectations; and demonstrating the use of a practical, ethical decision-making process.¹⁴ It is essential that employees know what is expected and training by line managers can provide reinforcement of standards and, by making the issues explicit, foster better decision-making.¹⁵ In other words, it gives employees the opportunity to see how ethics is involved in their day to day work lives.

Despite the existence of a number of studies supporting the benefits of ethics training, a minority of the counties reviewed for this study specifically provide for ongoing education programs for officials or employees. Of those counties, provisions range from a simple direction to the ethics body to develop and conduct programs on the purpose and implementation of the county ethics ordinance to a more extensive statement of authority regarding the implementation of ethics training. San Francisco requires its ethics commission to develop a program of seminars for newly elected officers and newly-hired employees, candidates and their campaign treasurers, and lobbyists to familiarize them with applicable ethics laws. It further requires annual seminars for top level county officials to reinforce the importance of compliance with federal, state, and local ethics laws and to inform these officials of changes in the law. Palm Beach County, Florida's ordinance emphasizes ongoing ethics training for members of appointed boards.

Gwinnett County

The current Gwinnett County ordinance provides that a copy of the ethics code is to be distributed to every official and employee of the county as a part of the county employee handbook. This requirement is comparable to that found in most of the surveyed counties that address ethics education in their ethics ordinance. There was mixed support among officials and senior staff for the possibility of implementing ongoing ethics education in the county. While most interviewees expressed favorable opinions about the need for

more ethics education a few strongly opposed the addition of more training stating that additional education was unnecessary, it was likely to be too costly, or it would take too much time out of employee's work schedules. A number of interviewees expressed the need for ongoing education for officials and staff with decision-making authority. The need for education tailored to specific groups was also mentioned several times, specifically with respect to advisory boards and authorities and the special challenges that the membership of such appointed bodies may face.

Nepotism

A minority of counties the counties studied for this report address nepotism in their ethics ordinances. (See Table 2) However, this is not necessarily an indication that these counties do not address the issue of favoritism and preferential treatment in hiring. It is more likely that the issue is either addressed in another county ordinance or, as in Gwinnett County, that the county addresses the issue in its employee handbook. It should also be noted that even absent a specific prohibition, the employment or appointment of a relative by a county official or employee or the direct supervision of a relative, could fall within a county's general conflict of interest prohibitions against showing partiality or giving the impression of improper influence on the basis of kinship. As with conflict of interest restrictions, the definition of "family," "relative," or "immediate relative" plays a significant role in determining the scope of nepotism restrictions.

Two Georgia counties, Augusta-Richmond and Fulton, directly address the issue of nepotism in their county ethics codes, prohibiting an official or employee from affecting the employment, appointment, promotion, or transfer of a relative, with Augusta-Richmond limiting this restriction to any position that the official or employee directly supervises or manages while Fulton more broadly applies this to any position with the county. Augusta-Richmond also prohibits the employee or official from participating in any disciplinary action affecting a relative. The conflict of interest provisions of the ethics ordinances of Chatham County and Cobb County both state that it is not the intention of the ethics code to prohibit an immediate relative of a county officer from being engaged in gainful employment with the county.

San Francisco, California and Montgomery County, Maryland impose similar limits on county officials and employees in the hiring, promotion, and discipline of relatives as those found in Augusta-Richmond and Fulton counties. Denver, Colorado prohibits both the employment of immediate family members of officials and employees and an official or employee being in the direct line of supervision over a family member. However, Denver also specifically authorizes the board of ethics to issue waivers from the restrictions on hiring and supervision of relatives of county officials and employees. Louisville-Jefferson County, Kentucky also prohibits an official or employee directly supervising a family member and a violation results in the prohibited employment being voided and a two-year period of ineligibility for future employment and the official or employee who violated the restriction may receive a reprimand or censure.

Gwinnett County

The county addresses the issue of nepotism in the employees' handbook rather than in the ethics code. The county's current provisions appear to be comparable to that of most of the other counties surveyed. Two members of the same family may not be employed in the same division of a department, unless specifically approved by the Merit System Board. The ordinance prohibits any employment action, including hiring, promotion, or transfer that results in a family member supervising or influencing the work activities or status of another family member. Hiring of a family member of a county elected official during that official's term of office is also prohibited. Interviews revealed some support for the adoption of a stronger nepotism policy in the county, particularly in the Human Resources and Finance departments. It was suggested that elected officials be restricted from any contacts with Human Resources during the hiring process. However, no specific instances of improper activity were cited and it was suggested that this issue could be addressed with more education and training regarding the application of the current policy.

Post-Service Restrictions on Employees or Officials

State statutes and county ordinances restricting employees and officials from accepting certain types of employment after leaving county service generally fall within conflict of interest restrictions. Georgia law restricts certain elected and appointed state officials from engaging in lobbying for a period of one year after leaving office or employment with the state.¹⁶ While this state statute does not apply to county and municipal officials and employees, three of the surveyed Georgia counties, including Gwinnett County, address this issue in their ethics ordinances. Cherokee County's ordinance prohibits the county from contracting with a business represented by a former member of the county governing authority for one year after the member leaves office. Fulton County prohibits its former employees and officers from participating in county contracts or attempting to influence any department, board, or other county entity that was under that individual's official responsibility for a period of one year or two years for former members of the board of commissioners.

