



BOARD OF COMMISSIONERS

Charles Oddo, Chairman
Pota Coston, Vice Chair
David Barlow
Steve Brown
Randy Ognio

★

STAFF

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

★

MEETING LOCATION

Public Meeting Room
Administrative Complex
140 Stonewall Avenue
Fayetteville, GA 30214

★

MEETING TIMES

2nd and 4th Thursday each month 7:00 pm

★

COMMISSION OFFICE

Administrative Complex
Suite 100
140 Stonewall Avenue
Fayetteville, GA 30214
Phone: 770.305.5200
Fax: 770.305.5210

★

WEB SITE

www.fayettecountyga.gov

★

E-MAIL

administration@fayettecountyga.gov

Agenda

Board of Commissioners
June 25, 2015
7:00 P.M.

Call to Order
Invocation by Commissioner David Barlow
Pledge of Allegiance

Acceptance of Agenda

PROCLAMATION /RECOGNITION:

1. Recognition of the outstanding volunteers of the Fayette County Public Library who strive to make a difference in the Fayette community.
2. Presentation of Government Finance Officers Association Certificates of Achievement for Excellence in Financial Reporting for Fayette County's Comprehensive Annual Financial Reports (CAFR) for the fiscal year ended June 30, 2014.

PUBLIC HEARING:

3. Public Hearing on staff's recommendation to transfer an existing 2014 Retail Alcohol, Beer and Wine License (License #C14-000465) from Marvel Group, LLC, to Zainulabdin Gillani, doing business as DJ One Stop, which is located at 1850 S SR 85, Fayetteville, Georgia 30215.
4. Public Hearing of Petition No. 1245-15, Doyle C. Lindsey, Owner, and Randy Boyd, Agent, request to rezone 6.206 acres from A- R to R-70 to develop a Single-Family Residential Subdivision with said property being located in Land Lot 227 of the 5th District and fronting on New Hope Road and Kenwood Road, with two (2) conditions.
5. Public Hearing of Petition No. 1246-15, Wayne M. Williams, Owner, and Tony Harris, Agent, request to rezone 51.29 acres from A- R to R-50 to develop a Single-Family Residential Subdivision with said property being located in Land Lot 252 of the 13th District and fronting on Kite Lake Road. The Applicant has requested to withdraw the rezoning application.
6. Public Hearing of Petition RDP-012-15, Fland Land, LLC, Owner, request to revise the Development Plan for Elysian Fields Conservation Subdivision with said property being located in Land Lots 47, 79 & 80 of the 7th District and fronting on Lee's Lake Road and Coastline Road.

7. Public Hearing on the County's recommended annual budget for Fiscal Year 2016 which begins July 1, 2015 and ends June 30, 2016, and adoption of Resolution 2015-09 establishing the annual operating, capital, and CIP budgets for Fiscal Year 2016.

CONSENT AGENDA:

8. Approval of staff's request to enter into an Intergovernmental Agreement with the Town of Brooks allowing the Fayette County Board of Elections to act as Superintendent of Elections for all elections held in Brooks in 2015, and authorization for the Chairman to sign said Intergovernmental Agreement.
9. Approval of staff's request to enter into an Intergovernmental Agreement with the City of Fayetteville allowing the Fayette County Board of Elections to act as Superintendent of Elections for all elections held in Fayetteville in 2015, and authorization for the Chairman to sign said Intergovernmental Agreement.
10. Approval of staff's request to enter into an Intergovernmental Agreement with the City of Peachtree City allowing the Fayette County Board of Elections to act as Superintendent of Elections for all elections held in Peachtree City in 2015, and authorization for the Chairman to sign said Intergovernmental Agreement.
11. Approval of staff's request to enter into an Intergovernmental Agreement with the Town of Tyrone allowing the Fayette County Board of Elections to act as Superintendent of Elections for all elections held in Tyrone in 2015, and authorization for the Chairman to sign said Intergovernmental Agreement.
12. Approval of staff's request to enter into an Intergovernmental Agreement with the Town of Woolsey allowing the Fayette County Board of Elections to act as Superintendent of Elections for all elections held in Woolsey in 2015, and authorization for the Chairman to sign said Intergovernmental Agreement.
13. Approval of staff's recommendation to purchase a policy for property and casualty insurance from OneBeacon, for Fiscal Year 2016, through Apex Insurance, formerly Public Risk Underwriters, for an amount of \$582,585.00, and authorization for the Chairman to sign the policy and related documents.
14. Approval of staff's recommendation to adopt Resolution 2015-08 and, in so doing, accepting the updated 2015 Fayette County Hazard Mitigation Plan as required by the Federal Emergency Management Agency's Disaster Mitigation Act of 2000.
15. Approval of staff's recommendation to award annual Bid #969-B to E.R. Snell Contracting of Tyrone as primary vendor and to C.W. Matthews of Tyrone as secondary vendor, in an aggregate amount not-to-exceed \$1,363,485.00 for the purchase of asphalt during the 2016 Fiscal Year.
16. Approval of the disposition of tax refunds, in the aggregate amount of \$328.83, as recommended by the Tax Assessor's Office.
17. Approval of the June 2, 2015 Board of Commissioners Special Called Meeting Minutes and the June 11, 2015 Board of Commissioners Meeting Minutes.

OLD BUSINESS:

NEW BUSINESS:

18. Consideration of the Fayetteville annexation of 200 Hunters Glen and 100 S. Morning Dove Drive in Quail Hollow Subdivision, and the rezoning of said property from R-40 (Single-Family District) to R-40 (Single-Family District).
19. Consideration of the Fayetteville annexation of 467 Veterans Parkway and the rezoning of said property from R-70 (Single-Family District) to PCD (Planned Community Development).
20. Consideration of staff's recommendation to enter into an Intergovernmental Agreement between Fayette County and the Town of Tyrone for the provision of Code Enforcement Services.

PUBLIC COMMENT:

ADMINISTRATOR'S REPORTS:

ATTORNEY'S REPORTS:

COMMISSIONERS' REPORTS:

EXECUTIVE SESSION:

ADJOURNMENT:

COUNTY AGENDA REQUEST

Proclamation / Recognition #1

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Recognition of the outstanding volunteers of the Fayette County Public Library who strive to make a difference in the Fayette community.

Background/History/Details:

The volunteers of the Fayette County Public Library provide a helping hand that is greatly appreciated. They add to the collection of good work and the superior services that is provided daily to the citizens of Fayette County.

Throughout 2014 and 2015, the volunteers contributed 5,000 hours of services that range from working the annual book sales, to the attending the monthly library board meetings, and to helping each week in the office. Their consistency and dedication to the Library are considered "Golden!"

The Fayette County Public Library's staff thanks the Friends of the Fayette County Public Library, the Library Board members- especially Ms. Jean White who has served on the library board since 1996, Ms. Nancy Morris who has been repairing books since 1989, and Mr. Sig Hall, Book Chairman, who goes on location and picks up books from the customers, sorts all gift books and prices them for the book sale.

See the supporting document for the names of the volunteers to the Fayette County Public Library.

What action are you seeking from the Board of Commissioners?

Recognition of the outstanding volunteers of the Fayette County Public Library who strive to make a difference in the Fayette community.

If this item requires funding, please describe:

Not Applicable.

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

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

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:

Floyd Jones

From: Chris Snell
Sent: Monday, May 04, 2015 5:18 PM
To: Chris Snell
Cc: Christy Dyson
Subject: Volunteers

We would like to thank our network of volunteers:

The Friends of the Fayette County Public Library,

President- Arlys Ferrell,
Vice president, Beth Ratliff,
Book chairman, Sig Hall- co-chair- Elizabeth Grindrod
Treasurer, Judy Belcher,
Membership chair- Angela Hotard
Sandra Milvac
Elizabeth Grindrod
Jane Anderson
Ann Cabbage,
Shirley Poole

All other volunteers who are the support advocates for the friends.

The Library Board Members

Long term member – Jean White
Gina Martin- Chairman of the Library Board
Clarence Leathers- Vice Chairman of the library Board
Marie Washburn
Lisa Richardson
Kim Morris
Elizabeth Grindrod

Library support volunteers who assist the staff

Nancy Morris, repaired books since 1989
Shirley Nicklas- Interlibrary Loan
Helen King- Interlibrary Loan
Darlene Kostuch- Interlibrary Loan
Marilyn Ryans- Interlibrary Loan
Shirley Poole- Circulation Desk
Lida Salsa- Children's Department
Katherine Wiggins- Children's Department
Sherry McHugh- Children's Department
Sandra Nickell- Reserve books
Bo Dayabhai- Spanish teacher
Eugenia West- former employee
Laura Beth Stroup- French teacher

COUNTY AGENDA REQUEST

Proclamation / Recognition #2

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Presentation of Government Finance Officers Association Certificates of Achievement for Excellence in Financial Reporting for Fayette County's Comprehensive Annual Financial Reports (CAFR) for the fiscal year ended June 30, 2014.

Background/History/Details:

This is the 22nd consecutive year Fayette County has received this award from GFOA. To achieve this recognition, an impartial panel of finance professionals examine the CAFR and judge compliance with the high standards set by GFOA. The report must demonstrate full disclosure which clearly communicates the County's financial story.

GFOA is a prestigious nonprofit professional association serving over 17,600 government professionals throughout North America. It is considered the gatekeeper for monitoring and recommending improvements to government financial reporting and consistently influences changes in reporting standards that "raise the bar" for government entities.

What action are you seeking from the Board of Commissioners?

Acknowledgment Fayette County's receipt of this award.

If this item requires funding, please describe:

Not Applicable.

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?

Backup Provided with Request?

STAFF USE ONLY

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:



Government Finance Officers Association
203 N. LaSalle Street - Suite 2700
Chicago, IL 60601

Phone (312) 977-9700 Fax (312) 977-4806

May 26, 2015

Mary S. Parrott
Chief Financial Officer
Fayette County
140 Stonewall Avenue West, Suite 101
Fayetteville GA 30214

Dear Ms. Parrott:

We are pleased to notify you that your comprehensive annual financial report (CAFR) for the fiscal year ended June 30, 2014, qualifies for a Certificate of Achievement for Excellence in Financial Reporting. The Certificate of Achievement is the highest form of recognition in governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management.

Each entity submitting a report to the Certificate of Achievement review process is provided with a "Summary of Grading" form and a confidential list of comments and suggestions for possible improvements in its financial reporting techniques. Your list has been enclosed. You are strongly encouraged to implement the recommended improvements into the next report and submit it to the program. If it is unclear what must be done to implement a comment or if there appears to be a discrepancy between the comment and the information in the CAFR, please contact the Technical Services Center (312) 977-9700 and ask to speak with a Certificate of Achievement Program in-house reviewer.

Certificate of Achievement program policy requires that written responses to the comments and suggestions for improvement accompany the next fiscal year's submission. Your written responses should provide detail about how you choose to address each item that is contained within this report. These responses will be provided to those Special Review Committee members participating in the review.

When a Certificate of Achievement is awarded to a government, an Award of Financial Reporting Achievement (AFRA) is also presented to the individual(s) or department designated by the government as primarily responsible for its having earned the Certificate. Enclosed is an AFRA for:

Finance Department, Fayette County

Continuing participants will find a certificate and brass medallion enclosed with these results. First-time recipients will find a certificate enclosed with these results followed by a plaque in about 10 weeks. We hope that you will arrange for a formal presentation of the Certificate and Award of Financial Reporting Achievement, and that appropriate publicity will be given to this notable achievement. A sample news release has been enclosed. We suggest that you provide copies of it to local newspapers, radio stations and television stations. In addition, details of recent recipients of the Certificate of Achievement and other information about Certificate Program results are available in the "Awards Program" area of our website, www.gfoa.org.

COUNTY AGENDA REQUEST

Public Hearing #3

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Public Hearing on staff's recommendation to transfer an existing 2014 Retail Alcohol, Beer and Wine License (License #C14-000465) from Marvell Group, LLC, to Zainulabdin Gillani, doing business as DJ One Stop, which is located at 1850 S SR 85, Fayetteville, Georgia 30215.

Background/History/Details:

The Applicant has met all requirements as required in the County Code, and the applicant has been approved by the Code Enforcement Section. The 2015 license is in good standing as it was issued on November 1, 2014.

There are no outstanding violations.

What action are you seeking from the Board of Commissioners?

Approval of staff's recommendation to approve the transfer of the existing 2014 Retail Alcohol, Beer and Wine License (License #C14-000465) from Marvell Group, LLC to Zainulabdin Gillani, doing business as DJ One Stop, which is located at 1850 S SR 85, Fayetteville, Georgia 30215.

If this item requires funding, please describe:

Not Applicable.

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

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

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:

Required Supporting Documentation

Survey showing a scale drawing ON File on file

Attach affidavit of each person whose name appears on application for license ✓

Copy of deed or lease ON File

A background check(s) ✓

Affidavit stating the license and license representative is 21 year age, a resident of the state and a manager of the business ✓

Zoning letter _____ on file ✓ date 6/3/2015

Fire Marshal letter ON FILE

Copy of State Alcohol license APPLIED

Copy of Secretary of state current registration ON FILE

Copy of annual report of alcohol sales percentage N/A

Fingerprint by Sheriff's Office ✓

OR. [Signature]
6/3/2015

COUNTY AGENDA REQUEST

Public Hearing #4

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Public Hearing of Petition No. 1245-15, Doyle C. Lindsey, Owner, and Randy Boyd, Agent, request to rezone 6.206 acres from A- R to R-70 to develop a Single-Family Residential Subdivision with said property being located in Land Lot 227 of the 5th District and fronting on New Hope Road and Kenwood Road, with two (2) conditions.

Background/History/Details:

Applicant proposes to develop a Single-Family Residential Subdivision consisting of two (2) lots on 6.206 acres.

Staff recommends approval of rezoning Petition 1245-15 with two (2) Conditions.

The Planning Commission recommends approval of rezoning 1245-15 with two (2) Conditions.

Brian Haren made a motion to recommend approval of Petition 1245-15 with two (2) conditions. Al Gilbert seconded the motion. The motion passed 4-0.

What action are you seeking from the Board of Commissioners?

Approval of Petition No. 1245-15, Doyle C. Lindsey, Owner, and Randy Boyd, Agent, request to rezone 6.206 acres from A- R to R-70 to develop a Single-Family Residential Subdivision with said property being located in Land Lot 227 of the 5th District and fronting on New Hope Road and Kenwood Road, with two (2) conditions.

If this item requires funding, please describe:

Not Applicable.

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

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

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:

RECOMMENDED CONDITIONS

If this petition is approved by the Board of Commissioners, it should be approved R-70 **CONDITIONAL** subject to the following enumerated conditions. Where these conditions conflict with the provisions of the Zoning Ordinance, these conditions shall supersede unless otherwise specifically stipulated by the Board of Commissioners.

1. The owner/developer shall provide, at no cost to Fayette County, a quit-claim deed for 50 feet of right-of-way as measured from the centerline of New Hope Road and Kenwood Road prior to the approval of the Final Plat and said dedication area shall be shown on the Final Plat. *(This condition is to ensure the provision of adequate right-of-way for future road improvements.)*
2. That the applicant brings the existing accessory structure (pole barn on Lot2) into compliance with the R-70 zoning district and Sec 110-79 Accessory structures and uses. This can be achieved either through:
 - (1) The full removal of the existing accessory structure or, if the accessory is to remain, that portion of the accessory structure in the rear yard setback must be removed and a minimum of 50 percent of the accessory structure must be fully enclosed within 180 days from the effective date of this rezoning and prior to the submission of a Final Plat; or
 - (2) Variances, obtained from the Zoning Board of Appeals, for the existing accessory structure to remain in the rear yard setback and from the requirement that 50 percent of the accessory structure be fully enclosed. If the owner pursues variances, said variances shall be obtained from the Zoning Board of Appeals within 180 days from the effective date of this rezoning and prior to the submission of a Final Plat. If the variances are denied, the owner agrees to take all necessary action consistent with the direction of the Zoning Board of Appeals.

PLANNING COMMISSION RECOMMENDATION

DATE: June 4, 2015

TO: Fayette County Commissioners

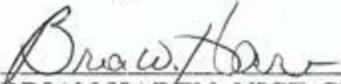
The Fayette County Planning Commission recommends that Petition No. 1245-15, the application of Doyle C. Lindsey to rezone 6.206 from A-R to R-70, be:

Approved ⁴ Withdrawn Disapproved
 Tabled until _____

This is forwarded to you for final action.



JIM GRAW, CHAIRMAN



BRIAN HAREN, VICE-CHAIRMAN



AL GILBERT



ARNOLD MARTIN, III

Remarks:

STATE OF GEORGIA
COUNTY OF FAYETTE

RESOLUTION

NO. 1245-15

WHEREAS, Doyle C. Lindsey, Owner, and Randy M. Boyd, Agent, having come before the Fayette County Planning Commission on June 4, 2015, requesting an amendment to the Fayette County Zoning Map pursuant to "The Zoning Ordinance of Fayette County, Georgia, 2010"; and

WHEREAS, said request being as follows: Request to rezone 6.206 from A-R to R-70, in the area of New Hope Road, Land Lot 227 of the 5th District, for the purpose of developing a Single-Family Residential Subdivision; and

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

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

This decision is based on the following reasons:

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

PLANNING COMMISSION
OF
FAYETTE COUNTY

ATTEST:



JIM GRAW
CHAIRMAN



PC SECRETARY

Brian Haren asked Pete Frisina if they have to resend the previous Development Plan.

Pete Frisina said the Planning Commission did not have to resend the previous Development Plan because this is the procedure to revise the Development Plan.

Chairman Graw called the question and the motion passed 4-0.

2. **Consideration of Petition No. 1245-15, Doyle C. Lindsey, Owner, and Randy Boyd, Agent, request to rezone 6.206 acres from A- R to R-70 to develop a Single-Family Residential Subdivision. This property is located in Land Lot 227 of the 5th District and fronts on New Hope Road and Kenwood Road.**

Randy Boyd said the request is to rezone the property and then subdivide it into two (2) lots.

Chairman Graw asked if there was anyone who wished to speak in favor of the petition. Hearing none, he asked if there was anyone who wished to speak in opposition to the petition. Hearing none he said he would bring it back to the Board.

Al Gilbert asked Randy Boyd if the applicant agrees with the two (2) recommended conditions.

Randy Boyd said the applicant agrees to the two (2) recommended conditions.

Brian Haren made a motion to recommend approval of Petition 1245-15 with two (2) conditions. Al Gilbert seconded the motion. The motion passed 4-0.

3. **Consideration of Petition No. 1246-15, Wayne M. Williams, Owner, and Tony Harris, Agent, request to rezone 51.29 acres from A- R to R-50 to develop a Single-Family Residential Subdivision. This property is located in Land Lot 252 of the 13th District and fronts on Kite Lake Road. (The applicant has requested to withdraw the rezoning the petition.)**

Chairman Graw said he would read the letter requesting to withdraw the rezoning petition into the record as follows:

Fayette County Planning Commission:

This letter is to notify you of my request to withdraw my petition #1246-15 to rezone 51.29 acres from AR to R-50 which is scheduled for public hearing on June 4, 2015. I am unable to move forward with this project at this time due to immediate capital acquisition issues.

Respectively,
Wayne M. Williams

PETITION NO: 1245-15

REQUESTED ACTION: A-R to R-70

PROPOSED USE: Single-Family Residential Subdivision

EXISTING USE: Single-Family Residential

LOCATION: New Hope Road and Kenwood Road

DISTRICT/LAND LOT(S): 5th District, Land Lot(s) 227

OWNER: Doyle C. Lindsey

AGENT: Randy M. Boyd

PLANNING COMMISSION PUBLIC HEARING: June 4, 2015

BOARD OF COMMISSIONERS PUBLIC HEARING: June 25, 2015

APPLICANT'S INTENT

Applicant proposes to develop a Single-Family Residential Subdivision consisting of two (2) lots on 6.206 acres.

STAFF RECOMMENDATION

APPROVAL WITH TWO (2) CONDITIONS

1.

1245-15

INVESTIGATION

A. PROPERTY SITE

The subject property is a 6.206 acre tract fronting on New Hope Road and Kenwood Road in Land Lot(s) 227 of the 5th District. New Hope Road and Kenwood Road are classified as Arterial roads on the Fayette County Thoroughfare Plan. The subject property contains two (2) single-family residences, two (2) accessory structures and is currently zoned A-R.

B. SURROUNDING ZONING AND USES

The general situation is a 6.206 tract that is zoned A-R. In the vicinity of the subject property is land which is zone A-R and R-40. See the following table and also the attached Zoning Location Map.

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

Direction	Acreage	Zoning	Use	Comprehensive Plan
North	40.9	A-R	Undeveloped	Low Density Residential (1 Unit/ 1 to 2 Acres)
South and West	34.14 (across New Hope Road)	A-R	Single-Family Residential	Low Density Residential (1 Unit/ 1 to 2 Acres)
South and East	1.5 (across Kenwood Road)	A-R	Single-Family Residential	Low Density Residential (1 Unit/ 1 to 2 Acres)
East	2.3	A-R	Single-Family Residential	Low Density Residential (1 Unit/ 1 to 2 Acres)

C. COMPREHENSIVE PLAN

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

D. ZONING/REGULATORY REVIEW

The applicant seeks to rezone A-R from to R-70 for the purpose of developing a Single-Family Residential Subdivision.

The applicant's Concept Plan indicates that an existing accessory structure (labeled as barn on Lot 2) is approximately 36.2 feet from the rear property line and does not meet the 50 foot rear yard setback for R-70. In addition, this accessory structure is a fully open pole barn which does not meet the requirements of Sec 110-79 Accessory structures and uses as a minimum of 50 percent must be fully enclosed. Section 110-170. - Nonconformances of the Zoning Ordinance states:

A property that is improved with a legally existing structure, which would become nonconforming in terms of the setbacks only within the zoning district for which a rezoning is being sought, may be considered for rezoning, except as otherwise provided in Article VI. O-I. and Article VII. Transportation Corridor Overlay Zone. Upon approval of the rezoning request, a variance authorized by the Zoning Board of Appeals shall be necessary for the structure to remain within the setback (see Article IX.) Any enlargement, expansion, or extension of said structure which serves to increase nonconformance, either vertical and/or horizontal, shall only be made with the authorization of the Zoning Board of Appeals. Any new structure shall comply with the dimensional minimum requirements herein; and

A property that is improved with legally existing accessory structures, which would become nonconforming in terms of the accessory structure requirements within this chapter, may be considered for rezoning. Any actions necessary to achieve compliance will be handled through conditions of rezoning approval, except as otherwise provided herein.

The owner has the option of removing the existing accessory structure, or portion thereof in the setback, or seeking a variance from the Zoning Board of Appeals for the accessory structure to remain in the setback. In addition, the owner has the option of removing the existing accessory structure, enclosing 50 percent of the accessory structure or seeking a variance from the Zoning Board of Appeals from the requirement that 50 percent of the accessory structure be fully enclosed. Staff is recommending a condition to this affect.

Platting

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

Right-of-Way Requirements

Per Section 104.52 of the Fayette County Development Regulations, should a proposed development adjoin an existing street, the developer shall dedicate additional right-of-way to meet one-half the minimum right-of-way requirement for the applicable functional classification as indicated on the Fayette County Thoroughfare Plan of the adjoining street. New Hope Road and Kenwood Road are classified as Arterial roads on the Fayette County Thoroughfare Plan. Public Works/Engineering indicates additional right-of-way for New Hope Road and Kenwood Road is required.

Access

The Concept Plan submitted indicates two (2) accesses from New Hope Road.

F. REVIEW OF CONCEPT PLAN

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

Deficiencies include, but not limited to:

The rear yard setback is indicated as 25 feet on the Concept Plan. The R-70 zoning District requires a 50 foot rear yard setback.

G. DEPARTMENTAL COMMENTS

Water System

Water is available on both roads.

Public Works/Engineering

Kenwood and New Hope are both County arterials. As such, ROW dedication is required to provide 50' ROW from the centerline of each road. In addition, the corner should be mitered, per Development Regulations.

Note: some, or all, or the ROW may already be in place. The plat indicates 50' from C/L in two locations but also labels the ROW as 80'.

Environmental Management

Floodplain The property **DOES NOT** contain floodplain per FEMA FIRM panel 13113C0039E dated Sept 26, 2008 and **DOES NOT** contain future conditions floodplain per the Fayette County 2013 Floodstudy.

Wetlands The property **DOES NOT** contain wetlands per the U.S. Department of the Interior, Fish and Wildlife Service 1994 National Wetland Inventory Map.

Watershed If replatted, Watershed **DOES NOT** apply.

Groundwater The property **IS** within a groundwater recharge area.

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

Environmental Health Department

Fayette County Planning and Zoning; Environmental Health comments for proposed rezoning of 6.206 acres at 881 New Hope Road: This department has no objection to proposed rezoning of the property to result in a 2 tract family residential S/D. Prior to this department being in a position to sign any potential final plat, this department will need to verify that the new property lines contain existing septic systems by at least 5'. This will likely require the owners to positively identify the locations of all existing septic tank and drainline systems within the boundaries of the original 6.206 acre tract. Contact this department if there are any questions. Robert F. Kurbes Environmental Health County Manger 770-305-5147.

Fire

The Bureau of Fire Prevention will neither approve nor deny requests that fall outside the scope of fire prevention code requirements.

STAFF ANALYSIS

This request is based on the petitioner's intent to rezone said property from A-R to R-70 for the purpose of developing Single-Family Residential Subdivision. Per Section 11-11 of the Fayette County Zoning Ordinance, Staff makes the following evaluations:

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

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

RECOMMENDED CONDITIONS

If this petition is approved by the Board of Commissioners, it should be approved R-70 **CONDITIONAL** subject to the following enumerated conditions. Where these conditions conflict with the provisions of the Zoning Ordinance, these conditions shall supersede unless otherwise specifically stipulated by the Board of Commissioners.

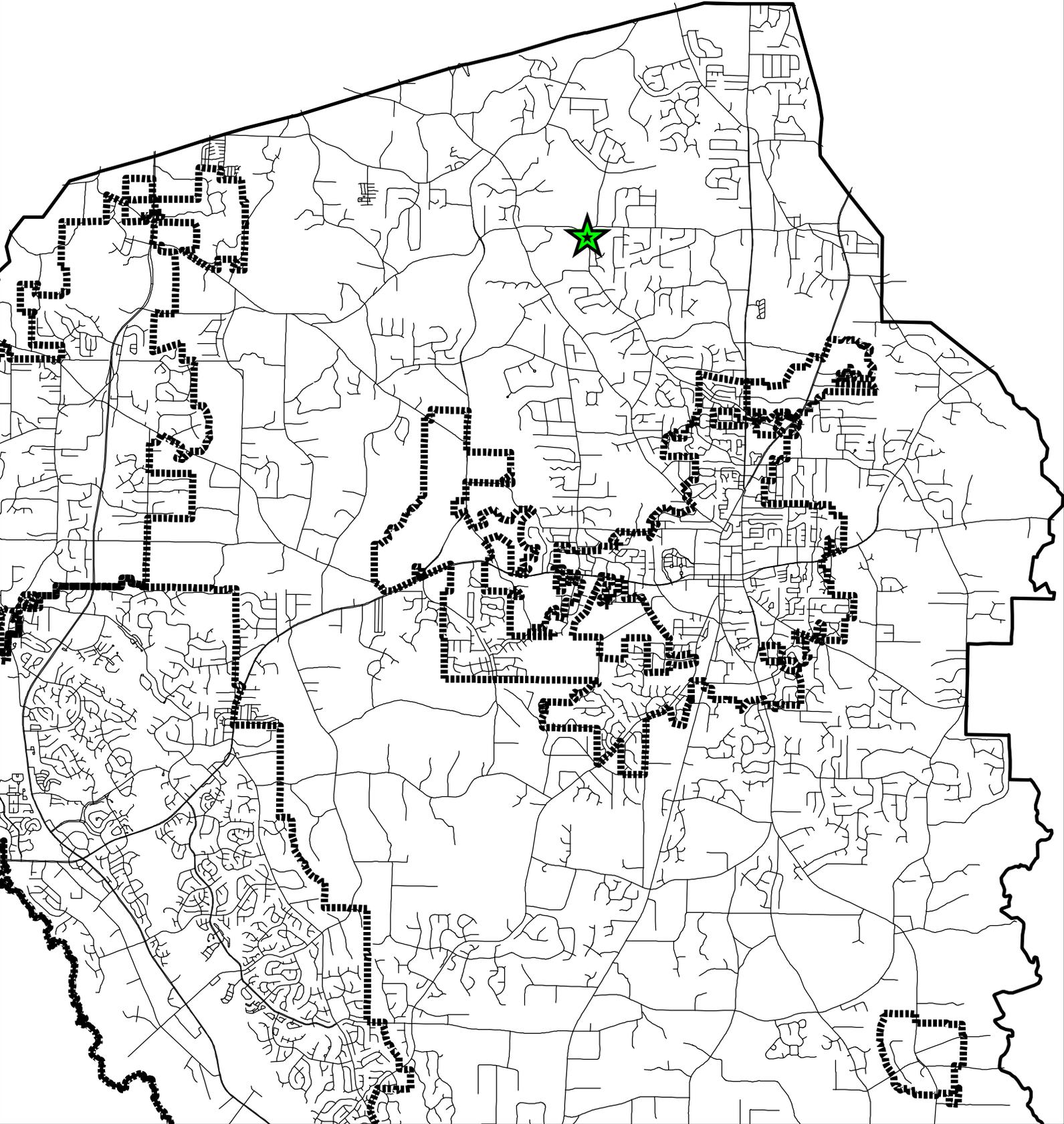
1. The owner/developer shall provide, at no cost to Fayette County, a quit-claim deed for 50 feet of right-of-way as measured from the centerline of New Hope Road and Kenwood Road prior to the approval of the Final Plat and said dedication area shall be shown on the Final Plat. *(This condition is to ensure the provision of adequate right-of-way for future road improvements.)*

2. That the applicant brings the existing accessory structure (pole barn on Lot2) into compliance with the R-70 zoning district and Sec 110-79 Accessory structures and uses. This can be achieved either through:

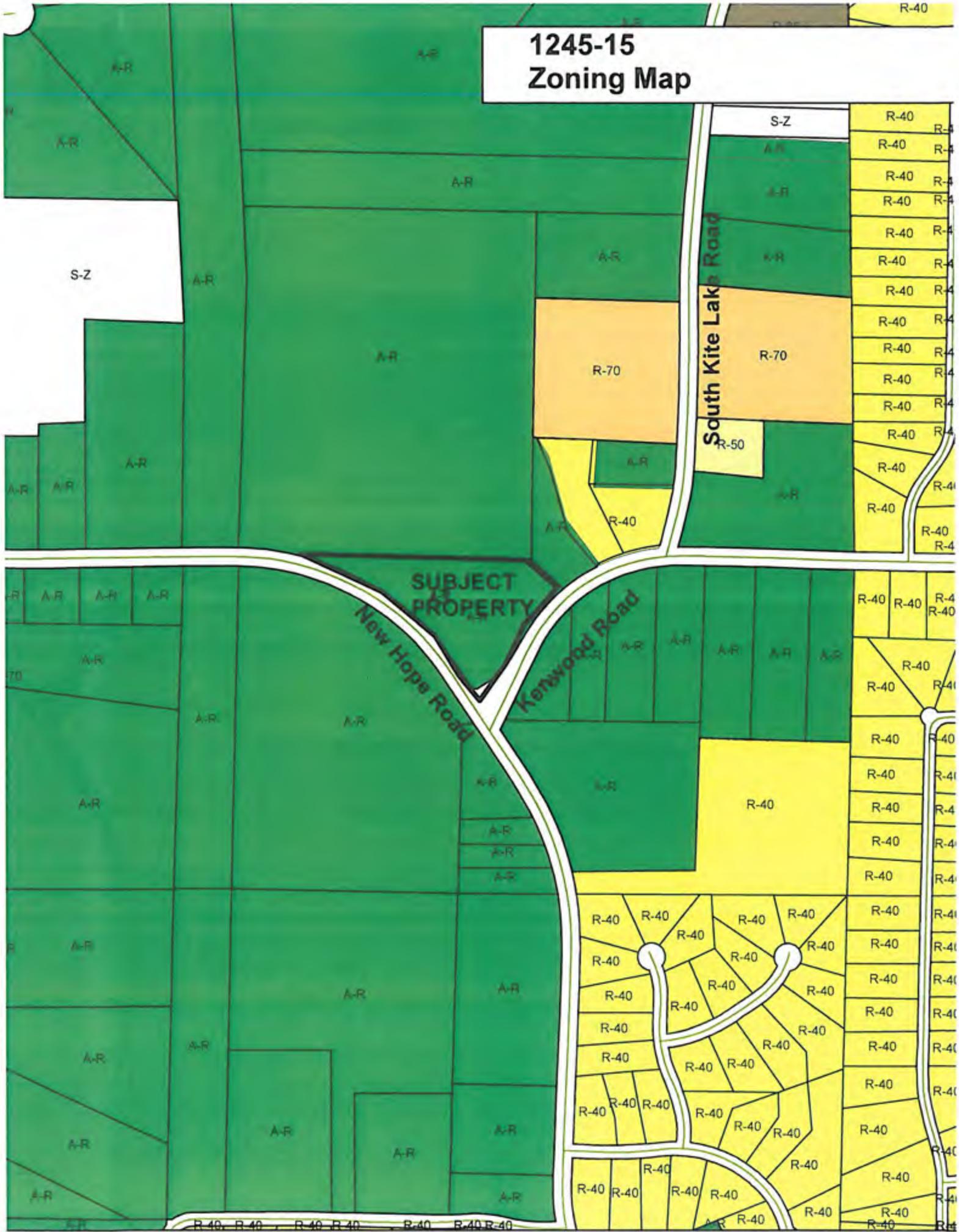
(1) The full removal of the existing accessory structure or, if the accessory is to remain, that portion of the accessory structure in the rear yard setback must be removed and a minimum of 50 percent of the accessory structure must be fully enclosed within 180 days from the effective date of this rezoning and prior to the submission of a Final Plat; or

(2) Variances, obtained from the Zoning Board of Appeals, for the existing accessory structure to remain in the rear yard setback and from the requirement that 50 percent of the accessory structure be fully enclosed. If the owner pursues variances, said variances shall be obtained from the Zoning Board of Appeals within 180 days from the effective date of this rezoning and prior to the submission of a Final Plat. If the variances are denied, the owner agrees to take all necessary action consistent with the direction of the Zoning Board of Appeals.

Rezoning 1245-15 Proximity Map



1245-15 Zoning Map



**1245-15
Land Use Plan Map**

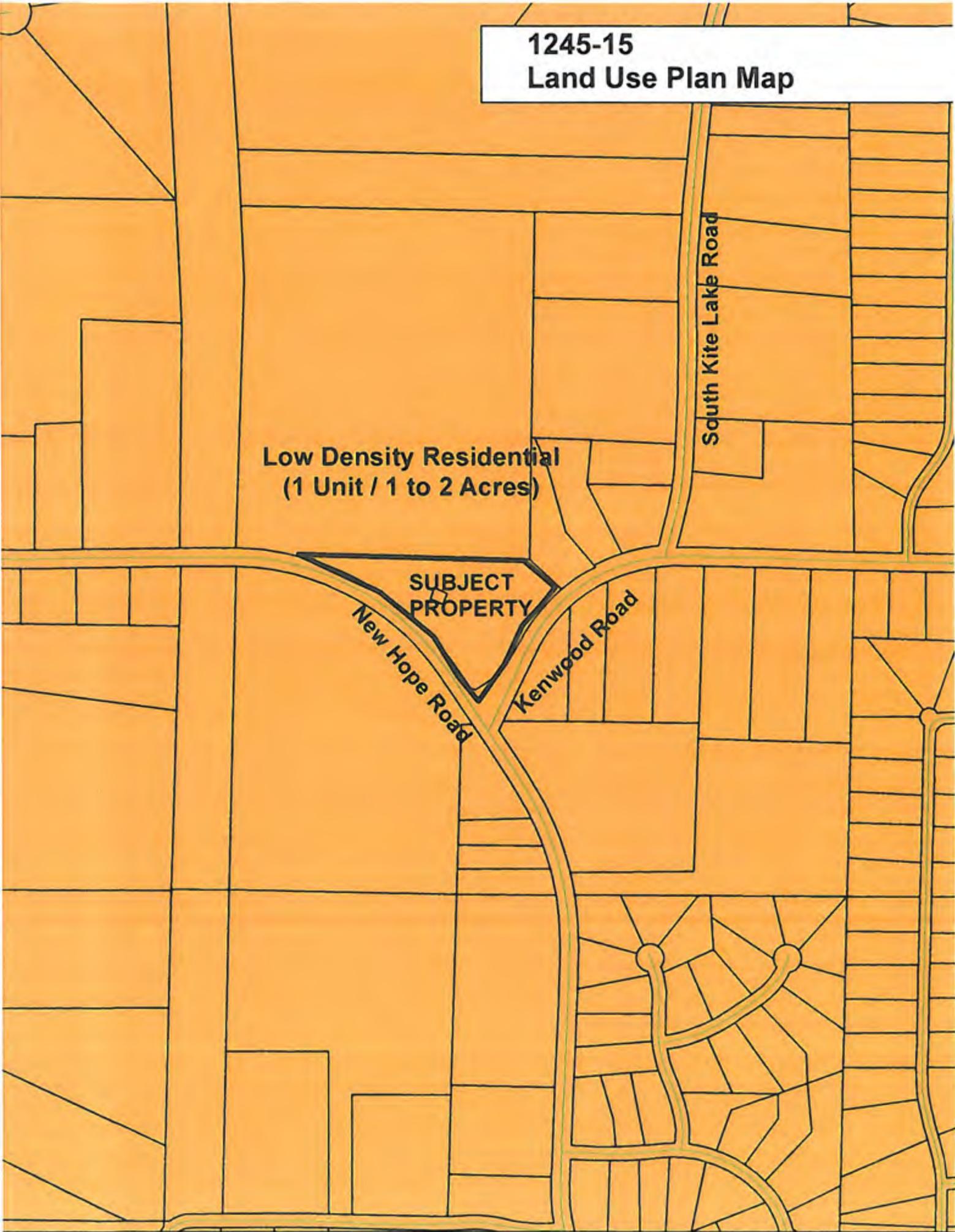
**Low Density Residential
(1 Unit / 1 to 2 Acres)**

**SUBJECT
PROPERTY**

South Kite Lake Road

New Hope Road

Kenwood Road



1245-15
Aerial Map



NAME: DOYLE C. LINDSEY PETITION NUMBER: _____

ADDRESS: 881 NEW HOPE RD. FAYETTEVILLE, GA. 30214

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

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

This property includes: (check one of the following)

See attached legal description on recorded deed for subject property or

Legal description for subject property is as follows:

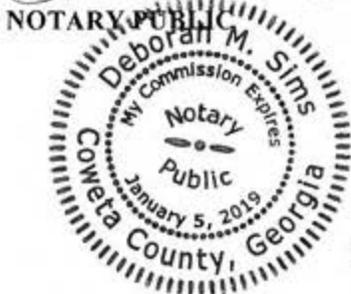
PUBLIC HEARING to be held by the Planning Commission of Fayette County on the 4th day of June, 2015 at 7:00 P.M.

PUBLIC HEARING to be held by the Board of Commissioners of Fayette County on the 25th day of June, 2015 at 7:00 P.M.

SWORN TO AND SUBSCRIBED BEFORE ME THIS 1st DAY OF April, 2015

Deborah M. Sims

Doyle C. Lindsey
APPLICANT'S SIGNATURE



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

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

DOYLE C. LINDSEY

Please Print Names

Property Tax Identification Number(s) of Subject Property: 0549 006

(I am) (we are) the sole owner(s) of the above-referenced property requested to be rezoned. Subject property is located in Land Lot(s) 227 of the 5th District, and (if applicable to more than one land district) Land Lot(s) _____ of the _____ District, and said property consists of a total of _____ acres (legal description corresponding to most recent recorded plat for the subject property is attached herewith).

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

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

Doyle C Lindsey
Signature of Property Owner 1

Address

Signature of Property Owner 2

Address

Signature of Property Owner 3

Address

Randy M Boyd
Signature of Authorized Agent

Address

P.O. Box 64
ZEBULON GA. 30295

Deborah M Sims
Signature of Notary Public

4/1/2015
Date

Signature of Notary Public

Date

Signature of Notary Public

Date

Deborah M Sims
Signature of Notary Public

4/1/2015
Date

Date



AGREEMENT TO DEDICATE PROPERTY FOR FUTURE RIGHT-OF-WAY

I/We, DOYLE C. LINDSEY, said property owner(s) of subject property requested to be rezoned, hereby agree to dedicate, at no cost to Fayette County, 50 feet of right-of-way along NEW HOPE ROAD & KENWOOD ROAD as measured from the centerline of the road.

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

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

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

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

Sworn to and subscribed before me this 1st day of April, 2015.

Doyle C. Lindsey
SIGNATURE OF PROPERTY OWNER

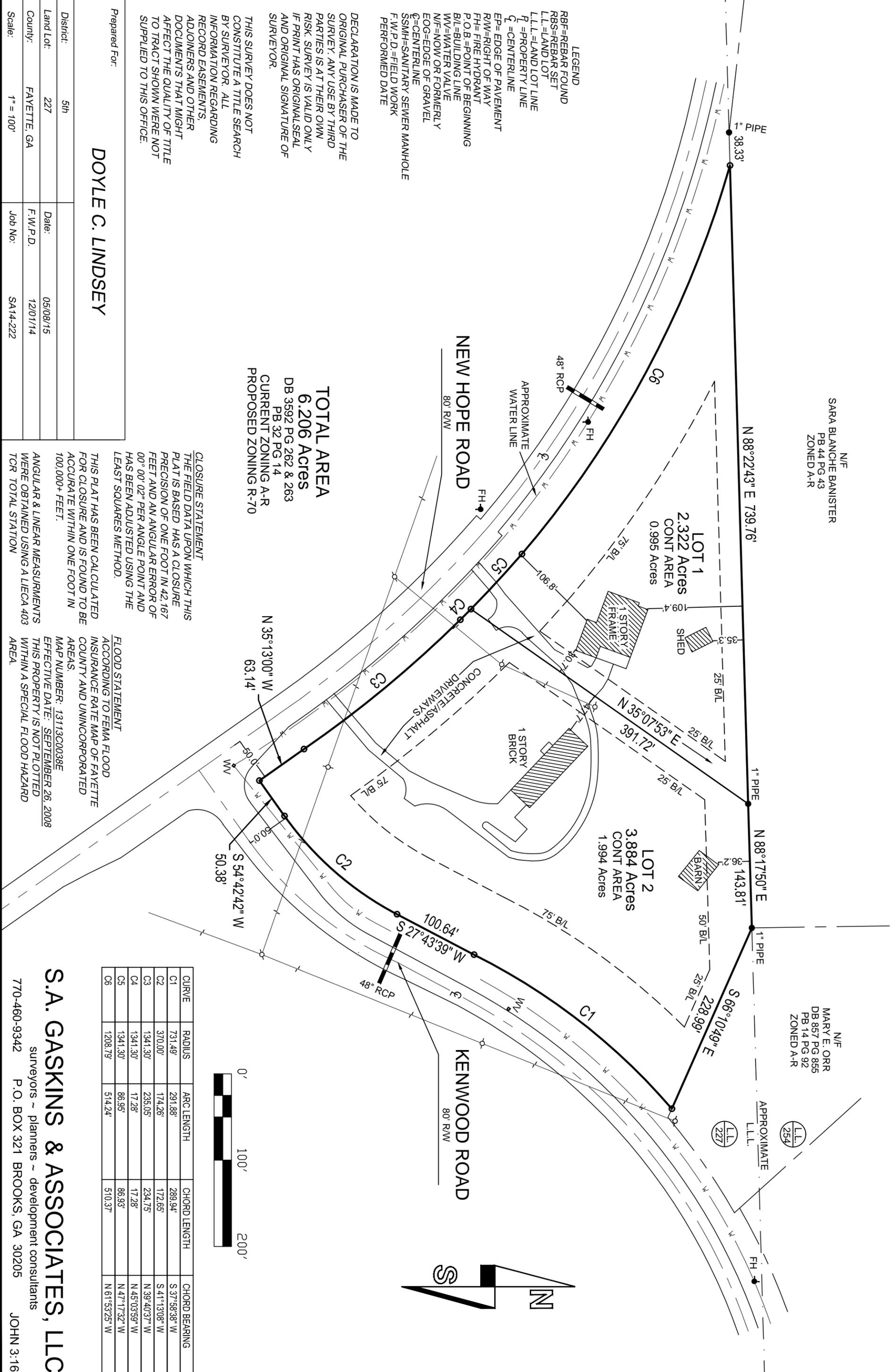
SIGNATURE OF PROPERTY OWNER

Debra M Sims
NOTARY PUBLIC



N/F
SARA BLANCHE BANISTER
PB 44 PG 43
ZONED A-R

N/F
MARY E. ORR
DB 857 PG 855
PB 14 PG 92
ZONED A-R



LEGEND
 RBF=REBAR FOUND
 RBS=REBAR SET
 L.L.=LAND LOT
 L.L.L.=LAND LOT LINE
 P.=PROPERTY LINE
 Q.=CENTERLINE
 EP=EDGE OF PAVEMENT
 RW=RIGHT OF WAY
 FH= FIRE HYDRANT
 P.O.B.=POINT OF BEGINNING
 B/L=BUILDING LINE
 WV=WATER VALVE
 N/F=NOW OR FORMERLY
 EOG=EDGE OF GRAVEL
 Q=CENTERLINE
 SSMH=SANITARY SEWER MANHOLE
 F.W.P.D.=FIELD WORK PERFORMED DATE

DECLARATION IS MADE TO ORIGINAL PURCHASER OF THE SURVEY. ANY USE BY THIRD PARTIES IS AT THEIR OWN RISK. SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SEAL AND ORIGINAL SIGNATURE OF SURVEYOR.

THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY SURVEYOR. ALL INFORMATION REGARDING RECORD EASEMENTS, ADJOINERS AND OTHER DOCUMENTS THAT MIGHT AFFECT THE QUALITY OF TITLE TO TRACT SHOWN WERE NOT SUPPLIED TO THIS OFFICE.

Prepared For:

DOYLE C. LINDSEY

TOTAL AREA
6.206 Acres
 DB 3592 PG 262 & 263
 PB 32 PG 14
 CURRENT ZONING A-R
 PROPOSED ZONING R-70

CLOSURE STATEMENT
 THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 42,167 FEET AND AN ANGULAR ERROR OF 00° 00' 02" PER ANGLE POINT AND HAS BEEN ADJUSTED USING THE LEAST SQUARES METHOD.

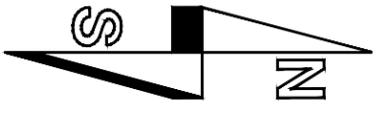
THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 100,000+ FEET.

ANGULAR & LINEAR MEASUREMENTS WERE OBTAINED USING A LEICA 403 TCR TOTAL STATION

FLOOD STATEMENT

ACCORDING TO FEMA FLOOD INSURANCE RATE MAP OF FAYETTE COUNTY AND UNINCORPORATED AREAS.
 MAP NUMBER: 13113C0038E
 EFFECTIVE DATE: SEPTEMBER 26, 2008
 THIS PROPERTY IS NOT PLOTTED WITHIN A SPECIAL FLOOD HAZARD AREA.

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	731.49'	291.88'	289.94'	S 37°58'38" W
C2	370.00'	174.26'	172.66'	S 41°13'08" W
C3	1341.30'	235.05'	234.75'	N 39°40'37" W
C4	1341.30'	17.28'	17.28'	N 45°03'59" W
C5	1341.30'	86.95'	86.93'	N 47°17'32" W
C6	1208.79'	514.24'	510.37'	N 61°53'25" W



S.A. GASKINS & ASSOCIATES, LLC
 Surveyors ~ planners ~ development consultants
 770-460-9342 P.O. BOX 321 BROOKS, GA 30205 JOHN 3:16

COUNTY AGENDA REQUEST

Department: Presenter(s): Meeting Date: Type of Request:

Wording for the Agenda:

Public Hearing of Petition No. 1246-15, Wayne M. Williams, Owner, and Tony Harris, Agent, request to rezone 51.29 acres from A- R to R-50 to develop a Single-Family Residential Subdivision with said property being located in Land Lot 252 of the 13th District and fronting on Kite Lake Road. The Applicant has requested to withdraw the rezoning application.

Background/History/Details:

The Applicant has requested to withdraw the rezoning application.

Staff recommends approval of the request to withdraw rezoning petition 1246-15.

The Planning Commission recommended approval of the request to withdraw rezoning petition 1246-15.

Arnold martin made a motion to recommend approval of the withdrawal of Petition 1246-15. Brian Haren seconded the motion. The motion passed 4-0.

What action are you seeking from the Board of Commissioners?

Approval of the applicant's request to withdraw Petition 1246-15.

If this item requires funding, please describe:

Not Applicable.

Has this request been considered within the past two years? If so, when? Is Audio-Visual Equipment Required for this Request?* Backup Provided with Request?

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

Approved by Finance Reviewed by Legal Approved by Purchasing County Clerk's Approval Administrator's Approval

Staff Notes:

STATE OF GEORGIA
COUNTY OF FAYETTE

RESOLUTION

NO. 1246-15

WHEREAS, Wayne M. Williams, Owner, and Tony Harris, Agent, having come before the Fayette County Planning Commission on June 4, 2015, requesting an amendment to the Fayette County Zoning Map pursuant to "The Zoning Ordinance of Fayette County, Georgia, 2010"; and

WHEREAS, said request being as follows: To withdraw the request to rezone 51.29 acres from A-R to R-50, in the area of Kite Lake Road, Land Lot 252 of the 13th District, for the purpose of developing a Single-Family Residential Subdivision; and

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

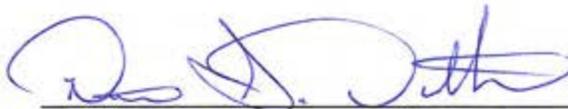
BE IT RESOLVED that the decision of the Fayette County Planning Commission, that said request to withdraw be **APPROVED**.

PLANNING COMMISSION
OF
FAYETTE COUNTY

ATTEST:

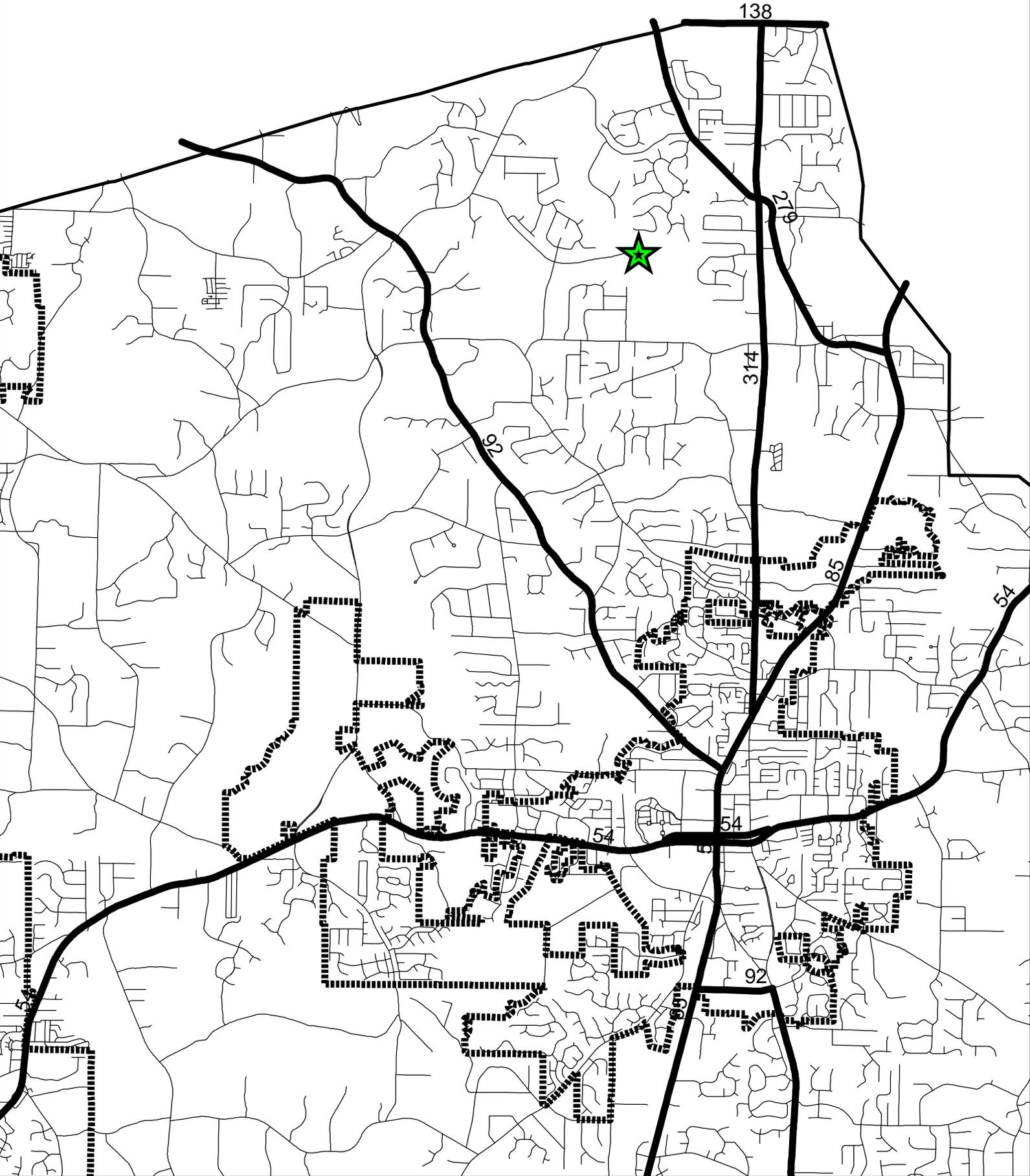


JIM GRAW
CHAIRMAN



PC SECRETARY

Rezoning 1246-15 Proximity Map



PLANNING COMMISSION RECOMMENDATION

DATE: June 4, 2015

TO: Fayette County Commissioners

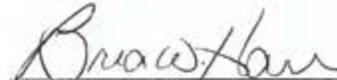
The Fayette County Planning Commission recommends that Petition No. 1246-15, the application of Wayne M. Williams to rezone 51.29 acres from A-R to R-50, be:

____ Approved Withdrawn⁴⁻⁰ ____ Disapproved
____ Tabled until _____

This is forwarded to you for final action.



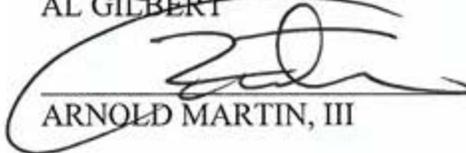
JIM CRAW, CHAIRMAN



BRIAN HAREN, VICE-CHAIRMAN



AL GILBERT



ARNOLD MARTIN, III

Remarks:

Brian Haren asked Pete Frisina if they have to resend the previous Development Plan.

Pete Frisina said the Planning Commission did not have to resend the previous Development Plan because this is the procedure to revise the Development Plan.

Chairman Graw called the question and the motion passed 4-0.

2. **Consideration of Petition No. 1245-15, Doyle C. Lindsey, Owner, and Randy Boyd, Agent, request to rezone 6.206 acres from A- R to R-70 to develop a Single-Family Residential Subdivision. This property is located in Land Lot 227 of the 5th District and fronts on New Hope Road and Kenwood Road.**

Randy Boyd said the request is to rezone the property and then subdivide it into two (2) lots.

Chairman Graw asked if there was anyone who wished to speak in favor of the petition. Hearing none, he asked if there was anyone who wished to speak in opposition to the petition. Hearing none he said he would bring it back to the Board.

Al Gilbert asked Randy Boyd if the applicant agrees with the two (2) recommended conditions.

Randy Boyd said the applicant agrees to the two (2) recommended conditions.

Brian Haren made a motion to recommend approval of Petition 1245-15 with two (2) conditions. Al Gilbert seconded the motion. The motion passed 4-0.

3. **Consideration of Petition No. 1246-15, Wayne M. Williams, Owner, and Tony Harris, Agent, request to rezone 51.29 acres from A- R to R-50 to develop a Single-Family Residential Subdivision. This property is located in Land Lot 252 of the 13th District and fronts on Kite Lake Road. (The applicant has requested to withdraw the rezoning the petition.)**

Chairman Graw said he would read the letter requesting to withdraw the rezoning petition into the record as follows:

Fayette County Planning Commission:

This letter is to notify you of my request to withdraw my petition #1246-15 to rezone 51.29 acres from AR to R-50 which is scheduled for public hearing on June 4, 2015. I am unable to move forward with this project at this time due to immediate capital acquisition issues.

Respectively,
Wayne M. Williams

Page 3
June 4, 2015
PC Meeting

Chairman Graw asked if there was anyone who wished to speak in favor of the withdrawal petition. Hearing none, he asked if there was anyone who wished to speak in opposition of the withdrawal the petition. Hearing none he said he would bring it back to the Board.

Arnold Martin made a motion to recommend approval of the withdrawal of Petition 1246-15. Brian Haren seconded the motion. The motion passed 4-0.

Arnold Martin made a motion to adjourn the meeting. Chairman Graw said the meeting was adjourned at 7:30 pm.

**PLANNING COMMISSION
OF
FAYETTE COUNTY**

JIM GRAW, CHAIRMAN

ATTEST:

COUNTY AGENDA REQUEST

Public Hearing #6

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Public Hearing of Petition RDP-012-15, Fland Land, LLC, Owner, request to revise the Development Plan for Elysian Fields Conservation Subdivision with said property being located in Land Lots 47, 79 & 80 of the 7th District and fronting on Lee's Lake Road and Coastline Road.

Background/History/Details:

Staff Recommends approval of Petition RDP-012-15.

The Planning Commission recommends approval of Petition RDP-012-15.

Al Gilbert made a motion to approve Petition RDP-012-15. Arnold Martin seconded the motion. The motion passed 4-0.

The Board of Commissioners held a Public Hearing on April 23, 2015 for Petition No. 1243-15, Fland Land, LLC request to rezone 132.14 acres from R-70 to C-S to develop a Single-Family Residential Subdivision. The petition included a Development Plan. The petition was approved by the Board 4-1 with Commissioner Ognio voting in opposition.

Fland Land subsequently conducted a soil study of the area and the study has indicated rock on the property. The proposed, revised Development Plan will allow the roads to avoid these areas of rock. There is no increase in the number of lots, and there will be less impervious surface as the total length of roads has been reduced. The Conservation Area will remain the same and will exceed the requirements of minimum of 40 percent of the site.

What action are you seeking from the Board of Commissioners?

Approval of Petition RDP-012-15, Fland Land, LLC, Owner, request to revise the Development Plan for Elysian Fields Conservation Subdivision with said property being located in Land Lots 47, 79 & 80 of the 7th District and fronting on Lee's Lake Road and Coastline Road.

If this item requires funding, please describe:

Not Applicable.

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

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

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:

STATE OF GEORGIA
COUNTY OF FAYETTE

RESOLUTION

RDP-012-15

WHEREAS, Donna Black, Agent, on behalf of Fland Land, LLC, Owner, having come before the Fayette County Planning Commission on June 4, 2015, requesting approval of the Revised Development Plan for Elysian Fields Subdivision (C-S Conditional); and

WHEREAS, said request being as follows: Approval of the Revised Development Plan for Elysian Fields Subdivision to change the proposed road configuration, located in Land Lot(s) 47, 79 & 80 of the 7th District; and

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

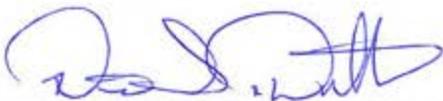
BE IT RESOLVED that the decision of the Fayette County Planning Commission, that said request be APPROVED.

This decision is based on the following reasons:

Said Revised Development Plan meets the County's requirements.

PLANNING COMMISSION
OF
FAYETTE COUNTY

ATTEST:





JIM GRAW
CHAIRMAN

PLANNING COMMISSION RECOMMENDATION

DATE: June 4, 2015

TO: Fayette County Board of Commissioners

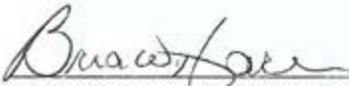
The Fayette County Planning Commission recommends that the Revised Development Plan for Elysian Fields Subdivision be:

Approved ⁴⁻⁰ Withdrawn Disapproved
 Tabled until _____

This is forwarded to you for final action.



JIM GRAW, CHAIRMAN



BRIAN HAREN, VICE-CHAIRMAN



AL GILBERT



ARNOLD MARTIN, III

Remarks:

THE FAYETTE COUNTY PLANNING COMMISSION met on June 4, 2015 at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia.

MEMBERS PRESENT: Jim Graw, Chairman
Brian Haren, Vice-Chairman
Al Gilbert
Arnold L. Martin, III

STAFF PRESENT: Pete Frisina, Director Community Services

Welcome and Call to Order:

Chairman Graw called the Planning Commission Meeting to order. Chairman Graw introduced the Commission Members and Staff. Chairman Graw said there are currently only four (4) Planning Commission members and he would like to know if the applicants want to move ahead with their petitions. Donna Black said they would move ahead with petition RDP-012-15 and Randy Boyd said they would move ahead with petition 1245-15.

PUBLIC HEARING

- 1. Consideration of RDP-012-15, Fland Land, LLC, Owner, request to revise the Development Plan for Elysian Fields Conservation Subdivision (Petition 1243-15). This property is located in Land Lots 47, 79 & 80 of the 7th District and fronts on Lee's Lake Road and Coastline Road.**

Donna Black said after the rezoning they have done a soils study and the study has indicated rock on the property. She added that the revision to the Development Plan will allow the roads to avoid these areas of rock. She stated that there is no increase in the number of lots, there will be less impervious surface as the total length of roads has been reduced and the Conservation Area will remain the same and exceeds the requirements of a minimum of 40 percent of the site. She said overall it is a better design for the site.

Arnold Martin asked about the environmental concerns brought up at the last meeting and if there was any new information on this subject.

Donna Black said they had met on the site with Mr. Torbush and their environmental consultant to identify the area. She stated the environmental consultant had done 45 borings to a depth of ten (10) feet and did not find any buried materials.

Chairman Graw asked if there was anyone who wished to speak in favor of the petition. Hearing none, he asked if there was anyone who wished to speak in opposition to the petition. Hearing none he said he would bring it back to the Board.

Al Gilbert made a motion to recommend approval of Petition RDP-012-15. Arnold Martin seconded the motion.

Brian Haren asked Pete Frisina if they have to resend the previous Development Plan.

Pete Frisina said the Planning Commission did not have to resend the previous Development Plan because this is the procedure to revise the Development Plan.

Chairman Graw called the question and the motion passed 4-0.

2. **Consideration of Petition No. 1245-15, Doyle C. Lindsey, Owner, and Randy Boyd, Agent, request to rezone 6.206 acres from A- R to R-70 to develop a Single-Family Residential Subdivision. This property is located in Land Lot 227 of the 5th District and fronts on New Hope Road and Kenwood Road.**

Randy Boyd said the request is to rezone the property and then subdivide it into two (2) lots.

Chairman Graw asked if there was anyone who wished to speak in favor of the petition. Hearing none, he asked if there was anyone who wished to speak in opposition to the petition. Hearing none he said he would bring it back to the Board.

Al Gilbert asked Randy Boyd if the applicant agrees with the two (2) recommended conditions.

Randy Boyd said the applicant agrees to the two (2) recommended conditions.

Brian Haren made a motion to recommend approval of Petition 1245-15 with two (2) conditions. Al Gilbert seconded the motion. The motion passed 4-0.

3. **Consideration of Petition No. 1246-15, Wayne M. Williams, Owner, and Tony Harris, Agent, request to rezone 51.29 acres from A- R to R-50 to develop a Single-Family Residential Subdivision. This property is located in Land Lot 252 of the 13th District and fronts on Kite Lake Road. (The applicant has requested to withdraw the rezoning the petition.)**

Chairman Graw said he would read the letter requesting to withdraw the rezoning petition into the record as follows:

Fayette County Planning Commission:

This letter is to notify you of my request to withdraw my petition #1246-15 to rezone 51.29 acres from AR to R-50 which is scheduled for public hearing on June 4, 2015. I am unable to move forward with this project at this time due to immediate capital acquisition issues.

Respectively,
Wayne M. Williams

Fland Land, LLC
270 North Jeff Davis Drive
Fayetteville, GA 30214
(770) 461-0478

May 15, 2015

Mr. Pete Frisina, Planning Director
Fayette County
140 Stonewall Ave
Fayetteville, GA 30214

RE: Elysian Fields Land Plan. Petition 12-43-15

Dear Mr. Frisina,

As we have begun engineering for Elysian Fields, we have found areas of rock within the roadway which can be avoided with a minor change to the layout. To minimize disturbance for the land from drilling and/ or blasting, we request allowance to change the Development Plan as shown on the proposed plan, to be submitted separately.

The revised plan offers several benefits:

- Less land disturbance for rock removal
- Less impervious surface which reduces run-off
- Less street for eventual county maintenance
- No new lots are closer to existing residents than on the previously approved plan
- Some proposed development will be farther away from existing structures than previously shown.
- No increase in lot count, of course.

We appreciate your favorable consideration of the matter. Let me know if you would like additional information.

Sincerely,


Robert F. Rolader
Manager

PETITION NO. RDP-012-15
Fland Land, LLC
270 North Jeff Davis Drive
Fayetteville, GA 30214

The applicant is requesting a revision to the Development Plan for Elysian Fields Conservation Subdivision (Rezoning 1243-15 - R-70 to C-S). Sec. 110-126. - C-S, Conservation Subdivision District states the following:

- (2) A development plan shall be required for the rezoning petition. The development plan, as approved, shall establish the layout and uses planned for the development. Any change in the approved development plan, which affects the intent and character of the development, the density or land use pattern, the location or dimensions of streets, or similar substantial changes, shall be reviewed and approved by the board of commissioners upon the recommendation of the planning commission. A petition for a revision of the development plan shall be supported by a written statement as to why the revisions are necessary.

History: Petition 1243-15 was approved by the Board of Commissioners on May 28, 2015.

DEPARTMENTAL COMMENTS

WATER SYSTEM: Extension of water main would be required. Same as previous comments.

FIRE MARSHAL: Extension of water main will be required, to meet fire flow requirements.

ENVIRONMENTAL MANAGEMENT: EMD is ok with the revised road layout.

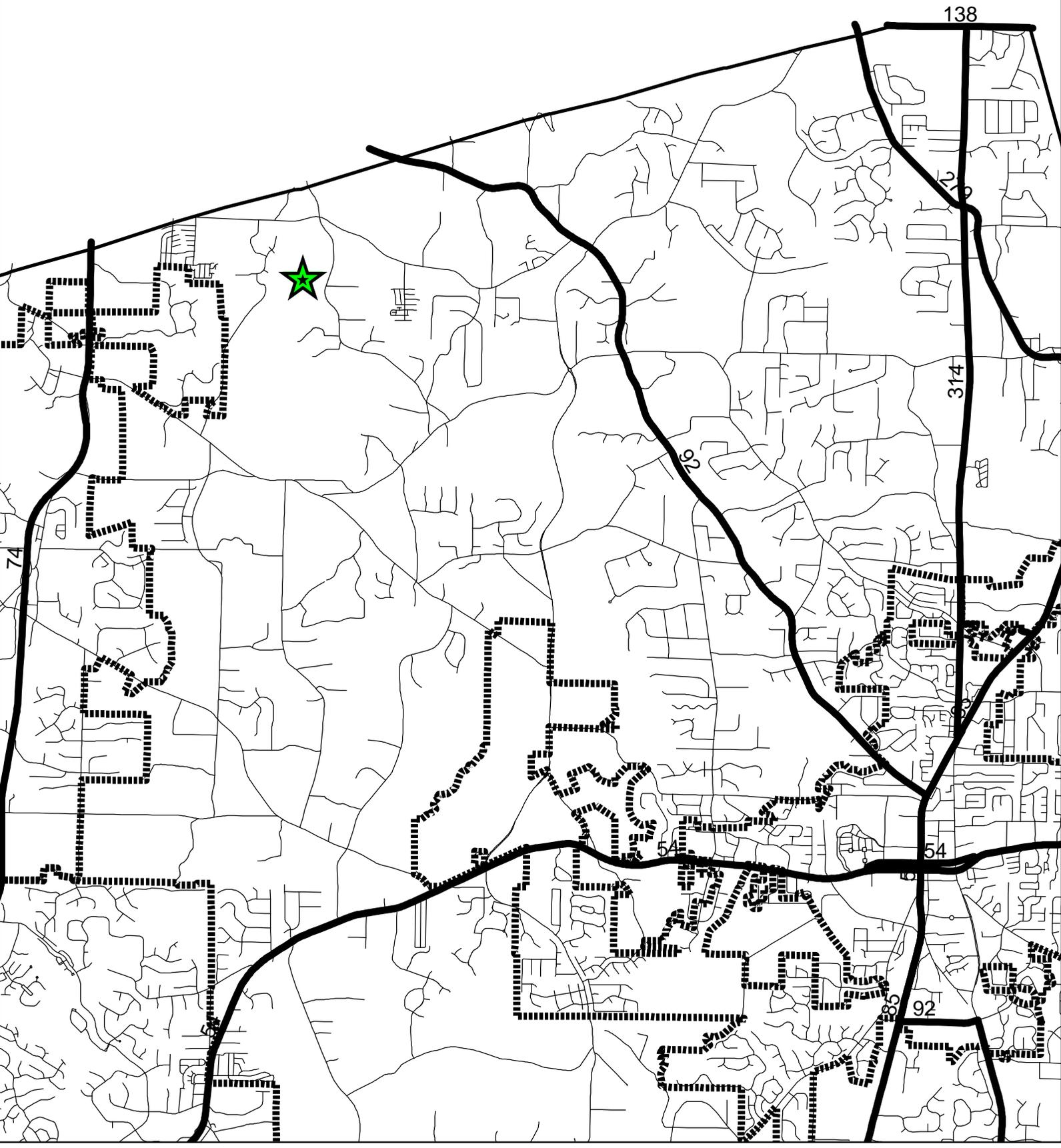
ENVIRONMENTAL HEALTH: 5/15/15 Health Department Comments for Revised Development Plan: Elysian Fields Subdivision. This department has no objection to the proposed revised development plan. The previous comments included below still apply to this development: This department has no objections to the proposed yield plan. However, with the limited scope and unknown source of the indicated soil conditions, this department is unable at this time to make any determination of septic system suitability for the proposed lots. Based on the area of the proposed development there is a high probability of some lots containing solid typically unsuited for septic systems due to shallow depths to rock or restrictions and water tables. It is strongly recommended that a level 3 soils report by a GA Certified Soils Classifier be developed prior to the preliminary plat stage to aid in the development of this site. This level 3 soils report will be required by this department for the purpose of a required department review of the proposed subdivision prior to final platting. Additionally, the 2 existing structures on this site proposed for demolition contain septic

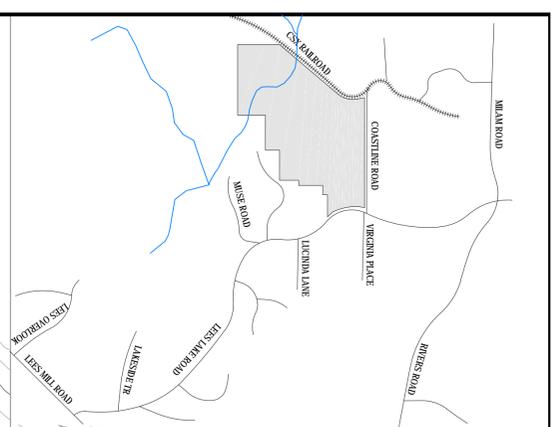
systems that will need to be properly abandoned and this abandonment should be completed prior to the demolition of the structures. Contact this department if there are any questions about septic system abandonment procedures or subdivision review requirements. Robert F. Kurbes
Environmental Health County Manager 770-305-5147

PUBLIC WORKS/ENGINEERING DEPARTMENT: Public Works is ok with the revised road layout. As always, applicable Development Regulation standards will have to be satisfied.

Recommendation: Staff recommends approval of the Revised Development Plan. While Environmental Health has no objections to the revised Development Plan they have stated that there could be issues with septic placement (see comments above).