San Francisco, California has a severe post-employment restriction, permanently disqualifying a former officer or employee from representing any outside entity in any matter in which the city-county is a party or has a direct interest if the former employee or officer participated personally and substantially in that matter during his service with the city-county. Nashville-Davidson County, Tennessee restrictions on former employees range from permanent to one-year depending upon the employee's participation in the matter during employment. Montgomery County, Maryland prohibits a former employee or official from working on any matter for 10 years after the last date the employee or official significantly participated in the matter as a public employee or official. Denver, Colorado imposes a six month restriction on employment involving matters that the former employee or official took direct official action during his employment or service with the city-county and the limit extends to one year if the employment involves litigation in which the city-county is involved. As in the Georgia counties noted above, it is not uncommon for counties in other states to impose lengthier time restrictions on former elected officials than on employees appearing before the

government. Lexington-Fayette County, Kentucky restricts a salaried officer or employee from appearing before the county for one year and an elected official for two years.

Gwinnett County

The current Gwinnett County ethics ordinance prohibits county officials and employees from accepting paid employment before any county board, commission, committee, agency, or authority of the county in relation to any case, proceeding, or application in which the employee or official personally participated during his service with the county. There is no time limit stated in connection with this prohibition making Gwinnett's code potentially among the most restrictive of those examined. Interviews with county officials and senior management did not reveal any instance in which post-service employment of former officials or employees has been a concern in the county.

Penalties

While federal and state laws define behaviors as illegal, ethics codes generally regulate “undesirable” behaviors that are deemed appropriate for civil and regulatory enforcement. A clear statement of the sanctions that may be imposed for violation of an ethics code demonstrates a commitment to ethical behavior and the expectation of compliance. Although most governmental ethics codes focus on the actions and intent of officials and employees of the government, it is not uncommon to address the actions and intent of those doing business with the government such as vendors and contractors or those seeking to influence the government through lobbying.

The majority of Georgia counties provide for administrative penalties for employees including warnings, reprimands, fines, and, in some instances, suspensions or terminations. Augusta-Richmond, Chatham, Clayton, and DeKalb counties provide that the board of commissioners may impose such penalties while Fulton County, which has an ethics board, provides that the ethics board may impose a fine or public reprimand and may recommend additional discipline to the board of commissioners or the appointing authority. Columbus specifically provides that members of the county's merit service are subject to dismissal in accordance with personnel rules. Several Georgia counties provide that the county governing authority may take legal action to reprimand or censure one of its own members; an appointed official; or a board, authority, or commission member appointed by the governing authority. A small minority provide for the removal from office of an elected official for an ethics code violation. Cherokee County is the only surveyed Georgia county that provides for removal of a public official by the county board of ethics. The Augusta-Richmond county commission is authorized to issue written warnings or reprimands, terminate contracts, or pursue debarment or suspension of vendors or contractors who violate its ethics ordinance. Fulton County's board of ethics may recommend that the county purchasing pursue debarment proceedings against vendors and contractors.

Some counties outside the state of Georgia distinguish between intentional and unintentional violations while others authorize sanctions for ethical violations not available to Georgia counties. Lake County, Illinois punishes an intentional violation of

its gift ban with a fine of \$1,000 to \$5,000. Any person intentionally filing a false report of a violation of any provision of the ordinance is subject to incarceration for up to one year and a fine of \$2,500. Louisville-Jefferson County, Kentucky distinguishes between intentional and unintentional violations. The ethics commission may issue a letter of technical violation or a letter of reprimand for a violation found to be unintentional or the result of a good faith misinterpretation of the ordinance; intentional violations are subject to a letter of public reprimand, formal censure, or a fine. Orange County, Florida's lobbying ordinance authorizes the county governing authority to warn, reprimand or censure, or suspend or prohibit lobbyists who violate the county ordinance from lobbying any agency of the county for up to two years and to void any procurement contract in which a county commissioner or a member of the procurement committee was lobbied in violation of the ordinance. King County, Washington provides that elected officials violating the ethics ordinance are subject to a penalty of one month's pay and the county contract will be canceled of any person who violates the ethics ordinance by giving anything of value to a county employee or official and the contractor will be prohibited from bidding on future county contracts for two years.

Gwinnett County

The current county ordinance specifies penalties for employees and for county officials for breach of the county's code of ethics. Employees and officials are subject to written warnings or reprimands. Employees are subject to suspension without pay and termination of employment, while officials are subject to removal from office as provided by state law. Cancellation of the contract and recovery of the value transferred or received under the contract are also authorized. In addition, the ordinance provides for debarment or suspension of county officials from award of a county contract for a period of up to three years. The penalties currently imposed are comparable to those imposed by other Georgia counties as well as counties across the country.