Revised Development Plan RDP-012-15 Proximity Map





SOIL INTERPRETIVE DATA

Soil Units	Depth to Bedrock (ft)	Depth to Seasonal High Water Table (ft)	Slope Gradient (percent)	Recommended Trench Depth (ft)	Estimated Peric Rate (min/in)	Recommended Hydraulic Loading Rate (gal/day/sq.ft.)	Soil Code
Cataula II	>72	24-30 (PWT)	2-6	12-18	....	0.10	C1
Bethlehem	66-72+	>72	2-15	30-42	....	....	N3
Cecil	>72	>72	2-15	36-48	....	....	A1
Chesapeake	>72	>72	2-10	30-48	....	....	K1
Hard Labor	>72	30-36	2-10	18-24	....	0.12	C2
Havana	>72	18-22	2-6	....	....	....	F2
Madison	>72	>72	2-12	30-48	....	....	A1
Parolet	>72	>72	2-12	30-48	....	....	A1
Saw	>72	>72	2-15	12-18	....	....	I1
Star	>72	54-72+	2-6	....	....	....	F4
Tatum	>72	>72	2-15	24-30	....	....	B2
Wash Over Cecil	>72	>72	2-6	40-48	....	....	A2

LEGEND

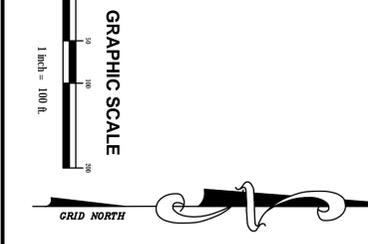
- 1. PROPOSED OPEN SPACE
- 2. PROPOSED STORMWATER MANAGEMENT FACILITIES (SWMF)
- 3. EXISTING 100' YEAR FLOODPLAIN

NOTES

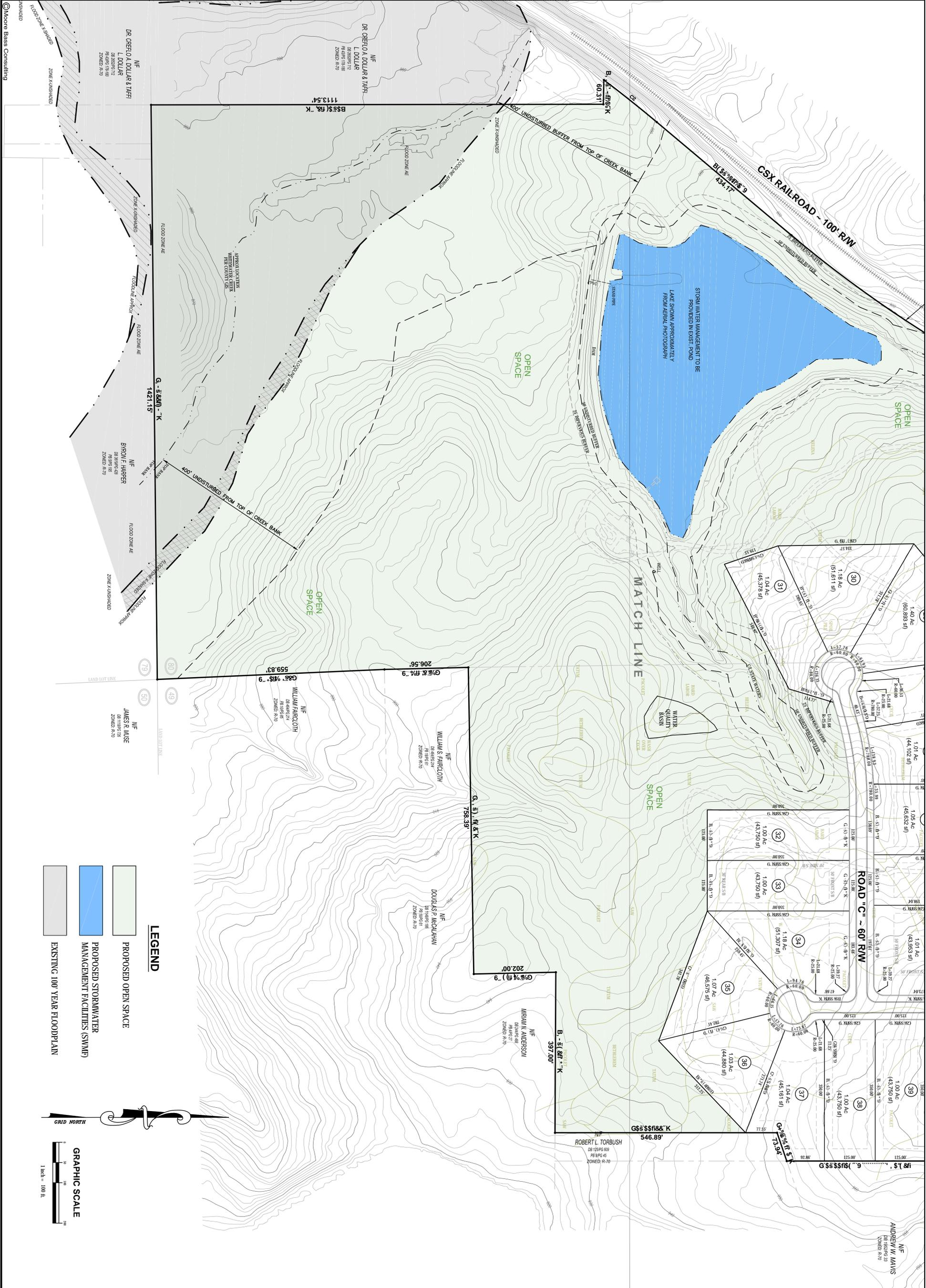
- BOUNDARY INFORMATION TAKEN FROM PLAT PREPARED BY WATTS AND BROWNING ENGINEERS, INC. DATED 11/27/13
- TOPOGRAPHIC INFORMATION PROVIDED BY FAYETTE COUNTY GIS DEPARTMENT
- SOIL BOUNDARIES AND STATE WATERS LOCATIONS PROVIDED BY APPLIED ENVIRONMENTAL SCIENCES
- THE EXISTING POND LOCATED ON THIS PROPERTY WILL PROVIDE DETENTION AND STREAM CHANNEL PROTECTION VOLUMES FOR A THE DEVELOPED AREAS. WATER QUALITY WILL BE PROVIDED USING MICRO-POND TYPE BASINS OR OTHER APPROVED METHODS
- THE OVERALL PRE-DEVELOPED ON FOR THIS SITE IS 57
- WETLANDS EXIST ON THE SUBJECT PROPERTY AND ARE LOCATED WITHIN THE 100-YEAR FLOODPLAIN LIMITS.
- ALL STRUCTURES ON THE SUBJECT PROPERTY ARE TO BE REMOVED.
- THERE ARE NO EASEMENTS ASSOCIATED WITH THIS PROPERTY.
- WATER TO BE PROVIDED BY FAYETTE COUNTY WATER DEPARTMENT
- ACCORDING TO FEMA FIRM PANEL 13113C0018E, THIS PROPERTY DOES LIE WITHIN A 100 YEAR FLOOD ZONE.

SITE DATA

- TOTAL SITE AREA: 132.14 AC.
- CURRENT ZONING: C-S
- PROPOSED NO. OF LOTS: 43
- OPEN SPACE REQUIRED: 132.14 AC. X 40%
- OPEN SPACED PROVIDED: 52.86 AC.
- OPEN SPACED PROVIDED: 69.63 AC.
- GROSS DENSITY CALCULATION: 43 LOTS / 132.14 AC. 0.33 UNITS / AC.
- NET DENSITY CALCULATION: TOTAL SITE AREA: 132.14 AC. LESS RW AREA: (7.49 AC.) LESS SWMF AREA: (9.00 AC.) LESS OPEN SPACE: (69.63 AC.) NET DEVELOPABLE: 46.02 AC. NET DENSITY: 43 LOTS / 46.02 AC. 0.93 UNITS / AC.
- MINIMUM LOT WIDTH: 125 AT SETBACK
- MINIMUM LOT FRONTAGE: 100' (50 ON CUL-DE-SAC)

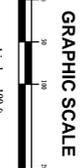


<p>PROJECT NAME ELYSIAN FIELDS LAND LOTS 49, 79 & 80, 7TH DISTRICT FAYETTE COUNTY, GEORGIA</p> <p>CLIENT NAME SCARBOROUGH ROLANDER 270 N. JEFF DAVIS DRIVE FAYETTEVILLE, GA 30214</p>	<p>REVISIONS</p> <table border="1"> <tr> <th>NO.</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </table>	NO.	DATE	DESCRIPTION				<p>ARCHIVE DATE: 05-18-15</p> <p>FILE #</p> <p>CONTRACT #</p> <p>DRAWN BY</p> <p>CHECKED BY</p> <p>APPROVED BY</p>	<p>Moore Bass CONSULTING</p> <p>TALLAHASSEE DESTIN ATLANTA</p> <p>324 Industrial Boulevard (770) 914-8394 (Office) McDonough, Georgia 30253 (770) 914-9556 (Fax)</p>	<p>SHEET TITLE PRELIMINARY DEVELOPMENT PLAN</p> <p>SHEET 1.0</p>
NO.	DATE	DESCRIPTION								



LEGEND

- PROPOSED OPEN SPACE
- PROPOSED STORMWATER MANAGEMENT FACILITIES (SWMP)
- EXISTING 100' YEAR FLOODPLAIN



<p>SHEET TITLE PRELIMINARY DEVELOPMENT PLAN</p> <p>SHEET 2.0</p>	<p>DATE 05-18-15</p> <p>FILE #</p> <p>CONTRACT #</p> <p>DRAWN BY</p> <p>CHECKED BY</p> <p>APPROVED BY</p> <p>SCALE</p>	<p>ARCHIVE</p> <p>DATE</p> <p>FILE #</p> <p>CONTRACT #</p>	<p>REVISIONS</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 5%;"> </td> <td style="width: 15%;"> </td> <td style="width: 80%;"> </td> </tr> </table>				<p>PROJECT NAME ELYSIAN FIELDS LAND LOTS 49, 79 & 80, 7TH DISTRICT FAYETTE COUNTY, GEORGIA</p> <p>CLIENT NAME SCARBROUGH ROLADER 270 N. JEFF DAVIS DRIVE FAYETTEVILLE, GA 30214</p>	<p style="text-align: center;">Moore Bass</p> <p style="text-align: center;">CONSULTING</p> <p>TALLAHASSEE DESTIN ATLANTA</p> <p>324 Industrial Boulevard 151 Lakeshore Drive 7770 Peachtree Dunwoody Road</p> <p>McDonough, Georgia 32023 www.moorebass.com (770) 914-9394 (Office) (770) 914-9556 (Fax)</p>

COUNTY AGENDA REQUEST

Public Hearing #7

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Public Hearing on the County's recommended annual budget for Fiscal Year 2016 which begins July 1, 2015 and ends June 30, 2016, and adoption of Resolution 2015-09 establishing the annual operating, capital, and CIP budgets for Fiscal Year 2016.

Background/History/Details:

On May 28, 2015, the Board of Commissioners met with county staff to review the recommended Fiscal Year 2016 Budget. The first Public Hearing was held on June 11, 2015.

This is the second of two public hearings on the recommended budget. Details of the budget are available for public review. Input is welcome.

The Board is expected to vote on the recommended Fiscal Year 2016 budget at the conclusion of the second Public Hearing.

See attached information.

What action are you seeking from the Board of Commissioners?

Hold the second public hearing. The Board is requested to adopt Resolution 2015-09 establishing the annual operating, capital, and CIP budgets for Fiscal Year 2016.

If this item requires funding, please describe:

Not Applicable.

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

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

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:

STATE OF GEORGIA

COUNTY OF FAYETTE

RESOLUTION NO. 2015-09

BUDGET FOR FISCAL YEAR 2015– 2016

WHEREAS, the Board of Commissioners of Fayette County, Georgia is authorized by Georgia law to establish and adopt a budget for the purpose of providing appropriations for the proper and orderly operation of government in Fayette County, Georgia.

NOW THEREFORE, BE IT RESOLVED AND IT IS HEREBY RESOLVED by the Board of Commissioners of Fayette County, Georgia, that the Fayette County budget for the 2015-2016 fiscal year be adopted for the purpose of providing appropriations in the following amounts for the proper and orderly operation of government in Fayette County:

TOTAL GENERAL FUND	\$ 50,109,624
TOTAL SPECIAL REVENUE FUNDS	16,156,417
TOTAL CAPITAL/CIP PROJECTS FUNDS	8,635,969
TOTAL SOLID WASTE FUND	159,103
TOTAL STORMWATER MANAGEMENT	600,000
TOTAL WATER SYSTEM FUND	16,740,370
TOTAL VEHICLE REPLACEMENT FUND	1,842,684
TOTAL ALL BUDGETED FUNDS	\$ 94,244,167

DULY ADOPTED by the Board of Commissioners of Fayette County, Georgia this 25th day of June, 2015.

**BOARD OF COMMISSIONERS
OF FAYETTE COUNTY**

Charles Oddo, Chairman

ATTEST:

Floyd Jones, County Clerk

COUNTY AGENDA REQUEST

Consent Agenda #8

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Approval of staff's request to enter into an Intergovernmental Agreement with the Town of Brooks allowing the Fayette County Board of Elections to act as Superintendent of Elections for all elections held in Brooks in 2015, and authorization for the Chairman to sign said Intergovernmental Agreement.

Background/History/Details:

The Town of Brooks has signed an Intergovernmental Agreement for the conduction of Municipal Elections, and in so doing has requested that Fayette County, through the Fayette County Board of Elections, conducts the town's November 3, 2015 municipal general election and all other elections that may be necessary in 2015.

There will be no cost to the County as the town has agreed to be responsible for all expenses related to this request.

What action are you seeking from the Board of Commissioners?

Approval of staff's request to enter into an Intergovernmental Agreement with the Town of Brooks allowing the Fayette County Board of Elections to act as Superintendent of Elections for all elections held in Brooks in 2015, and authorization for the Chairman to sign said Intergovernmental Agreement.

If this item requires funding, please describe:

There will be no cost for conducting these elections. An invoice will be submitted to the Town of Brooks for incurred expenses, and they will be required to remit payment within thirty (30) days of receipt of the invoice.

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

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

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:

This Intergovernmental Agreement is an example of the Town of Brooks and Fayette County working together to ensure municipal elections for the leadership and direction of the town.

STATE OF GEORGIA

COUNTY OF FAYETTE

**INTERGOVERNMENTAL AGREEMENT FOR CONDUCTING MUNICIPAL
ELECTIONS**

This Agreement entered into this 20 day of April, 2015 between the TOWN OF BROOKS, a municipal corporation lying wholly or partially within Fayette County, Georgia, hereinafter referred to as "The Town" and Fayette County, Georgia, a political subdivision of the State of Georgia hereinafter referred to as "The County".

WITNESSETH:

WHEREAS, the Town in the performance of its governmental functions will hold the elections hereinafter described; and,

WHEREAS, under the provisions of the Georgia Election Code, particularly O.C.G.A. §21-2-45 of the Official Code of Georgia Annotated, the Town may, by ordinance, authorize the County to conduct such elections and the Town has heretofore adopted such an ordinance; and

WHEREAS, the County has staff and equipment to conduct such elections; and

WHEREAS, the County desires to assist said Town in the conduct of its municipal elections.

NOW THEREFORE, for and in consideration of the premises contained herein, it is hereby agreed as follows:

1.

This Agreement shall govern the conduct of the Town of Brooks general election to be held on November 3, 2015 and any and all run-offs which may be necessary and any special elections that may occur within 12 months of this Agreement.

2.

Fayette County through the Fayette County Board of Elections shall operate as superintendent of the aforementioned elections and shall perform any and all functions of the Town or any of the Town's officials in connection with the conduct of such elections with the exception of duties pertaining to the qualification of candidates and pertaining to the responsibility of acting as the Qualifying Officer and providing notification to the State Elections Commission concerning candidacy compliance.

3.

A Town official shall operate as the Superintendent with respect to the qualifications of candidates. Such official shall perform any and all functions of the Town or any of its officials in connection with the qualifications of candidates in accordance with O.C.G.A. § 21-2-45(C)(2). Further, such official shall be responsible for acting as the Qualifying Officer and for notification to the State Elections Commission concerning candidacy compliance.

4.

The County shall supply all of the necessary manpower and transportation to pick up, deliver, set up, store and return to the County all of the voting equipment used in the elections along with all ancillary equipment and necessary supplies.

5.

All the voting equipment shall be programmed by the Center for Elections located at Kennesaw State University.

6.

All absentee ballots shall be ordered, issued, mailed, and accounted for by the County.

7.

Staffing of the polling locations and training of the staff shall be provided by the County.

2

8.

All expenses and charges incurred in the performance of said elections (except for the actual cost of the State-owned voting system and State-owned ancillary equipment) shall be the responsibility of the Town. Said expenses and charges shall include but not be limited to the following: all costs of training and providing personnel for the elections, costs of printing, mailing and processing absentee ballots, the costs of expendable supplies and a pro-rated maintenance cost for the voting equipment. An invoice for the costs and expenses of the elections shall be submitted to the Town and the Town shall remit payment of the invoice to Fayette County within 30 days of receipt of the invoice.

9.

To the extent permitted by law, the Town shall indemnify, defend and hold harmless the County from any liability and/or litigation expenses to which the County may be subjected as a consequence of or as a result of the elections for the Town. The Town will furthermore, to the extent permitted by law, reimburse the County for any and all necessary legal representation, by counsel chosen by the County, in any action arising from the conduct of the Town elections. Said reimbursement shall be paid by the Town within thirty days of invoice by the County.

10.

This intergovernmental contract is a full and complete statement of the agreement of the parties as to the subject matter hereof and has been authorized by proper action of the respective parties.

11.

Should any provision of this Agreement or application thereof to any person or circumstance be held invalid or unenforceable, the remainder of this Agreement or the application of such provision to any person or circumstance, other than those to which it is held

invalid or unenforceable, shall not be affected thereby, and each provision of this Agreement shall be valid and enforceable to the full extent permitted by law.

12.

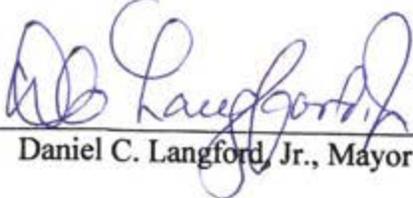
Should it be necessary to comply with any legal requirements, the necessary members of the County's personnel may be temporarily sworn in as officers and employees of the Town.

FAYETTE COUNTY, GEORGIA

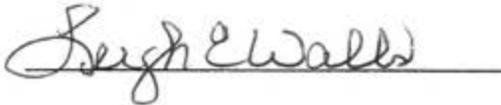
By: _____
Charles Oddo, Chairman
Board of Commissioners

Attest:

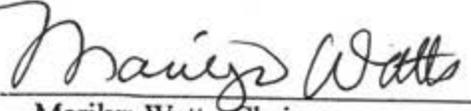
TOWN OF BROOKS

By: 
Daniel C. Langford, Jr., Mayor

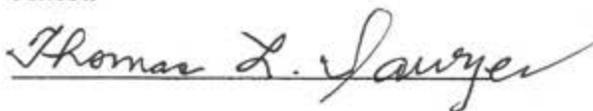
Attest:



FAYETTE COUNTY ELECTIONS &
VOTER REGISTRATION

By: 
Marilyn Watts, Chairman

Attest:



COUNTY AGENDA REQUEST

Consent Agenda #9

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Approval of staff's request to enter into an Intergovernmental Agreement with the City of Fayetteville allowing the Fayette County Board of Elections to act as Superintendent of Elections for all elections held in Fayetteville in 2015, and authorization for the Chairman to sign said Intergovernmental Agreement.

Background/History/Details:

The City of Fayetteville has signed an Intergovernmental Agreement for the conduction of Municipal Elections, and in so doing has requested that Fayette County, through the Fayette County Board of Elections, conducts the city's November 3, 2015 municipal general election and all other elections that may be necessary in 2015.

There will be no cost to the County as the city has agreed to be responsible for all expenses related to this request.

What action are you seeking from the Board of Commissioners?

Approval of staff's request to enter into an Intergovernmental Agreement with the City of Fayetteville allowing the Fayette County Board of Elections to act as Superintendent of Elections for all elections held in Fayetteville in 2015, and authorization for the Chairman to sign said Intergovernmental Agreement.

If this item requires funding, please describe:

There will be no cost for conducting these elections. An invoice will be submitted to the City of Fayetteville for incurred expenses, and they will be required to remit payment within thirty (30) days of receipt of the invoice.

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

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

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:

This Intergovernmental Agreement is an example of the City of Fayetteville and Fayette County working together to ensure municipal elections for the leadership and direction of the city.

STATE OF GEORGIA

COUNTY OF FAYETTE

**INTERGOVERNMENTAL AGREEMENT FOR CONDUCTING MUNICIPAL
ELECTIONS**

This Agreement entered into this 16th day of April, 2015 between the CITY OF FAYETTEVILLE, a municipal corporation lying wholly or partially within Fayette County, Georgia, hereinafter referred to as "The City" and Fayette County, Georgia, a political subdivision of the State of Georgia hereinafter referred to as "The County".

WITNESSETH:

WHEREAS, the City in the performance of its governmental functions will hold the elections hereinafter described; and,

WHEREAS, under the provisions of the Georgia Election Code, particularly O.C.G.A. §21-2-45 of the Official Code of Georgia Annotated, the City may, by ordinance, authorize the County to conduct such elections and the City has heretofore adopted such an ordinance; and

WHEREAS, the County has staff and equipment to conduct such elections; and

WHEREAS, the County desires to assist said City in the conduct of its municipal elections.

NOW THEREFORE, for and in consideration of the premises contained herein, it is hereby agreed as follows:

1.

This Agreement shall govern the conduct of the City of Fayetteville general election to be held on November 3, 2015 and any and all run-offs which may be necessary and any special elections that may occur within 12 months of this Agreement.

8.

All expenses and charges incurred in the performance of said elections (except for the actual cost of the State-owned voting system and State-owned ancillary equipment) shall be the responsibility of the City. Said expenses and charges shall include but not be limited to the following: all costs of training and providing personnel for the elections, costs of printing, mailing and processing absentee ballots, the costs of expendable supplies and a pro-rated maintenance cost for the voting equipment. An invoice for the costs and expenses of the elections shall be submitted to the City and the City shall remit payment of the invoice to Fayette County within 30 days of receipt of the invoice.

9.

To the extent permitted by law, the City shall indemnify, defend and hold harmless the County from any liability and/or litigation expenses to which the County may be subjected as a consequence of or as a result of the elections for the City. The City will furthermore, to the extent permitted by law, reimburse the County for any and all necessary legal representation, by counsel chosen by the County, in any action arising from the conduct of the City elections. Said reimbursement shall be paid by the City within thirty days of invoice by the County.

10.

This intergovernmental contract is a full and complete statement of the agreement of the parties as to the subject matter hereof and has been authorized by proper action of the respective parties.

11.

Should any provision of this Agreement or application thereof to any person or circumstance be held invalid or unenforceable, the remainder of this Agreement or the application of such provision to any person or circumstance, other than those to which it is held

2.

Fayette County through the Fayette County Board of Elections shall operate as superintendent of the aforementioned elections and shall perform any and all functions of the City or any of the City's officials in connection with the conduct of such elections with the exception of duties pertaining to the qualification of candidates and pertaining to the responsibility of acting as the Qualifying Officer and providing notification to the State Elections Commission concerning candidacy compliance.

3.

A City official shall operate as the Superintendent with respect to the qualifications of candidates. Such official shall perform any and all functions of the City or any of its officials in connection with the qualifications of candidates in accordance with O.C.G.A. § 21-2-45(C)(2). Further, such official shall be responsible for acting as the Qualifying Officer and for notification to the State Elections Commission concerning candidacy compliance.

4.

The County shall supply all of the necessary manpower and transportation to pick up, deliver, set up, store and return to the County all of the voting equipment used in the elections along with all ancillary equipment and necessary supplies.

5.

All the voting equipment shall be programmed by the Center for Elections located at Kennesaw State University.

6.

All absentee ballots shall be ordered, issued, mailed, and accounted for by the County.

7.

Staffing of the polling locations and training of the staff shall be provided by the County.

2

invalid or unenforceable, shall not be affected thereby, and each provision of this Agreement shall be valid and enforceable to the full extent permitted by law.

12.

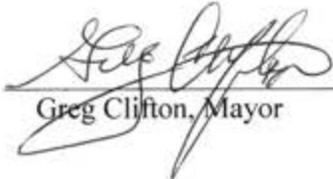
Should it be necessary to comply with any legal requirements, the necessary members of the County's personnel may be temporarily sworn in as officers and employees of the City.

FAYETTE COUNTY, GEORGIA

By: _____
Charles Oddo, Chairman
Board of Commissioners

Attest:

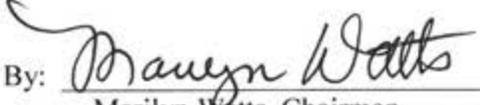
CITY OF FAYETTEVILLE

By: 
Greg Clifton, Mayor

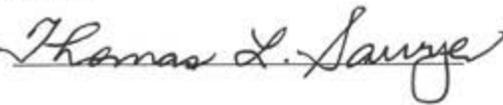
Attest:



FAYETTE COUNTY ELECTIONS &
VOTER REGISTRATION

By: 
Marilyn Watts, Chairman

Attest:



COUNTY AGENDA REQUEST

Consent Agenda #10

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Approval of staff's request to enter into an Intergovernmental Agreement with the City of Peachtree City allowing the Fayette County Board of Elections to act as Superintendent of Elections for all elections held in Peachtree City in 2015, and authorization for the Chairman to sign said Intergovernmental Agreement.

Background/History/Details:

The City of Peachtree City has signed an Intergovernmental Agreement for the conduction of Municipal Elections, and in so doing has requested that Fayette County, through the Fayette County Board of Elections, conducts the city's November 3, 2015 municipal general election and all other elections that may be necessary in 2015.

There will be no cost to the County as the city has agreed to be responsible for all expenses related to this request.

What action are you seeking from the Board of Commissioners?

Approval of staff's request to enter into an Intergovernmental Agreement with the City of Peachtree City allowing the Fayette County Board of Elections to act as Superintendent of Elections for all elections held in Peachtree City in 2015, and authorization for the Chairman to sign said Intergovernmental Agreement.

If this item requires funding, please describe:

There will be no cost for conducting these elections. An invoice will be submitted to the City of Peachtree City for incurred expenses, and they will be required to remit payment within thirty (30) days of receipt of the invoice.

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

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

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:

This Intergovernmental Agreement is an example of the City of Peachtree City and Fayette County working together to ensure municipal elections for the leadership and direction of the city.

STATE OF GEORGIA

COUNTY OF FAYETTE

**INTERGOVERNMENTAL AGREEMENT FOR CONDUCTING MUNICIPAL
ELECTIONS**

This Agreement entered into between the CITY OF PEACHTREE CITY, a municipal corporation lying wholly or partially within Fayette County, Georgia, hereinafter referred to as "The City" and Fayette County, Georgia, a political subdivision of the State of Georgia hereinafter referred to as "The County".

WITNESSETH:

WHEREAS, the City in the performance of its governmental functions will hold the elections hereinafter described; and,

WHEREAS, under the provisions of the Georgia Election Code, particularly O.C.G.A. §21-2-45 of the Official Code of Georgia Annotated, the City may, by ordinance, authorize the County to conduct such elections and the City has heretofore adopted such an ordinance;

WHEREAS, the County has staff and equipment to conduct such elections; and

WHEREAS, the County desires to assist said City in the conduct of its municipal elections.

NOW THEREFORE, for and in consideration of the premises contained herein, it is hereby agreed as follows:

1.

This Agreement shall govern the conduct of the City of Peachtree City's general election to be held on November 3, 2015, and any and all run-offs which may be necessary and any special elections that may occur within 12 months of this Agreement.

2.

Fayette County through the Fayette County Board of Elections shall operate as superintendent of the aforementioned elections and shall perform any and all functions of the

City or any of the City's officials in connection with the conduct of such elections with the exception of the new duties of the Qualifying Officer and notification of the State Elections Commission concerning candidacy compliance.

3.

A City official shall operate as the Superintendent of qualifications of candidates. Such officer shall perform any and all functions of the City or any of its officials in connection with the qualifications of candidates in accordance with O.C.G.A. § 21-2-45(C)(2). Further, such official shall be responsible for acting as the Qualifying Officer and notification of the State Elections Commission concerning candidacy compliance.

4.

The County shall supply all of the necessary manpower and transportation to pick up, deliver, set up, store and return to the County all of the voting equipment used in the election along with all ancillary equipment and necessary supplies.

5.

All the voting equipment shall be programmed by the Center for Elections located at Kennesaw State University.

6.

All absentee ballots shall be ordered, issued, mailed, and accounted for by the County.

7.

Staffing of the polling locations and training of the staff shall be provided by the County.

8.

All expenses and charges incurred in the performance of said election (except for the actual cost of the State-owned voting system and State-owned ancillary equipment) shall be the

responsibility of the City. Said expenses and charges shall include but not be limited to the following: all costs of training and providing personnel for the elections, costs of printing, mailing and processing absentee ballots, the costs of expendable supplies, and a pro-rated maintenance cost for the voting equipment. An invoice for the costs and expenses of the election shall be submitted to the City and the City shall remit payment of the invoice to Fayette County within 30 days of receipt of the invoice.

9.

The City shall indemnify, defend and hold harmless the County from any liability and/or litigation expenses to which the County may be subjected as a consequence of or as a result of the election for the City. The City will furthermore reimburse the County for any and all necessary legal representation, by counsel chosen by the County, in any action arising from the conduct of City elections. Said reimbursement shall be paid by the City within thirty days of invoice by the County.

10.

This intergovernmental contract is a full and complete statement of the agreement of the parties as to the subject matter hereof and has been authorized by proper action of the respective parties.

11.

Should any provision of this Agreement or application thereof to any person or circumstance be held invalid or unenforceable, the remainder of this Agreement or the application of such provision to any person or circumstance, other than those to which it is held invalid or unenforceable, shall not be affected thereby, and each provision of this Agreement shall be valid and enforceable to the full extent permitted by law.

Should it be necessary to comply with any legal requirements, the necessary members of the County's personnel may be temporarily sworn in as officers and employees of the City.

FAYETTE COUNTY, GEORGIA

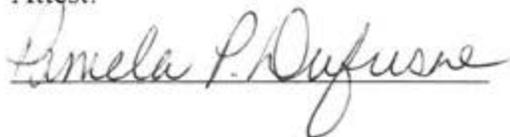
By: _____
Charles Oddo, Chairman
Board of Commissioners

Attest:

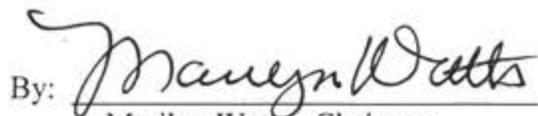
CITY OF PEACHTREE CITY

By:  _____
Vanessa Fleisch, Mayor

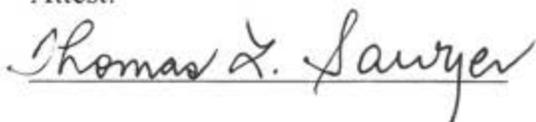
Attest:

 _____

BOARD OF ELECTIONS & VOTER
REGISTRATION

By:  _____
Marilyn Watts, Chairman

Attest:

 _____

COUNTY AGENDA REQUEST

Consent Agenda #11

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Approval of staff's request to enter into an Intergovernmental Agreement with the Town of Tyrone allowing the Fayette County Board of Elections to act as Superintendent of Elections for all elections held in Tyrone in 2015, and authorization for the Chairman to sign said Intergovernmental Agreement.

Background/History/Details:

The Town of Tyrone has signed an Intergovernmental Agreement for the conduction of Municipal Elections, and in so doing has requested that Fayette County, through the Fayette County Board of Elections, conducts the town's November 3, 2015 municipal general election and all other elections that may be necessary in 2015.

There will be no cost to the County as the town has agreed to be responsible for all expenses related to this request.

What action are you seeking from the Board of Commissioners?

Approval of staff's request to enter into an Intergovernmental Agreement with the Town of Tyrone allowing the Fayette County Board of Elections to act as Superintendent of Elections for all elections held in Tyrone in 2015, and authorization for the Chairman to sign said Intergovernmental Agreement.

If this item requires funding, please describe:

There will be no cost for conducting these elections. An invoice will be submitted to the Town of Tyrone for incurred expenses, and they will be required to remit payment within thirty (30) days of receipt of the invoice.

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

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

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:

This Intergovernmental Agreement is an example of the Town of Tyrone and Fayette County working together to ensure municipal elections for the leadership and direction of the town.

STATE OF GEORGIA

COUNTY OF FAYETTE

**INTERGOVERNMENTAL AGREEMENT FOR CONDUCTING MUNICIPAL
ELECTIONS**

This Agreement entered into this _____ day of _____ between the TOWN OF TYRONE, a municipal corporation lying wholly or partially within Fayette County, Georgia, hereinafter referred to as “The Town” and Fayette County, Georgia, a political subdivision of the State of Georgia hereinafter referred to as “The County”.

WITNESSETH:

WHEREAS, the Town in the performance of its governmental functions will hold the elections hereinafter described; and,

WHEREAS, under the provisions of the Georgia Election Code, particularly O.C.G.A. §21-2-45 of the Official Code of Georgia Annotated, the Town may, by ordinance, authorize the County to conduct such elections and the Town has heretofore adopted such an ordinance; and

WHEREAS, the County has staff and equipment to conduct such elections; and

WHEREAS, the County desires to assist said Town in the conduct of its municipal elections.

NOW THEREFORE, for and in consideration of the premises contained herein, it is hereby agreed as follows:

1.

This Agreement shall govern the conduct of the Town of Tyrone general election to be held on November 3, 2015 and any and all run-offs which may be necessary and any special elections that may occur within 12 months of this Agreement.

2.

Fayette County through the Fayette County Board of Elections shall operate as superintendent of the aforementioned elections and shall perform any and all functions of the Town or any of the Town's officials in connection with the conduct of such elections with the exception of duties pertaining to the qualification of candidates and pertaining to the responsibility of acting as the Qualifying Officer and providing notification to the State Elections Commission concerning candidacy compliance.

3.

A Town official shall operate as the Superintendent with respect to the qualifications of candidates. Such official shall perform any and all functions of the Town or any of its officials in connection with the qualifications of candidates in accordance with O.C.G.A. § 21-2-45(C)(2). Further, such official shall be responsible for acting as the Qualifying Officer and for notification to the State Elections Commission concerning candidacy compliance.

4.

The County shall supply all of the necessary manpower and transportation to pick up, deliver, set up, store and return to the County all of the voting equipment used in the elections along with all ancillary equipment and necessary supplies.

5.

All the voting equipment shall be programmed by the Center for Elections located at Kennesaw State University.

6.

All absentee ballots shall be ordered, issued, mailed, and accounted for by the County.

7.

Staffing of the polling locations and training of the staff shall be provided by the County.

2

8.

All expenses and charges incurred in the performance of said elections (except for the actual cost of the State-owned voting system and State-owned ancillary equipment) shall be the responsibility of the Town. Said expenses and charges shall include but not be limited to the following: all costs of training and providing personnel for the elections, costs of printing, mailing and processing absentee ballots, the costs of expendable supplies and a pro-rated maintenance cost for the voting equipment. An invoice for the costs and expenses of the elections shall be submitted to the Town and the Town shall remit payment of the invoice to Fayette County within 30 days of receipt of the invoice.

9.

To the extent permitted by law, the Town shall indemnify, defend and hold harmless the County from any liability and/or litigation expenses to which the County may be subjected as a consequence of or as a result of the elections for the Town. The Town will furthermore, to the extent permitted by law, reimburse the County for any and all necessary legal representation, by counsel chosen by the County, in any action arising from the conduct of the Town elections. Said reimbursement shall be paid by the Town within thirty days of invoice by the County.

10.

This intergovernmental contract is a full and complete statement of the agreement of the parties as to the subject matter hereof and has been authorized by proper action of the respective parties.

11.

Should any provision of this Agreement or application thereof to any person or circumstance be held invalid or unenforceable, the remainder of this Agreement or the application of such provision to any person or circumstance, other than those to which it is held

invalid or unenforceable, shall not be affected thereby, and each provision of this Agreement shall be valid and enforceable to the full extent permitted by law.

12.

Should it be necessary to comply with any legal requirements, the necessary members of the County's personnel may be temporarily sworn in as officers and employees of the Town.

FAYETTE COUNTY, GEORGIA

By: _____
Charles Oddo, Chairman
Board of Commissioners

Attest:

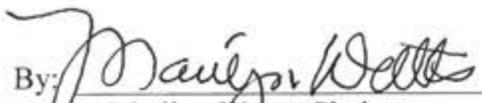
TOWN OF TYRONE

By:  _____
Eric Dial, Mayor

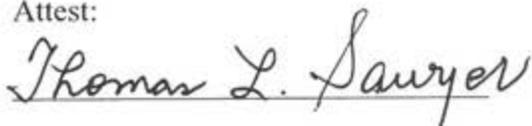
Attest:

 _____

FAYETTE COUNTY ELECTIONS &
VOTER REGISTRATION

By:  _____
Marilyn Watts, Chairman

Attest:

 _____

COUNTY AGENDA REQUEST

Consent Agenda #12

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Approval of staff's request to enter into an Intergovernmental Agreement with the Town of Woolsey allowing the Fayette County Board of Elections to act as Superintendent of Elections for all elections held in Woolsey in 2015, and authorization for the Chairman to sign said Intergovernmental Agreement.

Background/History/Details:

The Town of Woolsey has signed an Intergovernmental Agreement for the conduction of Municipal Elections, and in so doing has requested that Fayette County, through the Fayette County Board of Elections, conducts the town's November 3, 2015 municipal general election and all other elections that may be necessary in 2015.

There will be no cost to the County as the town has agreed to be responsible for all expenses related to this request.

What action are you seeking from the Board of Commissioners?

Approval of staff's request to enter into an Intergovernmental Agreement with the Town of Woolsey allowing the Fayette County Board of Elections to act as Superintendent of Elections for all elections held in Woolsey in 2015, and authorization for the Chairman to sign said Intergovernmental Agreement.

If this item requires funding, please describe:

There will be no cost for conducting these elections. An invoice will be submitted to the Town of Woolsey for incurred expenses, and they will be required to remit payment within thirty (30) days of receipt of the invoice.

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

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

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:

This Intergovernmental Agreement is an example of the Town of Woolsey and Fayette County working together to ensure municipal elections for the leadership and direction of the town.

STATE OF GEORGIA

COUNTY OF FAYETTE

**INTERGOVERNMENTAL AGREEMENT FOR CONDUCTING MUNICIPAL
ELECTIONS**

This Agreement entered into between the TOWN OF WOOLSEY, a municipal corporation lying wholly or partially within Fayette County, Georgia, hereinafter referred to as "The TOWN" and Fayette County, Georgia, a political subdivision of the State of Georgia hereinafter referred to as "The County".

W I T N E S S E T H:

WHEREAS, the Town in the performance of its governmental functions will hold the elections hereinafter described; and,

WHEREAS, under the provisions of the Georgia Election Code, particularly O.C.G.A. §21-2-45 of the Official Code of Georgia Annotated, the Town may, by ordinance, authorize the County to conduct such elections and the Town has heretofore adopted such an ordinance;

WHEREAS, the County has staff and equipment to conduct such elections; and

WHEREAS, the County desires to assist said Town in the conduct of its municipal elections.

NOW THEREFORE, for and in consideration of the premises contained herein, it is hereby agreed as follows:

1.

This Agreement shall govern the conduct of the Town of Woolsey Municipal General Elections to be held on November 3, 2015 and any and all run-offs which may be necessary and any special elections that may occur within 12 months of this Agreement.

2.

Fayette County through the Fayette County Board of Elections shall operate as superintendent of the aforementioned election and shall perform any and all functions of the Town or any of the Town's officials in connection with the conduct of such election with the exception of the new duties of the Qualifying Officer and notification of the State Elections Commission concerning candidacy compliance.

3.

A Town official shall operate as the Superintendent and shall be responsible as the Qualifying Officer and notification of the State Elections Commission concerning candidacy compliance.

4.

The County shall supply all of the necessary manpower and transportation to pick up, deliver, set up, store and return to the County all of the voting equipment used in the election along with all ancillary equipment and necessary supplies.

5.

All of the voting equipment shall be programmed by the Center for Elections located at Kennesaw State University.

6.

All absentee ballots shall be ordered, issued, mailed, and accounted for by the County.

7.

Staffing of the polling locations and training of the staff shall be provided by the County.

8.

All expenses and charges incurred in the performance of said election (except for the actual cost of the State-owned voting system and State-owned ancillary equipment) shall be the responsibility of the Town. Said expenses and charges shall include but not be limited to the

following: all costs of training and providing personnel for the election, costs of printing, mailing and processing absentee ballots, the costs of expendable supplies and a pro-rated maintenance cost for the voting equipment. An invoice for the costs and expenses of the election shall be submitted to the Town and the Town shall remit payment of the invoice to Fayette County within 30 days of receipt of the invoice.

9.

The Town shall indemnify, defend and hold harmless the County from any liability and/or litigation expenses to which the County may be subjected as a consequence of or as a result of the elections for the Town. The Town will furthermore reimburse the County for any and all necessary legal representation, by counsel chosen by the County, in any action arising from the conduct of Town elections. Said reimbursement shall be paid by the Town within thirty days of invoice by the County.

10.

This intergovernmental contract is a full and complete statement of the agreement of the parties as to the subject matter hereof and has been authorized by proper action of the respective parties.

11.

Should any provision of this Agreement or application thereof to any person or circumstance be held invalid or unenforceable, the remainder of this Agreement or the application of such provision to any person or circumstance, other than those to which it is held invalid or unenforceable, shall not be affected thereby, and each provision of this Agreement shall be valid and enforceable to the full extent permitted by law.

12.

Should it be necessary to comply with any legal requirements, the necessary members of the County's personnel may be temporarily sworn in as officers and employees of the Town.

FAYETTE COUNTY, GEORGIA

By: _____
Charles Oddo, Chairman
Board of Commissioners

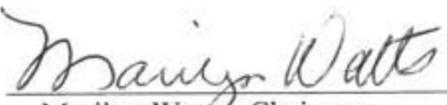
Attest:

TOWN OF WOOLSEY

By:  _____
Gary Laggis, Mayor

Attest:
 _____

BOARD OF ELECTIONS & VOTER
REGISTRATION

By:  _____
Marilyn Watts, Chairman

Attest:
 _____

COUNTY AGENDA REQUEST

Consent Agenda #13

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Approval of staff's recommendation to purchase a policy for property and casualty insurance from OneBeacon, for Fiscal Year 2016, through Apex Insurance, formerly Public Risk Underwriters, for an amount of \$582,585.00, and authorization for the Chairman to sign the policy and related documents.

Background/History/Details:

Fayette County purchases property and casualty insurance each year, with the policy coinciding with the fiscal year. Property and casualty insurance consists of a number of categories of coverage, including general liability, public officials errors and omissions, law enforcement liability, employment practices and employee benefits liability, automobile liability, and physical damage, property, crime, and inland marine.

Through corresponding with the insurance broker of record (Apex Insurance, formally Public Risk Underwriters,) it was determined that the best course of action in selecting insurance coverage for the upcoming fiscal year (FY 2016) would be to negotiate a reduced rate with our existing insurance carrier. Taking into consideration the limited carrier marketplace and the complexity of solicitation, maintaining insurance coverage with the current carrier at a negotiated reduced rate is a fiscally responsible approach with measurable benefits. Through negotiations, the county will see a 7.5% reduced premium rate.

What action are you seeking from the Board of Commissioners?

Approval of staff's recommendation to purchase a policy for property and casualty insurance from OneBeacon, for Fiscal Year 2016, through Apex Insurance, formerly Public Risk Underwriters, for an amount of \$582,585.00, and authorization for the Chairman to sign the policy and related documents.

If this item requires funding, please describe:

Funds are included in the Fiscal Year 2016 budget.

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

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

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:



Fayette COUNTY

“WHERE QUALITY
IS A LIFESTYLE”

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

To: Steve Rapson
From: Ted L. Burgess
Date: June 25, 2015
Subject: Property & Casualty Insurance for FY 2016

The county enters into an agreement for property and casualty insurance each fiscal year. This includes a number of categories of coverage, including general liability, automobile liability and collision, public officials and employees’ liability, law enforcement liability, crime, property and equipment, inland marine, and related risk categories. Due to the nature of the insurance industry, the procurement process for insurance policies is unique. The county has tested and evaluated various approaches over time. In past years, Requests for Proposals brought responses from one or two carriers each year, which was not sufficient to assure the best value for the county.

Beginning with the Fiscal Year 2015 policy year, the county chose a Broker of Record to procure competitive offers, then recommend the best combination of price and coverage. For FY 2016, the Broker of Record – Apex Insurance – recommended that they negotiate a reduced price with the county’s existing insurance carrier, which is OneBeacon. Apex felt that the county’s recent claims experience put us in a favorable position for negotiating next year’s prices.

The proposed premium for Fiscal Year 2016, continuing the same limits of liability, deductibles, and other provisions, represents a price reduction of 7.5%.

The proposed premium includes a change to coverage for rented equipment, within the Inland Marine category. Previously, rented equipment had a deductible of \$10,000. It is proposed to reduce the deductible to zero.

With these adjustments, and including policies for Sheriff’s Office AD&D and Commissioners’ travel accident insurance, the combined net premiums will be:

Property & Casualty Insurance – Proposed Premium	\$579,800
Sheriff’s Office AD&D	2,035
Commissioners’ travel accident insurance	<u>750</u>
Total Premiums	<u>\$582,585</u>

After analysis, evaluations and discussions, I support the Broker of Record's recommendation to accept the offer from OneBeacon for property and casualty insurance coverage for Fiscal Year 2016. Funds are included in the proposed budget as follows:

10010090 523180 & 523181 General Gov't Non-Departmental	\$143,965
10030090 523180/523181 Public Safety Non-Departmental	289,402
27030550 523180 Fire Services	66,962
50541010 523180 Water Administration	<u>82,256</u>
Total	<u>\$582,585</u>

Attachment

COVERAGE	PREMIUM			LIMITS OF COVERAGE			DEDUCTIBLES		
	FY 14	FY 15	FY 16	FY 14	FY 15	FY 16	FY 14	FY 15	FY 16
Employee theft	Included	Included	Included	\$775,000	\$775,000	\$775,000	\$10,000	\$10,000	\$10,000
Money & securities Inside/Outside	Included	Included	Included	\$100,000/\$100,000	\$100,000/\$100,000	\$100,000/\$100,000	\$1,000	\$1,000	\$1,000
Forgery & alteration	Included	Included	Included	\$100,000	\$100,000	\$100,000	\$1,000	\$1,000	\$10,000
Computer fraud	Included	Included	Included	\$775,000	\$775,000	\$775,000	\$10,000	\$10,000	\$10,000
Money order & counterfeit currency	Included	Included	Included	\$25,000	\$25,000	\$25,000	\$10,000	\$10,000	\$10,000
ERISA employee theft	Included	Included	Included	\$25,000	\$25,000	\$25,000	\$0	\$0	\$0
INLAND MARINE	\$14,997	\$12,941	\$13,901						
Data breach	Included	Included	Included	\$25,000	\$25,000	\$25,000	\$1,000	\$1,000	\$1,000
Misc. sched/unsched equipment	Included	Included	Included	\$2,255,915	\$1,385,115	\$1,390,593	\$10,000	\$10,000	\$10,000
Leased / rented equipment	Included	Included	Included	\$476,000	\$476,000	\$476,000	\$10,000	\$10,000	\$0
Scheduled contractors equipment	Included	Included	Included	\$4,808,421	\$4,649,982	\$4,648,603	\$10,000	\$10,000	\$10,000
EXCESS LIABILITY (Radio Towers)	\$3,000	\$3,000	\$3,000	\$3 mil / \$3 mil	\$3 mil / \$3 mil	\$3 mil / \$3 mil	\$0	\$0	\$0
TERRORISM	\$2,965	\$3,354	\$1,232						
TOTAL PREMIUM	\$599,568	\$628,660	\$579,800						

Other Policies:

Sheriff's Office AD&D - 3 year term	\$2,035
Commissioners' travel accident - 3 year term	\$750

Grand Total \$582,585

COUNTY AGENDA REQUEST

Consent Agenda #14

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Approval of staff's recommendation to adopt Resolution 2015-08 and, in so doing, accepting the updated 2015 Fayette County Hazard Mitigation Plan as required by the Federal Emergency Management Agency's Disaster Mitigation Act of 2000.

Background/History/Details:

Hazard Mitigation is any sustained action taken to reduce or eliminate the long-term risk to human life and property from future disasters. Mitigation plans identify natural and/or man-made hazards that could impact Fayette County, identify actions to reduce losses from those hazards, and establish a coordinated process to implement the plan (44 CFR §201.1(b)). Hazard mitigation activities may be implemented prior to, during, or after an event. However, it has been demonstrated that hazard mitigation is most effective when based on an inclusive, comprehensive, long-term plan that is developed before a disaster occurs. The 2015 Fayette County Hazard Mitigation Plan encompasses all of Fayette County and its five municipalities.

The current plan was developed in 2005 and must be revised every five years. Staff has invested over one hundred hours to complete this revision based on past plans and revisions. FEMA and GEMA provided funding for the update of this plan in the form of a 75% / 25% matching grant. Due to the complexity of this document, most communities choose to hire an outside consultant. Including the original document, Fayette County Emergency Management has completed this work in-house with the expertise of staff personnel.

A federally approved and compliant plan is required for Fayette County and its municipalities to remain eligible for future Federal Emergency Management grant funding.

What action are you seeking from the Board of Commissioners?

Approval of staff's recommendation to adopt Resolution 2015-08 and, in so doing, accepting the updated 2015 Fayette County Hazard Mitigation Plan as required by the Federal Emergency Management Agency's Disaster Mitigation Act of 2000.

If this item requires funding, please describe:

Not Applicable.

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

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

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:

The Hazard Mitigation Plan is several hundred pages long and is not practicable for inclusion with the Agenda Package. The plan is available to be viewed on the County's website at: http://www.fayettecountyga.gov/fire_ems/Hazard_Mitigation_plan.htm

A CD containing the plan is available from the County Clerk's Office.

RESOLUTION 2015-08

**RESOLUTION OF THE
FAYETTE COUNTY BOARD OF COMMISSIONERS
PURSUANT TO THE DISASTER MITIGATION ACT OF 2000
AUTHORIZING ADOPTION OF THE
FAYETTE COUNTY HAZARD MITIGATION PLAN**

WHEREAS, Fayette County and its municipal governments are required to complete a Hazard Mitigation Plan by the Disaster Mitigation Act of 2000; and

WHEREAS, under the provisions of the Disaster Mitigation Act of 2000, local governments that complete Hazard Mitigation Plans will remain eligible for Federal mitigation funding; and

WHEREAS, Fayette County and its municipal governments have completed an updated Hazard Mitigation Plan that fulfills the Federal requirements of the Disaster Mitigation Act of 2000.

NOW THEREFORE LET IT BE RESOLVED THAT THE FAYETTE COUNTY COMMISSION FORMALLY ADOPTS THIS UPDATED HAZARD MITIGATION PLAN.

SO RESOLVED this _____ day of _____, 2015

**BOARD OF COMMISSIONERS
FAYETTE COUNTY, GEORGIA**

**Charles W. Oddo, Chairman
Board of Commissioners**

ATTEST:

Floyd L. Jones, County Clerk

EXHIBIT A

U.S. Department of Homeland Security
FEMA Region IV
3005 Chamblee Tucker Road
Atlanta, GA 30341



FEMA

May 11, 2015

RECEIVED MAY 13 2015

Mr. Terry Lunn
State Hazard Mitigation Officer
Georgia Emergency Management Agency
Post Office Box 18055
Atlanta, Georgia 30316-0055

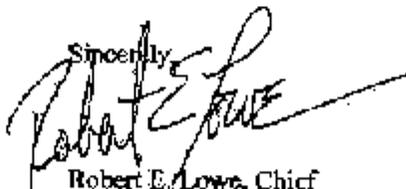
Reference: Multi-jurisdictional Hazard Mitigation Plan: Fayette County

Dear Mr. Lunn:

This is to confirm that we have completed a Federal review of the Fayette County Multi-jurisdictional Hazard Mitigation Plan Update for compliance with the Federal Hazard Mitigation Planning requirements contained in 44 CFR 201.6(b)-(d). Based on our review and comments, Fayette County developed and submitted all the necessary revisions. Our staff has reviewed and approved these revisions.

We have determined that the revised Fayette County Multi-jurisdictional Hazard Mitigation Plan is now compliant with Federal requirements, subject to formal community adoption. Upon submittal of a copy of documentation of the adoption resolution(s) to our office, we will issue formal approval of the Fayette County Multi-jurisdictional Hazard Mitigation Plan. Please have Fayette County submit a final copy of their Plan, without draft notations and no track changes.

For further information, please do not hesitate to contact Robin Berzins, of the Hazard Mitigation Assistance Branch, at (770) 220-5488 or Linda L. Byers, of my staff, at (770) 220-5498.

Sincerely,

Robert E. Lowe, Chief
Risk Analysis Branch
Mitigation Division

GEORGIA EMERGENCY MANAGEMENT AGENCY
GEORGIA OFFICE OF HOMELAND SECURITY

Exhibit B

NATHAN DEAL
GOVERNOR



JIM BUTTERWORTH
DIRECTOR

May 21, 2015

Honorable Charles Oddo
Chairman
Fayette County Board of Commissioners
140 Stonewall Ave. West, Suite 100
Fayetteville, GA 30214

Dear Commissioner Oddo:

The Federal Emergency Management Agency (FEMA) has completed its review of the Fayette County Multi-Jurisdictional Hazard Mitigation Plan for compliance with the programmatic requirements of the Federal Hazard Mitigation Planning Standards contained in 44 CFR Section 201.6(b)-(d). FEMA has determined that the Fayette County Hazard Mitigation Plan Update is compliant with Federal standards, subject to formal community adoption.

The county and each municipality must pass individual resolutions adopting the Plan. Please forward the adopted and signed resolutions to Kelly Keefe Reeves, Hazard Mitigation Planner, so that we may submit them to FEMA for inclusion in your plan for formal federal review and approval. Upon submittal of a copy of the participating jurisdictions' adoption documentation as well as documentation of the final public meeting, FEMA will issue formal approval of the Fayette County Multi-jurisdictional Mitigation Plan. Should you have any questions or need additional information, please contact Kelly Keefe Reeves, Hazard Mitigation Planner, at 404-635-2125.

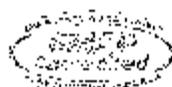
Sincerely,

A handwritten signature in black ink, appearing to read "Terry K. Lunn".

Terry K. Lunn
Hazard Mitigation Division Director

tl/kr

cc: Pete Nelms, Director
Fayette County Emergency Management Agency
Fayette County Municipalities
Sheri Russo, Area Coordinator
Georgia Emergency Management Agency



COUNTY AGENDA REQUEST

Consent Agenda #15

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Approval of staff's recommendation to award annual Bid #969-B to E.R. Snell Contracting of Tyrone as primary vendor and to C.W. Matthews of Tyrone as secondary vendor, in an aggregate amount not-to-exceed \$1,363,485.00 for the purchase of asphalt during the 2016 Fiscal Year.

Background/History/Details:

Each year, the Road Department contracts for the purchase of various mixes of asphalt on an as-needed basis. The contract is primarily for a product called Superior Performing Asphalt Pavements (Superpave).

The Purchasing Department issued Invitation to Bid (ITB) #969-B to establish prices for calendar year 2016. Invitations were emailed to five vendors. Another 82 were contacted through the Georgia Procurement Registry. Additionally, invitations were extended via Fayette News, the county website, Georgia Local Government Access Marketplace, and Channel 232. Three vendors responded with bids for four quarries. Vendors bid prices based on the Asphalt Cement Price Index (ACPI). The Index is produced by the Georgia Department of Transportation, and it is updated monthly. The ITB covers a wide range of possible Index values, so that the resulting contract will be valid in case of unusually large fluctuations. However, it is anticipated that the Index will stay within a narrow range. Based on recent trends, it is anticipated that the index will fall between \$401.00 and \$700.00 per ton.

E.R. Snell submitted the lowest average bid, both within the relevant range of prices and overall. The second-lowest bid was from C.W. Matthews Contracting's Tyrone Plant. The Road Department recommends E.R. Snell Contractor for the primary contract. It also recommends C.W. Matthews (Tyrone) for a secondary contract, to be used on a day-to-day basis due to availability and other factors.

What action are you seeking from the Board of Commissioners?

Approval of staff's recommendation to award annual Bid #969-B to E.R. Snell Contracting of Tyrone as primary vendor and to C.W. Matthews of Tyrone as secondary vendor, in an aggregate amount not-to-exceed \$1,363,485.00 for the purchase of asphalt during the 2016 Fiscal Year.

If this item requires funding, please describe:

Funds are budgeted annually in the Road Department's O&M budget account 10040220-531171, CIP projects, or SPLOST project accounts.

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

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

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:

If approved, these contracts will expire June 30, 2016. The contracts will be renewable for two additional one-year terms, with the agreement of both parties.



Fayette
COUNTY

PURCHASING DEPARTMENT
1405 SIGNEWALL AVENUE WEST, STE 204
FAYETTEVILLE, GEORGIA 30214
PHONE: 770-305-5420
www.fayettecountyga.gov

"WHERE QUALITY
IS A LIFESTYLE"

To: Steve Rapson
From: Ted L. Burgess
Date: June 25, 2015
Subject: Invitation to Bid #969-B: Asphaltic Concrete

Each year, the Road Department contracts for the purchase of various mixes of asphalt on an as-needed basis. The contract is primarily for a product called Superior Performing Asphalt Pavements (Superpave), which was the result in 1993 of research by the U.S. Strategic Highway Research Program.

The Purchasing Department issued Invitation to Bid (ITB) #969-B to establish prices for calendar year 2016. Invitations were emailed to 5 vendors. Another 82 were contacted through the web-based Georgia Procurement Registry. In addition, invitations were extended via the Fayette News, the county website, Georgia Local Government Access Marketplace (www.glqa.org), and Channel 23. Three vendors responded with bids for four quarries.

Vendors bid prices based on the Asphalt Cement Price Index (ACPI). The Index is produced by the Georgia Department of Transportation, and is updated monthly. The ITB covers a wide range of possible Index values, so that the resulting contract will be valid in case of unusually large fluctuations. However, it is anticipated that the Index will actually stay within a more narrow range (Attachment 1). For this reason, the ITB includes a stipulation that says:

"For purposes of selecting the lowest bid, the county reserves the right to select a "relevant range" from the Asphalt Cement Price Index (ACPI) column of the bid sheet. Individual prices will be totaled for the selected price range, and the low bid will be determined from this calculation. The relevant range will be determined based on recent price trends shown in the GDOT Asphalt Cement Price Index."

Based on recent trends, it is anticipated that the index will fall between \$401 and \$700 per ton.

E.R. Snell Contractor, Inc. submitted the lowest average bid, both within the relevant range of prices, and overall (Attachment 2). The second-lowest bid was from C.W. Matthews Contracting's Tyrone plant. The Road Department recommends E.R. Snell Contractor for the primary contract. They also recommend C.W. Matthews (Tyrone) for a secondary contract, to be used on a day-to-day basis due to material availability, haul distance or other factors. The

contracts will be renewable for two additional one-year terms, with the agreement of both parties. I support the Road Department's recommendation.

The recommended combined not-to-exceed value of both contracts is \$1,363,485 as follows:

<u>Budget Code</u>	<u>Contract Amount</u>	<u>Available Budget</u>	<u>Comments</u>
10040220-531171	\$377,852	\$377,852	FY 2016 Recommended Budget
10040220-531171-LMIG4	101,871	101,871	Available in Project LMIG4
10040220-531171-LMIG5	378,585	378,585	Available in Project LMIG5
10040220-531171-LMIG6	349,145	349,145	Available in Project LMIG6
River Park CIP	58,086	264,920	FY 2016 Recommended Budget
SPLOST Project FC-6	87,100	805,086	SPLOST 30% portion (Fund 320)
Project 5509H Oak Street	2,851	72,100	Available in Project 5509H
Proj 5565H Training Fac.	7,995	107,785	Available in Project 5565H
Total Contract	<u>\$1,363,485</u>		

Attachments (2)

Invitation to Bid #969-B, Asphalt Price Contract
ALL MIXES ARE GDOT SUPER PAVE MIX DESIGNS (WITH LIME)

4.75 MM

Index	Baldwin Paving Company	C.W. Matthews Contracting (Forest Park)	C.W. Matthews Contracting (Tyrone)	E.R. Snell Contractor
201-225	\$38.08	\$34.98	\$32.75	\$28.81
226-250	\$39.35	\$36.25	\$34.02	\$30.00
251-275	\$40.62	\$37.52	\$35.29	\$31.18
276-300	\$41.89	\$38.79	\$36.56	\$32.37
301-325	\$43.16	\$40.06	\$37.83	\$33.56
326-350	\$44.43	\$41.33	\$39.10	\$34.75
351-375	\$45.69	\$42.60	\$40.37	\$35.93
376-400	\$46.96	\$43.87	\$41.64	\$37.12
401-425	\$48.23	\$45.14	\$42.91	\$38.31
426-450	\$49.50	\$46.41	\$44.18	\$39.50
451-475	\$50.77	\$47.68	\$45.45	\$40.68
476-500	\$52.04	\$48.95	\$46.72	\$41.87
501-525	\$53.31	\$50.22	\$47.99	\$43.06
526-550	\$54.58	\$51.49	\$49.26	\$44.25
551-575	\$55.84	\$52.76	\$50.53	\$45.43
576-600	\$57.11	\$54.03	\$51.80	\$46.62
601-625	\$58.38	\$55.30	\$53.07	\$47.81
626-650	\$59.65	\$56.57	\$54.34	\$49.00
651-675	\$60.92	\$57.84	\$55.61	\$50.18
676-700	\$62.19	\$59.11	\$56.88	\$51.37
701-725	\$63.46	\$60.38	\$58.15	\$52.56
726-750	\$64.73	\$61.65	\$59.42	\$53.75
751-775	\$65.99	\$62.92	\$60.69	\$54.93
776-800	\$67.26	\$64.19	\$61.96	\$56.12
801-825	\$68.53	\$65.46	\$63.23	\$57.31
826-850	\$69.80	\$66.73	\$64.50	\$58.50
851-875	\$71.07	\$68.00	\$65.77	\$59.68
876-900	\$72.34	\$69.27	\$67.04	\$60.87

9.5 MM Type I

Index	Baldwin Paving Company	C.W. Matthews Contracting (Forest Park)	C.W. Matthews Contracting (Tyrone)	E.R. Snell Contractor
201-225	\$37.98	\$34.14	\$32.44	\$28.72
226-250	\$39.21	\$35.28	\$33.58	\$29.83
251-275	\$40.44	\$36.42	\$34.72	\$30.95
276-300	\$41.68	\$37.56	\$35.86	\$32.06
301-325	\$42.91	\$38.70	\$37.00	\$33.17
326-350	\$44.14	\$39.84	\$38.14	\$34.28
351-375	\$45.37	\$40.98	\$39.28	\$35.40
376-400	\$46.61	\$42.12	\$40.42	\$36.51
401-425	\$47.84	\$43.26	\$41.56	\$37.62
426-450	\$49.07	\$44.40	\$42.70	\$38.73
451-475	\$50.30	\$45.54	\$43.84	\$39.85
476-500	\$51.54	\$46.68	\$44.98	\$40.96
501-525	\$52.77	\$47.82	\$46.12	\$42.07
526-550	\$54.00	\$48.96	\$47.26	\$43.18
551-575	\$55.23	\$50.10	\$48.40	\$44.30
576-600	\$56.47	\$51.24	\$49.54	\$45.41
601-625	\$57.70	\$52.38	\$50.68	\$46.52
626-650	\$58.93	\$53.52	\$51.82	\$47.63
651-675	\$60.16	\$54.66	\$52.96	\$48.75
676-700	\$61.40	\$55.80	\$54.10	\$49.86
701-725	\$62.63	\$56.94	\$55.24	\$50.97
726-750	\$63.86	\$58.08	\$56.38	\$52.08
751-775	\$65.09	\$59.22	\$57.52	\$53.20
776-800	\$66.33	\$60.36	\$58.66	\$54.31
801-825	\$67.56	\$61.50	\$59.80	\$55.42
826-850	\$68.79	\$62.64	\$60.94	\$56.53
851-875	\$70.02	\$63.78	\$62.08	\$57.65
876-900	\$71.26	\$64.92	\$63.22	\$58.76

Range Average:

Relevant	\$55.21	\$52.13	\$49.90	\$44.84
All Ranges	\$55.21	\$52.13	\$49.90	\$44.84

\$54.62	\$49.53	\$47.83	\$43.74
\$54.62	\$49.53	\$47.83	\$43.74

9.5 MM Type II

Index	Baldwin Paving Company	C.W. Matthews Contracting (Forest Park)	C.W. Matthews Contracting (Tyrone)	E.R. Snell Contractor
201-225	\$38.21	\$34.49	\$31.96	\$28.94
226-250	\$39.47	\$35.61	\$33.06	\$30.00
251-275	\$40.73	\$36.73	\$34.16	\$31.06
276-300	\$41.98	\$37.85	\$35.26	\$32.13
301-325	\$43.24	\$38.97	\$36.36	\$33.19
326-350	\$44.50	\$40.09	\$37.46	\$34.25
351-375	\$45.76	\$41.21	\$38.56	\$35.31
376-400	\$47.01	\$42.33	\$39.66	\$36.38
401-425	\$48.27	\$43.45	\$40.76	\$37.44
426-450	\$49.53	\$44.57	\$41.86	\$38.50
451-475	\$50.79	\$45.69	\$42.96	\$39.56
476-500	\$52.04	\$46.81	\$44.06	\$40.63
501-525	\$53.30	\$47.93	\$45.16	\$41.69
526-550	\$54.56	\$49.05	\$46.26	\$42.75
551-575	\$55.82	\$50.17	\$47.36	\$43.81
576-600	\$57.07	\$51.29	\$48.46	\$44.88
601-625	\$58.33	\$52.41	\$49.56	\$45.94
626-650	\$59.59	\$53.53	\$50.66	\$47.00
651-675	\$60.85	\$54.65	\$51.76	\$48.06
676-700	\$62.10	\$55.77	\$52.86	\$49.13
701-725	\$63.36	\$56.89	\$53.96	\$50.19
726-750	\$64.62	\$58.01	\$55.06	\$51.25
751-775	\$65.88	\$59.13	\$56.16	\$52.31
776-800	\$67.13	\$60.25	\$57.26	\$53.38
801-825	\$68.39	\$61.37	\$58.36	\$54.44
826-850	\$69.65	\$62.49	\$59.46	\$55.50
851-875	\$70.91	\$63.61	\$60.56	\$56.56
876-900	\$72.16	\$64.73	\$61.66	\$57.63

Range Average:

Relevant	\$55.19	\$49.61	\$46.81	\$43.28
All Ranges	\$55.19	\$49.61	\$46.81	\$43.28

12.5 MM

Index	Baldwin Paving Company	C.W. Matthews Contracting (Forest Park)	C.W. Matthews Contracting (Tyrone)	E.R. Snell Contractor
201-225	\$37.73	\$33.67	\$31.40	\$28.02
226-250	\$38.91	\$34.69	\$32.42	\$28.98
251-275	\$40.09	\$35.71	\$33.44	\$29.94
276-300	\$41.27	\$36.73	\$34.46	\$30.90
301-325	\$42.46	\$37.75	\$35.48	\$31.86
326-350	\$43.64	\$38.77	\$36.50	\$32.82
351-375	\$44.82	\$39.79	\$37.52	\$33.78
376-400	\$46.00	\$40.81	\$38.54	\$34.74
401-425	\$47.19	\$41.83	\$39.56	\$35.70
426-450	\$48.37	\$42.85	\$40.58	\$36.66
451-475	\$49.55	\$43.87	\$41.60	\$37.62
476-500	\$50.73	\$44.89	\$42.62	\$38.58
501-525	\$51.92	\$45.91	\$43.64	\$39.54
526-550	\$53.10	\$46.93	\$44.66	\$40.50
551-575	\$54.28	\$47.95	\$45.68	\$41.46
576-600	\$55.46	\$48.97	\$46.70	\$42.42
601-625	\$56.65	\$49.99	\$47.72	\$43.38
626-650	\$57.83	\$51.01	\$48.74	\$44.34
651-675	\$59.01	\$52.03	\$49.76	\$45.30
676-700	\$60.19	\$53.05	\$50.78	\$46.26
701-725	\$61.38	\$54.07	\$51.80	\$47.22
726-750	\$62.56	\$55.09	\$52.82	\$48.18
751-775	\$63.74	\$56.11	\$53.84	\$49.14
776-800	\$64.92	\$57.13	\$54.86	\$50.10
801-825	\$66.11	\$58.15	\$55.88	\$51.06
826-850	\$67.29	\$59.17	\$56.90	\$52.02
851-875	\$68.47	\$60.19	\$57.92	\$52.98
876-900	\$69.65	\$61.21	\$58.94	\$53.94

	\$53.69	\$47.44	\$45.17	\$40.98
	\$53.69	\$47.44	\$45.17	\$40.98

19 MM

Index	Baldwin Paving Company	C.W. Matthews Contracting (Forest Park)	C.W. Matthews Contracting (Tyrone)	E.R. Snell Contractor
201-225	\$35.77	\$32.28	\$30.72	\$27.34
226-250	\$36.78	\$33.15	\$31.61	\$28.15
251-275	\$37.79	\$34.02	\$32.50	\$28.96
276-300	\$38.80	\$34.89	\$33.39	\$29.77
301-325	\$39.80	\$35.76	\$34.28	\$30.58
326-350	\$40.81	\$36.63	\$35.17	\$31.39
351-375	\$41.82	\$37.50	\$36.06	\$32.20
376-400	\$42.83	\$38.37	\$36.95	\$33.01
401-425	\$43.83	\$39.24	\$37.84	\$33.82
426-450	\$44.84	\$40.11	\$38.73	\$34.63
451-475	\$45.85	\$40.98	\$39.62	\$35.44
476-500	\$46.86	\$41.85	\$40.51	\$36.25
501-525	\$47.86	\$42.72	\$41.40	\$37.06
526-550	\$48.87	\$43.59	\$42.29	\$37.87
551-575	\$49.88	\$44.46	\$43.18	\$38.68
576-600	\$50.89	\$45.33	\$44.07	\$39.49
601-625	\$51.89	\$46.20	\$44.96	\$40.30
626-650	\$52.90	\$47.07	\$45.85	\$41.11
651-675	\$53.91	\$47.94	\$46.74	\$41.92
676-700	\$54.92	\$48.81	\$47.63	\$42.73
701-725	\$55.92	\$49.68	\$48.52	\$43.54
726-750	\$56.93	\$50.55	\$49.41	\$44.35
751-775	\$57.94	\$51.42	\$50.30	\$45.16
776-800	\$58.95	\$52.29	\$51.19	\$45.97
801-825	\$59.95	\$53.16	\$52.08	\$46.78
826-850	\$60.96	\$54.03	\$52.97	\$47.59
851-875	\$61.97	\$54.90	\$53.86	\$48.40
876-900	\$62.98	\$55.77	\$54.75	\$49.21

Range Average:

Relevant	\$49.38	\$44.03	\$42.74	\$38.28
All Ranges	\$49.38	\$44.03	\$42.74	\$38.28

25 MM

Index	Baldwin Paving Company	C.W. Matthews Contracting (Forest Park)	C.W. Matthews Contracting (Tyrone)	E.R. Snell Contractor
201-225	\$34.83	\$31.67	\$28.90	\$26.04
226-250	\$35.74	\$32.49	\$29.70	\$26.73
251-275	\$36.66	\$33.31	\$30.50	\$27.41
276-300	\$37.58	\$34.13	\$31.30	\$28.10
301-325	\$38.50	\$34.95	\$32.10	\$28.78
326-350	\$39.41	\$35.77	\$32.90	\$29.47
351-375	\$40.33	\$36.59	\$33.70	\$30.15
376-400	\$41.25	\$37.41	\$34.50	\$30.84
401-425	\$42.17	\$38.23	\$35.30	\$31.52
426-450	\$43.08	\$39.05	\$36.10	\$32.21
451-475	\$44.00	\$39.87	\$36.90	\$32.89
476-500	\$44.92	\$40.69	\$37.70	\$33.58
501-525	\$45.84	\$41.51	\$38.50	\$34.26
526-550	\$46.75	\$42.33	\$39.30	\$34.95
551-575	\$47.67	\$43.15	\$40.10	\$35.63
576-600	\$48.59	\$43.97	\$40.90	\$36.32
601-625	\$49.51	\$44.79	\$41.70	\$37.00
626-650	\$50.42	\$45.61	\$42.50	\$37.69
651-675	\$51.34	\$46.43	\$43.30	\$38.37
676-700	\$52.26	\$47.25	\$44.10	\$39.06
701-725	\$53.18	\$48.07	\$44.90	\$39.74
726-750	\$54.09	\$48.89	\$45.70	\$40.43
751-775	\$55.01	\$49.71	\$46.50	\$41.11
776-800	\$55.93	\$50.53	\$47.30	\$41.80
801-825	\$56.85	\$51.35	\$48.10	\$42.48
826-850	\$57.76	\$52.17	\$48.90	\$43.17
851-875	\$58.68	\$52.99	\$49.70	\$43.85
876-900	\$59.60	\$53.81	\$50.50	\$44.54

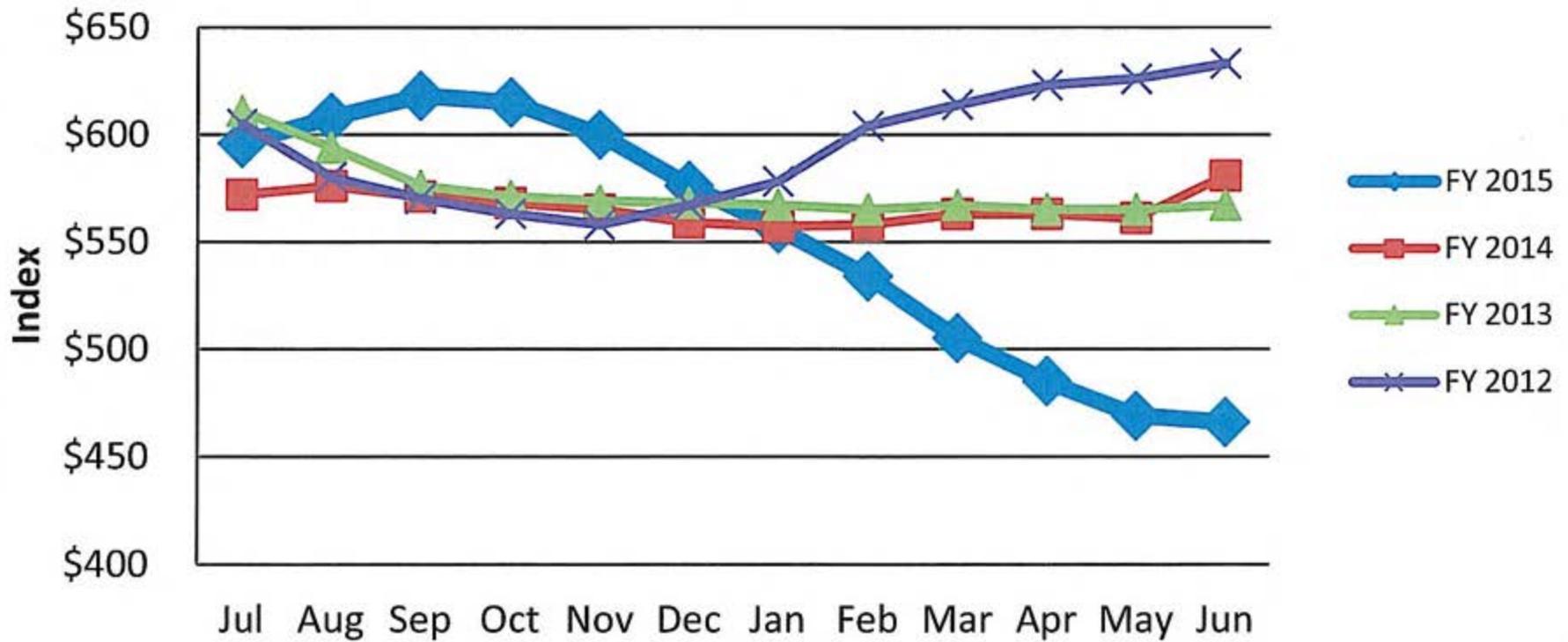
	\$47.21	\$42.74	\$39.70	\$35.29
	\$47.21	\$42.74	\$39.70	\$35.29

Index	Baldwin Paving Company	C.W. Matthews Contracting (Forest Park)	C.W. Matthews Contracting (Tyrone)	E.R. Snell Contractor
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Averages - All Types:

Relevant	52.55	47.58	45.36	41.07
All Ranges	52.55	47.58	45.36	41.07

GDOT Asphalt Cement Price Index



BID #969-B ASPHALTIC CONCRETE - TALLY SHEET

ALL MIXES ARE GDOT SUPER PAVE MIX DESIGNS (WITH LIME)

4.75MM	BALDWIN PAVING CO. INC.	C.W. MATTHEWS CONTRACTING CO., INC. (FOREST PARK)	C.W. MATTHEWS CONTRACTING CO., INC. (TYRONE)	E.R. SNELL CONTRACTOR, INC.
201-225	\$38.08	\$34.98	\$32.75	\$28.81
226-250	\$39.35	\$36.25	\$34.02	\$30.00
251-275	\$40.62	\$37.52	\$35.29	\$31.18
276-300	\$41.89	\$38.79	\$36.56	\$32.37
301-325	\$43.16	\$40.06	\$37.83	\$33.56
326-350	\$44.43	\$41.33	\$39.10	\$34.75
351-375	\$45.69	\$42.60	\$40.37	\$35.93
376-400	\$46.96	\$43.87	\$41.64	\$37.12
401-425	\$48.23	\$45.14	\$42.91	\$38.31
426-450	\$49.50	\$46.41	\$44.18	\$39.50
451-475	\$50.77	\$47.68	\$45.45	\$40.68
476-500	\$52.04	\$48.95	\$46.72	\$41.87
501-525	\$53.31	\$50.22	\$47.99	\$43.06
526-550	\$54.58	\$51.49	\$49.26	\$44.25
551-575	\$55.84	\$52.76	\$50.53	\$45.43
576-600	\$57.11	\$54.03	\$51.80	\$46.62
601-625	\$58.38	\$55.30	\$53.07	\$47.81
626-650	\$59.65	\$56.57	\$54.34	\$49.00
651-675	\$60.92	\$57.84	\$55.61	\$50.18
676-700	\$62.19	\$59.11	\$56.88	\$51.37
701-725	\$63.46	\$60.38	\$58.15	\$52.56
726-750	\$64.73	\$61.65	\$59.42	\$53.75
751-775	\$65.99	\$62.92	\$60.69	\$54.93
776-800	\$67.26	\$64.19	\$61.96	\$56.12
801-825	\$68.53	\$65.46	\$63.23	\$57.31
826-850	\$69.80	\$66.73	\$64.50	\$58.50
851-875	\$71.07	\$68.00	\$65.77	\$59.68
876-900	\$72.34	\$69.27	\$67.04	\$60.87