Conclusion

A government may have an ethical environment without an ethics code. Conversely, adopting an ethics code will not, in and of itself, result in more ethical behavior. Rules will never replace the need for character. However, ordinances are often necessary to define a community's minimum ethical standards. Although direct comparisons of ordinances are difficult, the Gwinnett County ethics ordinance is certainly comparable in scope to the other Georgia counties studied. Differences noted between Gwinnett County's ordinance and the ordinances of the 13 counties outside Georgia can, at least to some extent, be attributed to differences between the laws of Georgia and those states in which the other counties are located. For example, the state of Illinois mandates that counties adopt a local ordinance addressing gifts and prohibited political activities at least as restrictive as the state statute.

A review of the current Gwinnett County ethics ordinance reveals that the county addresses the majority of the issues identified for the study, with three notable exceptions: a permanent ethics body, lobbying, and ongoing ethics education. Nine of

the 13 non-Georgia counties (69%) and four of the eight Georgia counties (50%) studied provide for some type of permanent ethics body. However, of the four non-Georgia counties without permanent ethics bodies, two are located in Florida which provides that the state ethics commission fulfills this function for local governments. Given that a relatively high proportion of other counties within the study have a permanent ethics body coupled with the fact that a significant number of those interviewed expressed either outright support for establishment of a permanent body or concern with the current process for creating an ad hoc panel, amendment of this section of the current ordinance would appear to be worthy of serious consideration.

On the issue of lobbying, six of the 13 counties outside the state (46%) while only two of the eight Georgia counties (15%), address the issue of lobbying county governing authorities. Although a minority of Georgia counties studied address this issue in their ethics codes, this was a topic on which most of those interviewed expressed strong opinions, either pro or con. However, given the division of opinion this is a topic that at least warrants additional study.

Ongoing ethics education was addressed by six of the 13 non-Georgia counties studied (46%) but was not addressed by any Georgia county in the study. There is considerable academic literature to support the efficacy of ethics education despite its relative scarcity in local government. And, there was a not insignificant amount of support expressed by those interviewed in the county leadership for the implementation of additional education and training, which could be particularly important if other amendments to the current ethics code are adopted.

Ethical leadership and a climate of ethics are among the most important factors in determining whether an ethics code is truly effective. Extensive interviews reveal that this is where Gwinnett leadership truly shines. The good news appears to be that Gwinnett County has an excellent reputation for ethics among its citizens and employees, other local governments, businesses, and vendors.

Appendix A - Gwinnett Ethics Study Interview Questions

We (the Carl Vinson Institute of Government at the University of Georgia) are conducting a study for the Gwinnett County Board of Commissioners to examine the current Ethics Code for the County and the ethics ordinances of a number of similar counties within Georgia and across the country. As a part of that study, we are interviewing county elected and appointed officials and department heads to get a sense of the effectiveness of the current county ethics ordinance and any emerging issues in the county.

1. Are you familiar with the current County ethics ordinance and procedures?
2. What has been your experience with the current ordinance?
3. Do you have any knowledge or experience with ethics complaints filed in the county? Have any ethics complaints been filed against anyone in your department?
4. What is the public perception of county government ethics, including any media coverage of alleged ethical violations involving Gwinnett County government?
5. Here are some provisions found in ethics ordinances of other counties:
 - a. Registration of lobbyists
 - b. Independent Ethics Board or Commission
 - c. More specific or restrictive gift ban
 - d. Ongoing/regular training or education relative to ethics

Should similar provisions should be included in Gwinnett's ordinance?

6. Do you have any thoughts on the current process for reporting violations? On the current process for establishing an Ethics Panel?
7. Do you have any comments on how the current process could be improved?
8. Have you been approached by a lobbyist regarding a contract or other work pending in your department? What were the circumstances?
9. What restrictions do you think should be imposed on lobbying of county departments and employees?
10. Are there any other issues that you think should be addressed that I haven't asked about?
11. Should the county ethics ordinance should address campaign finance?
(This question was asked only of Commissioners.)

¹ GA CONST. art 9, §2, ¶1.

² O.C.G.A. §16-10-2.

³ O.C.G.A. §16-10-6.

⁴ O.C.G.A. title 21, ch. 5.

⁵ O.C.G.A. §21-5-11.

⁶ O.C.G.A. §45-10-1.

⁷ O.C.G.A. title 45, ch. 10, art. 2.

⁸ O.C.G.A. title 36, ch. 67A.

⁹ O.C.G.A. title 21, ch. 5, art. 4.

¹⁰ Op. Att’y Gen. No. U95-2.

¹¹ “Special Report: Local Government Lobbyists’ Compliance with the Ethics in Government Act,” Report 05-15, Performance Audit Operations Division, Georgia Department of Audits and Accounts, August 2005.

¹² FLA. STAT. ch. 112.3215 et seq. (2007); MD. CODE ANN. 15-803 et seq. (2006).

¹³ O.C.G.A. §45-1-6.

¹⁴ Brian Towers, ed. *Handbook of Human Resource Management in Government*, 2d ed. (2005).

¹⁵ James S. Bowman, “Ethics in Government: A National Survey of Public Administrators,” *Public Administration Review* (1990).

¹⁶ O.C.G.A. §21-5-75.