BID #969-B ASPHALTIC CONCRETE - TALLY SHEET

ALL MIXES ARE GDOT SUPER PAVE MIX DESIGNS (WITH LIME)

9.5MM TYPE I	BALDWIN PAVING CO. INC.	C.W. MATTHEWS CONTRACTING CO., INC. (FOREST PARK)	C.W. MATTHEWS CONTRACTING CO., INC. (TYRONE)	E.R. SNELL CONTRACTOR, INC.
201-225	\$37.98	\$34.14	\$32.44	\$28.72
226-250	\$39.21	\$35.28	\$33.58	\$29.83
251-275	\$40.44	\$36.42	\$34.72	\$30.95
276-300	\$41.68	\$37.56	\$35.86	\$32.06
301-325	\$42.91	\$38.70	\$37.00	\$33.17
326-350	\$44.14	\$39.84	\$38.14	\$34.28
351-375	\$45.37	\$40.98	\$39.28	\$35.40
376-400	\$46.61	\$42.12	\$40.42	\$36.51
401-425	\$47.84	\$43.26	\$41.56	\$37.62
426-450	\$49.07	\$44.40	\$42.70	\$38.73
451-475	\$50.30	\$45.54	\$43.84	\$39.85
476-500	\$51.54	\$46.68	\$44.98	\$40.96
501-525	\$52.77	\$47.82	\$46.12	\$42.07
526-550	\$54.00	\$48.96	\$47.26	\$43.18
551-575	\$55.23	\$50.10	\$48.40	\$44.30
576-600	\$56.47	\$51.24	\$49.54	\$45.41
601-625	\$57.70	\$52.38	\$50.68	\$46.52
626-650	\$58.93	\$53.52	\$51.82	\$47.63
651-675	\$60.16	\$54.66	\$52.96	\$48.75
676-700	\$61.40	\$55.80	\$54.10	\$49.86
701-725	\$62.63	\$56.94	\$55.24	\$50.97
726-750	\$63.86	\$58.08	\$56.38	\$52.08
751-775	\$65.09	\$59.22	\$57.52	\$53.20
776-800	\$66.33	\$60.36	\$58.66	\$54.31
801-825	\$67.56	\$61.50	\$59.80	\$55.42
826-850	\$68.79	\$62.64	\$60.94	\$56.53
851-875	\$70.02	\$63.78	\$62.08	\$57.65
876-900	\$71.26	\$64.92	\$63.22	\$58.76

BID #969-B ASPHALTIC CONCRETE - TALLY SHEET

ALL MIXES ARE GDOT SUPER PAVE MIX DESIGNS (WITH LIME)

9.5MM TYPE II	BALDWIN PAVING CO. INC.	C.W. MATTHEWS CONTRACTING CO., INC. (FOREST PARK)	C.W. MATTHEWS CONTRACTING CO., INC. (TYRONE)	E.R. SNELL CONTRACTOR, INC.
201-225	\$38.21	\$34.49	\$31.96	\$28.94
226-250	\$39.47	\$35.61	\$33.06	\$30.00
251-275	\$40.73	\$36.73	\$34.16	\$31.06
276-300	\$41.98	\$37.85	\$35.26	\$32.13
301-325	\$43.24	\$38.97	\$36.36	\$33.19
326-350	\$44.50	\$40.09	\$37.46	\$34.25
351-375	\$45.76	\$41.21	\$38.56	\$35.31
376-400	\$47.01	\$42.33	\$39.66	\$36.38
401-425	\$48.27	\$43.45	\$40.76	\$37.44
426-450	\$49.53	\$44.57	\$41.86	\$38.50
451-475	\$50.79	\$45.69	\$42.96	\$39.56
476-500	\$52.04	\$46.81	\$44.06	\$40.63
501-525	\$53.30	\$47.93	\$45.16	\$41.69
526-550	\$54.56	\$49.05	\$46.26	\$42.75
551-575	\$55.82	\$50.17	\$47.36	\$43.81
576-600	\$57.07	\$51.29	\$48.46	\$44.88
601-625	\$58.33	\$52.41	\$49.56	\$45.94
626-650	\$59.59	\$53.53	\$50.66	\$47.00
651-675	\$60.85	\$54.65	\$51.76	\$48.06
676-700	\$62.10	\$55.77	\$52.86	\$49.13
701-725	\$63.36	\$56.89	\$53.96	\$50.19
726-750	\$64.62	\$58.01	\$55.06	\$51.25
751-775	\$65.88	\$59.13	\$56.16	\$52.31
776-800	\$67.13	\$60.25	\$57.26	\$53.38
801-825	\$68.39	\$61.37	\$58.36	\$54.44
826-850	\$69.65	\$62.49	\$59.46	\$55.50
851-875	\$70.91	\$63.61	\$60.56	\$56.56
876-900	\$72.16	\$64.73	\$61.66	\$57.63

BID #969-B ASPHALTIC CONCRETE - TALLY SHEET

ALL MIXES ARE GDOT SUPER PAVE MIX DESIGNS (WITH LIME)

12.5MM	BALDWIN PAVING CO. INC.	C.W. MATTHEWS CONTRACTING CO., INC. (FOREST PARK)	C.W. MATTHEWS CONTRACTING CO., INC. (TYRONE)	E.R. SNELL CONTRACTOR, INC.
201-225	\$37.73	\$33.67	\$31.40	\$28.02
226-250	\$38.91	\$34.69	\$32.42	\$28.98
251-275	\$40.09	\$35.71	\$33.44	\$29.94
276-300	\$41.27	\$36.73	\$34.46	\$30.90
301-325	\$42.46	\$37.75	\$35.48	\$31.86
326-350	\$43.64	\$38.77	\$36.50	\$32.82
351-375	\$44.82	\$39.79	\$37.52	\$33.78
376-400	\$46.00	\$40.81	\$38.54	\$34.74
401-425	\$47.19	\$41.83	\$39.56	\$35.70
426-450	\$48.37	\$42.85	\$40.58	\$36.66
451-475	\$49.55	\$43.87	\$41.60	\$37.62
476-500	\$50.73	\$44.89	\$42.62	\$38.58
501-525	\$51.92	\$45.91	\$43.64	\$39.54
526-550	\$53.10	\$46.93	\$44.66	\$40.50
551-575	\$54.28	\$47.95	\$45.68	\$41.46
576-600	\$55.46	\$48.97	\$46.70	\$42.42
601-625	\$56.65	\$49.99	\$47.72	\$43.38
626-650	\$57.83	\$51.01	\$48.74	\$44.34
651-675	\$59.01	\$52.03	\$49.76	\$45.30
676-700	\$60.19	\$53.05	\$50.78	\$46.26
701-725	\$61.38	\$54.07	\$51.80	\$47.22
726-750	\$62.56	\$55.09	\$52.82	\$48.18
751-775	\$63.74	\$56.11	\$53.84	\$49.14
776-800	\$64.92	\$57.13	\$54.86	\$50.10
801-825	\$66.11	\$58.15	\$55.88	\$51.06
826-850	\$67.29	\$59.17	\$56.90	\$52.02
851-875	\$68.47	\$60.19	\$57.92	\$52.98
876-900	\$69.65	\$61.21	\$58.94	\$53.94

BID #969-B ASPHALTIC CONCRETE - TALLY SHEET

ALL MIXES ARE GDOT SUPER PAVE MIX DESIGNS (WITH LIME)

19MM	BALDWIN PAVING CO. INC.	C.W. MATTHEWS CONTRACTING CO., INC. (FOREST PARK)	C.W. MATTHEWS CONTRACTING CO., INC. (TYRONE)	E.R. SNELL CONTRACTOR, INC.
201-225	\$35.77	\$32.28	\$30.72	\$27.34
226-250	\$36.78	\$33.15	\$31.61	\$28.15
251-275	\$37.79	\$34.02	\$32.50	\$28.96
276-300	\$38.80	\$34.89	\$33.39	\$29.77
301-325	\$39.80	\$35.76	\$34.28	\$30.58
326-350	\$40.81	\$36.63	\$35.17	\$31.39
351-375	\$41.82	\$37.50	\$36.06	\$32.20
376-400	\$42.83	\$38.37	\$36.95	\$33.01
401-425	\$43.83	\$39.24	\$37.84	\$33.82
426-450	\$44.84	\$40.11	\$38.73	\$34.63
451-475	\$45.85	\$40.98	\$39.62	\$35.44
476-500	\$46.86	\$41.85	\$40.51	\$36.25
501-525	\$47.86	\$42.72	\$41.40	\$37.06
526-550	\$48.87	\$43.59	\$42.29	\$37.87
551-575	\$49.88	\$44.46	\$43.18	\$38.68
576-600	\$50.89	\$45.33	\$44.07	\$39.49
601-625	\$51.89	\$46.20	\$44.96	\$40.30
626-650	\$52.90	\$47.07	\$45.85	\$41.11
651-675	\$53.91	\$47.94	\$46.74	\$41.92
676-700	\$54.92	\$48.81	\$47.63	\$42.73
701-725	\$55.92	\$49.68	\$48.52	\$43.54
726-750	\$56.93	\$50.55	\$49.41	\$44.35
751-775	\$57.94	\$51.42	\$50.30	\$45.16
776-800	\$58.95	\$52.29	\$51.19	\$45.97
801-825	\$59.95	\$53.16	\$52.08	\$46.78
826-850	\$60.96	\$54.03	\$52.97	\$47.59
851-875	\$61.97	\$54.90	\$53.86	\$48.40
876-900	\$62.98	\$55.77	\$54.75	\$49.21

BID #969-B ASPHALTIC CONCRETE - TALLY SHEET

ALL MIXES ARE GDOT SUPER PAVE MIX DESIGNS (WITH LIME)

25MM	BALDWIN PAVING CO. INC.	C.W. MATTHEWS CONTRACTING CO., INC. (FOREST PARK)	C.W. MATTHEWS CONTRACTING CO., INC. (TYRONE)	E.R. SNELL CONTRACTOR, INC.
201-225	\$34.83	\$31.67	\$28.90	\$26.04
226-250	\$35.74	\$32.49	\$29.70	\$26.73
251-275	\$36.66	\$33.31	\$30.50	\$27.41
276-300	\$37.58	\$34.13	\$31.30	\$28.10
301-325	\$38.50	\$34.95	\$32.10	\$28.78
326-350	\$39.41	\$35.77	\$32.90	\$29.47
351-375	\$40.33	\$36.59	\$33.70	\$30.15
376-400	\$41.25	\$37.41	\$34.50	\$30.84
401-425	\$42.17	\$38.23	\$35.30	\$31.52
426-450	\$43.08	\$39.05	\$36.10	\$32.21
451-475	\$44.00	\$39.87	\$36.90	\$32.89
476-500	\$44.92	\$40.69	\$37.70	\$33.58
501-525	\$45.84	\$41.51	\$38.50	\$34.26
526-550	\$46.75	\$42.33	\$39.30	\$34.95
551-575	\$47.67	\$43.15	\$40.10	\$35.63
576-600	\$48.59	\$43.97	\$40.90	\$36.32
601-625	\$49.51	\$44.79	\$41.70	\$37.00
626-650	\$50.42	\$45.61	\$42.50	\$37.69
651-675	\$51.34	\$46.43	\$43.30	\$38.37
676-700	\$52.26	\$47.25	\$44.10	\$39.06
701-725	\$53.18	\$48.07	\$44.90	\$39.74
726-750	\$54.09	\$48.89	\$45.70	\$40.43
751-775	\$55.01	\$49.71	\$46.50	\$41.11
776-800	\$55.93	\$50.53	\$47.30	\$41.80
801-825	\$56.85	\$51.35	\$48.10	\$42.48
826-850	\$57.76	\$52.17	\$48.90	\$43.17
851-875	\$58.68	\$52.99	\$49.70	\$43.85
876-900	\$59.60	\$53.81	\$50.50	\$44.54

COUNTY AGENDA REQUEST

Consent Agenda #16

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Approval of the disposition of tax refunds, in the aggregate amount of \$328.83, as recommended by the Tax Assessor's Office.

Background/History/Details:

When a taxpayer feels that an error has occurred with respect to taxes paid to Fayette County on Real Estate and Personal Property tax bills, they have the right to request a Refund under O.C.G.A. 48-5-380. This request is given to the Tax Assessors' Office in order to be reviewed in detail and the appropriate recommendation(s) are then forwarded to the Board of Commissioner's for their final approval of said requests.

The Board of Assessors recommends denial of a refund request from Mr. Walter Freeman Alsobrooks, Jr. Mr. Alsobrooks inquired why his homestead exemption was removed, and it was determined that the exemption was removed in tax year 2009 per an Executor's deed. An assessment notice was sent each year and was not appealed by the taxpayer, therefore, the Board of Assessors recommends a denial for the refund request for tax years 2009, 2010, and 2011. The Board of Assessors also recommends approval of a refund request from Mr. Walter Freeman Alsobrooks, Jr. This homestead exemption was removed in error. The Board of Assessors recommends approval of the refund request for tax years 2012, 2013 and 2014 in an aggregate amount of \$328.83.

The tax refund for Cornerstone Baptist Church is also recommended for denial.

What action are you seeking from the Board of Commissioners?

Approval of the disposition of tax refunds, in the aggregate amount of \$328.83, as recommended by the Tax Assessor's Office.

If this item requires funding, please describe:

The funding required will be for those refund requests where the overpayment of taxes (voluntarily or involuntarily) was a direct result of property that had previously been erroneously assessed and taxes have already been collected from the taxpayer(s).

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

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

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:

Refund Requests	BOC		6/25/2015			
Owner/Parcel	Year(s)	Property	Basis for Request	Recommendation	Reason	Amount Per Year
Alsobrooks, Jr, Walter Freeman 07-3404-043	2009 2010 2011	Residential	Taxpayer came and inquired as to why his homestead had been removed. Research determined that the homestead exemption had been removed in tax year 2009 per Executor's deed (DB 3434/369).	Deny	The Taxpayer contacted our office to advise his homestead exemption was removed. After further research, his homestead had been removed per an Executor's deed transferring ownership from Bonnie and Freeman Alsobrooks to Freeman Alsobrooks, Jr. He informed this office that he had always been a "Jr" and has always lived and remained in the home. He has now upgraded his exemption to L4 status which was granted in tax year 2015. An assessment notice has been sent each year and the taxpayer did not appeal the exemption therefore, the BOA recommends a denial for the refund request for tax years 2009, 2010 and 2011.	2009 - \$107.50 2010 - \$107.50 2011 - \$109.76
Alsobrooks, Jr, Walter Freeman 07-3404-043	2012 2013 2014	Residential	Taxpayer came and inquired as to why his homestead had been removed. Research determined that the homestead exemption had been removed in tax year 2009 per Executor's deed (DB 3434/369).	Approve	The Taxpayer contacted our office to advise his homestead exemption was removed. After further research, his homestead had been removed per an Executor's Deed transferring ownership from Bonnie and Freeman Alsobrooks to Freeman Alsobrooks, Jr. He informed this office he had always been a "Jr" and has always lived and remained in the home. He has now upgraded his exemption to L4 status which was granted in tax year 2015. Since the homestead was removed in error, the BOA is recommending the refund request for tax years 2012, 2013 and 2014.	2012 - \$109.65 2013 - \$109.92 2014 - \$109.26

Refund Requests	BOC		6/25/2015			
Cornerstone Baptist Church 07-15-012Y	2013	Residential	After threatened FIFA, Cornerstone Baptist Church requested exempt status retroactively back from the split of the property in 2012 and any refunds due.	Deny	On June 26, 2012, Cornerstone Baptist Church split a 21 acre parcel for financial purposes. This split removed the exempt status from the vacant piece of land containing 14.29 acres. The split was not approved through planning and zoning and is considered an illegal split which generated the 07-15-012 (Y) and (Z) parcels. After speaking with Mr. Wingo, Cornerstone Baptist Church applied for exempt status retroactively back from the split and any subsequent refunds. The BOA is recommending a denial for a refund for tax year 2013 and approved the exempt status for tax year 2014 and forward.	2013 - \$1,415.88
Total Number Requested	7					
Total Amount Requested	\$2,069.47					
Total Number Approved	4					
Total Amount Recommended for Approval	\$328.83					

Minutes

Special Called Meeting

Board of Commissioners

June 2, 2015

7:00 P.M.

The Board of Commissioners of Fayette County, Georgia, met in an Official Special Called Meeting on June 2, 2015 at 7:00 p.m. in the Public Meeting Room of the Fayette County Administrative Complex, 140 Stonewall Avenue, Fayetteville, Georgia.

Board Members:	Charles W. Oddo, Chairman David Barlow, Commissioner Steve Brown, Commissioner Randy Ognio, Commissioner
Absent Members:	Pota Coston, Vice Chair
Staff Present:	Floyd Jones, County Clerk Tameca P. White, Chief Deputy County Clerk Dennis Davenport, County Attorney Phil Mallon, Public Works Director
Absent Staff:	Steve Rapson, County Administrator

Call to Order

Chairman Charles Oddo called the June 2, 2015 Special Called Meeting to order at approximately 7:03 p.m. Chairman Oddo announced that the meeting was not being streamed through LiveStream due to scheduled maintenance that was taking place, but he mentioned that the meeting would be made available through request from the County Clerk's office.

1. Welcome and Introductions

Chairman Oddo began the meeting by thanking everyone for attending. He then introduced Public Works Director Phil Mallon as the moderator for the meeting. Mr. Mallon informed the public that it is his responsibility to keep the Board of Commissioners informed and to serve as a liaison to the public and to the people who are running the project, namely, the Georgia Department of Transportation (GDOT).

Mr. Mallon stated that the intent of the meeting was "several-fold" that included discussion of the two roundabout projects on State Route 92 at Antioch and Seay Road and to provide a summary of what was presented by GDOT in late April. He clarified that the meeting was a Fayette County Board of Commissioner meeting and not a state Department of Transportation meeting.

Mr. Mallon continued by addressing the format for the meeting. He stated that the format includes a presentation by one of the nation's roundabout experts. He stated that even if there is no agreement about this project that the hope is that there can be an agreement on what is a good starting point. He stated that one of the objectives of this meeting was to provide an opportunity for everyone to ask questions and be provided answers. Mr. Mallon stated that comments from the meeting are being recorded, but he emphasized that the comments will not be a part of the official project record. He stated that submission for official comments regarding the project were closed in April. He stated that if the public would like to have their comments submitted as official comments to contact him and he will provide a contact to get the comments into the official GDOT record.

Mr. Mallon stated that these projects are GDOT projects and are being funded one-hundred percent by either state or federal dollars, and he said the project (including designation, obtaining land acquisition, and construction) is being managed by the Georgia Department of Transportation.

Mr. Mallon introduced the following GDOT representatives to the Board and audience:

- a) Roundabout Consultant Mark Lenters
- b) Assistant State Traffic Engineer Scott Zehngraff
- c) Traffic Operations Manager- District Three Tyler Peek
- d) District Three Design Engineer Jason Mobley

There were other DOT employees that represent traffic safety, communication, land acquisition and project delivery. Mr. Mallon turned the meeting over to Mark Lenters.

2. Modern Roundabout Design and Operations

Mr. Lenters made a presentation entitled "*Fayette County Meeting, All About Roundabouts*". Mr. Lenters presented the PowerPoint presentation accompanied with videos and simulations for approximately twenty-five (25) minutes. A copy of the PowerPoint, identified as "Attachment 1," follows these minutes and is made an official part hereof.

3. Project Review at Antioch Road and State Route 92 and at Seay Road and State Route 92.

Mr. Mallon presented the review of the two projects. He stated that the first perspective is that these are strictly safety driven projects. He presented the review of the project and provided information regarding the purpose of the project. Mr. Mallon spoke for approximately thirty (30) minutes. A copy of the map, identified as "Attachment 2," follows these minutes and is made an official part hereof.

4. Questions and Answers.

Chairman Oddo opened the floor for comments. A decision was made to answer the questions as they were asked.

The public asked questions for approximately one hour and fifty minutes, and Mr. Mallon and the GDOT representatives answered the questions.

There were no official votes made at this meeting.

5. Adjournment

Chairman Oddo thanked everyone for coming and also thanked Georgia Department of Transportation for attending. The meeting was adjourned at 9:46 p.m.

Tameca P. White
Chief Deputy County Clerk

Charles W. Oddo, Chairman

The foregoing minutes were duly approved at an official meeting of the Board of Commissioners of Fayette County, Georgia, held on the 25th day of June 2015. Referenced attachments are available upon request at the County Clerk's Office.

Tameca P. White, Chief Deputy County Clerk



Minutes

Board of Commissioners

June 11, 2015

7:00 P.M.

The Board of Commissioners of Fayette County, Georgia, met in an Official Meeting on June 11, 2015 at 7:00 p.m. in the Public Meeting Room of the Fayette County Administrative Complex, 140 Stonewall Avenue, Fayetteville, Georgia.

Commissioners Present:

Charles Oddo, Chairman
Pota Coston, Vice Chair
David Barlow
Randy Ognio

Commissioner Absent:

Steve Brown

Staff Present:

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

Call to Order

Chairman Oddo called the June 11, 2015 Board of Commissioners meeting to order at 6:59 p.m.

Invocation by Commissioner Steve Brown

Chairman Oddo mentioned that Commissioner Brown was not in attendance at the meeting, and he asked County Clerk Floyd Jones to offer the Invocation. Mr. Jones offered the Invocation.

Pledge of Allegiance

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

Acceptance of Agenda

Commissioner Barlow moved to accept the Agenda as presented. Commissioner Ognio seconded the motion. No discussion followed. The motion passed 4-0 with Commissioner Brown being absent.

PROCLAMATION /RECOGNITION:

There were no Proclamation / Recognition items on the Agenda.

PUBLIC HEARING:

1. Public Hearing on the County's proposed annual budget for Fiscal Year 2016 which begins July 1, 2015 and ends June 30, 2016.

County Administrator Steve Rapson reminded the Board that the budget presentation was first given at a Special Called Meeting on May 28, 2015, and he said that this Public Hearing was the first of two Public Hearings to be held before the budget could be adopted. Mr. Rapson then gave a twenty-nine minute PowerPoint presentation on the proposed Fiscal Year 2016 budget.

Chairman Oddo opened the floor to the public.

Larry Mapp: Mr. Mapp pointed out that the Sheriff's Department asked for twenty-five vehicles but was only budgeted for eighteen vehicles. He asked if the vehicles approved by the County Administrator were "at a higher rate" and if that was the reason the remaining seven vehicles could not be provided. County Administrator Rapson replied that even though the Sheriff's Office requested to replace twenty-five vehicles the County evaluated twenty-nine vehicles. He stated that the budget recommended replacement of eighteen vehicles because they need to be replaced and the remaining vehicles do not need to be replaced. He added that the cost variance between Chargers and Tahoes is "irrelevant," and he mentioned that there are additional expenses for components such as cages and radios. Mr. Rapson added that while Tahoes are more expensive initially, the Chargers cost much more money to maintain. Mr. Rapson agreed to send Mr. Mapp the information on the cost differences between Chargers and Tahoes.

Alice Jones: Mrs. Jones said she would ask for the full budget. She stated that she did not hear of any funding for juvenile programs to provide alternatives for children with emotional problems that would reduce the need for them to go through the judicial process. She also asked for more funding to be put into the Senior Services program. She asked for a meeting with the County Administrator to discuss these two needs. Mr. Rapson agreed to meet with Mrs. Jones as requested. He mentioned that Senior Services has been funded an additional \$20,000.00 since it is getting less funding from the federal program. He said

much of the funding received by Fayette Senior Services comes from HUD funding and individual donations, as well as funding and utilities' payments from Fayette County. Mr. Rapson added that the Juvenile Court is constantly seeking grant funds, and he said the County was just informed earlier in the day of another \$76,427.00 grant specifically for the juvenile needs Mrs. Jones spoke about. Mrs. Jones mentioned that she did not hear discussion about body cameras for law enforcement, and Mr. Rapson replied that there are no funds for body cameras this year. He stated that body cameras are a new frontier for many organizations and that Fayette County would let others begin working with body cameras while establishing policies and procedures. He closed saying Sheriff Babb is currently evaluating the need for body cameras. Chairman Oddo stated that he had recently been at the Atlanta Regional Commission where the Fayette Senior Services was identified as being among the best, if not the best, within the State of Georgia.

Frank Gardner: Mr. Gardner stated that he has worked with radios for the past forty years, and he asked if the radios utilized by the E-911 Communications and the public safety operations would be upgraded or replaced. County Administrator Rapson stated that the radio system would be replaced and that there would be brand new radios for the system. Mr. Gardner replied that he did not understand why the radios would have to be replaced, and he asked what would happen with the other radios. Mr. Rapson replied that the current radio system is a proprietary system with Motorola that is at its end of life. Commissioner Barlow asked what would happen with the old radio system. Mr. Rapson explained why the radio system needed to be replaced based on technological changes and demands, and he stated that the older equipment would be put on GovDeals.com for auction.

Chairman Oddo stated that there was an email from Commissioner Brown on the dais and that he wanted the Board to know that he has a concern with the proposed Cost of Living Adjustment (COLA.) Chairman Oddo stated Commissioner Brown's concerns could be addressed with Mr. Rapson and the rest of the Board after he returns. He added that the email indicated that Commissioner Brown appeared to be satisfied with the rest of the budget.

Alice Jones: Mrs. Jones returned to the public comment podium and asked for public health funding for veterans since they are coming from war and need help mentally and physically. Commissioner Barlow replied that he serves on the McIntosh Trail Community Service Board (MTCSB) and that the MTCSB has a counseling center in Fayetteville that is assisting approximately three hundred veterans from both Fayette and Coweta Counties. He said most of the funds come from the federal and state levels, but that Fayette County also provides funding. County Administrator Rapson clarified that two different funding sources were being discussed. He explained that the funding provided for mental health is proposed to remain at the same level as has been budgeted for the past two years. He stated that funding for physical health had

been decreased at the county level since physical health receives funds from fees, the state, and the county. He said the county decreased funding for physical health since the physical health budget had been built up to the point where it has a reserve balance.

Sheriff Barry Babb: Sheriff Babb spoke about current mechanical problems being experienced with the Dodge Chargers and how other law enforcement agencies are beginning to utilize different vehicles. He spoke about how the Chevrolet Tahoe appears to benefit law enforcement, but he emphasized that the Sheriff's Office was exploring potential vehicles and no decision had been made. He stated that the Sheriff's Office wants to be financially responsible with its decision while ensuring that it is getting the best bang for the buck. Sheriff Babb then spoke about the need to upgrade the radio system since they get "bounce around a lot" and since they are outdated meaning there is no longer any support, or parts, or ability to repair them. He stated that communications are the "life bloodline" for an officer, but that the radios are starting to "die out." Discussion followed.

Larry Mapp: Mr. Mapp returned to the public comment podium and agreed that whatever cost difference there is between a Tahoe and Charger is worth it. Mr. Mapp then spoke about how radios age and, subsequently, how they do not reach the areas they should. He then briefly spoke about how radios systems work both digitally and in analog.

No one else spoke in Public Hearing and Chairman Oddo closed Public Hearing.

Chairman Oddo stated that this Public Hearing does not require a vote. A copy of the request and PowerPoint presentation, identified as "Attachment 1," follows these minutes and is made an official part hereof.

CONSENT AGENDA:

Commissioner Barlow moved to approve Consent Agenda Items #2-6. Commissioner Coston seconded the motion.

Commissioner Ognio asked if the motion could be amended to include the County Administrator's comments.

Commissioner Barlow moved to approve Consent Agenda Items #2-6 and to include the County Administrator's comments. Commissioner Coston seconded the amended motion. No discussion followed. The motion passed 4-0 with Commissioner Brown being absent.

2. **Ratification of the emergency replacement by Electrical Communications, Inc., of the grounding of the communications dispatch consoles in the E-911 Communications Center, in the amount of \$4,200.00, and approval of the transfer of funds from E-911 project contingency for this purpose.**

County Administrator Steve Rapson clarified that the request concerns the E-911 Communication Center's consoles and not the Emergency Operations Center. He added that he had spoken to Commissioner Ognio and he wanted to ensure that if the expenditure is approved that it will comply with the 2014 National Electrical Code in addition to what is currently listed for Consent Agenda Item #2. A copy of the request, identified as "Attachment 2," follows these minutes and is made an official part hereof.

3. **Approval of staff's recommendation to execute the "Rural Fire Defense Cooperative Lease Agreement and Memorandum of Understanding" between Georgia Forestry and Fayette County Fire Department, and authorization for the Chairman to sign the document. Copies of the request, Lease Agreement, and Memorandum of Understanding, identified as "Attachment 3," follow these minutes and are made an official part hereof.**

4. **Approval of staff's request to renew the contract with Midwest Employers Casualty Company in the amount of \$89,850.00, as outlined in "Option 1," for a one-year period beginning July 1, 2015 and ending June 30, 2016, and authorization for the Chairman to sign the contact and any associated documents.**

County Administrator Steve Rapson stated "Option 1" was selected since increasing the deductibles, as provided in Options 2 and 3, would be cheaper from a premium perspective but would not yield significant savings due to the additional liability the County would be assuming. He added that there are only four entities that will bid on Worker's Compensation insurance for counties, and that Fayette County is fortunate and happy to have the same company willing to renew. Copies of the request and contract, identified as "Attachment 4," follows these minutes and is made an official part hereof.

5. **Approval of a request from the Juvenile Court for authorization to accept a grant award from the Criminal Justice Coordinating Council, in the amount of \$82,800.00, and authorization for the Chairman to sign grant-related documentation. A copy of the request, identified as "Attachment 5," follows these minutes and is made an official part hereof.**
6. **Approval of the May 28, 2015 Special Called Budget Meeting Minutes and the May 28, 2015 Board of Commissioners Meeting Minutes.**

OLD BUSINESS:

There were no Old Business items on the Agenda.

NEW BUSINESS:

7. Consideration of staff's request to adopt the proposed Links Master Plan and implementation of Phase I proposed capital improvements.

County Administrator Steve Rapson stated that this request was discussed at the April 2015 Retreat, and he reported that the current budget has \$300,000.00 allocated for this initiative. He said the Sheriff's Office, Public Safety Division, and the Public Works Department had worked together to turn the old golf club that was at The Links golf course into a Public Safety Training Facility. He added that staff was further proposing a live shooting range and a training and driving course. He mentioned part of the property would be used by Public Works for storage purposes, and that there were plans to create passive parks for residents in the area. He stated that there had been two demonstrations with shootings in the area by taking multiple weapons to the area and shooting them. He said the purpose of shooting the weapons was to determine if there were any audible problems among the residents with the shooting. He said there were no detectible audible problems with the shooting. Mr. Rapson stated that there was a meeting held at the County Administration building where residents were informed of the plans, and then there was another live firing shooting that also resulted in very favorable results. He said staff was asking for the Links Master Plan to be approved. He mentioned that \$625,000.00 in the proposed Fiscal Year 2016 for this project, and he said additional funding would be budgeted for subsequent years that would aggregate to \$1,650,000.00 in order to effect what is provided in the proposed Links Master Plan. Mr. Rapson then turned the discussion over to Sheriff Babb.

Sheriff Babb spoke for approximately twenty minutes on the importance and on the need of a training center for Fayette County given the various challenges law enforcement agencies across the nation have faced during the past twenty-eight years. He stressed that training is the foundation of how law enforcement moves forward, and he stated that the proposed training facility would be an "impressive statement" to the Fayette County community of a commitment to training. Sheriff Babb spoke about the humble debt of duty that he has to the people of Fayette County who elected him into office, and of how he wanted to prepare the Sheriff's Office to meet the challenges that he sees coming in the future. He spoke about the small amount of training that law enforcement officers are required to maintain in the State of Georgia, and he spoke about the need not only for driver training and weapons training but also for the "soft tactics" such as criminal procedure, "shoot-don't shoot" simulations, and search and seizure tactics. Sheriff Babb promised that he would be a good neighbor to those living near The Links. He understood that there were concerns about the noise from the firing range interfering with the people living in the area. He

informed the Board and audience that he went to Georgia Tech last week to meet with an expert in sound engineering. He said he learned a lot about noise and that the expert would help design the range to funnel the sound in order to make it quiet as possible. Sheriff Babb stated that there would not be much shooting at the training facility even though the facility would be shared with the City of Fayetteville, the City of Peachtree City, the Town of Tyrone and the Marshal's Department. Sheriff Babb stated his belief that public safety is the foundation for a growing County to build upon, and, subsequently, training is what Public Safety has to build on.

Clyde Laughlin: Mr. Laughlin spoke in support of the proposed Links Master Plan and implementation of Phase I proposed capital improvements. He spoke about the need for training, and he stated that the County would take a risk in not supporting the facility since the County would be remiss if another Baltimore or Ferguson occurred in Fayette County. He said the people need to get behind the Sheriff to make Fayette County the safest community in the state.

Mike Draper: Mr. Draper said he wanted the facility to be turned into a positive. He asked Sheriff Babb if the driving facility could be rented to other agencies. He also asked why there was discussion on this matter since it is already in the budget. County Administrator Steve Rapson stated that the Board needs to approve the expenditure of \$1.6 million and that is why it is under discussion. He stated that this would be a major project and that this discussion was to get the functional approval from the Board while providing full disclosure on what was proposed for the site. Mr. Rapson stated that the primary intention was to create a public training facility for Fayette County and then there could be discussion in the coming years about the possibility of renting the facility to other outside jurisdictions and even, possibly, to Pinewood Studios. Discussion followed.

Willie Times: Mr. Times, a resident of The Links, spoke about the benefits of living in The Links. He stated that he is on board with the Sheriff, but that the training facility would be in his back yard. He said his main concern was the shooting range with the possibility of other counties being involved. He stated that there was a possibility of shooting taking place two or three times a week, and he wished multiple officers had shot weapons at the same time during the noise tests since there would be several officers shooting weapons at the same time after the facility is constructed. He said he was torn on the matter and he was concerned with the future uses of the training facility.

Darlene Times: Mrs. Times, a resident of The Links, stated she is happy with where they live. She stated that Sheriff Babb did a great job explaining the need, but she asked what her quality of life would be if the training facility was built. She understood that an indoor firing range was more costly to construct, but she added that her biggest concern was the firing range. She thought the question was open-ended when multiple officers are shooting at the range. Mrs. Times also expressed concern with how her property

values would be impacted with the training facility. Mrs. Times said she and her family work hard and are good citizens, but that they are very concerned. She agreed that the training facility would be beneficial for Fayette County but she did not want to have a firing range in her neighborhood.

Chairman Oddo closed public comment and returned the discussion back to the Board.

Commissioner Ognio asked if the request was to approve the entire project. Mr. Rapson stated that staff needed direction in implementing the Master Plan, and he said if the plan was approved then it would be handled in the same way the Kenwood Project is handled meaning staff would move forward with all the components of the plan. Mr. Rapson said the County was trying to mitigate as many of the concerns that the Times' have and that is why the expert at Georgia Tech was contacted. He pointed out that the Times' house is 8/10th of a mile from the training facility so it is not abutting the training facility. Mr. Rapson stated that he had consulted with Chief Tax Assessor Joel Benton about the possible impact on property values and reported that there was no anticipated loss since some people like living near Sheriff precincts because they provide safety.

Commissioner Ognio moved to approve staff's request to adopt the proposed Links Master Plan and implementation of Phase I proposed capital improvements with the note that the County implements the plan in a phase approach to keep the project on budget. Commissioner Coston seconded the motion.

Mr. Rapson said the phases would be completed, some being completed simultaneously and others taking longer times to complete. He said the intention was to begin moving dirt and working with the shooting range component in conjunction with working with the Georgia Tech consultant. He said staff has a plan on how to integrate the project.

Commissioner Coston stated that she was a federal law enforcement officer for many years, and that this was a tremendous opportunity for Fayette County. She agreed with Sheriff Babb's comment that training is the key and is critical for law enforcement officers. She stated that when she worked at the federal level, there was an ongoing effort to try to find a place to qualify. She said it is important for law enforcement to be well-equipped, trained, and proactive in its training. She stated that Sheriff Babb has done a tremendous job in being proactive, and she repeated this was a tremendous opportunity for Fayette County.

Commissioner Barlow commended Sheriff Babb for being the "tip of the spear" and for increasing the security of Fayette County. He said the Sheriff demonstrated his leadership by being "boots on the ground." He said the Sheriff is on the streets with his officers and that the Sheriff is second-to-none. He stated that the proposed facility would allow the Sheriff to recruit the finest officers in the State of Georgia, and he mentioned that proper training would work to reduce liability while increasing officer safety. Commissioner Barlow commended Sheriff Babb for giving Fayette County the reputation of being safe. He

stated that when he took his initial training to become a Certified Commissioner, he was taught that the main job was to provide public safety and to put the people's safety first. Commissioner Barlow stated he would do everything he could to make sure the Sheriff has all the tools needed to provide public safety. Sheriff Babb replied that it was the deputies who really do the work, and that his deputies are the hardest working group of people he has ever seen. He said he was proud of his deputies and that it was an honor to work with them.

Commissioner Ognio stated he took time to personally go out to the shooting range since he had concerns about its noise in proximity to neighboring houses. He said that the neighbors could not hear the shooting when the test occurred and, given the report that additional sound improvements would be made, there should be no issues with sound. He pointed out that the Sheriff wanted to be a good neighbor to the people who live in the area. He understood that people bought a house on a golf course, but that the golf course went away. He said the County wanted to work with the citizens in order to make sure the sound is contained. Commissioner Ognio agreed that the Sheriff was doing an excellent job and that the facility would definitely benefit Fayette County. He added that the presence of having Sheriff's vehicles in the area would be a benefit for the area and he thought there were many benefits. He understood that the people were concerned about their property values, but he added that everyone has those kinds of concerns when development comes to their area. He concluded that the facility would be good for all of Fayette County.

Chairman Oddo said this opportunity almost came up unexpectedly and that it requires the right pieces and players in place. He said he was not comfortable spending so much money, but that there is a point when a person decides if they can afford not to spend the money. Chairman Oddo stated that he had looked at the various situations that were going on with law enforcement across the country, and he said those situations "make you squirm a little bit." He stated that Fayette County has a "very fine" Sheriff's Office, but in light of all that is going on, the leadership it has, and the individuals who support the Sheriff, that this was the time and opportunity to make the County better. He said the County would not forget the people who live in the area. He said it was a tough decision, but this was the best place at the right time with the right people in place, and that this was not being done just to be done. He saw nothing but positives with the facility, and he thought the County needed to do everything it could to protect its home turf.

The motion to approve staff's request to adopt the proposed Links Master Plan and implementation of Phase I proposed capital improvement plans with the note that the County implements the plan in a phase approach to keep the project on budget passed 4-0 with Commissioner Brown being absent. A copy of the request, identified as "Attachment 6," follows these minutes and is made an official part hereof.

8. Consideration of the Water Committee's recommendation to adopt Ordinance 2015-08 and in so doing amending the Fayette County Code of Ordinances pertaining to Underground Marking Standards.

County Attorney Dennis Davenport briefed the Board on Ordinance 2015-08 saying last year the Board adopted a "White Lining Ordinance" in response to the perception that there would be a decrease in the safety tolerance zone in the state statute. He said the "White Lining Ordinance" was an attempt to keep the safety tolerance zone as the same width before the state statute reduced it. He said the ordinance was enacted, the state did reduce the safety tolerance zone, and Fayette County found itself as being the only jurisdiction in the state with that type of ordinance on the books. He said the County received a lot of focus from agencies, especially those that represent underground contractors, because Fayette County was different than any other place in the state to work on construction projects where utility lines were located. He said this current proposal was to not only match the requirements to the reduced state's requirements, but to also make sure there are significant provisions in place that protect Fayette County when construction projects are taking place. He stated that it had taken approximately 1 ½ years to refine the Underground Marking Standards.

Water System Construction Inspector Matt Bergen stated that the intent was to reduce the amount of damages that occur to underground utilities. He stated that in 2011, when the County was less busy, he had to file thirty-five probable violations to the Public Service Commission for contractors who had damaged the county's facilities. He stated that with the introduction of last year's White Lining Ordinance the number of probable violations dropped to twenty-two, and he stated that six months into 2015 he has had to file only two probable violations. He concluded that the word has gotten throughout the state and that other counties and municipalities had been contacting him to learn what Fayette County is doing. He asked the Board to adopt Ordinance 2015-08 so that Fayette County and other counties and municipalities could benefit.

Commissioner Barlow moved to adopt the Water Committee's recommendation to adopt Ordinance 2015-08 and in so doing amending the Fayette County Code of Ordinances pertaining to Underground Marking Standards. Commissioner Coston seconded the motion. No discussion followed. The motion passed 4-0 with Commissioner Brown being absent. Copies of the request and Ordinance 2015-08, identified as "Attachment 7," follow these minutes and are made an official part hereof.

PUBLIC COMMENT:

Mayor Greg Clifton: Fayetteville Mayor Greg Clifton apologized for missing the discussion on re-purposing the former Links Golf Course. He said he was glad the property would be used for good. He understood that the property would include a driving course and he thought that was a good idea. He stated that the City of Fayetteville just held a budget meeting and that the budget was looking good for the city. He hoped the County was having similar results and encouraged the County to “keep up the good work.”

ADMINISTRATOR’S REPORTS:

There were no Administrator’s Reports given.

ATTORNEY’S REPORTS:

Notification of Executive Session: County Attorney Dennis Davenport informed the Board that he had one item of Pending Litigation and the review of the May 28, 2015 Executive Session Minutes for Executive Session.

COMMISSIONERS’ REPORTS:

Commissioner Ognio: Commissioner Ognio stated that the County’s proposed budget was looking good. He thought the County was blessed to have the staff it has to work on the budget, but that he was still on the fence with one section of the budget. County Administrator Steve Rapson asked Commissioner Ognio and the Board to present their modifications to the budget prior to the June 25, 2015 Board of Commissioners meeting. Commissioner Ognio thanked staff for its hard work. He added that he liked the approval of the training facility and he was glad Fayette County has the Sheriff it has to lead the effort.

Commissioner Coston: Commissioner Coston thanked everyone for coming to the meeting, and she briefed the Board and audience on several upcoming events and activities that she would be attending. She mentioned that she would be receiving a Humanitarian Award from the Alpha Kappa Alpha Sorority who would be recognizing outstanding achievements in various areas. She thanked staff for all of its great work.

Commissioner Barlow: Commissioner Barlow thanked the people for coming to the meeting and making comments. He congratulated Commissioner Coston for winning the Humanitarian Award. He thanked County Administrator Steve Rapson and commended him for “delivering the goods.” He said the staff was incredible and that it was a joy to see the staff soar. He said Fayette County is soaring when it is one of three counties in Georgia that has a Aaa credit rating. He said he has gone to each department and worked with the Department Heads. Commissioner Barlow mentioned that Fayette County is having a rollback and not a tax increase, and he commended the Finance Department for its “Herculean effort” in balancing the budget with a rollback. Mr. Rapson

replied that the success was with staff and the team effort by the Department Heads. Commissioner Barlow then commended Sheriff Babb and his work. He stated that the County was blessed to have Mr. Rapson and the staff it has, and that the public does not see it. He said the public benefits from the services provided, but that the services are bettered when given proper leadership.

Chairman Oddo: Chairman Oddo said he was happy to be a part in making the training facility a reality. He mentioned that actor John Wayne passed away on June 11, 1979. He stated that John Wayne was a very patriotic person who made a great speech in the movie *The Alamo* about the meaning of a Republic. Chairman Oddo mentioned that Sunday, June 14 is Flag Day, and he gave a brief history of Flag Day. He encouraged everyone to wave their flags proudly.

EXECUTIVE SESSION:

Pending Litigation and Review of the May 28, 2015 Executive Session Minutes: Commissioner Ognio moved to enter into Executive Session. Commissioner Barlow seconded the motion. No discussion followed. The motion passed 4-0 with Commissioner Brown being absent.

The Board recessed into Executive Session at 9:27 p.m. and returned to Official Session at 9:51 p.m.

Return to Official Session and Approval of the Executive Session Affidavit: Commissioner Ognio moved to return to Official Session and to authorize the Chairman to sign the Executive Session Affidavit. Commissioner Barlow seconded the motion. The motion passed 4-0 with Commissioner Brown being absent. A copy of the Executive Session Affidavit, identified as "Attachment 8," follows these minutes and is made an official part hereof.

May 28, 2015 Executive Session Minutes: Commissioner Ognio moved to approve the May 28, 2015 Executive Session Minutes. Commissioner Barlow seconded the motion. No discussion followed. The motion passed 4-0 with Commissioner Brown being absent.

ADJOURNMENT:

Commissioner Ognio moved to adjourn the June 11, 2015 Board of Commissioners meeting. Commissioner Barlow seconded the motion. No discussion followed. The motion passed 4-0 with Commissioner Brown being absent.

The June 11, 2015 Board of Commissioners meeting was adjourned at 9:52 p.m.

Floyd L. Jones, County Clerk

Charles W. Oddo, Chairman

The foregoing minutes were duly approved at an official meeting of the Board of Commissioners of Fayette County, Georgia, held on the 25th day of June 2015. Referenced attachments are available upon request at the County Clerk's Office.

Floyd L. Jones, County Clerk

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Consideration of the Fayetteville annexation of 200 Hunters Glen and 100 S. Morning Dove Drive in Quail Hollow Subdivision, and the rezoning of said property from R-40 (Single-Family District) to R-40 (Single-Family District).

Background/History/Details:

The City of Fayetteville has notified Fayette County of an application to annex 200 Hunters Glen and 100 S. Morning Dove Drive in Quail Hollow Subdivision. The City has also notified the County of its intention to rezone the property from R-40 (Single-Family District) to R-40 (Single-Family District).

The county's governing authority may either "object" to the annexation, by majority vote, or choose not to object to the annexation request.

Per Section 36-36-113 of the Georgia Code, Fayette County must deliver their objection to the annexation by certified mail or statutory overnight delivery not later than the end of the thirtieth calendar day following receipt of the notice. The deadline for delivery of an objection is April 10, 2015.

Staff has reviewed the application and finds no grounds for a bona-fide land use objection.

What action are you seeking from the Board of Commissioners?

Approval of the Fayetteville annexation of 200 Hunters Glen and 100 S. Morning Dove Drive in Quail Hollow Subdivision, and the rezoning of said property from R-40 (Single-Family District) to R-40 (Single-Family District).

If this item requires funding, please describe:

Not Applicable.

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

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

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:

To: Board of Commissioners

From: Pete Frisina

Date: June 8, 2015

Re: Fayetteville Annexation Request for Rodney and Patricia Smith - 200 Hunters Glen (Parcel 05-1701-070) and Madeline Hutchison - 100 S. Morning Dove Drive (Parcel 05-1701-069).

Fayetteville has received a request for annexation of the above-referenced properties located at 200 Hunters Glen and 100 S. Morning Dove Drive in the Quail Hollow Subdivision. The annexation notice from Fayetteville indicates the intent to annex and rezone the two (2) lots from R-40 in unincorporated Fayette County to R-40 in the City of Fayetteville. The reason stated for annexation is connection to the Fayetteville sewer system due to problems with the septic systems.

History

Quail Hollow subdivision was platted and recorded on October, 28, 1975.

General Description

The subject properties are two (2) lots in the Quail Hollow Subdivision. The proposed annexation would not create an island. The subject property abuts the following:

Direction	Acreage	Zoning	Use	Comprehensive Plan
North (across Hunters Glen)	1.00 +	R-40	Single-Family Residence	Low Density Residential (1 Unit/1 to 2 Acres)
	1.00 +	R-40	Single-Family Residence	
	1.00 +	R-40	Single-Family Residence	
East	1.00 +	R-40	Single-Family Residence	Low Density Residential (1 Unit/1 to 2 Acres)
South	1.00+	R-40	Single-Family Residence	Low Density Residential (1 Unit/1 to 2 Acres)
		PCD	Undeveloped Subdivision	City of Fayetteville
West (across Morning Dove Dr.)	1.00+	R-40	Single-Family Residence	Low Density Residential (1 Unit/1 to 2 Acres)

Current County Land Use

The subject property is designated as Low Density Residential (1 Unit/1 to 2 Acres) on the Fayette County Future Land Use Plan map.

DEPARTMENTAL COMMENTS

Planning and Zoning: As the subject property is currently zoned R-40 and will be zoned R-40 in Fayetteville there is no change in zoning or land use that will result in a substantial change in the intensity of the allowable use of the property or a change to a significantly different allowable use (see State Law below).

Fire/EMS: Fire and Emergency services opposes the annexation due to the loss of fire revenue.

Water System: This is the City of Fayetteville’s service area.

Public Works/Engineering: No Public Work comments.

Environmental Health: Our Department has no objection to the proposed annexation. As both structures are currently served by septic systems, if they are annexed and connect to the public sewer system, the property owners will need to properly abandon the existing septic tanks and the abandonment must be verified by this department prior to covering the septic tank abandonment excavation.

Environmental Management:

- Floodplain** The property does **NOT** contain floodplain per FEMA FIRM panel 13113C0103E.

- Wetlands** The property does **NOT** contain any wetlands per the U.S. Department of the Interior, Fish and Wildlife Service 1994 National Wetland Inventory Map.

- Watershed** There are **NO** water bodies subject to the County watershed protection buffers and setbacks.

- Groundwater** The property **IS NOT** within the groundwater recharge area, as delineated on the Georgia Department of Natural Resources’ 1992 Ground-Water Pollution Susceptibility Map of Georgia (Hydrologic Atlas 20).

- Stormwater Utility** The County will lose stormwater revenue if this parcel is to be annexed.

Sheriff's Office: No issues.

STATE LAW

**TITLE 36. LOCAL GOVERNMENT
PROVISIONS APPLICABLE TO MUNICIPAL CORPORATIONS ONLY**

CHAPTER 36. ANNEXATION OF TERRITORY
ARTICLE 7. PROCEDURE FOR RESOLVING ANNEXATION DISPUTES

36-36-113. Objection to annexation; grounds and procedures

- (a) The county governing authority may by majority vote to object to the annexation because of a material increase in burden upon the county directly related to any one or more of the following:
 - (1) The proposed change in zoning or land use;
 - (2) Proposed increase in density; and
 - (3) Infrastructure demands related to the proposed change in zoning or land use.
- (b) Delivery of services may not be a basis for a valid objection but may be used in support of a valid objection if directly related to one or more of the subjects enumerated in paragraphs (1), (2), and (3) of subsection (a) of this Code section.
- (c) The objection provided for in subsection (a) of this Code section shall document the nature of the objection specifically providing evidence of any financial impact forming the basis of the objection and shall be delivered to the municipal governing authority by certified mail or statutory overnight delivery to be received not later than the end of the thirtieth calendar day following receipt of the notice provided for in Code Section 36-36-111.
- (d) In order for an objection pursuant to this Code section to be valid, the proposed change in zoning or land use must:
 - (1) Result in:
 - (A) A substantial change in the intensity of the allowable use of the property or a change to a significantly different allowable use; or
 - (B) A use which significantly increases the net cost of infrastructure or significantly diminishes the value or useful life of a capital outlay project, as such term is defined in Code Section 48-8-110, which is furnished by the county to the area to be annexed; and
 - (2) Differ substantially from the existing uses suggested for the property by the county's comprehensive land use or permitted for the property pursuant to the county's zoning ordinance or its land use ordinances.

36-36-114. Arbitration panel; composition and membership

- (a) Not later than the fifteenth calendar day following the date the municipal corporation

received the first objection provided for in Code Section 36-36-113, an arbitration panel shall be appointed as provided in this Code section.

- (b) The arbitration panel shall be composed of five members to be selected as provided in this subsection. The Department of Community Affairs shall develop three pools of arbitrators, one pool which consists of persons who are currently or within the previous six years have been municipal elected officials, one pool which consists of persons who are currently or within the previous six years have been county elected officials, and one pool which consists of persons with a master's degree or higher in public administration or planning and who are currently employed by an institution of higher learning in this state, other than the Carl Vinson Institute of Government. The pool shall be sufficiently large to ensure as nearly as practicable that no person shall be required to serve on more than two panels in any one calendar year and serve on no more than one panel in any given county in any one calendar year. The department is authorized to coordinate with the Georgia Municipal Association, the Association County Commissioners of Georgia, the Council of Local Governments, and similar organizations in developing and maintaining such pools.
- (c) Upon receiving notice of a disputed annexation, the department shall choose at random four names from the pool of municipal officials, four names from the pool of county officials, and three names from the pool of academics; provided, however, that none of such selections shall include a person who is a resident of the county which has interposed the objection or any municipal corporation located wholly or partially in such county. The municipal corporation shall be permitted to strike or excuse two of the names chosen from the county officials pool; the county shall be permitted to strike or excuse two of the names chosen from the municipal officials pool; and the county and municipal corporation shall each be permitted to strike or excuse one of the names chosen from the academic pool.
- (d) Prior to being eligible to serve on any of the three pools, persons interested in serving on such panels shall receive joint training in alternative dispute resolution together with zoning and land use training, which may be designed and overseen by the Carl Vinson Institute of Government in conjunction with the Association County Commissioners of Georgia and the Georgia Municipal Association, provided such training is available.
- (e) At the time any person is selected to serve on a panel for any particular annexation dispute, he or she shall sign the following oath: "I do solemnly swear or affirm that I will faithfully perform my duties as an arbitrator in a fair and impartial manner without favor or affection to any party, and that I have not and will not have any ex parte communication regarding the facts and circumstances of the matters to be determined, other than communications with my fellow arbitrators, and will only consider, in making my determination, those matters which may lawfully come before me."

36-36-115. Meetings of arbitration panel; duties; findings and recommendations; compensation

- (a) (1) The arbitration panel appointed pursuant to Code Section 36-36-114 shall meet as soon after appointment as practicable and shall receive evidence and argument from the municipal corporation, the county, and the applicant or property owner and shall by majority vote render a decision which shall be binding on all parties to the dispute as provided for in this article not later than the sixtieth day following such appointment. The meetings of the panel in which evidence is submitted or arguments of the parties are made shall be open to the public pursuant to Chapter 14 of Title 50. The panel shall first determine the validity of the grounds for objection as specified in the objection. If an objection involves the financial impact on the county as a result of a change in zoning or land use or the provision of maintenance of infrastructure, the panel shall quantify such impact in terms of cost. As to any objection which the panel has determined to be valid, the panel, in its findings, may establish reasonable zoning, land use, or density conditions applicable to the annexation and propose any reasonable mitigating measures as to an objection pertaining to infrastructure demands.
- (2) In arriving at its determination, the panel shall consider:
- (A) The existing comprehensive land use plans of both the county and city;
 - (B) The existing land use patterns in the area of the subject property;
 - (C) The existing zoning patterns in the area of the subject property;
 - (D) Each jurisdiction's provision of infrastructure to the area of the subject property;
 - (E) Whether the county has approved similar changes in intensity or allowable uses on similar developments in other unincorporated areas of the county;
 - (F) Whether the county has approved similar developments in other unincorporated areas of the county which have a similar impact on infrastructure as complained of by the county in its objection; and
 - (G) Whether the infrastructure or capital outlay project which is claimed adversely impacted by the county in its objection was funded by a county-wide tax.
- (3) The county shall provide supporting evidence that its objection is consistent with its land use plan and the pattern of existing land uses and zonings in the area of the subject property.
- (4) The county shall bear at least 75 percent of the cost of the arbitration. The panel shall apportion the remaining 25 percent of the cost of the arbitration equitably between the city and the county as the facts of the appeal warrant; provided, however, that if the panel determines that any party has advanced a position that is substantially frivolous, the costs shall be borne by the party that has advanced such position.
- (5) The reasonable costs of participation in the arbitration process of the property owner

or owners whose property is at issue shall be borne by the county and the city in the same proportion as costs are apportioned under paragraph (4) of this subsection.

- (6) The panel shall deliver its findings and recommendations to the parties by certified mail or statutory overnight delivery.
- (b) If the decision of the panel contains zoning, land use, or density conditions, the findings and recommendations of the panel shall be recorded in the deed records of the county with a caption describing the name of the current owner of the property, recording reference of the current owner's acquisition deed and a general description of the property, and plainly showing the expiration date of any restrictions or conditions.
- (c) The arbitration panel shall be dissolved on the tenth day after it renders its findings and recommendations but may be reconvened as provided in Code Section 36-36-116.
- (d) The members of the arbitration panel shall receive the same per diem, expenses, and allowances for their service on the committee as is authorized by law for members of interim legislative study committees.
- (e) If the panel so agrees, any one or more additional annexation disputes which may arise between the parties prior to the panel's initial meeting may be consolidated for the purpose of judicial economy if there are similar issues of location or similar objections raised to such other annexations or the property to be annexed in such other annexations is within 2,500 feet of the subject property.

36-36-116. Appeal

The municipal or county governing authority or an applicant for annexation may appeal the decision of the arbitration panel by filing an action in the superior court of the county within ten calendar days from receipt of the panel's findings and recommendations. The sole grounds for appeal shall be to correct errors of fact or of law, the bias or misconduct of an arbitrator, or the panel's abuse of discretion. The superior court shall schedule an expedited appeal and shall render a decision within 20 days from the date of filing. If the court finds that an error of fact or law has been made, that an arbitrator was biased or engaged in misconduct, or that the panel has abused its discretion, the court shall issue such orders governing the proposed annexation as the circumstances may require, including remand to the panel. Any unappealed order shall be binding upon the parties. The appeal shall be assigned to a judge who is not a judge in the circuit in which the county is located.

36-36-117. Annexation after conclusion of procedures; remedies for violations of conditions

If the annexation is completed after final resolution of any objection, whether by agreement of the parties, act of the panel, or court order as a result of an appeal, the municipal corporation shall not change the zoning, land use, or density of the annexed

property for a period of one year unless such change is made in the service delivery agreement or comprehensive plan and adopted by the affected city and county and all required parties. Following the conclusion of the dispute resolution process outlined in this article, the municipal corporation and an applicant for annexation may either accept the recommendations of the arbitration panel and proceed with the remaining annexation process or abandon the annexation proceeding. A violation of the conditions set forth in this Code section may be enforced thereafter at law or in equity until such conditions have expired as provided in this Code section.

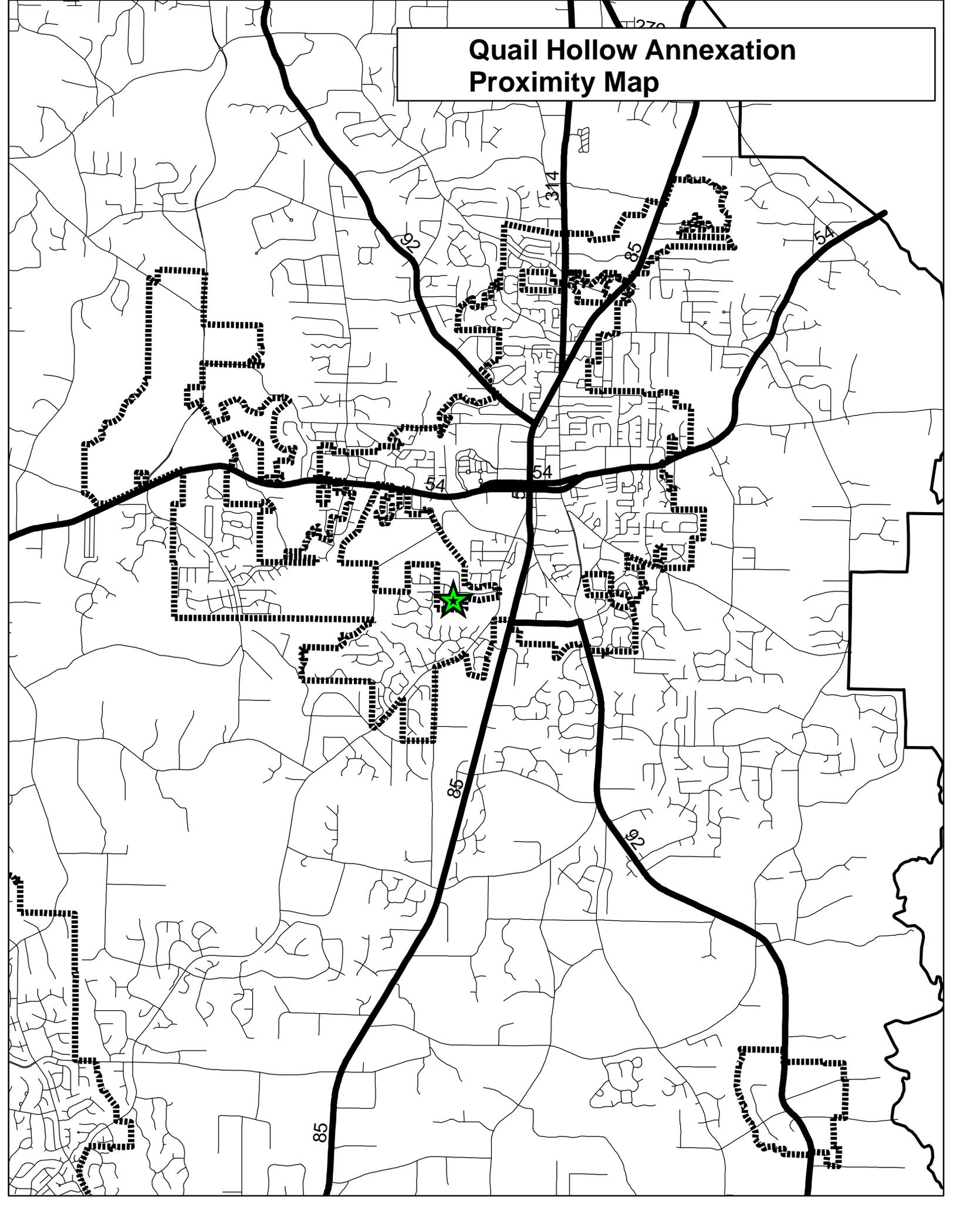
36-36-118. Abandonment of proposed annexation; remedies for violations of conditions

If at any time during the proceedings the municipal corporation or applicant abandons the proposed annexation, the county shall not change the zoning, land use, or density affecting the property for a period of one year unless such change is made in the service delivery agreement or comprehensive plan and adopted by the affected city and county and all required parties. A violation of the conditions set forth in this Code section may be enforced thereafter at law or in equity until such period has expired. After final resolution of any objection, whether by agreement of the parties, act of the panel, or any appeal from the panel's decision, the terms of such decision shall remain valid for the one-year period and such annexation may proceed at any time during the one year without any further action or without any further right of objection by the county.

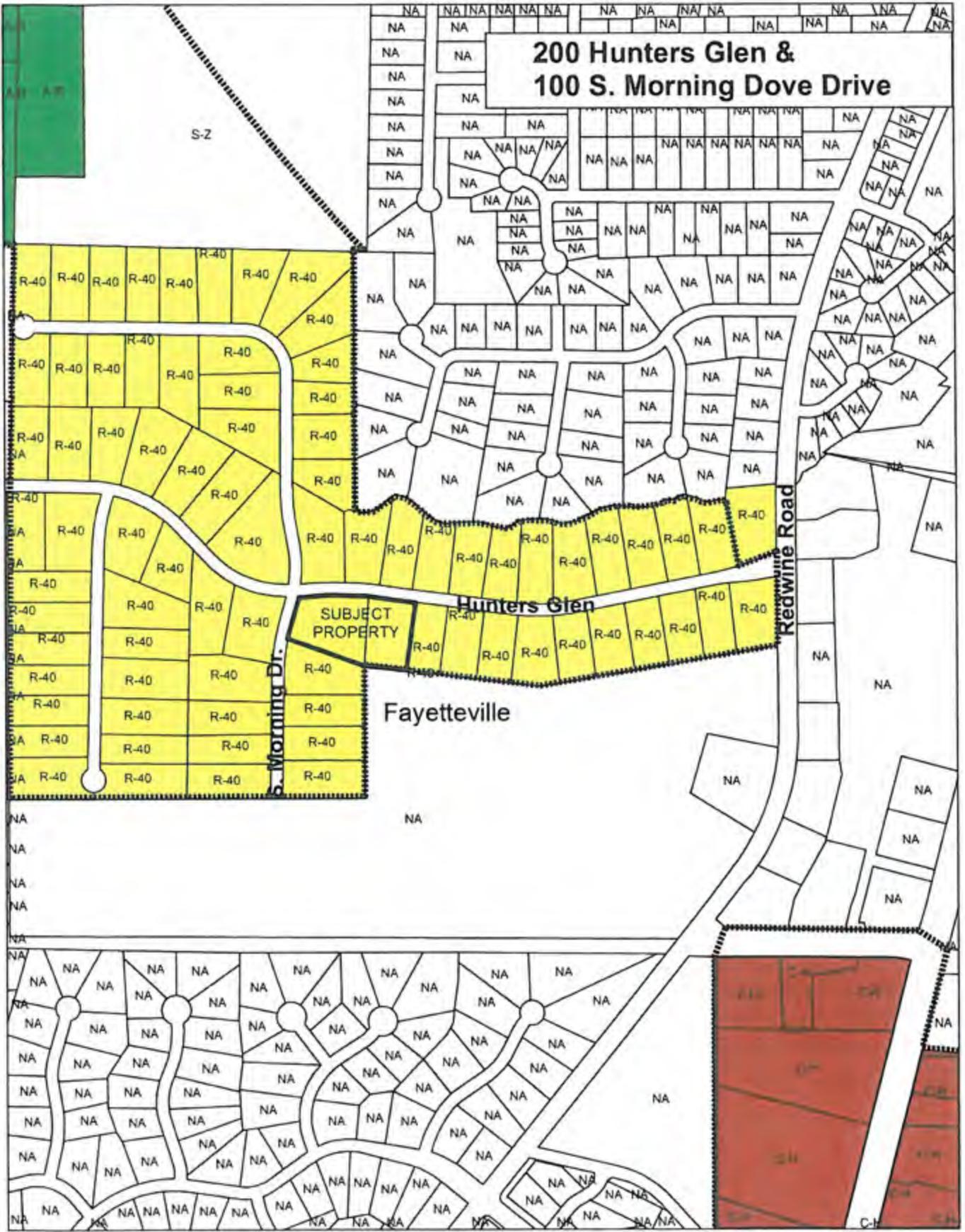
Summary

As the subject property is currently zoned R-40 and will be zoned R-40 in Fayetteville there is no change in zoning or land use that will result in a substantial change in the intensity of the allowable use of the property or a change to a significantly different allowable use (see State Law below). Staff recommends that the County not object to the annexation. Please note that Fire/EMS is opposed due to the loss of revenue.

Quail Hollow Annexation Proximity Map



**200 Hunters Glen &
100 S. Morning Dove Drive**



S-Z

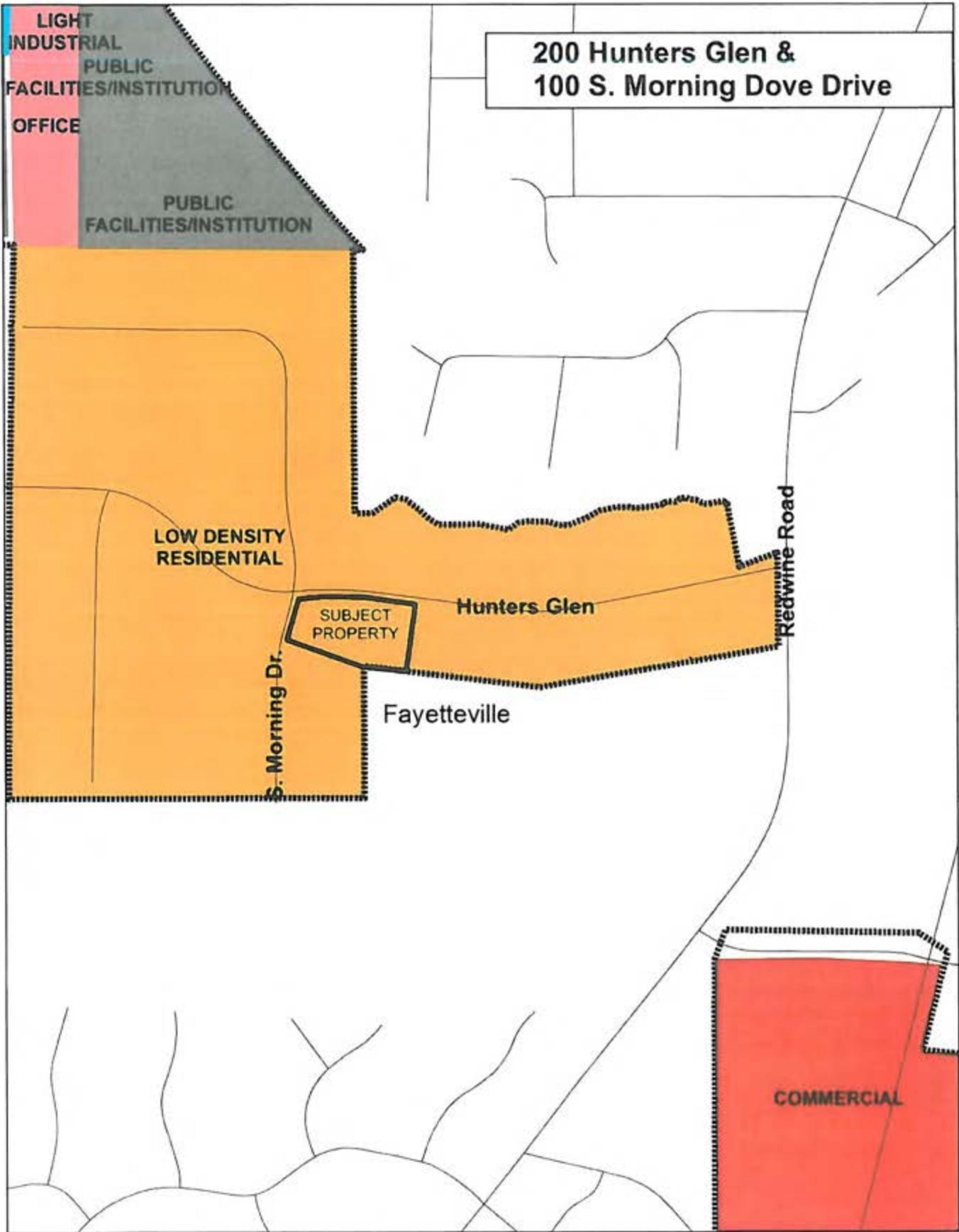
**SUBJECT
PROPERTY**

Hunters Glen

Fayetteville

Redwine Road

S. Morning Dr.



200 Hunters Glen &
100 S. Morning Dove Drive

LIGHT INDUSTRIAL
PUBLIC FACILITIES/INSTITUTION
OFFICE
PUBLIC FACILITIES/INSTITUTION

LOW DENSITY RESIDENTIAL

SUBJECT PROPERTY

Hunters Glen

Fayetteville

S. Morning Dr.

Redwine Road

COMMERCIAL

200 Hunters Glen &
100 S. Morning Dove Drive



PARADISE CT

MORNING DOVE DR

SU PROPR CT

PAGES

PAGE RD

Hunters Glen

Redwine Road

RAMAH RD

S GLYNN ST

LEGENDS DR

PRICE RD

CRESTVIEW DR

HILLSIDE PT

TRAILS DR

WINDRIDGE DR

ESAVE

ON-HAN

WINDRIDGE

WINDRIDGE

COUNTY AGENDA REQUEST

New Business #19

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Consideration of the Fayetteville annexation of 467 Veterans Parkway and the rezoning of said property from R-70 (Single-Family District) to PCD (Planned Community Development).

Background/History/Details:

The City of Fayetteville notified Fayette County of an application to annex 467 Veterans Parkway (Thomas Lamb Property) which consists of .947 acres. The City has also notified the County of its intention to rezone the property from R-70 (Single-Family District) to R-70 (Single-Family District). The BOC considered this annexation at the March 25, 2015 and did not object. The applicant is now requesting PCD zoning instead of R-70.

The county's governing authority may either "object" to the annexation, by majority vote, or choose not to object to the annexation request. Per Section 36-36-113 of the Georgia Code, Fayette County must deliver their objection to the annexation by certified mail or statutory overnight delivery not later than the end of the thirtieth calendar day following receipt of the notice. The deadline for delivery of an objection is June 30, 2015.

Staff has reviewed the application and recommends that the BOC not object to the annexation. The proposed development pattern for the subject properties is in keeping with the master plan and what was proposed for surrounding property also being considered for annexation to PCD. The BOC did not object to the annexation of the surrounding property (Pierport & Pace property) at the March 25, 2015 meeting.

What action are you seeking from the Board of Commissioners?

Approval of the Fayetteville annexation of 467 Veterans Parkway and the rezoning of said property from R-70 (Single-Family District) to PCD (Planned Community Development).

If this item requires funding, please describe:

Not Applicable.

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

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

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:

This annexation and rezoning request was first considered by the Board of Commissioners on March 25, 2015. The original request was to annex .947 acres into the city and to rezone the property to R-70.

The current request is a change of rezoning from R-70 to PCD.

To: Board of Commissioners

From: Pete Frisina

Date: June 8, 2015

Re: Fayetteville Annexation Request for 467 Veterans Parkway, Fayetteville, GA
30214 Property Tax ID#: 05-35-009

The City of Fayetteville notified Fayette County of an application to annex 467 Veterans Parkway (Thomas Lamb Property) which consists of .947 acres. The City has also notified the County of its intention to rezone the property from R-70 (Single-Family District) to R-70 (Single-Family District). The BOC considered this annexation at the March 25, 2015 and did not object. The applicant is now requesting PCD zoning instead of R-70.

General Description

The subject property is located at 467 Veterans Parkway. The proposed annexation would not create an island. The subject property abuts the following:

Direction	Acreage	Zoning	Use	Comprehensive Plan
North, East and South (This property is also being considered for annexation to PCD.)	97.87	R-70	Undeveloped	Rural Residential (1 Unit/2 to 3 Acres)
West (across Veterans Pkwy)	288.50	PUD (City of Fayetteville)	Pinewood Studio	City of Fayetteville

Current County Land Use

The subject property is designated as Rural Residential (1 Unit/2 to 3 Acres) on the Fayette County Future Land Use Plan map.

DEPARTMENTAL COMMENTS

Planning and Zoning: The annexation and rezoning of the subject properties as proposed will create a change in zoning and land use that will result in a substantial change in the intensity of the allowable use of the property and a change to a significantly different allowable use (see State Law below).

Fire/EMS: Fire and Emergency services opposes the annexation due to the loss of fire revenue.

Water System: Water is available in the area. An extension would be required to service these parcels.

Public Works/Engineering: Public Works has reviewed the annexation applications for the Pierport, Pace and Lamb properties on Veterans Parkway. These properties are part of a larger Development of Regional Impact (DRI) that is currently under development. The cumulative traffic impacts from the DRI, including these properties, is significant to Veterans Parkway, Sandy Creek, South Sandy Creek and SR 54.

Via a previous agreement, the City of Fayetteville already owns and maintains Veterans Parkway, from SR 54 to Sandy Creek. Improvements to this section of Veterans Parkway needed as a result of the annexation and DRI will be the responsibility of the City and the Developer. The primary impact to Fayette County will be upgrades needed to Sandy Creek as a result of the DRI. These needs have not yet been quantified.

Access to Veterans Parkway should be controlled (i.e., limited) and it is Public Work's understanding that the DRI is meeting that goal. A meeting with GRTA is set for June 17th to discuss DRI transportation issues.

Last, Public Works recommends that any development within the City on the annexed properties consider pedestrian movements and for the plans to support a comprehensive network of multi-use paths to serve the area.

Environmental Health: Our department has no objection to either of these proposed annexation requests.

Should any existing structures on either of these properties be demolished during the development of the sites, then any existing septic tank systems must be properly abandoned and verified by this department as part of the demolition process prior to any redevelopment on the sites.

Environmental Management:

Floodplain The property does **NOT** contain floodplain per FEMA FIRM panel 13113C0082E.

Wetlands The property does **NOT** contain any wetlands per the U.S. Department of the Interior, Fish and Wildlife Service 1994 National Wetland Inventory Map.

Watershed There are **NO** water bodies subject to the County watershed protection buffers and setbacks.

Groundwater The property **IS NOT** within the groundwater recharge area, as delineated on the Georgia Department of Natural Resources' 1992 Ground-Water Pollution Susceptibility Map of Georgia (Hydrologic Atlas 20).

Stormwater The development of this property should meet all current stormwater management practices for development. Analysis of the impacts to downstream properties is suggested.

Stormwater Utility The County will lose stormwater revenue if this parcel is to be annexed.

Sheriff's Office:

STATE LAW

**TITLE 36. LOCAL GOVERNMENT
PROVISIONS APPLICABLE TO MUNICIPAL CORPORATIONS ONLY
CHAPTER 36. ANNEXATION OF TERRITORY
ARTICLE 7. PROCEDURE FOR RESOLVING ANNEXATION DISPUTES**

36-36-113. Objection to annexation; grounds and procedures

- (a) The county governing authority may by majority vote to object to the annexation because of a material increase in burden upon the county directly related to any one or more of the following:
 - (1) The proposed change in zoning or land use;
 - (2) Proposed increase in density; and
 - (3) Infrastructure demands related to the proposed change in zoning or land use.
- (b) Delivery of services may not be a basis for a valid objection but may be used in support of a valid objection if directly related to one or more of the subjects enumerated in paragraphs (1), (2), and (3) of subsection (a) of this Code section.
- (c) The objection provided for in subsection (a) of this Code section shall document the nature of the objection specifically providing evidence of any financial impact forming the basis of the objection and shall be delivered to the municipal governing authority by certified mail or statutory overnight delivery to be received not later than the end of the thirtieth calendar day following receipt of the notice provided for in Code Section 36-36-111.
- (d) In order for an objection pursuant to this Code section to be valid, the proposed change in zoning or land use must:
 - (1) Result in:

- (A) A substantial change in the intensity of the allowable use of the property or a change to a significantly different allowable use; or
 - (B) A use which significantly increases the net cost of infrastructure or significantly diminishes the value or useful life of a capital outlay project, as such term is defined in Code Section 48-8-110, which is furnished by the county to the area to be annexed; and
- (2) Differ substantially from the existing uses suggested for the property by the county's comprehensive land use or permitted for the property pursuant to the county's zoning ordinance or its land use ordinances.

36-36-114. Arbitration panel; composition and membership

- (a) Not later than the fifteenth calendar day following the date the municipal corporation received the first objection provided for in Code Section 36-36-113, an arbitration panel shall be appointed as provided in this Code section.
- (b) The arbitration panel shall be composed of five members to be selected as provided in this subsection. The Department of Community Affairs shall develop three pools of arbitrators, one pool which consists of persons who are currently or within the previous six years have been municipal elected officials, one pool which consists of persons who are currently or within the previous six years have been county elected officials, and one pool which consists of persons with a master's degree or higher in public administration or planning and who are currently employed by an institution of higher learning in this state, other than the Carl Vinson Institute of Government. The pool shall be sufficiently large to ensure as nearly as practicable that no person shall be required to serve on more than two panels in any one calendar year and serve on no more than one panel in any given county in any one calendar year. The department is authorized to coordinate with the Georgia Municipal Association, the Association County Commissioners of Georgia, the Council of Local Governments, and similar organizations in developing and maintaining such pools.
- (c) Upon receiving notice of a disputed annexation, the department shall choose at random four names from the pool of municipal officials, four names from the pool of county officials, and three names from the pool of academics; provided, however, that none of such selections shall include a person who is a resident of the county which has interposed the objection or any municipal corporation located wholly or partially in such county. The municipal corporation shall be permitted to strike or excuse two of the names chosen from the county officials pool; the county shall be permitted to strike or excuse two of the names chosen from the municipal officials pool; and the county and municipal corporation shall each be permitted to strike or excuse one of the names chosen from the academic pool.
- (d) Prior to being eligible to serve on any of the three pools, persons interested in serving on such panels shall receive joint training in alternative dispute resolution together with

zoning and land use training, which may be designed and overseen by the Carl Vinson Institute of Government in conjunction with the Association County Commissioners of Georgia and the Georgia Municipal Association, provided such training is available.

- (e) At the time any person is selected to serve on a panel for any particular annexation dispute, he or she shall sign the following oath: "I do solemnly swear or affirm that I will faithfully perform my duties as an arbitrator in a fair and impartial manner without favor or affection to any party, and that I have not and will not have any ex parte communication regarding the facts and circumstances of the matters to be determined, other than communications with my fellow arbitrators, and will only consider, in making my determination, those matters which may lawfully come before me."

36-36-115. Meetings of arbitration panel; duties; findings and recommendations; compensation

- (a) (1) The arbitration panel appointed pursuant to Code Section 36-36-114 shall meet as soon after appointment as practicable and shall receive evidence and argument from the municipal corporation, the county, and the applicant or property owner and shall by majority vote render a decision which shall be binding on all parties to the dispute as provided for in this article not later than the sixtieth day following such appointment. The meetings of the panel in which evidence is submitted or arguments of the parties are made shall be open to the public pursuant to Chapter 14 of Title 50. The panel shall first determine the validity of the grounds for objection as specified in the objection. If an objection involves the financial impact on the county as a result of a change in zoning or land use or the provision of maintenance of infrastructure, the panel shall quantify such impact in terms of cost. As to any objection which the panel has determined to be valid, the panel, in its findings, may establish reasonable zoning, land use, or density conditions applicable to the annexation and propose any reasonable mitigating measures as to an objection pertaining to infrastructure demands.
- (2) In arriving at its determination, the panel shall consider:
 - (A) The existing comprehensive land use plans of both the county and city;
 - (B) The existing land use patterns in the area of the subject property;
 - (C) The existing zoning patterns in the area of the subject property;
 - (D) Each jurisdiction's provision of infrastructure to the area of the subject property;
 - (E) Whether the county has approved similar changes in intensity or allowable uses on similar developments in other unincorporated areas of the county;
 - (F) Whether the county has approved similar developments in other unincorporated areas of the county which have a similar impact on infrastructure as complained of by the county in its objection; and

- (G) Whether the infrastructure or capital outlay project which is claimed adversely impacted by the county in its objection was funded by a county-wide tax.
- (3) The county shall provide supporting evidence that its objection is consistent with its land use plan and the pattern of existing land uses and zonings in the area of the subject property.
- (4) The county shall bear at least 75 percent of the cost of the arbitration. The panel shall apportion the remaining 25 percent of the cost of the arbitration equitably between the city and the county as the facts of the appeal warrant; provided, however, that if the panel determines that any party has advanced a position that is substantially frivolous, the costs shall be borne by the party that has advanced such position.
- (5) The reasonable costs of participation in the arbitration process of the property owner or owners whose property is at issue shall be borne by the county and the city in the same proportion as costs are apportioned under paragraph (4) of this subsection.
- (6) The panel shall deliver its findings and recommendations to the parties by certified mail or statutory overnight delivery.
- (b) If the decision of the panel contains zoning, land use, or density conditions, the findings and recommendations of the panel shall be recorded in the deed records of the county with a caption describing the name of the current owner of the property, recording reference of the current owner's acquisition deed and a general description of the property, and plainly showing the expiration date of any restrictions or conditions.
- (c) The arbitration panel shall be dissolved on the tenth day after it renders its findings and recommendations but may be reconvened as provided in Code Section 36-36-116.
- (d) The members of the arbitration panel shall receive the same per diem, expenses, and allowances for their service on the committee as is authorized by law for members of interim legislative study committees.
- (e) If the panel so agrees, any one or more additional annexation disputes which may arise between the parties prior to the panel's initial meeting may be consolidated for the purpose of judicial economy if there are similar issues of location or similar objections raised to such other annexations or the property to be annexed in such other annexations is within 2,500 feet of the subject property.

36-36-116. Appeal

The municipal or county governing authority or an applicant for annexation may appeal the decision of the arbitration panel by filing an action in the superior court of the county within ten calendar days from receipt of the panel's findings and recommendations. The sole grounds for appeal shall be to correct errors of fact or of law, the bias or misconduct

of an arbitrator, or the panel's abuse of discretion. The superior court shall schedule an expedited appeal and shall render a decision within 20 days from the date of filing. If the court finds that an error of fact or law has been made, that an arbitrator was biased or engaged in misconduct, or that the panel has abused its discretion, the court shall issue such orders governing the proposed annexation as the circumstances may require, including remand to the panel. Any unappealed order shall be binding upon the parties. The appeal shall be assigned to a judge who is not a judge in the circuit in which the county is located.

36-36-117. Annexation after conclusion of procedures; remedies for violations of conditions

If the annexation is completed after final resolution of any objection, whether by agreement of the parties, act of the panel, or court order as a result of an appeal, the municipal corporation shall not change the zoning, land use, or density of the annexed property for a period of one year unless such change is made in the service delivery agreement or comprehensive plan and adopted by the affected city and county and all required parties. Following the conclusion of the dispute resolution process outlined in this article, the municipal corporation and an applicant for annexation may either accept the recommendations of the arbitration panel and proceed with the remaining annexation process or abandon the annexation proceeding. A violation of the conditions set forth in this Code section may be enforced thereafter at law or in equity until such conditions have expired as provided in this Code section.

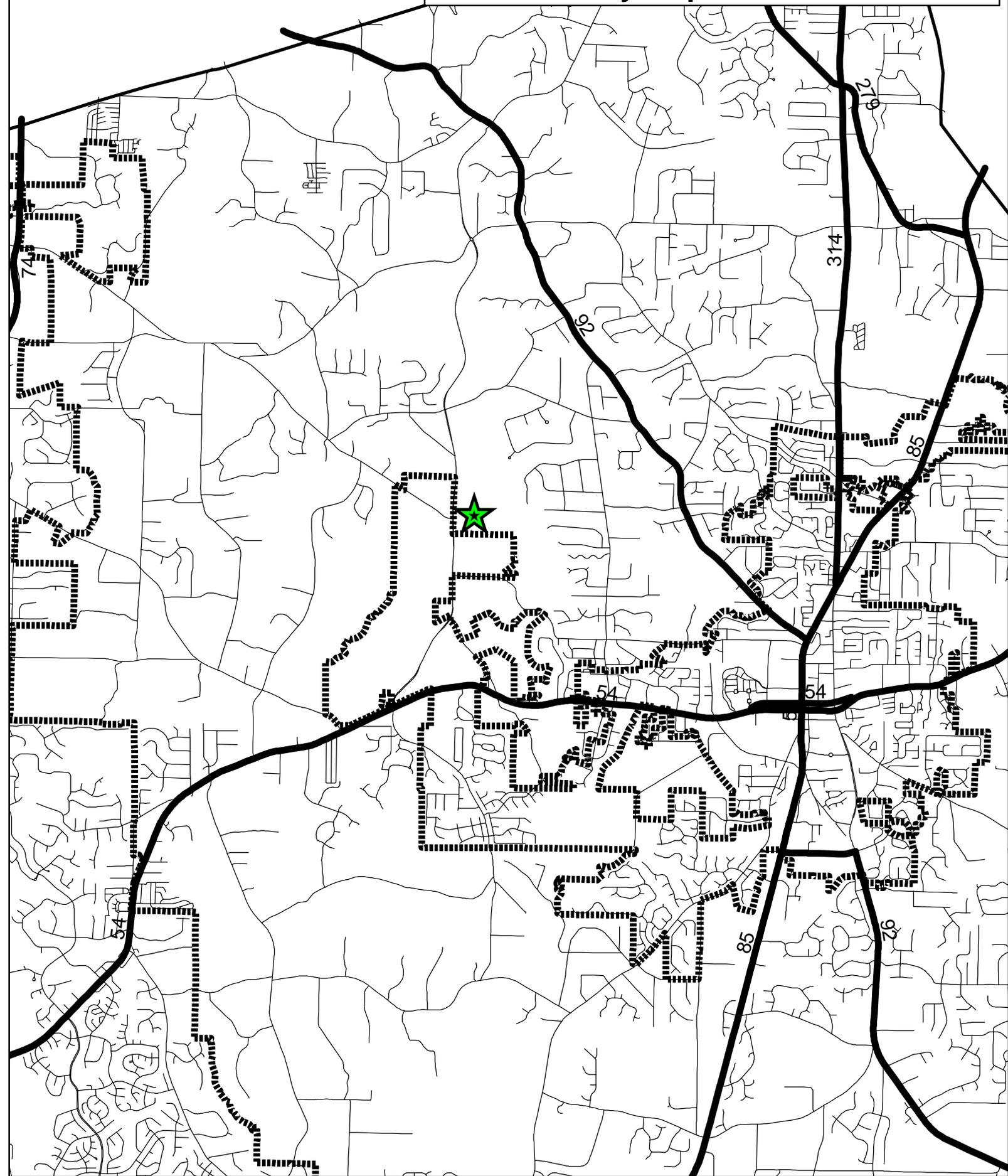
36-36-118. Abandonment of proposed annexation; remedies for violations of conditions

If at any time during the proceedings the municipal corporation or applicant abandons the proposed annexation, the county shall not change the zoning, land use, or density affecting the property for a period of one year unless such change is made in the service delivery agreement or comprehensive plan and adopted by the affected city and county and all required parties. A violation of the conditions set forth in this Code section may be enforced thereafter at law or in equity until such period has expired. After final resolution of any objection, whether by agreement of the parties, act of the panel, or any appeal from the panel's decision, the terms of such decision shall remain valid for the one-year period and such annexation may proceed at any time during the one year without any further action or without any further right of objection by the county.

Summary

Staff has reviewed the application and recommends that the BOC not object to the annexation. The proposed development pattern for the subject properties is in keeping with the master plan and what was proposed for surrounding property also being considered for annexation to PCD. The BOC did not object to the annexation of the surrounding property (Pierport & Pace property) at the March 25, 2015 meeting. Please note that Fire/EMS is opposed due to the loss of revenue.

Tom Lamb Property Annexation Proximity Map

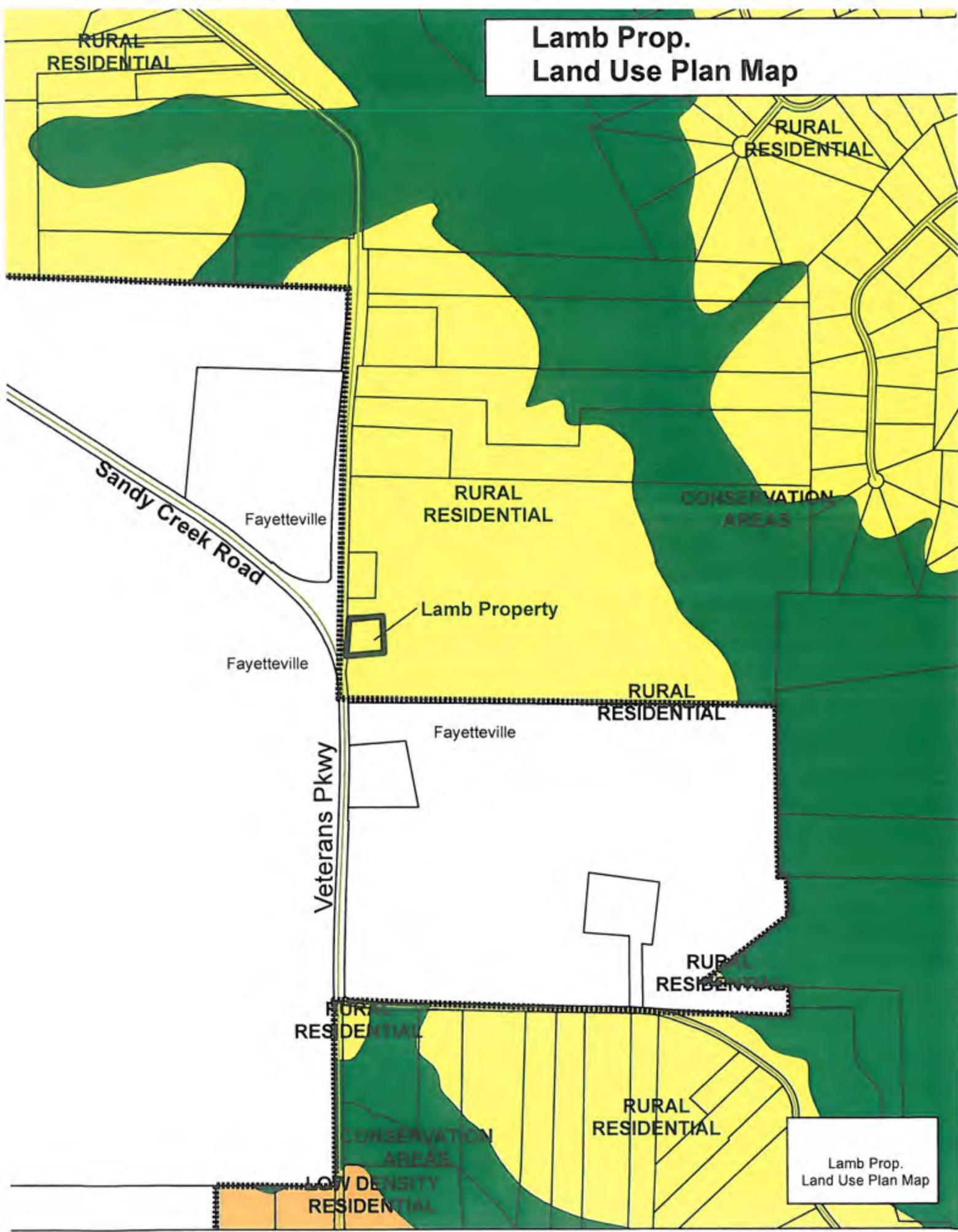


**Lamb Prop.
Aerials Map**

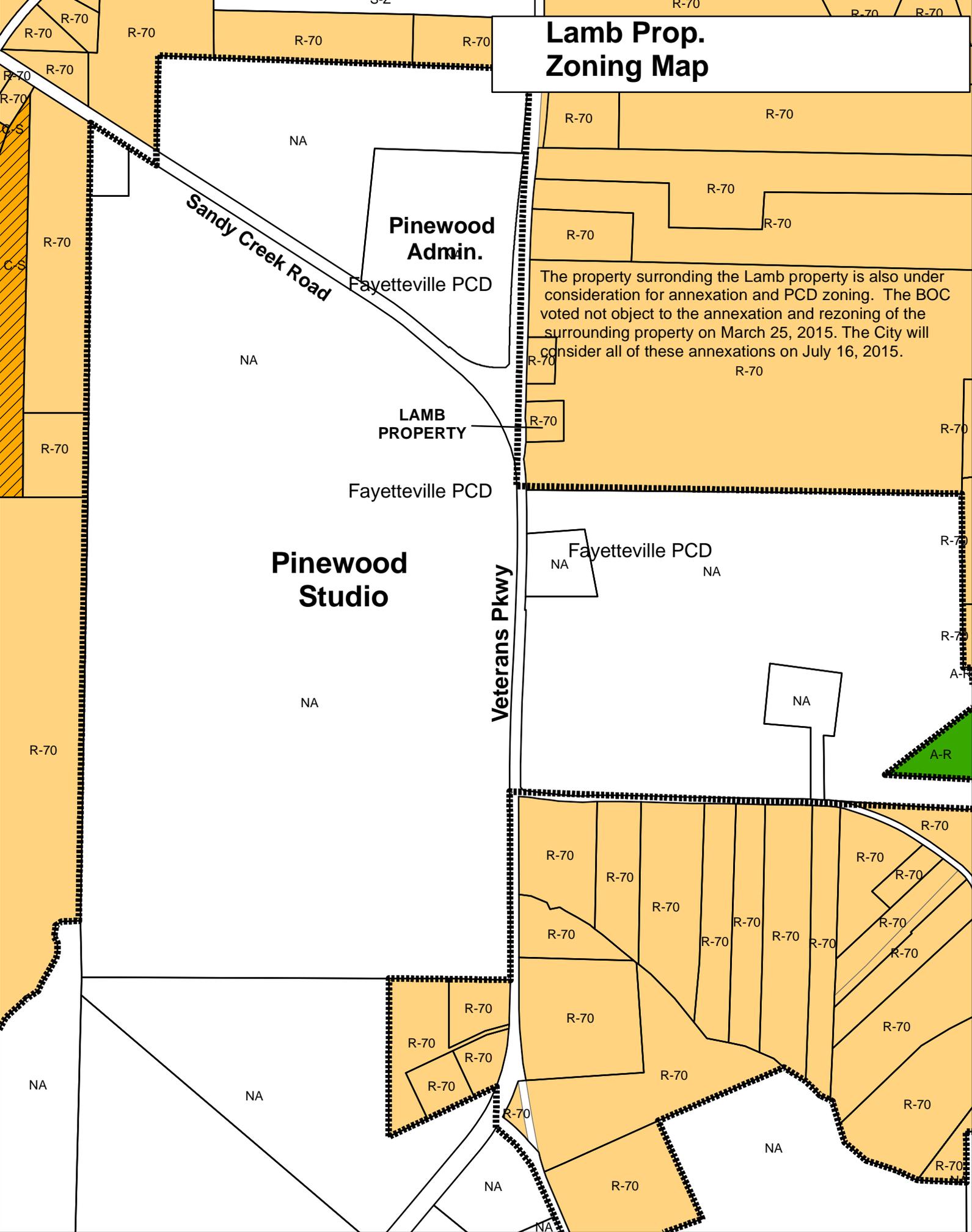


Lamb Prop.
Aerials Map

Lamb Prop. Land Use Plan Map



Lamb Prop. Zoning Map



The property surrounding the Lamb property is also under consideration for annexation and PCD zoning. The BOC voted not object to the annexation and rezoning of the surrounding property on March 25, 2015. The City will consider all of these annexations on July 16, 2015.

Pinewood Admin.

Fayetteville PCD

LAMB PROPERTY

Fayetteville PCD

Pinewood Studio

Fayetteville PCD

Veterans Pkwy

NA

A-R



City of Fayetteville

240 Glynn Street South • Fayetteville, Georgia 30214
Telephone (770) 461-6029 • Facsimile (770) 460-4238
www.fayetteville-ga.gov



MAYOR
Gregory C. Clifton

COUNCIL
Edward Johnson,
Mayor Pro Tem
Mickey Edwards
Paul C. Oddo, Jr.
Scott Stacy
James B. Williams

CITY MANAGER
Ray Gibson

CITY CLERK
Anne Barksdale

May 26, 2015

Fayette County Board of Commissioners
Attn: Mr. Charles Oddo, Chairman
140 Stonewall Avenue W. Suite 100
Fayetteville, GA 30214

Dear Mr. Oddo:

This notice is to inform you of a change in the zoning request from Thomas Lamb who filed for annexation /rezoning on March 3, 2015. The applicant, originally seeking R-70 (Single Family Residential) zoning for this property is now requesting a zoning change to PCD (Planned Community Development). The property is as follows:

Thomas Lamb - 467 Veterans Parkway and is more particularly described as being in Land District Number 5, Parcel # 0535009. (See attached location map.)

I have enclosed a copy of the location map, PCD ordinance, project narrative and development plan from the applicant and a completed Staff Annexation Review Form.

The Mayor and City Council will hold a public hearing to consider the application on Thursday, June 18, 2015.

Please notify the City of Fayetteville if you have any objections to the change in zoning.

Please direct any comments or questions concerning this change in zoning request to Brian Wismer, Director of Community Development.

Sincerely,

Ray Gibson
City Manager

Cc: Mayor, City Council
Brian Wismer, Director of Community Development
Chris Hindman, Director of Public Services



City of Fayetteville

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CITY MANAGER
Ray Gibson

CITY CLERK
Anne Barksdale

May 26, 2015

Fayette County Tax Assessor
Attn: Mr. Joel Benton
140 Stonewall Avenue
Fayetteville, GA 30214

Dear Mr. Benton:

This notice is to inform you of a change in the zoning request from Thomas Lamb who filed for annexation /rezoning on March 3, 2015. The applicant, originally seeking R-70 (Single Family Residential) zoning for this property is now requesting a zoning change to PCD (Planned Community Development). The property is as follows:

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The Mayor and City Council will hold a public hearing to consider the application on Thursday, June 18, 2015.

Please notify the City of Fayetteville if you have any objections to the change in zoning.

Please direct any comments or questions concerning this application to Brian Wismer, Director of Community Development.

Sincerely,

Ray Gibson
City Manager

Cc: Mayor, City Council
Brian Wismer, Director of Community Development
Chris Hindman, Director of Public Services



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Scott Stacy
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CITY MANAGER
Ray Gibson

CITY CLERK
Anne Barksdale

May 26, 2015

Fayette County Board of Education
Attn: Mrs. Marion Key
P.O. Box 879
210 Stonewall Avenue
Fayetteville, GA 30214

Dear Mrs. Key:

This notice is to inform you of a change in the zoning request from Thomas Lamb who filed for annexation /rezoning on March 3, 2015. The applicant, originally seeking R-70 (Single Family Residential) zoning for this property is now requesting a zoning change to PCD (Planned Community Development). The property is as follows:

Thomas Lamb - 467 Veterans Parkway and is more particularly described as being in Land District Number 5, Parcel # 0535009. (See attached location map.)

I have enclosed a copy of the location map, PCD ordinance, project narrative and development plan from the applicant and a completed Staff Annexation Review Form.

The Mayor and City Council will hold a public hearing to consider the application on Thursday, June 18, 2015.

Please notify the City of Fayetteville if you have any objections to the change in zoning.

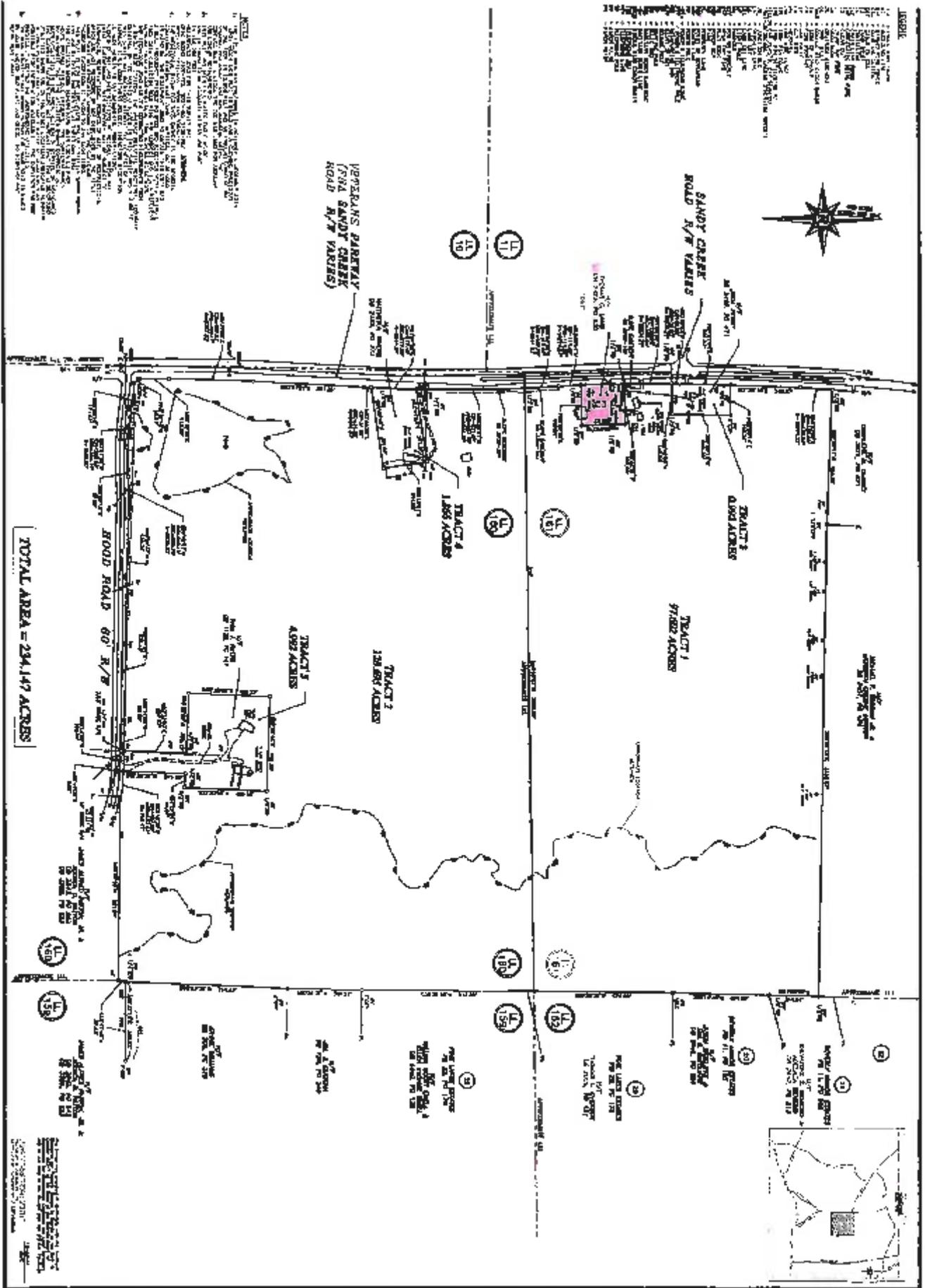
Please direct any comments or questions concerning this application to Brian Wismer, Director of Community Development.

Sincerely,

Ray Gibson
City Manager

Cc: Mayor, City Council
Brian Wismer, Director of Community Development
Chris Hindman, Director of Public Services

ALL RIGHTS RESERVED
 THIS PLAN IS THE PROPERTY OF PAS HOLDINGS FAYETTE, LLC
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 THE INFORMATION CONTAINED HEREIN IS FOR INFORMATIONAL PURPOSES ONLY AND DOES NOT CONSTITUTE AN OFFER OF ANY SECURITY OR INVESTMENT. THE INFORMATION IS NOT INTENDED TO BE RELIED UPON IN MAKING AN INVESTMENT DECISION.
 THE INFORMATION CONTAINED HEREIN IS SUBJECT TO CHANGE WITHOUT NOTICE.
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TOTAL AREA = 24,147 ACRES

3.1. THE INFORMATION CONTAINED HEREIN IS FOR INFORMATIONAL PURPOSES ONLY AND DOES NOT CONSTITUTE AN OFFER OF ANY SECURITY OR INVESTMENT. THE INFORMATION IS NOT INTENDED TO BE RELIED UPON IN MAKING AN INVESTMENT DECISION.
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 3.3. THE INFORMATION CONTAINED HEREIN IS NOT INTENDED TO BE RELIED UPON IN MAKING AN INVESTMENT DECISION.
 3.4. THE INFORMATION CONTAINED HEREIN IS SUBJECT TO CHANGE WITHOUT NOTICE.

DATE: 08/11/2011
 TIME: 10:00 AM
 DRAWN BY: J. B. BROWN
 CHECKED BY: J. B. BROWN
 APPROVED BY: J. B. BROWN

1	1
2	2
3	3
4	4
5	5
6	6
7	7
8	8
9	9
10	10



GRAPHIC SCALE
 0 100 200 FEET

NO.	DESCRIPTION
1	100.00 ACRES
2	100.00 ACRES
3	100.00 ACRES
4	100.00 ACRES
5	100.00 ACRES
6	100.00 ACRES
7	100.00 ACRES
8	100.00 ACRES
9	100.00 ACRES
10	100.00 ACRES

STREETSCAPE GROUP
 FOR
PAS HOLDINGS FAYETTE, LLC
 LOCATED AT
 LAND LOTS 186 & 161
 39° 50' 00" N
 76° 00' 00" W

Rochester
 & Associates, Inc.
 425 Bank Street N.W., Atlanta, Georgia 30308
 GROUPS AREA: (770) 438-1100 Fax: (770) 438-1101
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Sec. 94-172. - Planned community district (PCD).

The zoning designation of "planned community district" (PCD) allows for the creation of an individual site-specific zoning district, distinct in scope and purpose, which is attached to a particular parcel of land. Said PCD zoning runs with the land, and may not be transferred to another parcel. The PCD allows an applicant to designate a mixture and arrangement of land uses, not normally available under traditional Euclidian zoning. Application for the designation of PCD shall be in the form of a conceptual master plan, along with a narrative and all supporting documentation. Once approved by city council, the PCD master plan becomes the guiding document for the development of the PCD, and shall not be altered without approval from city council.

(1) Purpose.

- a. The purpose of a planned community is to encourage the best possible site planning and arrangement of land uses under a unified plan of development rather than under lot-by-lot regulation. Tracts of five acres or larger are required for this district. The PCD district is designed to include residential, commercial and/or office zoning districts as appropriate to provide flexibility in the application of development standards and site design when approved according to a master development plan in a manner to promote the conservation of natural environment, more efficient use of land, and efficiency in the extension of streets and utilities.
- b. Specifically, the PCD sets forth a framework for traditional neighborhood development that encourages pedestrian-scale residential, commercial, and office activities to be designed in such a way as to reduce the number and type of vehicle trips, limiting congestion and thereby improving air quality. Conventional development is also addressed in a manner to promote the clustering of residential land use to set aside areas for recreation and open space while providing for varied forms of pedestrian and bicycle movement that is buffered from commercial and office activities. The developer benefits by having flexibility from the underlying or existing zoning regulations attached to the parcel in question. The city benefits by being assured of the long term development plans for a specific parcel, while coordinating those plans with the comprehensive plan, and insuring compatibility of uses and optimum community development. Review of the development plan by the planning and zoning commission provides an opportunity to ensure the development will be in harmony with the character of the neighborhood in which the development is located. All planned developments shall be located on paved city roads with a minimum classification of collector street according to section 94-135. In most cases, each area within a PCD project developed for residential (including required open space and recreational amenities), commercial or office land use

- shall be designated as mixed use according to the master development plan unless a single use within the site can better accomplish the goals established herein. Typically, projects should consist of more than one type of land use to be considered a PCD project, however, single-use projects that would best benefit the city under the PCD classification will be considered by city council.
- c. The natural features, arrangement of land uses, and departures from existing zoning and development standards, shall be represented on a master plan.
 - d. The PCD is not intended to circumvent the parameters of existing zoning, but rather to encourage ingenuity and resourcefulness in land planning. Planned community district zoning is not intended to be used for speculative purposes to enhance the value of property. As such, approval of a PCD will be as a conditional use, based upon a detailed master plan submitted as part of the application. If construction is not commenced within one year, and pursued in an orderly manner toward completion, the planning and zoning commission may, upon written notice to the property owner, abolish the zoning or reduce the size of the approved PCD to fit the scope of actual development. The planning and zoning commission and/or developer may make no changes to the approved master plan without review and recommendation from the planning and zoning commission, and approval by city council.
 - e. Objectives. To carry out the purpose of this section, a PCD district must provide the following, as appropriate:
 1. A range in the types of residential environment, including types of housing, and community facilities/recreation activities available.
 2. Nonresidential land uses, if any, which provide convenient service, employment, and access.
 3. Conservation of natural topographical and geological features with emphasis upon:
 - i. Conservation of existing surface and sub-surface water resources;
 - ii. Preservation of major trees and other significant natural environmental features;
 - iii. Prevention of soil erosion;
 4. An efficient network of streets and utilities appropriate to serve the land uses within the PCD district.
 5. Creation of a mixture of uses that decrease reliance on the use of the automobile and to encourage the use of alternative modes of transportation.
 6. A master development plan to guide the PCD with specific development objectives, which shall be included in conditions, covenants, and restrictions.
 - f. Definitions. For this purpose of this section, the following terms shall have the meaning immediately set forth after the term.
 - 1.

Amenity area. The area(s) set-aside for active and passive recreation for the residents inside the PCD (or for the general public) according to the standards set forth herein. Recreation areas may include passive areas, such as trails, picnic areas, or parks with landscaping providing no facilities for active sports; and active areas, with ball fields, soccer facilities, swimming areas, and other facilities for sports activities.

2. *Architectural/design standards.* A document outlining home styles, building facades, landscape standards, building placement, streetscaping, street trees, and the placement and design of accessory units. The standards shall also include general standards for the open space and recreation areas.
3. *Comprehensive land use plan.* The comprehensive long-range plan containing policies to guide the growth and development of Fayetteville, which includes the analysis, recommendations and proposals for the city's population, economy, housing, transportation, community facilities, and land use.
4. *Master development plan.* A written and graphic submission for a PCD which represents a tract of land; proposed subdivision; the location and bulk of buildings and other structures; density of development; streets, alleyways, sidewalks, and multiuse paths; parking facilities; common recreation and open space; public facilities; and all conditions, covenants, and restrictions relating to use thereof. The master development plan is submitted in conjunction with a rezoning application for the PCD district.
5. *Maximum allowable net density.* The total number of dwelling units or housing structures per unit of land based on the net land area. The maximum allowable net density shall not exceed the density established by the comprehensive land use plan.
6. *Net land area.* Except for adjustments allowed herein, net land area shall consist of the area calculated in terms of net acres for the land devoted to residential use, exclusive of streets, rights-of-way, flood plains and wetlands, lakes, streams, and areas which can not be developed, commercial/office land, and public lands. Easements for drainage, sanitary sewer, etc. shall not be excluded from net land area.
7. *Nonresidential land uses.* Those designated areas, which are not residential land uses, which includes but is not limited to: commercial or office uses, streets, drives, and service/parking areas.
8. *Open space.* Land within or related to a development, not individually owned or dedicated for public use, which is designed and intended for the common ownership and use by the residents of the development and may include complementary structures and improvements as are necessary and appropriate for recreation or other complementary activities. Streets, buffers, and parking areas do not count toward required open space.
- 9.

Ownership types. These include all types of residential development including, but not limited to: single-family, duplex, apartments, townhomes, rental housing, such that ownership may be fee simple, lease-purchase, leased or rented, and common ownership of open spaces, recreation facilities, and parking areas.

10. *Preliminary concept plan.* A preliminary plan of the proposed planned development, of sufficient accuracy to be used for purpose of reviewing the proposed land uses and general layout.
11. *Professional consultant.* The person who is a registered and or certified engineer, architect, landscape architect, or planner who prepared the plan, within the scope of their respective legal responsibilities.
12. *Public lands.* The land area designated for general public use, not otherwise under the control of a homeowner or property owner association.
13. *Residential land uses.* Any variety of residence types as permitted herein, and as shown on the approved master development plan.

- g. *Review process.* The review process shall be:
1. Staff review of PCD document and masterplan.
 2. Planning and zoning commission review of PCD document and masterplan with subsequent recommendation to city council.
 3. City council review of PCD document and masterplan, resulting in either approval or denial. Any portion of the PCD which requires a development permit, shall follow the established development permit process, and shall comply with the approved PCD document and masterplan.

(2) *General requirements.*

- a. *Area.* The minimum area required for a PCD district shall be five contiguous acres of land. The planning commission may consider projects with less acreage where the applicant can "demonstrate" that a smaller parcel will meet the purposes and objectives of the PCD district.
- b. *Ownership.* All of the land in a PCD shall be owned initially by a person, joint tenants, or tenants in common. Individual properties in a PCD may be sold after a plat has been recorded, with the properties subject to private deed covenants that ensure the continuance of the PCD as originally approved and developed.
- c. *Location of PCD district.* The PCD district shall be located on collector or major streets and shall have access and egress to the existing street network where appropriate.
- d. *Yards.* The yard requirements of the zoning district may be adjusted except along the exterior boundaries of the development. Buffer requirements shall be met.
- e. *Buffers.* Where the rear of a commercial or office building faces a public street or property in a residential zone property, earthen berm, no less than six feet in height, containing at a minimum of evergreen trees at intervals of 20 feet on

center planted at a height sufficient to achieve opacity shall be provided. Masonry fencing may be used in place of berms with planning and zoning commission approval.

f. *Phasing.* Where the PCD development contains multi-use areas the phasing of the construction of each usage shall be defined in the PCD master plan.

g. *Permitted uses/development standards:*

1. **Residential uses:** Residences may be single-family detached, cluster, or attached. The development standards for residential uses are listed below. (May be adjusted by the planning commission.)

Single-family residential (detached and cluster)

i.	Minimum lot size:	Variable; minimum of 5,500 square feet (0.13 acre) with a maximum density not to exceed 4.0 units per net acre as defined herein.
ii.	Minimum lot width:	40 feet.
iii.	Minimum front setback:	12 feet from back-of-curb.
iv.	Minimum side yard:	5 feet.
v.	Minimum rear yard:	20 feet (5 feet for accessory structures on rear alleys).
vi.	Maximum height:	40 feet.
vii.	Curb and gutter:	Required.
viii.	Paved driveway:	Required.
ix.	Sidewalks:	Required.
x.	Streetlights:	Required.
xi.	Underground utilities:	Required/in alleys where possible.
xii.	Public sewer:	Required.
xiii.	Public water:	Required.
xiv.	Garages:	Required. In rear yard only, attached or detached.
xv.	Alleys:	Required, no curb and gutter for alley section.

xvi.	Porches:	Recommended.
xvii.	Recreation/open space:	As stated herein.

Single-family residential (attached)

i.	Minimum lot size:	Variable; minimum of 5,500 square feet (0.13 acre) with a maximum density not to exceed 8.0 units per net acre as defined herein.
ii.	Minimum lot width:	20 feet.
iii.	Minimum front setback:	12 feet from back-of-curb.
iv.	Minimum side yard:	None.
v.	Minimum rear yard:	20 feet (5 feet for accessory structures on rear alleys).
vi.	Maximum height:	50 feet.
vii.	Curb and gutter:	Required.
viii.	Paved driveway:	Required.
ix.	Sidewalks:	Required.
x.	Streetlights:	Required.
xi.	Underground utilities:	Required/in alleys where possible.
xii.	Public sewer:	Required.
xiii.	Public water:	Required.
xiv.	Garages:	Recommend in rear yard only, attached or detached.
xv.	Alleys:	Required, no curb and gutter for alley section.
xvi.	Porches:	Recommended.
xvii.	Recreation/open space:	As stated herein.

2. Public buildings and recreation facilities (amenities) for use of the residents of the PCD are permitted. The restrictions as to the use of these facilities shall be set forth in the covenants and restrictions of the PCD development. The requirements for amenities are listed below.

Amenity requirements:

In order to assure that adequate recreation and open space exists on-site, the following shall guide the PCD development in the development of *minimum* thresholds for open space and recreation facilities. It is expected that a PCD shall exceed the minimum standards set forth herein.

Amenity and recreation facilities shall be required according to a point system based on standards per five acres of development (total acreage). The minimum number of points and minimum amenities required shall be dependent on the total acreage of the PCD as shown in Table 1.

The point system for each type of amenity is shown in Table 2.

For other amenities not listed, the number of points assigned shall be established by the planning director and shall not exceed 25 points as established in this district.

Table 1. Minimum Number of Points/Criteria per PCD Acreage Class

PCD Total Acreage	Minimum Points	Minimum Criteria
5 to 50 acres	30	Minimum of 20% of gross area in open space.
50 to 100 acres	40	Minimum of 20% of gross area in open space.
100 to 200 acres	60	Minimum of 20% of gross area in open space.
200 to 300 acres	80	Minimum of 20% of gross area in open space.
300 to 400 acres	100	Minimum of 20% of gross area in open space.
400 to 500 acres	125	Minimum of 20% of gross area in open space.
over 500 acres	125 + 10 points for each 100 acres over 500 acres	Minimum of 20% of gross area in open space.

Table 2. Points for Each Amenity Proposed for a PCD

Amenity Type	Points	Comments
Walking trails	1.0 (per 100 lineal feet)	Paved, 6 feet in width
Bike lanes	1.0 (per 100 lineal feet)	Paved, 3 feet in width min.
Multi-use trails	1.35 (per 100 lineal feet)	Paved, 12 feet, striped for bicycles and pedestrians
Lake	10.0 (existing) 25.0 (new)	Minimum of 10 acres, with full access, piers, launch
Playground	5.0	Swings, "jungle-gym", etc. (max. of 4)
Formal parks	2.5 (per acre provided)	Formal landscaping, fountains or art, benches (max. of 6)
Open space	1.0 (per 1% of gross area)	Natural or enhanced, with trails providing access to and through the area

3. Office/institutional uses: Office development shall be designed and landscaped in a manner which is compatible with residential development and which provides for traffic circulation of alternative modes of transportation (i.e., pedestrian, bicycle, transit). The permitted uses are as follows:

- i. Libraries, museums, and art galleries.
- ii. Churches.
- iii. Medical and dental clinics/offices.
- iv. Professional and business offices providing that wholesale or retail merchandise are not offered for sale.
- v. Nursery schools, kindergarten schools, and daycare centers providing child care for more than ten children when conducted in a principal structure or institution not associated with a church facility, provided that at least 200 square feet of outdoor play area and 35 square feet of indoor play area is provided for each child. Use of outdoor play area in shifts is allowed. A security fence shall enclose the outdoor play area

and must be a minimum of four feet in height. A decorative wooden fence or masonry wall a minimum of six feet in height shall be used when adjacent to residential uses. State license required.

- vi. Assisted living/elder care facilities.
- vii. Student housing facilities.
- viii. Apartments on second story over office/commercial space. The intent of this provision is to allow for a live/work environment, not to allow for an apartment complex. Therefore, any management company owning and managing more than ten apartment units must first get council approval.

Development standards. For development, the following standards shall apply: (May be adjusted by the planning commission.)

Minimum lot area:	6,000 square feet.
Minimum lot width:	40 feet.
Minimum front setback:	None.
Maximum front setback:	15 feet.
Minimum side setback:	None, 30 feet if a corner lot.
Minimum rear yard:	30 feet.
Maximum height:	60 feet.
Structured parking:	Allowed with commercial along street frontage.
Drive-through access:	Allowed after planning and zoning approval of placement (typically at rear of structure).

Parking shall be aesthetically arranged to provide for convenient walking/cycling wherever possible. On-street parking is prohibited, unless allowed according to an approved illustrative master plan. Shared use of parking facilities (with office or commercial uses) may result in the reduction of the required parking by no greater than 40 percent.

- 4. Commercial uses: Commercial development shall include those uses established herein, which are parts of a PCD. Commercial development shall be designed and landscaped in a manner which is compatible with residential development and which provides for traffic circulation

compatible with alternative modes of transportation (i.e., pedestrian, bicycle, transit). Deviations from the square footage limitations may only be approved by city council, and are user specific.

- i. Uses no greater than 3,000 square feet in floor area:
 - (a) Antique and art shops.
 - (b) Barber shops, beauty shops, spas, and similar service establishments.
 - (c) Bicycle and repair shops.
 - (d) Books, stationery, and card shops.
 - (e) Coin laundries and dry cleaning facilities that provide full service operations to their respective customers, i.e. onsite cleaning, pick-up and/or drop-off service. (Cleaning service for other dry cleaning and/or laundry companies is prohibited.)
 - (f) Catering establishments.
 - (g) Dry goods and notions establishments.
 - (h) Florists and gift shops.
 - (i) Coffeehouses.
 - (j) Custom dress making, tailoring, or millinery shops.
 - (k) Jewelry stores.
 - (l) Loan offices.
 - (m) Music stores.
 - (n) News and tobacco shops.
 - (o) Photographers (including the sale of supplies, film development, and equipment).
 - (p) Quick copy centers.
 - (q) Shoe stores and shoe repair shops.
- ii. Uses no greater than 7,500 square feet in floor area:
 - (a) Banks, savings and loans, credit unions, and similar financial institutions.
 - (b) Drug stores and apothecary shops.
 - (c) Restaurants, bakeries (with retail sales on the premises), and cafes, odor-scrubbing devices required.
- iii. Uses no greater than 20,000 square feet in floor area:
 - (a) Apparel stores.
 - (b) Grocery, fruit, vegetable, and meat markets that involve no killing, eviscerating, skinning, plucking or smoking of products.
- iv. Other:
 - (a) Structured parking facilities.
 - (b) Other retail and service uses as may be determined by council to be similar and compatible with the above-listed permitted uses.
 - (c)

Apartments on second story over office/commercial space. The intent of this provision is to allow for a live/work environment, not to allow for an apartment complex. Therefore, any management company owning and managing more than ten apartment units must first get council approval.

(d) Film production facilities and related services.

Development standards. For development, the following standards shall apply: (May be adjusted by the planning commission.)

Minimum lot area:	6,000 square feet.
Minimum lot width:	40 feet.
Minimum front setback:	None.
Maximum front setback:	15 feet.
Minimum side setback:	None, 15 feet if a corner lot.
Minimum rear yard:	30 feet.
Maximum height:	55 feet.
Parking:	Structured, or surface (rear parking preferred); on-street parking prohibited, unless approved on the master plan.
Structured parking:	Allowed with commercial along street frontage.
Drive-through access:	Allowed after planning and development approval of placement (typically at rear of structure).

Parking shall be aesthetically arranged to provide for convenient walking/cycling wherever possible. On-street parking is prohibited, unless allowed according to an approved illustrative master plan. Shared use of parking facilities (with office or commercial uses) may result in the reduction of the required parking by no greater than 40 percent.

- 5. Accessory uses:
 - i. Accessory structures or buildings.
 - ii.

Subdivision recreation areas owned, operated, and maintained by homeowners' associations exclusively for the use of residents and their guests.

- iii. The parking of one unoccupied travel trailer, motor coach, or pleasure boat subject to provisions of this chapter, provided that there is no exterior parking for said vehicle.
 6. Conditional uses: Upon application to and recommendation by the planning commission the following conditional uses are permitted:
 - i. Guest quarters or employee quarters, provided that not more than one unit shall be permitted on a lot and this unit shall be in the rear yard. These quarters shall not be used as rental property.
 - ii. Nursery schools, kindergarten schools, and daycare centers for more than three children when conducted in a principal structure or within a church or school, provided that at least 200 square feet of outdoor play area and 35 square feet of indoor play area is provided for each child. A security chain link fence shall enclose the outdoor play area and must be a minimum of four feet in height. State license required.
 - iii. Home occupation daycare for more than six children when conducted within a single-family residence also used and occupied by a family as a dwelling unit, provided that at least 200 square feet of outdoor play area and 35 square feet of indoor play area is provided for each child. A security chain link fence shall enclose the outdoor play area and must be a minimum of four feet in height. State license required.
 - iv. Nursing care facilities of a denominational nature when located on the same site as a church.
 - v. Public, parochial, and private schools and universities when such facilities are located on the same site of the school or college. Any such facility shall front on a thoroughfare having the minimum classification of collector and have minimum frontage of 200 feet. The minimum site area shall be three acres.
 7. Conditional exceptions: Upon recommendation by the planning commission and approval by city council, the following may be permitted:
 - i. Increased densities for student housing and elder care facilities.
 - ii. Within the Main Street Historic District, increased densities to provide for multi-family developments that meet the architectural guidelines established in Division 3 (Main Street Architectural Overlay District) of this chapter.
- (3) *Standards applying to all planned community districts.* All PCDs shall meet the following standards and such other requirements:
- a. Must be compatible with the comprehensive plan of the City of Fayetteville.
 - b. Must be located in an area where city services can be provided efficiently.
 - c.

Must include a minimum of 20 percent of gross area as open space. To recognize the community's desire for preservation of open space, a residential density bonus of 0.1 unit per acre (calculated on the entire PCD land area) may be given for each percentage increase above the 20 percent minimum required open space (calculated on the entire PCD land area), not to exceed an additional one unit per acre maximum.

- d. Water, sewage, and street facilities shall be adequate for the proposed development, or there shall be a definite proposal for making them so.
 - e. The development shall be compatible with the topography of the land and shall preserve any unusual topographic or natural features.
 - f. The master plan for the PCD shall act as private deed covenants running with the land to assure the continuance of the planned residential development in accordance with approved plans and development.
 - g. The development shall not adversely affect developed or undeveloped neighboring properties.
 - h. The development shall utilize design and development features that would not be possible by the application of lot-by-lot zoning district regulations.
 - i. The streets, buffers, and parking areas shall not be credited toward the minimum open space requirements.
 - j. Buffer zones between residential and nonresidential portions of the development shall not be less than the minimum buffers otherwise required unless approved as part of the master plan.
 - k. If requested by the city, the owner of the planned residential development shall deed to the city the land set aside as required open space.
 - l. If the city does not request that the land be deeded to it, then the open space shall be deeded to a property owners' association comprised of residents of the planned residential development, in order to operate and maintain the open space for the benefit of the residents. The organization of the property owners' association and its adequate financing shall be ensured through acceptable private deed covenants running with the land.
 - m. All development must adhere to National Fire Protection Association (NFPA) 1141, Standard for Fire Protection in Planned Building Groups. The fire chief or designee may approve exceptions, including access, spacing, and fire protection requirements, provided the exceptions meet the intent of the applicable codes.
- (4) *General considerations.* Criteria for establishment of PCD land uses and specifications: In examining the proposed masterplan and evaluating the appropriateness of each land use and its attendant parameters, and any departures from City of Fayetteville development standards, reviewing bodies shall consider the following:
- a. The applicant's statement describing the character and rationale for the proposed development.
 - b. The appropriateness of each prospective zoning district if each land use district

- n. Provision of public benefits, such as a community center or day care center.
 - o. Public access to community facilities within the PCD.
 - p. Sensitive treatment of perimeters in order to mitigate impacts upon adjoining properties.
 - q. Enhanced landscaping, increased tree preservation, deeper vegetated buffers, or increased plantings along roadways, in open spaces and recreational areas, as well as along the project perimeter.
- (6) *Deviations from development standards.*
- a. The planning commission may request and approve deviations from existing development standards in order to achieve an effective master plan which: respects the natural features of the property; is compatible with neighboring land uses; and is an asset to the community.
 - b. Planned community districts and their associated master plans are not exempt from future ordinance changes dealing with: landscaping, tree protection, signage, stormwater runoff, groundwater recharge, sewage disposal and treatment, and protection of rare and endangered species.
 - c. Financial constraints shall not be considered when granting deviations from existing development standards.
- (7) *PCD master plan requirements:* All applications for planned community district shall provide seven copies of the development master plan upon primary submittal, containing the following:
- a. A narrative statement:
 - 1. Describing the character of, and rationale for, the proposed PCD.
 - 2. Addressing the proposed ownership and maintenance of streets, drainage systems, water and sewer systems, open space areas, parking areas, and other proposed amenities and improvements; and
 - 3. Proposing phasing and time schedule; and
 - b. A graphic site masterplan; and
 - c. The proposed name of the development if there is one; and
 - d. The names and addresses of the owner(s) of record, and the applicant, if different from the owner; and
 - e. Names of owners and type of land use of all parcels contiguous to the development property; and
 - f. Proposed arrangement of land uses, approximate acreage of each use area or tract, type of use and density (residential use tracts); and
 - g. A boundary survey with the computed acreage of the tract bearing the seal of a registered land surveyor; and
 - h. The location of primary control points to which all dimensions, angles, bearings, block numbers and similar data shall be referred; and
 - i. A map or site plan showing:
 - 1.

- The location, dimensions, descriptions, and flow of existing wetlands, watercourses and drainage structures within the tract or on contiguous tracts; and
2. Location of municipal limits or county lines, and district boundaries, if they traverse the tract, form part of the boundary of the tract, or are contiguous to such boundary; and
 3. Vicinity map or sketch showing the general relationship of the proposed development to the surrounding areas with access roads referenced to the intersection of the nearest state primary or secondary paved roads. Reference distances shall be shown in feet if less than 1,000 feet and in miles or tenths of a mile if greater than 1,000 feet; and
 4. Topographic survey; and
 5. The location, dimensions, name and description of all existing or recorded streets, alleys, reservations, easements or other public rights-of-way within the tract, intersecting or contiguous with its boundaries or forming such boundaries; and
 6. The location, dimensions, description, and names of all existing or recorded residential lots, parks, public areas, permanent structures and other sites within or contiguous with the tract; and
 - j. Proposed conceptual street system layout; and
 - k. Preliminary master drainage plan; and
 - l. Where applicable surveyed line delineating the extent of any special district boundary on the development property; and
 - m. Preliminary comments from other affected agencies having approval or permitting authority over elements related to the proposed development, or evidence that a written request for such comments was properly submitted to the agency and a reasonable period of time has elapsed without receipt of such comments. In such event, the City of Fayetteville may, at its option, seek such comments directly. A copy of any direct request by the City of Fayetteville for such comments shall be sent to the applicant when the request is made.
 - n. Proposed internal site planning standards such as setbacks and buffers aimed at addressing potential incompatibility between adjacent land uses and activities; and
 - o. Letters of capability and intent to provide utility service from all affected agencies or entities, where applicable.
- (B) *Additional information.* City council, the planning and zoning commission, the development review team, and/or staff may require submission of additional maps, data or proposed methods of addressing other pertinent matters relative to the proposed development where, owing to the nature, size and location of the proposed development, particular elements critical to the health, safety and welfare of the community and its citizens should be addressed. Such elements may

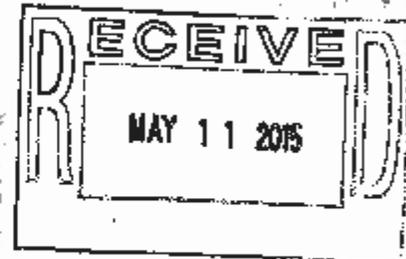
be, but are not limited to, traffic impact, emergency preparedness and response, environmental preservation, historic preservation, public access, community linkages, public education, and the like.

- (9) *Additional copies.* The applicant shall be required to supply additional copies, after comments from the development review team and staff have been addressed, six copies shall be submitted with the PCD application for staff review, eight copies shall be submitted to the planning and zoning commission for review, and eight copies shall be submitted to the city council for review, after having incorporated any recommended changes from the planning and zoning commission.
- (10) *Severability.* In the event that any subsection, sentence, clause, or phrase of this section shall be declared or adjudged invalid or unconstitutional, such adjunction shall in no manner affect the other subsections, sentences, clauses, or phrases of this section, which shall remain in full force and effect, as if the subsection, sentence, clause, or phrase so declared or adjudged invalid or unconstitutional were not originally part thereof.

(Ord. No. 0-5-00, art. II, 4-3-00; Ord. No. 0-8-08, art. 1, 4-17-08; Ord. No. 0-2-11, § 1, 2-17-11; Ord. No. 0-9-11, art. 1, 6-9-11; Ord. No. 0-8-13, art. 1, 6-20-13)

From: Tom Lamb
179 Huiet Road
Fayetteville, Georgia 30215
Reference to: #0-12-15 Rezoning 467 Veteran's Parkway

To: Brian Wismer
Director of Community Development
200 Courthouse Square
Fayetteville, GA 30214
Phone: (770) 719-4173



Dear Brian,

This letter is in regards to the Rezoning request of my property at 467 Veteran's Parkway.

It is my intention to amend my request as follows:

Current: Zoning from R-70 to R-70

Amended: Zoning from R-70 to PCD

I have been advised, and it only seems logical for my small parcel, to conform to the same zoning as the larger surrounding development. Furthermore, it is also my intention to do my part, as would be expected, to work with the surrounding land owners in order to create a cohesive transition thru the properties.

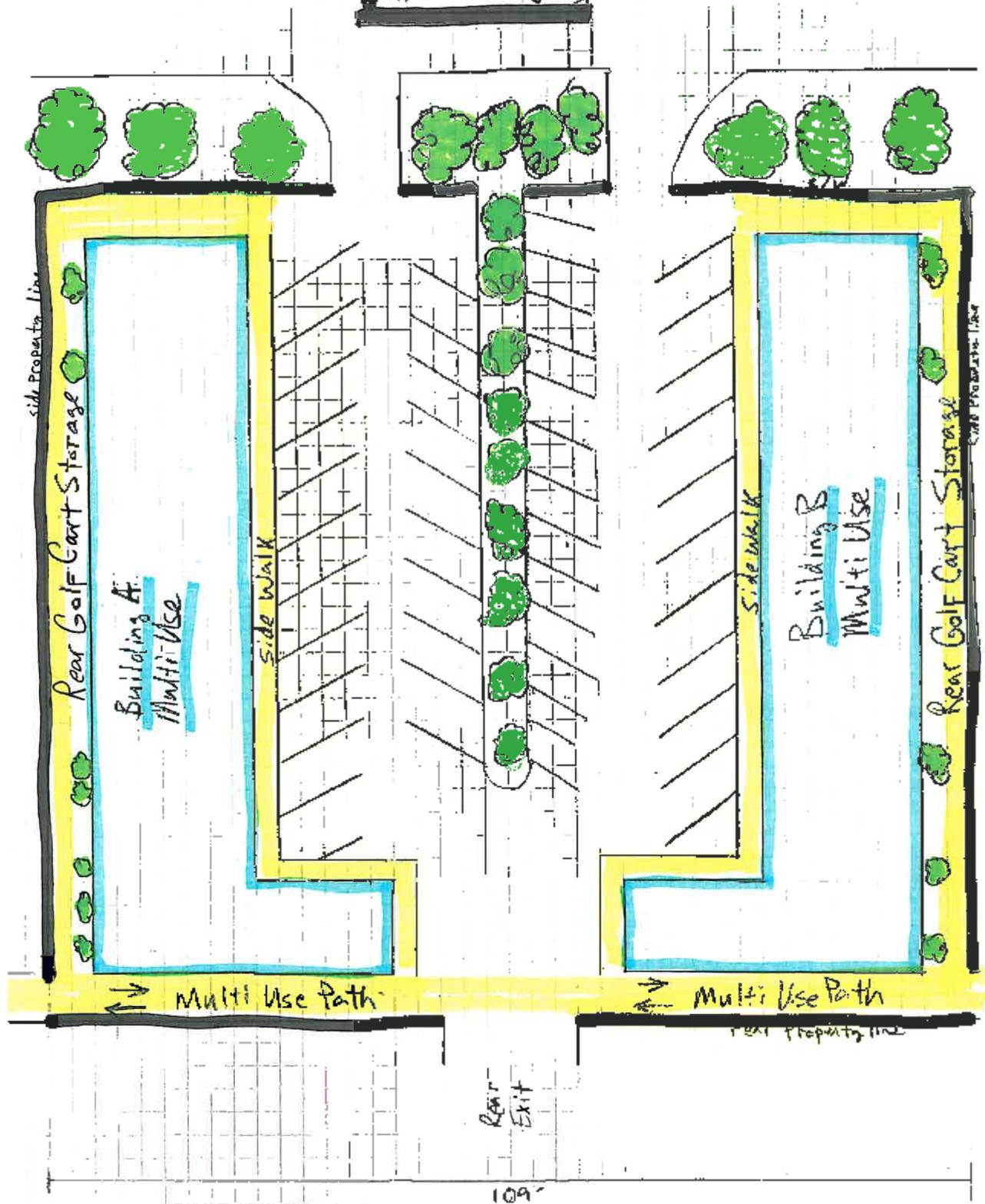
Enclosed is a sample of the type of development that I feel would fit well with the surrounding T-4 zoning. Height and exterior design could look very similar to this, however, the contents would probably be part residential, and part small retail, with some office. Examples of the retail component could be similar to Coffee Shops, Sandwich Shops, Smoothie Bar, Photography Studio, Computer Shop, Etc.... The office component would probably be Real Estate in Nature. Property management, or Real Estate Sales. The Residential component, would focus on the short term housing needs of students, and or movie professionals.

Thank you for your consideration of my request.

Sincerely
Thomas G. Lamb

A handwritten signature in black ink, appearing to read "Tom Lamb", written over a horizontal line.

Veteran's Pkwy



* Parking Based on 45° Layout
 13' Center
 9' Spaces

* H = 5'

467 Veteran's Pkwy

STAFF ANNEXATION REVIEW FORM

1. Describe the location of the area to be annexed or attach a clear map indicating the location.

The single parcel to be annexed is located at 467 Veterans Parkway, parcel 0535009. (See attached map)

2. How many landowners/parcels will be included?

One parcel, one landowner, as stated in #1.

3. How does the City propose to designate this area on its future land use map and/or zoning map if the annexation occurs?

The property is currently zoned R-70 (Single Family Residential) in the County and the City proposes PCD zoning (Planned Community Development). The FLU map will be designated Neighborhood Mixed Use.

4. Refer to sections of the city development ordinances that identify permitted uses for this proposed land use classification.

Section 94-172 of the Fayetteville City Code. (see attached)

5. Describe the development plans for the area proposed to be annexed (if the property owner(s) in the area initiated specific development proposals).

The applicant proposes to construct a small mixed use development that would include residential housing for students or movie professionals along with a small office and retail component.

Form completed by: Brian Wismer, Director of Community Development

Signature: Brian Wismer Date: 8-22-2015

COUNTY AGENDA REQUEST

New Business #20

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Consideration of staff's recommendation to enter into an Intergovernmental Agreement between Fayette County and the Town of Tyrone for the provision of Code Enforcement Services.

Background/History/Details:

The Town of Tyrone has requested assistance from Fayette County in providing Code Enforcement services within its town limits.

Duties will include written notification and face-to-face contact with individuals to address various code enforcement violations.

The establishment of a complaint handling process to ensure follow through and compliance, detailed record keeping of each case from start to finish and other pertinent information to ensure compliance of municipal codes within the town will be developed cooperatively between staffs.

This issue was presented to the Board at the April 3, 2015 Board of Commissioners Retreat.

"Exhibit A" provides two memos from the Marshal's Department pertaining to Code Enforcement for the Town of Tyrone. "Exhibit B" provides the scope of services for providing Code Enforcement for the Town of Tyrone. "Exhibit C" provides the proposed Intergovernmental Agreement between Fayette County and the Town of Tyrone.

What action are you seeking from the Board of Commissioners?

Approval of staff's recommendation to enter into an Intergovernmental Agreement between Fayette County and the Town of Tyrone for the provision of Code Enforcement Services.

If this item requires funding, please describe:

Not Applicable.

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

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

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:

Marshal's Department

Harold G. Myers, Chief Marshal

MEMORANDUM

Date: April 16, 2015

To: Steve Rapson – County Administrator

From: Harold Myers – Chief Marshal

Ref: Code Enforcement for the Town of Tyrone

After the concerns expressed by the Board of Commissioners in regard to Tyrone's request for assistance with their code enforcement services, I contacted Kyle Hood, Tyrone's Town Manager. We discussed the contents of the retreat presentation and also reviewed the information which was discussed in our meeting of February 16th. Mr. Hood clarified that his intent was not to have someone dedicated to Tyrone. He also mentioned that his main concern is having a presence and that he would be agreeable to giving us credit for the time we spent patrolling and not just face-to-face type issues. We also discussed the wording of the draft IGA which states – *“Both parties understand that the total number of hours during which County personnel perform services for the Town should not exceed ten (10) hours per week.”* It was understood that some weeks may be less than 10 hours total. Mr. Hood and I both agreed that the level of violations should decrease once it has been established that we are assisting Tyrone.

I would also like to clarify that my plan is to have personnel from the Code Enforcement Unit within the Marshal's Office act as the first point of contact for Tyrone issues and backfill with Deputy Marshals only as needed.

Marshal's Department

Harold G. Myers, Chief Marshal

MEMORANDUM

Date: June 2, 2015

To: Steve Rapson – County Administrator

From: Harold Myers – Chief Marshal

Ref: Town of Tyrone Code Enforcement Proposal

My memo, dated April 16, 2015, contained several clarifications to the original Tyrone Code Enforcement proposal which was presented at the retreat. Those clarifications included service level expectations and wording of the IGA. My memo of April 16th also mentioned the intent to utilize personnel from the Code Enforcement Unit as the first point of contact for Tyrone code enforcement issues and to involve Deputy Marshals only on an as-needed basis.

As you may recall, at the time of the original proposal, the Fayette County Code Enforcement Department reported to the Director of the Zoning Department and was short staffed by one officer. Since that time, we have initiated the approved re-organization to combine the Code Enforcement Department and the Marshal's Office. The re-organization has progressed well with some duties previously handled by the Code Enforcement Unit being transferred to the Deputy Marshal's. i.e. quarterly alcohol compliance checks and citation services. The vacant Code Enforcement position has been filled with an experienced officer and the Unit's hours of operation will be adjusted, effective July 1, 2015, to provide more consistent coverage.

I am confident that the steps we have taken will have far less impact on our Deputy Marshal's coverage of county facilities and other responsibilities and will address the concerns expressed by our Commissioners at the retreat.

CODE ENFORCEMENT SERVICES FOR THE TOWN OF TYRONE

Background

The Town of Tyrone has requested assistance from Fayette County in providing code enforcement services within the Town limits. Duties will include written notification and face-to-face contact with individuals to address various code enforcement violations. The development and establishment of a complaint handling process to ensure follow through and compliance, detailed record keeping of each case from start to finish and other pertinent information to ensure compliance of municipal codes within the Town will be developed cooperatively between staffs.

The Town of Tyrone currently receives and responds to municipal code complaints for routine nuisance violations, occupational tax delinquencies, and suspected building permit violations. Tyrone's municipal code enforcement is presently handled by various Town employees reporting directly to the Town Manager.

PROPOSAL

The Fayette County Code Enforcement Unit will address complaints of municipal code violations within Tyrone. All complaints will be vetted by the staff of the Town Manager. This will be accomplished utilizing personnel of the Fayette County Code Enforcement Unit and Fayette County Deputy Marshals on an as needed basis. Violations within the Town of Tyrone will be handled professionally and respectfully with a goal geared toward the resolution by voluntary compliance whenever possible. Fayette County Code Enforcement representatives will work out of their current office location, and will keep a regular schedule of office hours including weekend duty as needed.

SCOPE OF WORK

Investigate complaints, meet with property owners, site visits, prepare and mail letters or post notices, issue citations, communicate with Tyrone staff to develop resolution strategies, prepare reports, and provide testimony at Town and State Court hearings as necessary.

Code enforcement services shall also include the following:

1. Investigate vetted complaints of violations of the Town's, building permits, signs, nuisance, and property maintenance ordinances.
2. Perform field surveys after normal business hours for possible, building, land disturbance, nuisance and property maintenance code violations.
3. Prepare and issue Notice of Violation, Letters of Non-Compliance and citations as necessary.
4. Communicate effectively to resolve issues with property and business owners; and seek voluntary compliance whenever possible.
5. Maintain records of enforcement activity; research and compile information for each case and perform follow-up actions as needed to gain compliance.

STATE OF GEORGIA

COUNTY OF FAYETTE

INTERGOVERNMENTAL AGREEMENT FOR CODE ENFORCEMENT SERVICES

This Agreement entered into this _____ day of _____ between the TOWN OF TYRONE, a municipal corporation lying wholly within Fayette County, Georgia, hereinafter referred to as “The Town” and Fayette County, Georgia, a political subdivision of the State of Georgia hereinafter referred to as “The County”.

WITNESSETH:

WHEREAS, the Town currently does not employ personnel whose primary duty is to enforce the Town’s Code of Ordinances and other codes, rules and regulations; and,

WHEREAS, the County does employ personnel whose primary duty is to enforce the County’s Code of Ordinances and other codes, rules and regulations; and

WHEREAS, the County has staff available to provide code enforcement services to the Town; and

WHEREAS, the County desires to assist said Town by providing staff to enforce the Town’s Code of Ordinances and other codes, rules and regulations.

NOW THEREFORE, for and in consideration of the promises contained herein, it is hereby agreed as follows:

1.

The County shall provide personnel to the Town that will perform various code enforcement services on behalf of the Town. Said code enforcement services shall include investigating and citing alleged violations of the Code of Ordinances of the Town, the zoning ordinance of the Town, the subdivision regulations of the Town, the tree and landscape

ordinances of the Town and any other ordinance or regulation of the Town, as well as assisting in the prosecution of said violations and the abatement of nuisances in the Town.

2.

Any personnel provided by the County to perform the services described in Paragraph 1 shall remain employees of the County and shall under no circumstance be considered employees of the Town. Any personnel provided by the County shall be sworn in by the Town as a code enforcement officer pursuant to Section 2-168 of the Code of Ordinances of the Town of Tyrone. Such personnel shall have the authority, in addition to other remedies and after due notice to the owner of the property or the permit holder or any other person violating any provision of the Code of Ordinances of the Town, the zoning ordinance of the town, the subdivision regulations of the town, the tree and landscape ordinances of the town, and any other ordinance or regulation of the town, to issue a citation to such owner of the property or the permit holder or any other person and require the presence of the violator in the Municipal Court of the Town of Tyrone.

3.

In exchange for the services described in Paragraph 1, the Town shall pay to the County on a quarterly basis an amount equal to the hourly rate (including salary and benefits) of the personnel provided by the County for each hour that said personnel performs services for the Town. The parties agree that said hourly rate shall be \$24.37. Both parties understand that the total number of hours during which County personnel perform services for the Town should not exceed ten (10) hours per week; however, to the extent that these services are expected to exceed ten (10) hours per week, the County shall take all reasonable effort to notify the Town prior to exceeding said amount. County personnel shall be available to perform services for the Town during the hours they are normally scheduled to work for the County.

4.

The initial term of this Agreement shall be for one (1) year beginning July 1, 2015 and ending on June 30, 2016. This Agreement shall automatically renew on July 1 of each subsequent year for an additional one (1) year term unless either party provides thirty (30) days' notice to the other party of its intent to terminate the Agreement.

5.

To the extent permitted by law, the Town shall indemnify, defend and hold harmless the County from any liability and/or litigation expenses to which the County may be subjected as a consequence of or as a result of the provision of services described in Paragraph 1. The Town will furthermore, to the extent permitted by law, reimburse the County for any and all necessary legal representation, by counsel chosen by the County, in any action arising from the provision of the services described in Paragraph 1. Said reimbursement shall be paid by the Town within thirty (30) days of invoice by the County.

6.

To the extent permitted by law, the County shall indemnify, defend and hold harmless the Town from any liability and/or litigation expenses to which the Town may be subjected due to the intentional, willful or malicious conduct of the County or County personnel in the performance of the services described in Paragraph 1. The County will furthermore, to the extent permitted by law, reimburse the Town for any and all necessary legal representation, by counsel chosen by the Town, in any action arising from the intentional, willful or malicious conduct of the County or County personnel in the performance of the services described in Paragraph 1. Said reimbursement shall be paid by the County within thirty (30) days of invoice by the Town.

7.

This intergovernmental contract is a full and complete statement of the agreement of the parties as to the subject matter hereof and has been authorized by proper action of the respective parties.

8.

Should any provision of this Agreement or application thereof to any person or circumstance be held invalid or unenforceable, the remainder of this Agreement or the application of such provision to any person or circumstance, other than those to which it is held invalid or unenforceable, shall not be affected thereby, and each provision of this Agreement shall be valid and enforceable to the full extent permitted by law.

FAYETTE COUNTY, GEORGIA

By: _____
Charles Oddo, Chairman
Board of Commissioners

Attest:

TOWN OF TYRONE

By: _____
Eric Dial, Mayor

Attest:
