

BOARD OF COUNTY COMMISSIONERS

Charles W. Oddo, Chairman
Randy Ognio, Vice Chair
David Barlow
Steve Brown
Charles D. Rousseau

FAYETTE COUNTY, GEORGIA

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



140 Stonewall Avenue West
Public Meeting Room
Fayetteville, GA 30214

AGENDA

August 25, 2016
7:00 p.m.

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

Call to Order
Invocation by Vice Chairman Ognio
Pledge of Allegiance

Acceptance of Agenda

PROCLAMATION/RECOGNITION:

1. Presentation of award to Firefighter/EMT Wendell Madison for "Firefighter of the Year." (page 4)
2. Presentation of the Georgia Forestry Commission's Annual Report for Fayette County. (page 5)

PUBLIC HEARING:

3. Consideration of Petition No. 1258-16. Sara M. Ellis Estate, Owner and Becky Crawford, BHHS Georgia Properties, Agent request to rezone 5.89 acres from A-R to C-H to develop a Plasma Donation Center located in Land Lots 168 and 185 of the 5th District and fronting on SR 85 North. The applicant has requested to withdraw the rezoning petition. (pages 18-28)

CONSENT AGENDA:

4. Approval of staff's recommendation to adopt text amending the Fayette County Code of Ordinances, Chapter 6, Article II, Sec. 6-19., Sec. 6-25., Sec. 6-26.5., Sec. 6-27., and Sec. 6-33. to reflect the changes made to State law regarding the definition of dangerous dogs and how they are classified. (pages 29-35)
5. Approval of staff's recommendation to adopt Resolution 2016-14 pertaining to the bond issue of the Fayette County Hospital Authority. (pages 36-46)
6. Approval of the Sheriff's request to authorize the Chairman to sign the annual Equitable Sharing Agreement and Certification document, as required by the United States Department of Justice and the United States Department of Treasury. (pages 47-50)
7. Approval of the Water Committee's recommendation to adopt the revised Reservoir Management Plan as presented. (pages 51-100)

8. Approval of the August 11, 2016 Board of Commissioners Meeting Minutes. (pages 101-116)

OLD BUSINESS:

9. Consideration of a recommendation from the Selection Committee comprised of Commissioners Randy Ognio and David Barlow, to appoint Lavonia Stepherson to an unexpired term, replacing Margaret Sisson, beginning immediately and expiring on June 30, 2017, to the McIntosh Trail Community Service Board. (pages 117-125)

NEW BUSINESS:

10. Consideration of a recommendation from the Selection Committee, comprised of Commissioner David Barlow and Commissioner Charles Rousseau, to re-appoint Angela Hinton Fonda to Fayette County's Department of Family and Children Services Board to fill a five-year term beginning July 1, 2016 and expiring June 30, 2021. (pages 126-131)
11. Consideration of a recommendation from the Selection Committee, comprised of Commissioner David Barlow and Commissioner Charles Rousseau, to re-appoint Pete Nelms to Fayette County's Department of Family and Children Services Board to fill a five-year term beginning July 1, 2016 and expiring June 30, 2021. (pages 132-134)
12. Consideration of a recommendation from the Selection Committee, comprised of Commissioner David Barlow and Commissioner Charles Rousseau, to re-appoint Major Anthony Rhodes, of the Fayette County Sheriff's Office, to Fayette County's Department of Family and Children Services Board to fill a five-year term beginning July 1, 2016 and expiring June 30, 2021. (pages 135-140)
13. Consideration of Commissioner Ognio's recommendation to adopt Ordinance 2016-10- Records Retention and the Records Retention Schedule as set forth by the Division of Archives and History of the University System of Georgia. (pages 141-232)
14. Consideration of staff's recommendation adopt Ordinance 2016-16 and, in so doing, amend the Policies and Procedures for Fayette County Georgia by repealing Policy 100.21 pertaining to "Records Management Plan." (pages 233-247)
15. Consideration of Commissioner Barlow's recommendation to enter a contract with The Carl Vinson Institute of Government at the University of Georgia to conduct a compensation and classification study, beginning January 1, 2017 with a preliminary report submitted for review in May 2017, and a final report submitted in June 2017, at a cost of \$28,250. (pages 248-253)
16. Consideration of Commissioner Brown's request to change the hours for fishing on county lakes, to sunrise to sunset to allow more prime fishing opportunities and to align hours of operation with other outdoor parks. (pages 254-269)
17. Consideration of Commissioner Brown's request to allow children 12 years and older to operate a canoe, kayak, and stand-up paddle board solo, to exempt children under the age of twelve participating in the RowAmerica Peachtree program provided they are directly supervised by a certified instructor and all safety guidelines are followed, and for the Recreation Department to explore related activities. (pages 270-271)
18. Consideration of Commissioner Brown's request to adopt Resolution 2016-12 to improve Voter Access and Participation in Fayette County, and by so doing formally changing the polling hours of every Tuesday and Thursday within the 21-day advanced early voting period to 10:00 a.m. to 7:00 p.m., and to use fund balance in an amount not-to-exceed to \$69,000.00 to pay for the extended hours. (pages 272-275)

19. Consideration of Commissioner Brown's request to adopt Resolution 2016-13- A Resolution in Opposition of Judicial Intimidation and in Favor of Open Government and Free Speech. (pages 276-302)
20. Consideration of Commissioner Brown's request to discuss Hospital Authority appointments by the Board of Commissioners. (pages 303-307)

PUBLIC COMMENT:

ADMINISTRATOR'S REPORTS:

ATTORNEY'S REPORTS:

COMMISSIONERS' REPORTS:

EXECUTIVE SESSION:

ADJOURNMENT:

COUNTY AGENDA REQUEST

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Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Presentation of award to Firefighter/EMT Wendell Madison for "Firefighter of the Year."

Background/History/Details:

Fire and Emergency Services annually selects a Firefighter of the Year.

Firefighter/EMT Wendell Madison has been selected as "Firefighter of the Year" for Fiscal Year 2016.

Wendell was nominated by his peers on "B" shift. He sets the bar on the shift for his willingness to assist his coworkers and for using his experience and knowledge to help others. He thoroughly understands all aspects of the position of Firefighter/EMT and brings a great deal of motivation to the shift and station. Wendell excels in the team-oriented environment and strives for maximum team performance. He is a very valuable asset to the Fayette County team who willingly accepts all assignments with no hesitation and can be counted on by all personnel, co-workers, and supervisors.

What action are you seeking from the Board of Commissioners?

Present award to Firefighter/EMT Wendell Madison for "Firefighter of the Year."

If this item requires funding, please describe:

Not Applicable.

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

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

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:

COUNTY AGENDA REQUEST

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Department: Georgia Forestry Commission

Presenter(s): Harold Quigley, Chief Ranger

Meeting Date: Thursday, August 25, 2016

Type of Request: Proclamation/Recognition #2

Wording for the Agenda:

Presentation of the Georgia Forestry Commission's Annual Report for Fayette County.

Background/History/Details:

Chief Ranger Harold Quigley has requested to present a short presentation of the annual report to the Board. This is a presentation only with no formal request being asked of the Board.

Attached is a copy of his presentation material.

What action are you seeking from the Board of Commissioners?

Presentation of the Georgia Forestry Commission's Annual Report for Fayette County. No action is requested of the Board.

If this item requires funding, please describe:

Not Applicable.

Has this request been considered within the past two years? No

If so, when?

Is Audio-Visual Equipment Required for this Request? No

Backup Provided with Request? Yes

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

Approved by Finance Not Applicable

Reviewed by Legal

Approved by Purchasing Not Applicable

County Clerk's Approval Yes

Administrator's Approval

Staff Notes:

Annual Report For FAYETTE COUNTY



July 1, 2015 – June 30, 2016



**GEORGIA HAD 2,415 FIRES (-52%) FOR
9,970 ACRES (- 78%) FOR FY16**

FAYETTE

FORESTRY UNIT PERSONNEL

Position	Name	Years of Service
Chief Ranger 3	TERRY QUIGLEY	17 yrs
Ranger I	JOSH BROOKS	2.5 yrs
Ranger 2	STEVE HELTON	4 yrs
Ranger 1	ERIC EVANS	1.5 yrs

The forestry unit is located at 137 Corinth Rd and responds to Coweta and South Fulton & Fayette counties. The unit covers a total of 327,074 forested acres with 34,219 of that being forested acres in Fayette Co. Fayette Co. is considered 27% forested.



EQUIPMENT

All truck/tractor units and p/u trucks listed below are equipped with two-way radio communications with 128 channel capability and fire suppression hand tools.

- Pickup truck, 2012 Ford F250, 3/4 ton w/150 gallon water tank and pump.
- Transport, 1992 International Transport, 5 ton.
- Transport, 2004 Peterbilt Transport, 5 ton.
- Transport, 2006 International Transport, 5 ton.
- Crawler tractor, 2006 John Deere 550J with plow, blade, and winch.
- Crawler tractor, 2009 John Deere 550J with plow, blade, and winch.
- Crawler tractor, 2012 John Deere 550G with plow, blade and winch.
- Type 6 Engine 2008 Ford F550



**FOREST PROTECTION
FAYETTE COUNTY PAYS \$3,421 ANNUALLY FOR
FOREST PROTECTION (THANK YOU)
FIRE SUPPRESSION**

**Every county has an agreement with GFC to pay \$.10 per
forested acre for protection**

**Forested land in Fayette County covers 34,219 acres.
(27%)**

**There was only 1 fire we were called to during the fiscal year that
burned .4 acres.**

1 Spontaneous Combustion .4 acres

**However, there were approx. 70 calls to 911 for brush/grass fires in
your county that the Fire Dept. responded to. The below average
number was due to such a wet burn season we had. NOTE: We now
have serious drought conditions in the region leading into our burn
season in October. We continue to train and stay responsive for the
calls that will most assuredly come.**

Forest Landowner Assistance

Unit personnel plowed **9.75 miles** of pre-suppression firebreaks for 2 **landowners**. Firebreak plowing includes pre-suppression with plow, bladed, and harrowed firebreaks. Rangers provide landowners with burning plans for prescribed silvicultural burning and when fire activity allows provide assistance with the burn operation. Landowners are also assisted with agricultural burning operations. There was a total of **6 Burns for 127** acres in Fayette Co. In Fayette County, unit personnel issued **6 burning permits**. Fayette has its own permitting system online and the totals are not available to me. These burning permits were issued primarily for silvicultural, agricultural, and land clearing.



TRAINING

The Chattahoochee District Office is the headquarters for training in the district. Off season events include Firefighter Refreshers, Water Quality training, and Wildland Fire and Leadership courses from the National Wildfire Coordinating Group.



GEORGIA FORESTRY FACTS

63% OF GEORGIA IS CONSIDERED FOREST LAND (24.8 MILLION ACRES)

FOREST INDUSTRY IS THE 2ND LARGEST IND. IN THE STATE (\$23.6 BILLION AND 108,000 JOBS)

THE FOREST INDUSTRY PROVIDES 448 MILLION DOLLARS IN STATE TAX REVENUES ANNUALLY.

THERE ARE 151 WOOD PROCESSING MILLS, 85 SAWMILLS, AND 54 OTHER MILLS IN GEORGIA.

47 COUNTIES ARE RANKED AS CRITICALLY DEPENDENT OR VERY DEPENDENT ON THE FOREST PRODUCTS INDUSTRY.

GEORGIA GROWS 19 MILLION TONS MORE WOOD EACH YEAR THAN IS HARVESTED, RESULTING IN GROWTH EXCEEDING REMOVALS BY 38%.

BECAUSE THE NET GROWTH HAS CONSISTANLY EXCEEDED NET REMOVALS, THE VOLUME OF TIMBER IN GEORGIA IS GREATER NOW THAN IT WAS IN THE 1930's.

Forest Management

A staff of foresters is able to assist the Georgia landowner with a wide variety of services.

Forestry best management practices (BMP) monitoring and education

Southern pine beetle cost share program

Cost share & conservation programs assistance through federal programs

Forest health information, education, and training

Multiple use forest Stewardship Management Plans and a forum for landowners www.GaGrows.com

Forest Legacy Program administration & conservation easement assistance

Directories for consulting foresters, forestry service contractors, timber buyers, arborists, and Christmas trees and pine straw producers

Advice and plans for reforestation, timber stand improvement and harvesting

Forest Management



General Advice
Bmp checks

36 for 1,072 acres
1 for .23 miles

TREE CITY RECERTIFICATIONS

CITY OF FAYETTEVILLE 7 Years

QUALIFICATIONS

Have a Tree Board or a Department

A Tree care ordinance

Spend at least \$2.00 per capita on tree issues

Hold an Arbor Day observance & read proclamation



Information and Education

Through the media, individual contacts, and programs, the unit helped educate and inform the public on forestry and fire prevention. Unit personnel performed the following in Fayette County.

- 4 Forestry educational programs to 68 students and adults.
- brochures, literature, posters, and promotional materials distributed to the public.



Respectively Submitted to the County Commissioners.
Harold T Quigley

A handwritten signature in black ink, reading "Harold A. Quigley". The signature is written in a cursive style with a large, stylized 'H' and 'Q'.

**Chief Ranger 3 Coweta/S Fulton/Fayette
Forestry Unit**

COUNTY AGENDA REQUEST

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Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Consideration of Petition No. 1258-16. Sara M. Ellis Estate, Owner and Becky Crawford, BHHS Georgia Properties, Agent request to rezone 5.89 acres from A-R to C-H to develop a Plasma Donation Center located in Land Lots 168 and 185 of the 5th District and fronting on SR 85 North. The applicant has requested to withdraw the rezoning petition.

Background/History/Details:

The applicant has requested to withdraw the rezoning petition and has applied for annexation into Fayetteville.

Staff recommends approval of the request to withdraw Petition No. 1258-16.

The Planning Commission recommended approval of the request to withdraw Petition No. 1258-16.

Chairman Graw stated that they tabled this petition at the last meeting. He said the owner would like to withdraw because they are going to request annexation into the City of Fayetteville. He asked if there were any comments.

Al Gilbert made a motion to approve the withdrawal of the rezoning petition. Motion seconded by Brian Haren. The motion to approve the withdrawal of the rezoning petition was 4-0. Arnold Martin was absent from the meeting.

What action are you seeking from the Board of Commissioners?

Approval of the request to withdraw Petition No. 1258-16.

If this item requires funding, please describe:

Not Applicable.

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

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

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:

PLANNING COMMISSION RECOMMENDATION**DATE:** July 7, 2016**TO:** Fayette County Commissioners

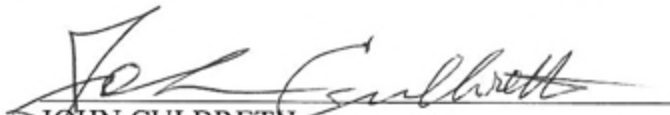
The Fayette County Planning Commission recommends that Petition No. 1258-16, the application of Sara M. Ellis Estate to rezone 5.89 acres from A-R to C-H, be:

4-0 Approved X Withdrawn _____ Disapproved
 _____ Tabled until _____

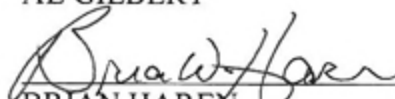
This is forwarded to you for final action.


 JIM GRAW, CHAIRMAN

ABSENT
 ARNOLD MARTIN, III, VICE-CHAIRMAN


 JOHN CULBRETH


 AL GILBERT


 BRIAN HAREN

Remarks:

- 2. Consideration of Petition No. 1258-16. Sara M. Ellis Estate, Owner and Becky Crawford, BHHS Georgia Properties, Agent request to rezone 5.89 acres from A-R to C-H to develop a Plasma Donation Center. This property is located in Land Lots 168 and 185 of the 5th District and fronts SR 85 North. The applicant has requested to withdraw the rezoning petition.**

Chairman Graw stated that they tabled this petition at the last meeting. He said the owner would like to withdraw because they are going to request annexation into the City of Fayetteville. He asked if there were any comments.

Al Gilbert made a motion to approve the withdrawal of the rezoning petition. Motion seconded by Brian Haren. The motion to approve the withdrawal of the rezoning petition was 4-0. Arnold Martin was absent from the meeting.

July 22, 2016

Pete Frisina
Director, Planning & Zoning
Fayette County Georgia
Stonewall Administrative Complex
140 Stonewall Avenue, West
Suite 202
Fayetteville, Georgia 30214

Via email: pfrisina@fayettecountyga.gov

RE: Rezoning of 1373 Hwy 85

Dear Mr. Frasina,

Please accept this letter as our official withdrawal of the rezoning application on the above referenced property. The potential buyer of the property has decided to file for annexation and rezoning with the city of Fayetteville.

Thank you for your time and consideration

Sincerely,

DocuSigned by:

Becky Crawford

127F8E023D0E-44-

Becky Crawford
BHHS Georgia Properties
Agent for Mary Kathryn McCoy

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

PROPERTY OWNERS: Sara M Ellis Estate Mary Kathryn McLoe - executor
MAILING ADDRESS: 1373 HWY 85 N, Fayetteville, GA 30214

PHONE: 678-770-1918 E-MAIL: Holiday Minimum Staffing

AGENT FOR OWNERS: Becky Crawford, BHHS Georgia Properties
MAILING ADDRESS: 320 W. Lanier Ave. Ste 110, Fayetteville 30214
PHONE: 678-480-4387 E-MAIL: Becky.Crawford@BHHSGeorgia.com

PROPERTY LOCATION: LAND LOT 186 LAND DISTRICT 5th PARCEL 0538 026
LAND LOT 168 + 185 LAND DISTRICT 5th PARCEL 0538 026

TOTAL NUMBER OF ACRES REQUESTED TO BE REZONED: Approx. 5.95 acres

EXISTING ZONING DISTRICT: A-R PROPOSED ZONING DISTRICT: C-H

ZONING OF SURROUNDING PROPERTIES: C-H (south); R-40 (south, east); C-3 (city, north)

PRESENT USE OF SUBJECT PROPERTY: Residential/Vacant

PROPOSED USE OF SUBJECT PROPERTY: Plasma Donation Center (medical/dental office)

LAND USE PLAN DESIGNATION: Commercial

NAME AND TYPE OF ACCESS ROAD: Highway 85; State Highway

LOCATION OF NEAREST WATER LINE: Highway 85

(THIS AREA TO BE COMPLETED BY STAFF): PETITION NUMBER: ZA1258-16

☐ Application Insufficient due to lack of: _____

by Staff: _____ Date: _____

☒ Application and all required supporting documentation is Sufficient and Complete

by Staff: [Signature] Date: 6/1/2016

DATE OF PLANNING COMMISSION HEARING: July 2, 2016

DATE OF COUNTY COMMISSIONERS HEARING: July 28, 2016

Received from EXCEL ENGINEERING, INC. a check in the amount of \$ 250.00 for application filing fee, and \$ 20.00 for deposit on frame for public hearing sign(s).

Date Paid: 6/1/2016 Receipt Number: 5285824
5285827

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

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

Sara M Ellis Estate

Please Print Names

Property Tax Identification Number(s) of Subject Property: 0538 026

(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) 186 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 4.76 acres (legal description corresponding to most recent recorded plat for the subject property is attached herewith).

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

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

Mary Kathryn McLeay
Signature of Property Owner 1

Holiday Minimum Staffing

Address Holiday Minimum Staffing

Signature of Property Owner 2

Address

Signature of Property Owner 3

Address

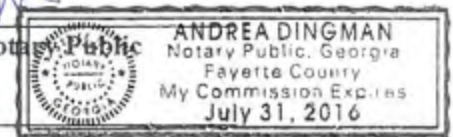
Signature of Authorized Agent

Address

Andrea Dingman
Signature of Notary Public

05/18/16

Date



Signature of Notary Public

Date

Signature of Notary Public

Date

Signature of Notary Public

Date

NAME: _____ PETITION NUMBER: _____

ADDRESS: 1373 Hwy 85 N Fayetteville, GA 30214

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

Sara M Ellis Estate by Mary Kathryn McCoy affirms that he is the owner or the specifically authorized agent of the property described below. Said property is located in a(n) A-R Zoning District. He/She respectfully petitions the County to rezone the property from its present classification and tenders herewith the sum of \$ \$270.00 to cover all expenses of public hearing. He/She petitions the above named to change its classification to C-H.

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:

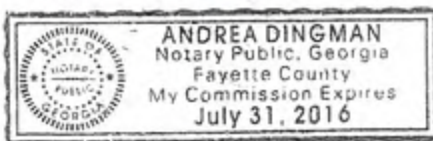
PUBLIC HEARING to be held by the Planning Commission of Fayette County on the 7th day of July, 20 16 at 7:00 P.M.

PUBLIC HEARING to be held by the Board of Commissioners of Fayette County on the 28th day of July, 20 16 at 7:00 P.M.

SWORN TO AND SUBSCRIBED BEFORE ME THIS 18 DAY OF may, 20 16

Andrea Dingman
NOTARY PUBLIC

Mary Kathryn McCoy
APPLICANT'S SIGNATURE





PROJECT NARRATIVE
Rezoning of Property at 1373 Highway 85 North
Fayetteville, GA 30214

Date: May 31, 2016

The proposed project is located on a 5.89 acre parcel located at 1373 Highway 85 North; said property is on the "south" side of Highway 85 North in the unincorporated Fayette County, Georgia. The property is currently zoned A-R (Agricultural-Residential District); the request is to rezone the property to C-H (Highway Commercial District). The existing one-story dwelling with attached carport and detached accessory structure located east of the dwelling will be razed. Thereafter, a 16,686 square foot, single-story plasma donation center containing 72 "beds" is proposed which fits into the medical/dental office category; a permitted use in the C-H District.

The proposed development will be operated by Biolife Plasma Services. In addition to the subject clinic, stormwater facilities, parking with interior access drives, and other required infrastructure is proposed for the subject property. This proposed rezoning and use matches with the existing Highway Commercial Zoning on the adjacent parcels fronting Highway 85.

Please contact me if you have any questions or if additional information is required.

Thank you,

A handwritten signature in black ink, appearing to read "Eric Drazkowski", is written over a light gray rectangular background.

Eric Drazkowski
920-322-1678
eric.d@excelengineer.com

AGREEMENT TO DEDICATE PROPERTY FOR FUTURE RIGHT-OF-WAY

I/We, Sara M. Ellis Estate
Mary Kathryn McCoy executors said property owner(s) of subject property requested to be rezoned,
 hereby agree to dedicate, at no cost to Fayette County, _____ feet of right-of-way along
 _____ as measured from the centerline of the road.

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

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

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

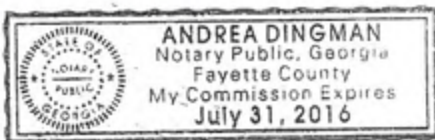
Arterial Street (Major Thoroughfare) 100 foot right-of-way (50' measured from each side of road centerline)

Sworn to and subscribed before me this 18 day of May, 2016.

Mary Kathryn McCoy
 SIGNATURE OF PROPERTY OWNER

 SIGNATURE OF PROPERTY OWNER

Andrea Dingman
 NOTARY PUBLIC



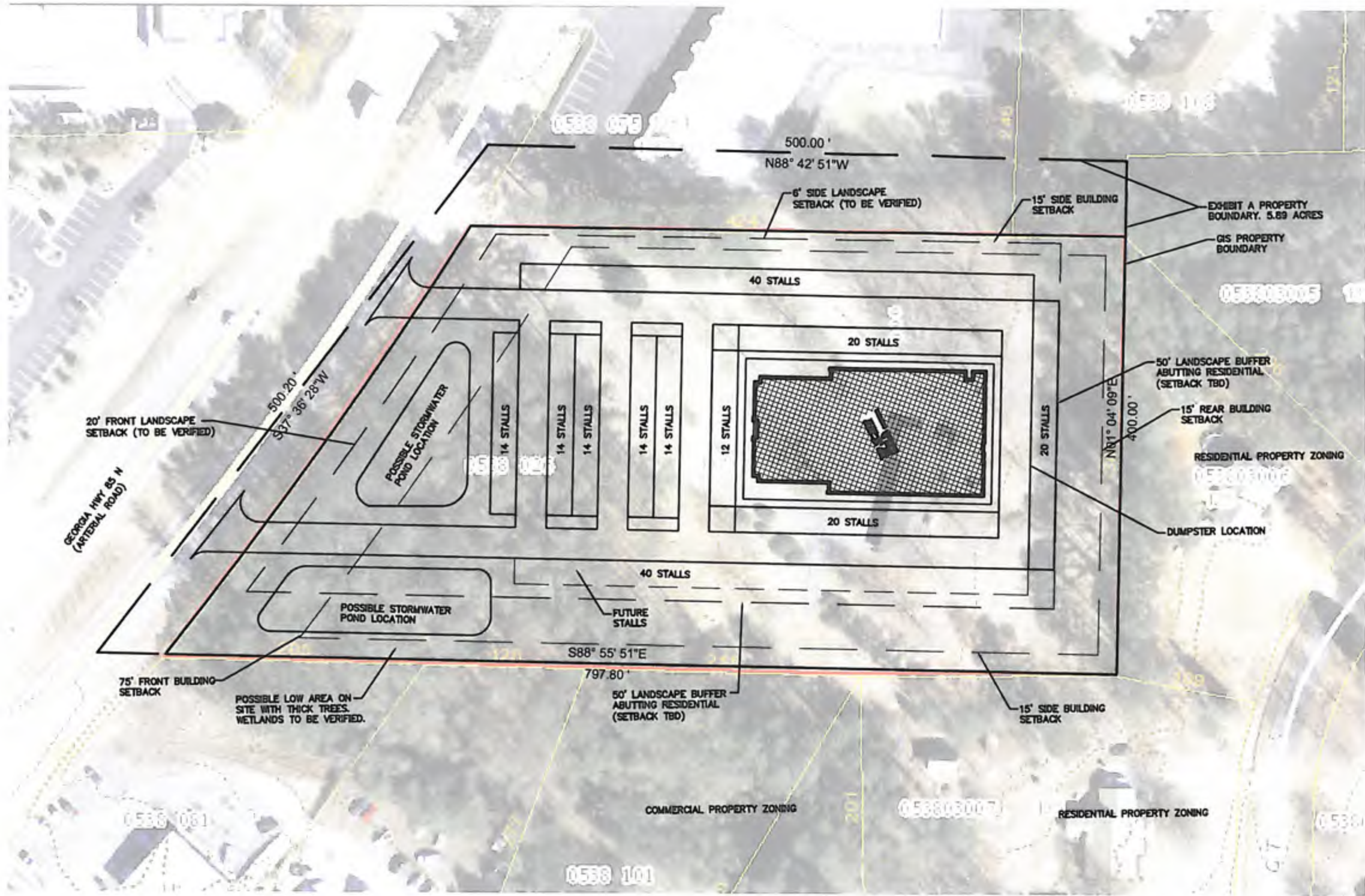
DEVELOPMENTS OF REGIONAL IMPACT (DRI)

Rezoning Applicant:

- A. Please review the attached "Developments of Regional Impact Tiers and Development Thresholds" established by the Georgia Department of Community Affairs (DCA) to determine if the proposed project meets or exceeds these thresholds. If the proposed project does not meet the established thresholds (is less than those listed) then skip to section C. below and complete.
- B. If the project does meet or exceed the established thresholds for the type of development proposed, the Georgia Department of Community Affairs (DCA) "Developments of Regional Impact: Request for Review Form" is available online at the following website address: www.dca.state.ga.us/DRI/.
- C. I have reviewed and understand the attached "Thresholds: Developments of Regional Impact".
- ☒ [X] The proposed project related to this rezoning request DOES NOT meet or exceed the established DRI thresholds .
- ☐ [] The proposed project related to this rezoning request DOES meet or exceed the established DRI thresholds and documentation regarding the required DRI Request for Review Form is attached.

Signed this 18th day of May, 20 16.

Mary Kathryn McLoe
APPLICANT'S SIGNATURE



- DESIGN NOTES (72 BED UNIT USED):**
1. ZONING: A-H (EXISTING) C-H AFTER REZONE THAT IS REQUIRED.
 2. USE: MEDICAL/DENTAL OFFICE: PERMITTED WITHIN C-H ZONING
 3. SETBACKS:
A. 75' FRONT BUILDING, 15' SIDE BUILDING, 15' REAR BUILDING, 50' LANDSCAPE BUFFER ABUTTING RESIDENTIAL (SOUTHEAST CORNER & EAST SIDES)
 4. PARKING STALLS: 10'X20'
 5. STORMWATER REQ'S: UNKNOWN.
 6. PROPERTY AREA USED FOR CONCEPT: 4.86 AC (ACTUAL LOT 4.76 BUT FOLLOWING GIS LINES. EXHIBIT A PROPERTY: 5.89 AC (SEE BOUNDARY). SOUTHERN AND EASTERN EXHIBIT A PROPERTY LINES FOLLOWED FOR SMALLER "ACTUAL" PROPERTY.
 7. ELEVATION: BASED ON DRIVEBY AND GOOGLE ELEVATION, SITE SLOPES FROM NORTHEAST TO SOUTH WEST. DUE TO THICK TREES IN SOUTHWEST, ACTUAL ELEVATION TBD.
 8. PROPERTY AREA DRAWN FROM EXHIBIT A PROVIDED FOR PROPERTY W/ GIS AREA SCALED AND VERIFIED AS BACKGROUND.
 9. WETLANDS TO BE VERIFIED ON SITE.
- **CALLS HAVE BEEN PLACED INTO PLANNER AND DEVELOPMENT SERVICES TO DETERMINE REQUIREMENTS. NO CALLS HAVE BEEN RETURNED.**
- **FURTHER INVESTIGATION OF REQUIREMENTS WILL BE REQUIRED TO ACCURATELY COMPLETE CONCEPT.**

PRELIMINARY DRAWING - NOT FOR CONSTRUCTION

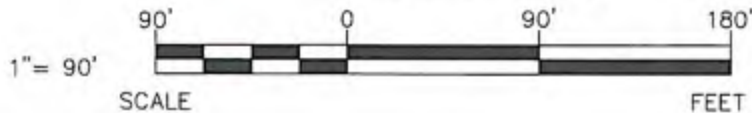
PARKING STALL COUNT:
+/- 182 STALLS PROPOSED.
40 STALLS FUTURE ISLANDS NOT INCLUDED

LEGEND:
—— = PARKING AREA TO BE MODIFIED
—— = SETBACKS
---- = EASEMENT



CONCEPT SITE PLAN

SCALE: 1"=90'-0"



**PRELIMINARY
PLAN DATE:**

PROJECT: BIOLIFE PLASMA CENTER
FAYETTEVILLE, GA
FAYETTEVILLE, GA
OWNER: BIOLIFE PLASMA SERVICES, LP
ONE BAXTER PARKWAY
DEERFIELD, IL

DATE:
2-23-2016
DESIGN NO.:
1604330

**EXCEL
ENGINEERING INC.**

100 CAMELOT DRIVE
FOND DU LAC, WI 54935
PHONE: (920) 926-9800
FAX: (920) 926-9801

**SHEET
C1**

COUNTY AGENDA REQUEST

Page 29 of 307

Department: Legal

Presenter(s): Attorney Dennis Davenport

Meeting Date: Thursday, August 25, 2016

Type of Request: Consent #4

Wording for the Agenda:

Approval of staff's recommendation to adopt text amending the Fayette County Code of Ordinances, Chapter 6, Article II, Sec. 6-19., Sec. 6-25., Sec. 6-26.5., Sec. 6-27., and Sec. 6-33. to reflect the changes made to State law regarding the definition of dangerous dogs and how they are classified.

Background/History/Details:

In response to an alarming series of dog attacks on children and neighborhood residents reported during the last several years, the General Assembly passed and Governor Nathan Deal approved House Bill 685, which, with its Responsible Dog Ownership Law, now holds owners more deeply accountable for their dangerous or vicious dogs.

The amended text is in response to the State law and provides amendments as indicated in the attached document.

What action are you seeking from the Board of Commissioners?

Adopt text amending the Fayette County Code of Ordinances, Chapter 6, Article II, Sec. 6-19., Sec. 6-25., Sec. 6-26.5., Sec. 6-27., and Sec. 6-33. to reflect the changes made to State law regarding the definition of dangerous dogs and how they are classified.

If this item requires funding, please describe:

Not Applicable.

Has this request been considered within the past two years? No

If so, when?

Is Audio-Visual Equipment Required for this Request?* No

Backup Provided with Request? Yes

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

Approved by Finance Not Applicable

Reviewed by Legal

Approved by Purchasing Not Applicable

County Clerk's Approval Yes

Administrator's Approval

Staff Notes:

Chapter 6 - ANIMALS

ARTICLE I. - IN GENERAL

ARTICLE II. - KEEPING ANIMALS; ANIMAL SHELTER

Sec. 6-19. - Definitions.

(a) The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Classified dog means any dog that has been classified as either a dangerous dog or vicious dog pursuant to this article.

Dangerous dog means any dog that:

- (1) Cause a substantial puncture of a person's skin by teeth without causing serious injury; provided, however, that a nip, scratch, or abrasion shall not be sufficient to classify a dog as dangerous under this subparagraph;
- (2) Aggressively attacks in a manner that causes a person to reasonably believe that the dog posed an imminent threat of serious injury to such person or another person although no such injury occurs provided, however, that the acts of barking, growling, or showing of teeth by a dog shall not be sufficient to classify a dog as dangerous under this subparagraph; or
- (3) While off the owner's property, kills a pet animal; provided, however, that this subparagraph shall not apply where the death of such pet animal is caused by a dog that is working or training as a hunting dog, herding dog, or predator control dog.

Owner means any natural person or any legal entity including, but not limited to, a corporation, partnership, firm or trust owning, ~~having the right of property of,~~ possessing, harboring, keeping, or having custody or control of, ~~or owning, renting, leasing or occupying property containing~~ an animal or fowl within this state. An animal shall be deemed to be harbored if it is fed and/or sheltered for seven days or more. In the case of an animal owned by a minor, the term "owner" includes the parents or person in loco parentis with custody of the minor. Owners include, but are not limited to, operators or managers of stables, kennels, pet shops or other animal care establishments. The current registered person on a microchip implant or rabies or identification tag shall also be considered an "owner".

Public nuisance means any animal which:

- (1) Is found at large in violation of section 6-22, section 6-23 or section 6-24.
- (2) Is vicious. ~~For the purpose of this subsection an animal shall be considered vicious if it attacks without provocation any human being or other domesticated animal or animals.~~
- (3) Produces, because of quantity, manner or method in which the animals are domesticated or maintained, unsanitary conditions in the county.
- (4) Attacks passersby or passing vehicles.
- (5) Is inimical to the public health, welfare, or safety according to the rules and regulations promulgated by the county health department, whose rules and regulations are incorporated herein and made a part hereof as if fully set out in this article.

Such nuisance is hereby declared to be a public nuisance and any person that knowingly keeps, owns, harbors, or acts as custodian of an animal constituting such nuisance shall be guilty of an unlawful act and shall be punishable as hereinafter provided.

Serious injury” means any physical injury that creates a substantial risk of death; results in death, broken or dislocated bones, lacerations requiring multiple sutures, or disfiguring avulsions; requires plastic surgery or admission to a hospital; or results in protracted impairment of health, including transmission of an infection or contagious disease, or impairment of the function of any bodily organ.

Vicious animal~~dog~~ means ~~any animal which constitutes a physical threat to human beings or other domesticated animals by virtue of one or more attacks of such severity as to cause property damage or physical injury~~ any dog that inflicts serious injury on a person or causes serious injury to a person resulting from reasonable attempts to escape from the dog's attack. ~~An animal shall also be considered vicious and not under restraint if it makes an unprovoked attack on other domesticated animals that are under restraint or on human beings or on physical property of another.~~

(b) No dog shall be classified as a dangerous dog or vicious dog for actions that occur while the dog is being used by a law enforcement or military officer to carry out the law enforcement or military officer's official duties. No dog shall be classified as a dangerous dog or a vicious dog if the person injured by such dog was a person who, at the time, was attempting to commit an offense under Chapter 5 of Title 16 of the Official Code of Georgia Annotated.

Sec. 6-25. - Enforcement.

(d) In all cases of violations of this article, the director shall have the authority to exercise his discretion and may, in addition to or in lieu of impounding any animal, issue a citation to the owner of such animal. However, in all such instances where the owner of such animal is known or discovered, the director shall at least issue a citation to such owner. The citation shall state the violation, the name and address of the owner, and the name of the individual issuing the citation. All citations shall be transferred to ~~the magistrate~~ court of ~~the county~~competent jurisdiction for prosecution.

Sec. 6-26.5. Investigations by animal control officer; authority; procedure for classification of dog.

(a) Investigations. The Director of Animal Control, or his/her designee, shall be authorized to aid in the administration and enforcement of the Responsible Dog Ownership Law, O.C.G.A. § 4-8-20 et seq. Upon receipt of information the Director of Animal Control, or his /her designee shall make such investigation as necessary to determine whether such dog is subject to classification as a dangerous or vicious dog.

(b) Authority. No animal control board or board of health has been designated by the Fayette County Board of Commissioners as the authority to conduct hearings on matters pertaining to the classification of a dog as dangerous or vicious.

(c) Procedure for classification. The process for classification shall be as set out in O.C.G.A. § 4-8-23.

Sec. 6-27. — ~~Guard/security dogs; Precautionsprecautions~~ to be taken by owners of dangerous dogs or vicious ~~animals or fowl~~dogs.

~~(a) Vicious animal/fowl.~~

~~(1) Definition. The term "vicious animal/fowl" means any animal/fowl which attacks, bites or injures humans, other animals or fowl without provocation; or which, because of temperament, conditioning or training, has a known propensity to attack, bite or injure other living creatures without provocation; or an animal/fowl which has on one or more occasions caused injury to other living creatures without provocation; or any animal which constitutes a physical threat to human beings or domesticated animals by one or more attacks without provocation of such severity to cause physical injury. Exception: An animal/fowl is not considered vicious if it attacks, bites or menaces:~~

- ~~a. Anyone attacking the owner;~~
- ~~b. Unlawful trespassers on the property of the owner;~~
- ~~c. Any person or animal that has tormented or abused it; or~~
- ~~d. It is defending its young or other animal.~~

~~(2) Restraint.~~

- ~~a. No person owning or having custody or control of any dog or other animal/fowl known to be vicious shall permit it to run at large, or permit it to run loose on or within the premises of such person in such a manner as to endanger the life or limb of any person lawfully entering such premises.~~
- ~~b. It shall be the duty of every owner of any vicious animal/fowl, or anyone having any vicious animal/fowl in his possession or custody, to ensure that the vicious animal/fowl is kept under restraint and that reasonable care and precautions are taken to prevent the vicious animal/fowl from leaving, while unattended, the real property limits of its owner, custodian or harbinger; and to ensure that it is securely and humanely enclosed within a house, building, fence, pen, or other enclosure out of which it cannot climb, dig, jump or otherwise escape on its own volition; such enclosure must be securely locked at any time the animal is left unattended.~~
- ~~c. For owners of vicious animals/fowl who maintain their animal/fowl out of doors, a portion of their property shall be fenced with a perimeter or area fence. Within this perimeter fence, the vicious animal/fowl must be humanely confined inside a pen or kennel of adequate size. The pen or kennel shall not share common fencing with the area or perimeter fence. The kennel or pen must have secure sides and a secure top attached to all sides; the sides must be securely set into the ground or onto a concrete pad, or securely attached to a wire bottom. The gate to the kennel must be locked.~~
- ~~d. A vicious animal shall not be upon any street or public place except when securely restrained by a leash not more than six feet in length and humanely muzzled and in the charge of a competent person.~~

~~(3) Guard/security dogs.~~

- ~~a. It shall be the duty of all persons who keep, use or maintain a guard/security dog to ensure the dog is vaccinated against rabies and licensed as required by section 6-59. The dog also must have the current vaccination tag affixed to a collar worn by the dog at all times as required.~~
- ~~b. It shall be the duty of any person that sells, leases, and/or rents any guard/security dog to be used within the county to notify the county animal control office of the location and number of guard/security dogs in use, kept, or maintained at a particular location. The animal control office shall maintain a record of the location, number of guard/security dogs,~~

and current rabies vaccination and licensure of all guard/security dogs utilized within the county. The person that sells, leases, and/or rents a guard/security dog to be used in the county shall furnish the following information to the county animal control office:

1. Name, address, and telephone number of the location where a guard dog is located.
 2. Name, breed, sex, and current license tag information of each guard dog at any location in the county.
- c. It shall be unlawful to transport any guard/security dog in an open bed truck, and any vehicle transporting guard/security dogs shall be identified as to the business owner. It shall be unlawful to transport any guard/security dog in the county except under the following conditions:
1. Each dog shall be placed in separate holding bins.
 2. Each holding bin shall be enclosed and measure 48 inches long by 18 inches wide by 30 inches high.
- (4) Outside enclosure. Whenever outside of its enclosure as provided for in subsection (2)b. and c. of this section, but on the owner's property, a vicious animal must be attended by the owner and restrained by a secure collar and leash of sufficient strength to prevent escape.
- (5) Tied to object. No vicious animal/fowl shall be chained, tethered, or otherwise tied to any inanimate object, such as a tree, post, or building, outside of its own enclosure.
- (6) Warning sign. A warning sign (i.e., "Beware of Dog") shall be conspicuously posted denoting a vicious animal/fowl is on the premises.
- (7) Violation. Failure to keep any animal/fowl confined or under restraint as provided for in subsection (a)(2) of this section shall be unlawful and shall be punishable as hereinafter provided.
- (b) Dangerous or vicious dog.

~~(1) Definitions. The term "classified dog" means any dog that has been classified as either a dangerous dog or vicious dog pursuant to this article. The term "dangerous dog" means any dog that, according to the records of an appropriate authority:~~

- ~~a. Causes a substantial puncture of a person's skin by teeth without causing serious injury; provided, however, that a nip, scratch, or abrasion shall not be sufficient to classify a dog as dangerous under this subsection;~~
- ~~b. Aggressively attacks in a manner that causes a person to reasonably believe that the dog posed an imminent threat of serious injury to such person or another person although no such injury occurs; provided, however, that the acts of barking, growling, or showing of teeth by a dog shall not be sufficient to classify a dog as dangerous under this subsection;~~
- ~~c. While off the owner's property, kills a pet animal; provided, however, that this subsection shall not apply where the death of such pet animal is caused by a dog that is working or training as a hunting dog, herding dog, or predator control dog;~~
- ~~d. The term "vicious dog" means a dog that inflicts serious injury on a person or causes serious injury to a person resulting from reasonable attempts to escape from the dog's attack;~~
- ~~e. No dog shall be classified as a dangerous dog for actions that occur while the dog is being used by a law enforcement or military officer to carry out the law enforcement or military officer's official duties. No dog shall be classified as a dangerous dog or a vicious dog if the person injured by such dog was a person who, at the time, was committing a trespass, was abusing the dog, or was committing or attempting to commit an offense under O.C.G.A. title 16, ch. 5 (O.C.G.A. § 16-5-1 et seq.);~~

- ~~f. The term "owner" means any natural person or any legal entity, including, but not limited to, a corporation, partnership, firm, or trust, owning, possessing, harboring, keeping, or having custody or control of a dangerous dog or potentially dangerous dog within this county;~~
- ~~g. Any dog classified prior to July 1, 2012, as a potentially dangerous dog in this state shall on and after that date be classified as a dangerous dog under this article. Any dog classified prior to July 1, 2012, as a dangerous dog or vicious dog in this state shall on and after that date be classified as a vicious dog under this article;~~
- ~~h. The term "proper enclosure" means an enclosure for keeping a classified dog while on the owner's property securely confined indoors or in a securely enclosed and locked pen, fence, or structure suitable to prevent the entry of young children and designed to prevent the dog from escaping. Any such pen or structure shall have secure sides and a secure top, and, if the dog is enclosed within a fence, all sides of the fence shall be of sufficient height and the bottom of the fence shall be constructed or secured in such a manner as to prevent the dog's escape either from over or from under the fence. Any such enclosure shall also provide protection from the elements for the dog;~~
- ~~i. The term "severe injury" means any physical injury that results in broken bones or disfiguring lacerations requiring multiple sutures or cosmetic surgery or a physical injury that results in death.~~

(2) Requirements.

- a. Certificate of registration. It ~~is~~ shall be unlawful for an owner to have or possess within this county a classified dog without a current certificate of registration issued in accordance with the provisions of O.C.G.A. § 4-8-27.
- b. Restraint.
 - 1. It is unlawful for an owner of a dangerous dog to permit the dog to be outside a proper enclosure unless the dog is muzzled and restrained by a substantial chain or leash and is under the physical restraint of a responsible person. The muzzle shall be made in a manner that will not cause injury to the dog or interfere with its vision or respiration but will prevent it from biting any person.
 - 2. It is unlawful for the owner of a potentially dangerous dog to permit the dog to be outside a proper enclosure unless the dog is restrained by a substantial chain or leash and is under the restraint of a responsible person.

~~Sec. 6-32. Dangerous dog uniform warning symbol.~~

- ~~(a) Pursuant to the Responsible Dog Ownership Law (O.C.G.A. § 4-8-21 et seq.) wherein any premises a dangerous dog or potentially dangerous dog resides, the owner and/or tenant of such premises shall post a clearly visible sign warning that there is a dangerous dog on the property. Such sign shall conform substantially to the design provided by the state department of natural resources.~~
- ~~(b) The sign shall be in the shape of a square, similar to a standard highway warning sign, made of 0.08 gauge aluminum sheeting and measuring 12 inches by 12 inches.~~
- ~~(c) The circle shall measure 10¾ inches in diameter. The figure of a person shall measure five inches from the top of its finger to the bottom of its feet. The top of the dog's tail to the persons' elbow shall measure 6¾ inches. The word "DANGER!" shall measure 11/8 inches by six inches.~~

- ~~(d) The sign shall be in two colors: standard highway use colors yellow and black. The circle, the figures of the person and the dog, and the word "Danger!" shall be in black. The background and remainder of the sign shall be in yellow.~~
- ~~(e) Each owner and/or tenant of such premises shall be required to pay to the county the sum of \$20.00 for any and all dangerous dog signs required.~~

Sec. 6-33. - Penalties for violation.

- (a) Any person who violates any provisions of this article shall be guilty of a misdemeanor and subject to a fine of up to \$1,000.00 and/or imprisonment and jail for a period not to exceed 60 days or both. Each and every violation of such provision constitutes a separate offense.
- ~~(b) Any vicious animal/fowl, as defined in section 6-27, shall be deemed to be a nuisance and may be abated as a nuisance upon the conviction of its owner in accordance with the laws of the state.~~
- ~~(c) Any and all violations of section 6-32 shall be punishable by a fine and/or imprisonment as allowed under O.C.G.A. § 4-8-27. It is the intention of the board of commissioners that any and all violations of section 6-32 be heard in the magistrate court of the county.~~

Secs. 6-34—6-54. - Reserved.

COUNTY AGENDA REQUEST

Page 36 of 307

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Approval of staff's recommendation to adopt Resolution 2016-14 pertaining to the bond issue of the Fayette County Hospital Authority.

Background/History/Details:

The Fayette County Hospital Authority plans to issue tax-exempt bonds in an amount not-to-exceed \$85 million to finance or refinance certain healthcare facilities, equipment, and improvements at Piedmont Fayette Hospital, and paying certain costs of issuance of the Series 2016 Certificates.

A public hearing was held on the issuance of these 2016 Certificates on or about August 17, 2016 as required by Section 147(f) of the Internal Revenue Code of 1986, as amended.

The Fayette County Hospital Authority has submitted documentation of this public hearing and is requesting the Board of Commissioners of Fayette County to consider the adoption of its Certificate Resolution approving the issuance of the tax-exempt bonds.

What action are you seeking from the Board of Commissioners?

Adopt Resolution 2016-14 pertaining to the bond issue of the Fayette County Hospital Authority.

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:

RESOLUTION OF THE BOARD OF COMMISSIONERS OF
FAYETTE COUNTY, GEORGIA, APPROVING THE PLAN OF
FINANCE FOR THE ISSUANCE BY THE HOSPITAL
AUTHORITY OF FAYETTE COUNTY OF ITS REVENUE
ANTICIPATION CERTIFICATES FOR THE BENEFIT OF
PIEDMONT HEALTHCARE, INC.; APPROVING CERTAIN
ACTIONS PREVIOUSLY TAKEN WITH RESPECT THERETO;
APPROVING AN EFFECTIVE DATE; AND FOR OTHER
PURPOSES

WHEREAS, the Hospital Authority of Fayette County (the "Authority") has been requested by Piedmont Healthcare, Inc. ("PHC") to assist in (i) financing or refinancing, in whole or in part, of the cost of the acquisition, construction, installation and equipping of certain healthcare facilities, equipment and improvements (the "2016 Project") on or near the campus of Piedmont Fayette Hospital (the "Hospital"), located at 1250 Highway 54 West, Fayetteville, Georgia, 1255 Highway 54 West, Fayetteville, Georgia and 1279 Highway 54 West, Fayetteville, Georgia, in Fayette County, Georgia, (ii) refunding certain obligations previously issued by the Authority to finance or refinance certain healthcare facilities, equipment and improvements at the Hospital, and (iii) paying certain costs of issuance of the Series 2016 Certificates referred to herein by issuing its revenue anticipation certificates from time to time in one or more series in an aggregate principal amount of up to approximately \$85,000,000 (the "Series 2016 Certificates"), and a hearing officer (the "Hearing Officer") held a public hearing with respect to such proposed Plan of Finance (a copy of which is on file with the Authority) on August 18, 2016; and

WHEREAS, Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), provides that the governmental unit having jurisdiction over the issuer of private activity bonds and over the area in which any facility financed with the proceeds of such private activity bonds is located shall approve the issuance of such bonds; and

WHEREAS, the Authority issues its revenue anticipation certificates on behalf of Fayette County, Georgia; the 2016 Project and the facilities financed or refinanced by the obligations to be refunded by the Series 2016 Certificates are located in Fayette County, Georgia; and the Board of Commissioners of Fayette County (the "Board of Commissioners") constitutes the highest elected legislative body of Fayette County, Georgia; and

WHEREAS, a certificate regarding the public hearing has been filed with the minutes of this meeting;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners, and IT IS HEREBY RESOLVED by the authority of the same, as follows:

Section 1. The issuance of the Series 2016 Certificates from time to time in one or more series by the Authority pursuant to the Plan of Finance for the benefit of PHC in an

aggregate outstanding principal amount of up to approximately \$85,000,000 (in addition to any other obligations previously approved or issued by the Authority) is hereby approved to the extent required by Section 147(f) of the Code, as follows:

(a) The 2016 Project consists of the acquisition, construction, installation and equipping of certain healthcare facilities, equipment and improvements on or near the campus of the Hospital;

(b) The initial owner, operator or manager of the 2016 Project is PHC or one or more of its affiliates;

(c) The Hospital is located at 1250 Highway 54 West, Fayetteville, Georgia, 1255 Highway 54 West, Fayetteville, Georgia and 1279 Highway 54 West, Fayetteville, Georgia; and

(d) The Series 2016 Certificates may be issued from time to time in one or more series.

Section 2. Such approval by the Board of Commissioners does not constitute an endorsement to a prospective purchaser of the Series 2016 Certificates of the creditworthiness of PHC or the 2016 Project, and the Series 2016 Certificates shall not constitute an indebtedness or obligation of the State of Georgia or of any county, municipal corporation or political subdivision thereof. The Series 2016 Certificates shall be payable solely from the revenues derived from PHC and pledged to the payment thereof and no owner of any of the Series 2016 Certificates shall ever have the right to compel any exercise of the taxing power of the State or of any county, municipal corporation or political subdivision thereof, nor to enforce the payment thereof against any property of the State or of any county, municipal corporation or political subdivision.

Section 3. All acts and doings of the officers and members of the Board of Commissioners which are in conformity with the purposes and intent of this resolution shall be, and the same hereby are, in all respects approved and confirmed.

Section 4. This resolution shall take effect immediately upon its adoption.

Adopted this 25th day of August, 2016.

FAYETTE COUNTY, GEORGIA

By: _____
Chairman, Board of Commissioners

Attest:

Clerk

CLERK'S CERTIFICATE

I, the undersigned Clerk of the Board of Commissioners of Fayette County, Georgia (the "Board of Commissioners"), DO HEREBY CERTIFY that the foregoing pages of typewritten matter pertaining to the approval of the proposed plan of finance for the issuance of revenue anticipation certificates by the Hospital Authority of Fayette County for the benefit of Piedmont Healthcare, Inc., constitute a true and correct copy of the resolution adopted on August 25, 2016, by a majority of the members of the Board of Commissioners in a meeting duly called and assembled, which was open to the public and at which a quorum was present and acting throughout, and that the original of such resolution appears of record in the minute book of the Board of Commissioners which is in my custody and control.

GIVEN under my hand the official seal of Fayette County, Georgia, this 25th day of August, 2016.

Clerk, Board of Commissioners,
Fayette County, Georgia

[SEAL]

August 18, 2016

Board of Commissioners
of Fayette County
Fayetteville, Georgia

Re: Proposed Hospital Authority of Fayette County Revenue Anticipation Certificates
(Piedmont Healthcare, Inc. Project)

Piedmont Healthcare, Inc. ("PHC") has requested that the Hospital Authority of Fayette County (the "Authority") assist PHC in (i) financing or refinancing the cost of the acquisition, construction, installation and equipping of certain healthcare facilities, equipment and improvements (the "2016 Project") on or near the campus of Piedmont Fayette Hospital (the "Hospital") located in Fayette County, Georgia, (ii) refunding certain obligations previously issued by the Authority to finance or refinance certain healthcare facilities, equipment and improvements at the Hospital, and (iii) paying costs of issuance, by issuing its revenue anticipation certificates for that purpose from time to time in one or more series in the aggregate principal amount of up to approximately \$85,000,000 (the "Series 2016 Certificates").

The undersigned Hearing Officer (the "Hearing Officer") has conducted a public hearing with respect to the plan of finance for the issuance of the Series 2016 Certificates, the financing or refinancing of the 2016 Project and the refunding of certain obligations previously issued by the Authority and hereby recommends and requests that you approve the plan of finance related thereto as required by Section 147(f) of the Internal Revenue Code of 1986, as amended.

Attached hereto is (1) a certificate evidencing the conduct of a public hearing by the Hearing Officer on August 18, 2016, and (2) a suggested form of approval to evidence your approval of the plan of finance.

Very truly yours,

By: 
Dennis A. Davenport, Esq.
Hearing Officer

NOTICE OF PUBLIC HEARING ON
PROPOSED PLAN OF FINANCE BY
HOSPITAL AUTHORITY OF FAYETTE COUNTY
FOR THE BENEFIT OF
PIEDMONT HEALTHCARE, INC.

YOU ARE HEREBY NOTIFIED that on the 18th day of August, 2016, at 3:00 p.m., in Conference Room "D," 3rd Floor of the 1279 Building, Highway 54 West, Fayetteville, Georgia, a Hearing Officer (the "Hearing Officer") will hold a public hearing with respect to the proposed plan of finance involving the issuance from time to time in one or more series by the Hospital Authority of Fayette County (the "Authority") of up to approximately \$85,000,000 in aggregate principal amount of its revenue anticipation certificates (the "Series 2016 Certificates"), the proceeds of which are to be loaned to Piedmont Healthcare, Inc. ("PHC") to be used to (i) finance or refinance, in whole or in part, the costs of the acquisition, construction, installation and equipping of certain healthcare facilities, equipment and improvements (collectively, the "2016 Project") on or near the campus of Piedmont Fayette Hospital (the "Hospital"), (ii) refund certain obligations previously issued by the Authority to finance or refinance certain healthcare facilities, equipment and improvements at the Hospital, and (iii) pay costs of issuance of the Series 2016 Certificates. The Hospital is located at 1250 Highway 54 West, Fayetteville, Georgia, 1255 Highway 54 West, Fayetteville, Georgia and 1279 Highway 54 West, Fayetteville, Georgia, in Fayette County, Georgia. The initial owner or operator of the Hospital is PHC or one of its affiliates.

The Series 2016 Certificates will not constitute an indebtedness or obligation of the State of Georgia or of any county, municipal corporation or political subdivision thereof, but will be payable solely from the revenues derived from PHC and pledged to the payment thereof.

Any person interested in the proposed issuance of the Series 2016 Certificates pursuant to the plan of finance or the location or the nature of the facilities proposed to be financed or refinanced from the proceeds of the sale of the Series 2016 Certificates may appear and be heard.

The Authority will not conduct any performance audit or performance review with respect to each series of the Series 2016 Certificates as such terms are described in Section 36-82-100, Official Code of Georgia Annotated.



Dennis A. Davenport, Esq.
Hearing Officer

FAYETTE COUNTY NEWS

& Today In Peachtree City

AFFIDAVIT OF PUBLICATION

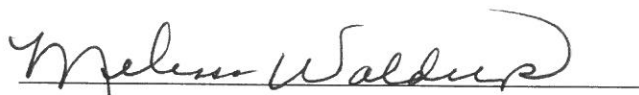
STATE OF GEORGIA
COUNTY OF FAYETTE

Personally appeared before the undersigned, Ryan Moon who has duly sworn on oath that she is Legal Editor of Fayette Newspapers, Inc., and that the following legal advertisement (**Legal 18595**), **NOTICE OF PUBLIC HEARING ON PROPOSED PLAN OF FINANCE BY HOSPITAL AUTHORITY OF FAYETTE COUNTY FOR THE BENEFIT OF PIEDMONT HEALTHCARE, INC. - Makenzie Domanique Oliver to Makenzie Domanique Gordon - Civil Action File No.: 2016V-0521WFS** - was published in the Fayette County News and/or Today in Peachtree City on the following dates:

August 3, 2016


Affiant

Sworn to and subscribed
before me this 19th day of August, 2016.


Melissa Waldrep
Notary Public

Notary Seal



Post Office Box 96 • Fayetteville, Georgia 30214
phone (770) 461-6317 • fax (770) 460-8172

Marjorie Gedeon
2012

Leon C. Glass
139

July 27, August 3, 2016

gpn17
Legal 18593

Public Auction will be held on August 25, 2016 at 10:00 am. Surelock Self Storage, 8335 Hiway 74 (Senoia Rd), Fairburn, GA 30213 (770) 969-7144 will auction the contents of the following units to satisfy the owner's lien as provided for by the Georgia Self Service Storage Facility Act. Georgia Code 10-4-210. All units will be awarded to the highest bidder. Cash will be the only form of acceptable payment for winning bids. Surelock Self Storage reserves the right to withdraw any unit from sale. Any RV, Boat, or other types of Motor Vehicles are sold "AS IS", for "PARTS ONLY" no titles or registration are given.

Unit 148 - Folding tables, misc
Unit 180 - Miscellaneous household goods
Unit 378 - Bed, misc clothing and furniture
Unit 447 - Miscellaneous
Unit 402 - Metal Desk, tables and cabinet
Unit 429 - Miscellaneous Household item
Unit 418 - Antique Furniture

August 3, 10, 2016

gpn17
Legal 18594

On 8/23/2016, at 1:30 PM, STORESMART FAYETTEVILLE GA, LLC, located at 112 New Hope Rd, Fayetteville, GA 30214 will conduct a public auction of:

Unit #D12- D14 - Laurilee Chance
clothes, furniture, miscellaneous items,

etc.
Unit #D59 - Jarred Hawkins - clothes, furniture, miscellaneous items, etc.
Unit #E33 - Lakela D. Maye - clothes, furniture, miscellaneous items, etc.
Unit #E42 - James Mulhall - clothes, furniture, miscellaneous items, etc.
Unit #F41 - Sauda Allen - clothes, furniture, miscellaneous items, etc.
Unit #H22 - Brandon Bray - clothes, furniture, miscellaneous items, etc.
Unit #H92 - Maria Del Sanchez clothes, furniture, miscellaneous items, etc.
Unit #H95 - Woodard Johnson JR. clothes, furniture, miscellaneous items, etc.
Unit #I32 - Yvonne Gray - clothes, furniture, miscellaneous items, etc.
Unit #J75 - Hickman Carrington clothes, furniture, miscellaneous items, etc.
Unit #J83 - Maria Del Sanchez clothes, furniture, miscellaneous items, etc.

August 3, 10, 2016

22. MISCELLANEOUS

gpn14
Legal 18595

NOTICE OF PUBLIC HEARING ON PROPOSED PLAN OF FINANCE BY HOSPITAL AUTHORITY OF FAYETTE COUNTY FOR THE BENEFIT OF PIEDMONT HEALTHCARE, INC.

YOU ARE HEREBY NOTIFIED that on the 18th day of August, 2016, at 3:00 p.m., in Conference Room "D," 3rd Floor of the 1279 Building, Highway 54 West, Fayetteville, Georgia, a Hearing Officer (the "Hearing Officer") will hold a public hearing with respect to the proposed plan of finance involving the issuance from time to time in one or more series by the Hospital Authority of Fayette County (the "Authority") of up to approximately \$85,000,000 in aggregate principal amount of its revenue anticipation certificates (the "Series 2016 Certificates"), the proceeds of

which are to be loaned to Piedmont Healthcare, Inc. ("PHC") to be used to (i) finance or refinance, in whole or in part, the costs of the acquisition, construction, installation and equipping of certain healthcare facilities, equipment and improvements (collectively, the "2016 Project") on or near the campus of Piedmont Fayette Hospital (the "Hospital"), (ii) refund certain obligations previously issued by the Authority to finance or refinance certain healthcare facilities, equipment and improvements at the Hospital, and (iii) pay costs of issuance of the Series 2016 Certificates. The Hospital is located at 1250 Highway 54 West, Fayetteville, Georgia, 1255 Highway 54 West, Fayetteville, Georgia and 1279 Highway 54 West, Fayetteville, Georgia, in Fayette County, Georgia. The initial owner or operator of the Hospital is PHC or one of its affiliates.

The Series 2016 Certificates will not constitute an indebtedness or obligation of the State of Georgia or of any county, municipal corporation or political subdivision thereof, but will be payable solely from the revenues derived from PHC and pledged to the payment thereof.

Any person interested in the proposed issuance of the Series 2016 Certificates pursuant to the plan of finance or the location or the nature of the facilities proposed to be financed or refinanced from the proceeds of the sale of the Series 2016 Certificates may appear and be heard.

The Authority will not conduct any performance audit or performance review with respect to each series of the Series 2016 Certificates as such terms are described in Section 36-82-100, Official Code of Georgia Annotated.

Dennis A. Davenport, Esq.
Hearing Officer

August 3, 2016

NOTICE FAYETTE COUNTY RESIDENTS UPCOMING APPOINTMENTS FOR THE FAYETTE COUNTY BOARD OF EQUALIZATION

EXHIBIT "B"

PLAN OF FINANCE

PIEDMONT HEALTHCARE, INC.

The plan of finance (the "Plan of Finance") of Piedmont Healthcare, Inc. ("PHC") is to request the Hospital Authority of Fayette County (the "Authority") to issue (in addition to any other obligations previously authorized or issued) one or more series of up to approximately \$85,000,000 in aggregate principal amount of revenue anticipation certificates (the "Series 2016 Certificates") to (i) finance the acquisition, construction, installation and equipping of certain healthcare facilities, equipment and improvements (the "2016 Project"), on or near the campus of Piedmont Fayette Hospital (the "Hospital") located at 1250 Highway 54 West, Fayetteville, Georgia, 1255 Highway 54 West, Fayetteville, Georgia and 1279 Highway 54 West, Fayetteville, Georgia, in Fayette County, Georgia, (ii) refund certain obligations previously issued by the Authority to finance the cost of certain healthcare facilities, equipment and improvements at the Hospital, and (iii) pay costs of issuance of the Series 2016 Certificates.

COUNTY AGENDA REQUEST

Page 47 of 307

Department: Sheriff's Office

Presenter(s): Major Michelle Walker

Meeting Date: Thursday, August 25, 2016

Type of Request: Consent #6

Wording for the Agenda:

Approval of the Sheriff's request to authorize the Chairman to sign the annual Equitable Sharing Agreement and Certification document, as required by the United States Department of Justice and the United States Department of Treasury.

Background/History/Details:

The United States Department of Justice and the United States Department of the Treasury, on an annual basis, require the Fayette County Sheriff's Office to submit an Equitable Sharing Agreement and Certification document.

The Equitable Agreement and Certification document provides a record of the total monies received from the United States Departments of Justice and Treasury, as well as an accounting of how the monies were spent for the purpose of law enforcement enhancement.

This program enables Fayette County to participate in multi-jurisdictional drug investigations/prosecutions whereby those participating entities share the confiscated properties resulting from the convictions.

What action are you seeking from the Board of Commissioners?

Approval of the Sheriff's request to authorize the Chairman to sign the annual Equitable Sharing Agreement and Certification document, as required by the United States Department of Justice and the United States Department of Treasury.

If this item requires funding, please describe:

Not Applicable.

Has this request been considered within the past two years? Yes

If so, when? August 13, 2015

Is Audio-Visual Equipment Required for this Request? No

Backup Provided with Request? Yes

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

Approved by Finance Yes

Reviewed by Legal

Approved by Purchasing Not Applicable

County Clerk's Approval Yes

Administrator's Approval

Staff Notes:

The Finance Department has validated the financial data reported in this document.



Equitable Sharing Agreement and Certification



NCIC/ORI/Tracking Number: GA0560000
Agency Name: Fayette County Sheriff's Office
Mailing Address: 155 Johnson Avenue
Fayetteville GA 30214

Type: Sheriff's Office

Finance Contact

Name: Walker, Michelle
Phone: 7707164753

Email: mwalker@fayettecountyga.gov

ESAC Preparer

Name: Norton, Cindy
Phone: 770-716-4754

Email: cnorton@fayettecountyga.gov

Last FY End Date: 6/30/2016

Agency Current FY Budget: \$17,437,973.00

Annual Certification Report

Summary of Equitable Sharing Activity		Justice Funds ¹	Treasury Funds ²
1	Beginning Equitable Sharing Fund Balance (Must match Ending Balance from prior FY)	\$399,417.59	\$1,287,613.87
2	Equitable Sharing Funds Received	\$335,729.23	\$43,164.99
3	Equitable Sharing Funds Received from Other Law Enforcement Agencies and Task Force (Complete Table B)	\$0.00	\$0.00
4	Other Income	\$3,750.00	\$0.00
5	Interest Income	\$85.69	\$240.13
6	Total Equitable Sharing Funds Received (total of lines 1-5)	\$738,982.51	\$1,331,018.99
7	Equitable Sharing Funds Spent (total of lines a - n below)	\$285,664.46	\$257,654.37
8	Ending Equitable Sharing Funds Balance (difference between line 7 and line 6)	\$453,318.05	\$1,073,364.62

¹Department of Justice Asset Forfeiture Program participants are: FBI, DEA, ATF, USPIS, USDA, DCSIS, DSS and FDA

²Department of the Treasury Asset Forfeiture Program participants are: IRS, ICE, CBP and USSS.

Summary of Shared Funds Spent		Justice Funds	Treasury Funds
a	Law enforcement operations and investigations	\$0.00	\$0.00
b	Training and education	\$1,105.00	\$25,377.00
c	Law enforcement, public safety and detention facilities	\$9,357.98	\$16,847.00
d	Law enforcement equipment	\$256,241.06	\$143,121.71
e	Joint law enforcement/public safety operations	\$0.00	\$0.00
f	Contracting for services	\$3,850.00	\$125.09
g	Law enforcement travel and per diem	\$1,621.89	\$57,919.03
h	Law enforcement awards and memorials	\$0.00	\$0.00
i	Drug, gang and other education or awareness programs	\$1,052.42	\$14,264.54
j	Matching grants (Complete Table C)	\$0.00	\$0.00
k	Transfers to other participating law enforcement agencies (Complete Table D)	\$12,436.11	\$0.00
l	Support of community-based programs (Complete Table E)	\$0.00	
m	Non-categorized expenditures (Complete Table F)	\$0.00	\$0.00
n	Salaries (Complete Table G)	\$0.00	\$0.00
	Total	\$285,664.46	\$257,654.37

Table B: Equitable Sharing Funds Received From Other Agencies

Transferring Agency Name	Justice Funds	Treasury Funds

Table C: Matching Grants

Matching Grant Name	Justice Funds	Treasury Funds

Table D: Transfers to Other Participating Law Enforcement Agencies

Receiving Agency Name	Justice Funds	Treasury Funds
Fayetteville Police Department - GA0560100	\$6,128.15	
Tyrone Police Department - GA0560300	\$6,307.96	

Table E: Support of Community-based Programs

Recipient	Justice Funds	

Table F: Non-categorized expenditures in (a) - (n) Above

Description	Justice Funds	Treasury Funds

Table G: Salaries

Salary Type	Justice Funds	Treasury Funds
Salary - Overtime		

Paperwork Reduction Act Notice

Under the Paperwork Reduction Act, a person is not required to respond to a collection of information unless it displays a valid OMB control number. We try to create accurate and easily understood forms that impose the least possible burden on you to complete. The estimated average time to complete this form is 30 minutes. If you have comments regarding the accuracy of this estimate, or suggestions for making this form simpler, please write to the Asset Forfeiture and Money Laundering Section: 1400 New York Avenue, N.W., Washington, DC 20005.

Did your agency purchase any controlled equipment? ☐ YES ☒ NO

Affidavit

Page 50 of 307

Under penalty of perjury, the undersigned officials certify that **they have read and understand their obligations under the Equitable Sharing Agreement** and that the information submitted in conjunction with this Document is an accurate accounting of funds received and spent by the Agency under the Guide during the reporting period and that the recipient Agency is compliant with the National Code of Professional Conduct for Asset Forfeiture.

The undersigned certify that the recipient Agency is compliant with the applicable nondiscrimination requirements of the following laws and their implementing regulations: Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq.), Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 et seq.), Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794), and the Age Discrimination Act of 1975 (42 U.S.C. § 6101 et seq.), which prohibit discrimination on the basis of race, color, national origin, disability, or age in any federally assisted program or activity, or on the basis of sex in any federally assisted education program or activity. The Agency agrees that it will comply with all federal statutes and regulations permitting federal investigators access to records and any other sources of information as may be necessary to determine compliance with civil rights and other applicable statutes and regulations.

During the past fiscal year: (1) has any court or administrative agency issued any finding, judgment, or determination that the Agency discriminated against any person or group in violation of any of the federal civil rights statutes listed above; or (2) has the Agency entered into any settlement agreement with respect to any complaint filed with a court or administrative agency alleging that the Agency discriminated against any person or group in violation of any of the federal civil rights statutes listed above?

☐ Yes ☒ No

Agency Head

Name: Babb, Barry H.
Title: Sheriff, Fayette County, GA
Email: bbabb@fayettecountyga.gov

Governing Body Head

Name: Oddo, Charles
Title: Chairman, Fayette County BOC
Email: COddo@fayettecountyga.gov

To the best of my knowledge and belief, the information provided on this form is true and accurate and has been duly reviewed and authorized by the Law Enforcement Agency Head and the Governing Body Head whose names appear above. Their typed names indicate their acceptance of and their agreement to abide by the policies and procedures set forth in the Guide to Equitable Sharing for State and Local Law Enforcement Agencies, this Equitable Sharing Agreement, and any policies or procedures issued by the Department of Justice or the Department of the Treasury related to the Asset Forfeiture or Equitable Sharing Programs.

☐ I certify that I am authorized to submit this form on behalf of the Agency Head and the Governing Body Head.

COUNTY AGENDA REQUEST

Page 51 of 307

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Approval of the Water Committee's recommendation to adopt the revised Reservoir Management Plan as presented.

Background/History/Details:

Laura Benz, LLC., Attorney at Law, worked in conjunction with the Environmental Protection Division (EPD); the Department of Natural Resources (DNR) officials in Atlanta; and staff to update the Reservoir Management Plan (Exhibit A). The Reservoir Management Plan was last updated in January 2008 (Exhibit B) and the proposed revision was undertaken primarily to include Lake McIntosh which was not placed into service until after the last update.

The revised Reservoir Management Plan for Fayette County was reorganized, information consolidated within each section and additional flexibility provided to the County and Water Department for future management. This plan reflects the standard provisions within EPD's approved reservoir management plans throughout the State while addressing specific provisions geared towards the current and future uses of Fayette County's water resources.

What action are you seeking from the Board of Commissioners?

Adopt the revised Reservoir Management Plan.

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 proposed Reservoir Management Plan has been approved by the Environmental Protection Division (EPD) and the Department of Natural Resources (DNR) officials in the Atlanta office.

FAYETTE COUNTY WATER SYSTEM
RESERVOIR MANAGEMENT PLAN
2016

EXHIBIT A



Laura W. Benz, LLC
Attorney at Law

August 17, 2016

Mr. Steve Rapson
Fayette County Administrator
140 Stonewall Avenue West, Suite 100
Fayetteville, GA 30214

Re: Fayette County Reservoir Management Plan

Dear Mr. Rapson,

Enclosed please find the revised Reservoir Management Plan for Fayette County as well as the prior 2008 version. To simplify the use of the Plan, the document was reorganized, information consolidated within each section and additional flexibility provided to the County and Water Department for future management. The plan was updated to reflect the standard provisions within EPD approved reservoir management plans throughout the State while addressing specific provisions geared towards the current and future uses of Fayette County's water resources.

In keeping with the standard terms and provisions within reservoir management plans, the 2016 version was reorganized and revised as follows:

Section 1.0 Definitions: A definition section was added to provide more clarity to the terms within the Plan. This allowed terms such as "Reservoir" to be added to the plan to reference multiple projects without having to list each one within the narrative for each activity.

Section 2.00 Background: The background section was consolidated to contain each reservoir's description and have consistent information for each such as the normal pool elevation.

Section 3.00 Objectives: Objectives were expounded to reflect standard plan language as well as adding a provision that states that "all other federal, state and local laws and regulations remain in full force and effect where applicable." This statement substitutes for the ordinances attached to the prior Plan and will require reference to the most current version of ordinances rather than requiring the attachment be revised and updated each time a modification is made to the referenced ordinance.

Section 4.00 Authority and Jurisdiction: Consolidated the authority and jurisdiction provisions of the 2008 Plan and provided clear authority to County personnel and its agents in administering and enforcing the plan.

Section 5.00 General Regulations: Consolidated the permitted and prohibited uses on the Reservoirs and discusses each based on category. Within most sections if an activity is prohibited, there is flexibility provided by "without written permission from the water system".

5.01 Vehicles: Prohibits parking vehicles in violation of posted restrictions or in a manner to impede or obstruct normal or emergency traffic and provides ability to remove and impound at the owner's expense.

5.02 Vessels: Amended the prohibition on gasoline motors to allow the "County, law enforcement and emergency rescue officials to maintain and operate gasoline powered vessels for police, emergency, safety and other designated uses" and included the discussion of gas-powered vessels on Peachtree Lake. General boating safety references as well as required registration is discussed as well.

5.03 Aircraft. This is a standard provision but was especially important given the proximity of Falcon Field to Lake McIntosh. Activities are permissible by the Water Department and are acceptable in emergency circumstances

5.04 Swimming: While swimming is prohibited, it is common practice to have a provision that addresses diving, snorkeling and scuba diving as well as jumping from bridges as prohibited activities.

5.05 Hunting and Trapping: While these activities continue to be prohibited, there is now a provision that emergency permits may be issued for overpopulation.

5.06 Sanitation: General provisions for the protection of water quality were added to address contaminants, pollutants and other wastes.

5.07 Fires: Prohibits gasoline and other fuels outside of vehicles being brought onto project lands without written permission from the Water System and prohibits burning in unauthorized areas.

5.08 Control of Animals: Restricts animals coming onto the Project lands without a leash and allows the Water System to restrict what Project Land facilities pets are allowed

5.09 Restrictions: Allows the Water System to close or restrict Project Lands or Waters or portions thereof, for reasons of public health, safety, maintenance or other reasons in the public interest. Further prohibits the use of noise that exceeds state or local governing noise levels.

5.10 Explosives, Firearms, Other Weapons and Fireworks: Has a general prohibition unless written permission has been obtained from the Water System.

5.11 Public Property: Addresses that natural formations, mineral deposits, historical and archeological features and vegetative growth are considered public property and damage is prohibited unless written permission of the Water System.

5.12 Abandonment and Impound: Provides for the dispossession of property left on project lands.

5.13 Lost and Found Articles. All articles found shall be deposited at the Water System office or other law enforcement.

5.14 Advertisement. Prohibits advertising without written permission of Water System.

5.15 Commercial Activities: Prohibits solicitation or engaging in business without approval of Water System.

5.16 Site Plan: Requires site plans to be submitted and approved on Project lands before land disturbing activities can take place.

5.17 Unauthorized Structures: Must have approval and authorization to place things on Project Lands and failure to obtain prior approval will result in removal with no liability to the County

5.18 Special Events: Special events may be held on Project lands and on the Reservoir so long as a permit has been granted by the Water System.

5.19 Unauthorized Occupation: Occupying project lands for the purpose of a full or part time residence and the use of Project Lands or Waters for agricultural use is prohibited.

5.20 Recreation Use Fees: Provides the Water System the right but not the obligation to collect special permit fees for facilities, equipment or services related to outdoor recreation furnished at the County and/or Water System's expense to be established and modified by the Water System.

5.21 Interference with County and Water System Employees: Prohibited to interfere with an employee in carrying out duties under the Plan.

5.22 State and Local Laws. Incorporates all federal law or regulations, and state and local laws and ordinances.

Section 6.00 Permits. Allows the issuance of permits under the discretion of the Water System on whether to grant a permit and whether a fee will be assessed. This will give the Water System the authority consider activities previously prohibited or not included within the prior plan. The additional permits will assist in the management of the required shoreline buffer and provided documentation if an EPD audit is performed re the conditions of the buffer. Allows underbrushing, removal of dead or diseased trees, land formations, erosion control, and the construction of pathways and nature trails within Buffer Areas. This assures that the proposed activity will be done in accordance with the law and not contribute to water quality violations.

Section 7.00 Set-Back: Clarifies that the applicable set backs from each jurisdiction would reference the outer boundary of Projects Lands.

Section 8.00 Boundary Control: Provides the right but not the obligation for the County to erect a fence to protect the Projects.

Section 9.00 Encroachment Resolution: Addresses minor or major buffer encroachments.

Section 10.00 Project Management

10.01 Forest Management: Provides for goals for forest management of aesthetics, wildlife benefits, air and water quality, soil erosion and outdoor recreation experiences with additional details of what methods would be used to accomplish the objectives.

10.02 Wildlife Management: Added language allowing emergency hunting permits for overpopulation while maintaining all federal, state and local laws.

10.03 Fisheries Management: Fisheries management added the prohibition of grass carp which is a natural remedy to combating aquatic weeds and also provided the ability to use water level management for stabilizing spawning habitats, installation of fish attractors and planting native vegetation for erosion control and habitat.

10.04 Water Quality: Water quality section to discuss the overall water quality goals, reference the emergency or designated agents ability to use gasoline-powered vessels and add a potential fine for water pollution, after a fine.

10.05 Wetlands: Provided a definition of wetlands and an explanation of their importance.

10.06 Aquatic Weeds: Included the recommendation of DNR for treatment of Peachtree Lake with copper sulfate in designated buoys, and the inclusion of grass carp as a preventative measure in the other reservoirs.

10.07 Endangered Species: Provision of intent to protect threatened and endangered species

10.08 Cultural, Historical, and Archeological: Intent to protect historical sites and archeological data.

10.09 Island Management. Compiled island management discussion.

10.10 Recreational Areas: Recreational areas have added features of "...[boat] racks,... piers and other recreational amenities associated within fishing, boating activities and other outdoor recreation. Development of these public areas will be as necessary to meet the needs of the citizens as determined in the sole discretion of the County and in accordance with Best Management Practices."

Section 11.00 Commercial Activity: commercial activity is generally prohibited unless authorized by the County/Water System.

Section 12.00 Regulatory Buoys: Ability to place buoys to provide for general boating safety.

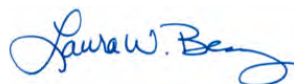
Section 13.00 Administrative Review: Administrative Review provides a process for objections and complaints.

Section 14.00 Enforcement of Plan: Enforcement provides process for potential citations if issued to be treated similar to County ordinance violations.

Section 15.00 Summary and Amendment Procedure: Refers to the constraint changing needs of the County and community and allows for revisions to be presented to the Board of Commissioners.

EPD has reviewed and provided comments on the 2016 plan. The enclosed document reflects all comments and requested revisions. Upon review of the enclosed plans, please feel free to contact me if you have any questions.

Sincerely,

A handwritten signature in blue ink that reads "Laura W. Benz". The signature is fluid and cursive, with the first name "Laura" being the most prominent part.

Laura W. Benz

Enclosure

Fayette County **Water** System

RESERVOIR MANAGEMENT PLAN

2016

RESERVOIR MANAGEMENT PLAN

June 2016

WHEREAS, Fayette County (the “County”) recognizes that securing safe and reliable sources of water is essential for continued growth, for meeting water needs in periods of drought, and for meeting the increasing demand of residential, business, and industrial uses. The County also recognizes that available water resources are limited, those limited resources are further restricted by environmental concerns.

WHEREAS, the County , in response to critical water shortages caused by droughts of recent years and ever increasing demand, determined that the most practical and least environmentally damaging method of assuring a safe and reliable source of water for its customers was to construct water impoundment projects.

WHEREAS, the County has acquired certain lands by fee ownership and certain easement rights for the development Reservoirs and surrounding areas, and resolve to provide for the protection of Project Lands and Waters, as this term is defined in Section 1.0 of the Reservoir Management Plan, in order to assure a safe and reliable supply of raw water and to protect the quality thereof.

WHEREAS, in fulfillment of the County’s obligation and commitment to protect the water quality of the Fayette County Reservoirs, the County has devised a Reservoir Management Plan that was initially approved on December 15, 1993, revised and approved on August 13, 1998, revised and approved on September 1, 2004, and revised and approved by the Board of Commissioners on November 29, 2007;

WHEREAS, the County wishes to update the most recent Reservoir Management Plan and as used herein “Plan” shall mean the aforesaid documents, respectively, and all amendments thereto. The purpose of the Plan is to set out the activities that are permitted or prohibited on the Reservoirs owned and/or operated by the Fayette County Water System and in adjacent areas.

NOW THEREFORE, the Fayette County hereby adopts this Reservoir Management Plan and provides as follows:

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SECTION 1.00**DEFINITIONS.**

“Aircraft” – All aircraft, including, but not limited to, airplanes, seaplanes, helicopters, ultralight aircraft, motorized hang gliders, hot air balloons, any non-powered flight devices and any other such equipment.

“County” – The Fayette County Board of Commissioners.

“Boat Ramp” – A ramp built on the shore into the water as a launching place for boaters or other vessels.

“Commercial Activity” – Any type of business or activity that is carried on for profit.

“DNR-EPD” -- Georgia Department of Natural Resources, Environmental Protection Division.

“Dock” –A platform built out from the shore into the water, whether on posts, pilings, floating supports, or supported by any other means, such as those used as a landing place for vessels or for fishing.

“Easement Lands” – The land area between the normal pool of the reservoir and a line 150 feet measured horizontally from and parallel to the normal pool of the Reservoir. This area may be subject to restrictive covenants of public record intended to protect the water quality and environment of the Project, as defined in Section 1.00 herein. Easement Lands create a natural buffer that can be disturbed only as provided for herein or as permitted under Section 6.0 of this Reservoir Management Plan.

“Flood Buffer Area” – The land immediately adjacent to the Reservoir subject to the 100-year flood event.

“Flotation Device” – Any device, structure, or item, motorized or non-motorized, that may be used as a means of buoyant transportation on the surface of the water. Examples include, but are not limited to, rafts, floats, tubes, barrels, Styrofoam blocks, and pontoons.

“Impervious Surface” – A man-made structure or surface that prevents the infiltration of water into the ground below the structure or surface. Examples include, but are not limited to, buildings, roads, driveways, parking lots, swimming pools, and patios.

“Lake Horton” – The approximately 783-acres water impoundment with a normal pool elevation of 780 feet above MSL and a flood easement to 784 feet above MSL. The project is owned by Fayette County and is a pump-diversion project that receives water from the Flint River and/or Starr's Mill. Also referred to as the “Reservoir.”

“Lake Kedron” - The 238-acre water impoundment project owned by Fayette County consists of a normal pool elevation of 835 feet above MSL with a 100-year flood easement, with the exception of the Smokerise area where the County owns property to at least 840 feet above MSL. Also referred to as the “Reservoir.”

“Lake McIntosh” – The water impoundment project on Line Creek, owned by Fayette County consisting of approximately 650-acres with a normal pool elevation of 780 feet above MSL, located in Fayette and Coweta Counties, as well as a flood easement surrounding the project. Also referred to as the “Reservoir.”

“Lake Peachtree” – The water impoundment project consisting of approximately 250 acres with a normal pool elevation of 785 feet above MSL owned by Peachtree City.

“Mean Sea Level (MSL)” – The level of the ocean’s surface halfway between the high and low tide, used as a standard in measuring land elevation.

“Natural Buffer Area” – The area extending a distance of 150 feet horizontally from and parallel to the normal pool boundary to be maintained as a natural buffer.

“Plan” – See “Reservoir Management Plan.”

“Private Lands” – All property not owned in fee simple by Fayette County or Peachtree City.

“Private Shoreline Areas” – Property privately held adjacent to Project Lands.

“Project” – A Reservoir water impoundment project and related water treatment and recreation areas.

“Project Lands” – All real property acquired and owned in fee simple by the County or Peachtree City in and around a Reservoir (“Reservoir Lands”), as well as those portions of Private Lands over which the County/City has acquired specific easement or covenant rights for flood, access, buffer, environmental, and water quality protection purposes. Project Lands create a natural buffer that can be disturbed only as provided for herein or as permitted under Section 6.00 of this Plan.

“Project Waters” – That area located within the normal pool level of a Reservoir.

“Protected Shoreline Areas” – All areas designated as “Protected Shoreline” in order to protect aesthetic, environmental, fish, and wildlife values.

“Reservoir” – See “Lake Horton”, “Lake McIntosh”, and “Lake Kedron”.

“Reservoir Lands” - All land acquired in fee simple by the County for the construction, maintenance, and operation of the Reservoir projects and all related improvements and facilities.

“Reservoir Management Plan” – This document and all amendments thereto. Also referred to as the “Plan.”

“Water System” – The Fayette County Water System and its designees and/or employees to perform the duties set out herein within the Project Lands for the purposes of compliance with the Plan. Unless otherwise indicated herein, the term “Water System” shall include the authorized representatives of the Water System that shall assure compliance with this Plan and the guidance contained herein, within Fayette County.

"Site Plan" - A prerequisite to most forms of development within the Project Lands. See Section 6.06 of this Plan.

“Starr’s Mill Pond” – The 16-acre portion of the pond with a normal pool elevation of 748.78 feet above MSL owned by Fayette County on the east side of Whitewater Creek.

“Utility” - Public or private systems of water and sewer piping systems, water and sewer pumping stations and treatment systems, electric power lines, fuel pipelines, cable television and telephone lines, roads, driveways, bridges, river and lake access facilities, storm water systems, railroads, and other utilities identified by local government.

SECTION 2.00 **BACKGROUND.**

The Reservoirs in Fayette County are designed to assure an adequate and reliable supply of clean, safe water to meet the present and future needs of the customers of the County. Each project contains a normal pool elevation; easements for flood, access, and buffer; environmental and water quality protection purposes; and additional land acquired by easement or in fee simple. The Water System has three reservoirs, the Millpond, and the responsibility for Lake Peachtree. All Reservoirs under the supervision of the Georgia Safe Dams Program shall be maintained in accordance with the requirements and specifications set forth by Safe Dams, including but not limited to the removal of woody vegetation from the dams. Lake Peachtree will have all woody vegetation removed from the dam so as to protect the integrity of the structure.

Section 2.01 Lake Peachtree

Lake Peachtree is 250-acres with a normal pool elevation of 785 feet above MSL and owned by Peachtree City. Fayette County has an agreement to maintain the project until October 11, 2034. Peachtree City Police have jurisdiction over the project. The west side has been developed as residential lots and the property owners have lake rights, which include the building of docks, use of motorboats, swimming, skiing, and the pumping of water for irrigation. Some of these residents are served by septic tank systems. The east side has a city owned green belt between the property owners and the lake. The green belt includes golf cart paths and sewer lines. The Water System is obligated by contract to dredge Lake Peachtree every eight years, if necessary and maintain the dam and spillway and to keep the shoreline clear of trash.

Section 2.02 Lake Kedron

Lake Kedron is a 238-acre lake with a normal pool elevation of 835 feet above MSL constructed by the Fayette County in 1986. The County has an easement around the lake at approximately the 840 feet above MSL contour. No individual docks are permitted. The shoreline is inspected regularly for erosion and clearing and a video provides an annual record of site conditions.

Section 2.03 Lake Horton

Lake Horton is a 783-acre reservoir with a normal pool elevation of 780 feet above MSL and is owned by Fayette County. The Reservoir has an 82-acre recreation site as discussed further in Section 10.10 and the remainder of the adjacent property is under individual property ownership.

Section 2.04 Lake McIntosh

Lake McIntosh is a 650-acre reservoir with a normal pool elevation of 780 feet above MSL owned by Fayette County completed with the west side of the lake in Coweta County and the east side of the lake is in Peachtree City, Fayette County. The Coweta County portion of the Lake is undeveloped while the Peachtree City side has a golf course and residential development and an 11-acre recreational area provides various amenities as discussed further in Section 10.10.

Section 2.05 Starr's Mill Pond

Starr's Mill Pond is a historic and scenic site with a run of stream intake. The first mill was a log structure built in the 1820's. The current structure was the third building constructed on the site in

approximately 1907. The County purchased 16 acres, including the mill, dam and part of the 60-acre pond with a normal pool elevation of 748.78 feet above MSL. The regulations contained herein are only applicable to the County owned property at Starr's Mill Pond and not the privately owned portions.

SECTION 3.00 **OBJECTIVES.**

The primary and overriding objective of this Plan is to preserve and protect the quality of water in the County's Reservoirs and Project Lands. Subordinate objectives are to regulate the management, protection, and preservation of the Reservoirs' shorelines and environment; to establish and maintain acceptable fish and wildlife habitat, aesthetic quality, and natural environmental conditions; to protect Project Waters and Lands and; and to accommodate the safe and healthful use of Project Lands and Waters for recreational purposes.

While some highly regulated uses of Project Lands and Waters are compatible with the primary objective of water quality protection, any individual use, public or private, otherwise permissible under the terms of this Plan may be limited, regulated, denied, prohibited, or ordered removed in the sole discretion of the Water System, subject to appeal to the County, or in the sole discretion of the County if such use is believed to create an unacceptable risk to the quality of the water in the Reservoir or other Project.

No provision hereof shall be construed to permit anything prohibited by the Water Supply Watershed Rules (Ga. E.P.D. Rules, Chapter 391-3-16-01 Criteria for Water Supply Watersheds), zoning ordinances or other land use ordinances established by the applicable local governing entity. **ALL OTHER FEDERAL, STATE AND LOCAL LAWS AND REGULATIONS REMAIN IN FULL FORCE AND EFFECT WHERE APPLICABLE.**

SECTION 4.00 **AUTHORITY AND JURISDICTION.**

The Reservoirs are wholly owned in fee simple by the County, the County owns a portion of Starr's Mill Pond and the County has a contractual agreement to manage Lake Peachtree. The County may also possess certain easement and covenant rights surrounding the Reservoirs for flood, access, buffer, environmental, and water quality protection purposes. Each provision of this Plan shall be applicable to all Project Lands as herein defined.

This Plan, all rights of the County herein contained, and all restrictions herein imposed may be administered, exercised, and enforced by the County and its agents and employees. The agents and employees of the County are authorized to assist in the enforcement of this Plan.

The County is responsible for the system's compliance with the Rules of the Georgia Department of Natural Resources, Environmental Protection Division, Chapter 391-3-6; Water Quality Control and the adopted Ordinance by the Fayette County Board of Commissioners concerning the permitted uses of the Lakes and Starr's Mill Pond.

SECTION 5.00 **GENERAL REGULATIONS.**

The restrictions contained within this Section shall apply to all Reservoirs unless specifically indicated otherwise.

Section 5.01. Vehicles.

(a) This section pertains to all vehicles, including, but not limited to, automobiles, trucks, motorcycles, mini-bikes, snowmobiles, dune buggies, all-terrain vehicles and trailers, campers, bicycles or any other equipment.

(b) Vehicles shall not be parked in violation of posted restrictions, or in such a manner as to: obstruct or impede normal or emergency traffic movement or the parking of other vehicles; create a safety hazard, or endanger any person, Project Lands, or environmental feature. Vehicles so parked are subject to removal and impoundment at the owner's expense.

(c) The operation and/or parking of a vehicle off authorized roadways is prohibited except at locations and times designated by the Water System. Taking any vehicle through, around, or beyond a restrictive sign, recognizable barricade, fence, or traffic control barrier is prohibited.

(d) Vehicles shall be operated in accordance with posted regulations and applicable federal, state and local laws, which shall be enforced by authorized enforcement officials.

(e) No person shall operate any vehicle in a careless, negligent, or reckless manner so as to endanger any person, Project Lands, or environmental feature.

(f) Except as authorized by the Water System, no person shall operate any motorized vehicle without a proper and effective exhaust muffler as defined by state and local laws, or with an exhaust muffler cutout open, or in any other manner which renders the exhaust muffler ineffective in muffling the sound of engine exhaust.

Section 5.02. Vessels.

(a) This section pertains to all vessels or watercraft, including, but not limited to, powerboats, sailboats, rowboats, canoes, kayaks, and any other such equipment capable of navigation on water, whether in motion or at rest. Vessels or watercraft such as cruisers, houseboats and jet skis are prohibited.

(b) Except as otherwise provided herein, no vessel or watercraft shall be operated on Project Waters with a gasoline, diesel, or other internal combustion engine or power plant. Electric motors are permissible. Notwithstanding this or any other provision of this Plan, the Water System, law enforcement and emergency rescue officials shall be permitted to maintain and operate gasoline-powered vessels for police, emergency, safety and other designated uses. In addition, Lake Peachtree permits gas-powered motors for those residents between the western shore of the lake and Hip Pocket Rd. who meet Lake Peachtree Association requirements and display the Lake Peachtree Association sticker.

(c) In circumstances where an event has been permitted by the Water System, it may be determined that powered vessels are necessary for the duration of the event to ensure the safety of participants in the permitted event.

(d) The placement and/or operation of any vessel or watercraft for a fee or profit upon Project Lands or Waters is prohibited except as authorized by permit, lease, license or concession contract with the Water System.

(e) Except as otherwise prohibited herein, vessels or other watercraft may be operated on the Project Waters, except in prohibited or restricted areas, in accordance with posted regulations, including buoys, and applicable federal, state and local laws, as regulated by authorized enforcement officials. The public is prohibited from using boats at Starr's Mill in the Millpond, however this does not affect the affirmative rights of adjacent private landowners. Property owners adjacent to Lake Horton and Lake McIntosh may launch non-motorized or battery powered boats from their property, but must do so by hand and cannot leave the boat in the water or Reservoir buffer.

(f) All vessels or watercraft so required by applicable federal, state and local laws shall display an appropriate registration on board whenever the vessel is operated on Project Waters.

(g) The operation of vessels or other watercraft in a careless, negligent, or reckless manner so as to endanger any property or person (including the operator and/or user(s) of the vessel or watercraft) is prohibited.

(h) All vessels and watercraft, when in use, shall have safety equipment, including personal flotation devices, on board in compliance with U.S. Coast Guard boating safety requirements (Coast Guard Pamphlet CG-290; 46 CFR Parts 25, 30, 33 CRF Part 175) and in compliance with boating safety laws issued and enforced by the State of Georgia.

(i) Unless otherwise permitted by federal, state or local law, vessels or other watercraft, may not be used for either overnight occupancy or otherwise as a place of habitation or residence.

(j) Water skis, parasails, ski-kites, or similar devices are prohibited, unless the Water System issues a special use permit for an organized exhibition-type event.

(k) All vessels or watercraft, when not in actual use, shall be removed from Project Lands and Waters unless moored or stored at designated areas approved by the Water System. The placing of floating or stationary mooring facilities on, adjacent to, or interfering with a buoy, channel marker, or other navigational aid is prohibited.

(l) The use within the confines of the Project of any vessel not constructed or maintained in compliance with the standards and requirements established by the federal Safe Boating Act of 1971 (Public Law 92-75, 85 Stat. 213), or promulgated pursuant to such act, is prohibited.

Section 5.03. Aircraft.

(a) This section pertains to all aircraft, including, but not limited to, airplanes, seaplanes, helicopters, ultralight aircraft, motorized hang gliders, hot air balloons, any non-powered flight devices, or any other such equipment.

(b) The operation of aircraft on Project Lands is prohibited. This provision shall not be applicable to aircraft engaged on official business of federal, state or local governments or law enforcement agencies, aircraft used in emergency rescue in accordance with the directions of the Water System, or aircraft forced to land due to circumstances beyond the control of the operator.

(c) Except in extreme emergencies threatening human life or serious property loss, the air delivery of any person, material, or equipment by parachute, helicopter or other means onto Project Lands or Waters without written permission of the Water System is prohibited.

Section 5.04. Swimming.

(a) Swimming is prohibited at Project Waters and Starr's Mill however permitted in designated areas at Lake Peachtree.

(b) Diving, snorkeling or scuba diving in Project Waters is prohibited. Diving or jumping from bridges or other structures that cross Project Waters is prohibited.

Section 5.05. Hunting and Trapping.

Hunting and trapping are prohibited unless an emergency permit is issued for the control of overpopulation. All federal, state and local laws governing these activities apply on Project Lands and Waters, as regulated by authorized enforcement officials.

Section 5.06. Sanitation.

(a) Garbage, trash, rubbish, litter, or any other waste material or waste liquid generated on the Project and incidental to authorized recreational activities shall be either removed from the Project or deposited in receptacles provided for that purpose. The improper disposal of such wastes, human and animal waste included, on Project Lands or into Project Waters is prohibited.

(b) No household or commercial garbage, trash, rubbish, debris, dead animals, or litter of any kind shall be brought onto Project Lands or into Project Waters for disposal or dumping.

(c) Spilling, pumping, or other discharge of contaminants, pollutants, or other wastes, including, but not limited to, human or animal waste, petroleum, and industrial or commercial products and by-products, on Project Lands or into Project Waters is prohibited.

(d) Campers, picnickers, and all other persons using the Project Lands or Waters shall keep their sites free of trash and litter during the period of occupancy and shall remove all personal equipment and clean sites upon departure.

(e) The discharge or placing of sewage, galley waste, garbage, refuse, or pollutants onto Project Lands or into Project Waters from any vessel or watercraft is prohibited.

Section 5.07. Fires.

(a) Gasoline and other fuels shall not be carried onto or stored on Project Lands without written permission of the Water System. This does not apply to the fuel tanks of automobiles and trucks located on roadways or parking areas within the Project.

(b) Fires shall be confined to those areas designated by the Water System, contained in fireplaces, grills, or other facilities designated for this purpose, shall not be left unattended and be completely extinguished prior to departure. The burning of materials that produce toxic fumes, including, but not limited to, tires, plastic, or treated wood products is prohibited.

(c) Improper disposal of lighted smoking materials, matches or other burning materials is prohibited.

Section 5.08. Control of Animals.

(a) No person shall bring or allow dogs, cats, or other pets onto the Project Lands unless penned, caged, on a leash under 6 feet in length, or otherwise physically restrained. No person shall allow animals to impede or restrict otherwise full and free use by others of Project Lands and Waters. All animals and pets are prohibited on swimming beaches. Animals and pets, except properly trained animals assisting the handicapped (such as seeing-eye dogs), are prohibited in facilities or other areas so designated by the Water System. Unclaimed or unattended animals are subject to immediate impoundment and removal in accordance with state and local laws.

(b) Persons bringing or allowing pets in designated public use areas shall be responsible for proper removal and disposal, in sanitary facilities, of any waste produced by these animals.

(c) No person shall bring or allow horses, cattle, or other livestock in recreation areas except in areas designated by the Water System.

(d) Ranging, grazing, watering, or allowing livestock on Project Lands and waters is prohibited except when authorized by lease, license, or other written agreement with the Water System.

(e) Unauthorized livestock are subject to impoundment and removal in accordance with federal, state, and local laws.

(f) Any animal impounded under the provisions of this section may be confined at a location designated by the Water System, who may assess an impoundment fee as established by the

Fayette County Animal Control Ordinance. This fee shall be paid before the impounded animal is returned to its owner(s).

Section 5.09. Restrictions.

(a) The bulk of the shoreline of the lakes are privately owned and not available to public use. Use of the Project Waters shall not unduly invade the privacy of adjoining landowners or interfere with their use of their own land. The Water System may close or restrict the use of Project Lands or Waters, or portions thereof, when necessitated by reason of public health, public safety, maintenance, or other reasons in the public interest. Entering or using the Project Lands or Waters in a manner contrary to the closures or restrictions is prohibited.

(b) Quiet shall be maintained on all Project Lands and Waters between the hours of 10 p.m. and 6 a.m. or those hours designated by the Water System. Excessive noise that unreasonably disturbs persons during such times is prohibited.

(c) Any act or conduct by any person which interferes with, impedes or disrupts the use of Project Lands or Waters or impairs the tranquility or privacy of adjoining land owners or impairs the safety of another person is prohibited. Individuals who are boisterous, rowdy, disorderly or otherwise disturb the peace on Project Lands or Waters may be requested to leave the Project.

(d) The operation or use of any audio or other noise producing device, including, but not limited to, radios, television, or musical instruments and motorized equipment, including vessels or vehicles, in such a manner as to unreasonably annoy or endanger persons at any time or exceed state or local governing noise levels from motorized equipment is prohibited.

Section 5.10. Explosives, Firearms, Other Weapons and Fireworks.

(a) The possession of ammunition, loaded projectile firing devices, bows and arrows, crossbows, explosives or explosive devices of any kind including fireworks, is prohibited unless: (1) in the possession of a federal, state or local law enforcement officer; or (2) written permission has been received from the Water System.

(b) The discharge of firearms is prohibited on a Reservoir unless written permission has been received from the Water System.

Section 5.11. Public Property.

(a) Destruction, injury, defacement, removal, or other alteration of public property including, but not limited to, developed facilities, natural formations, mineral deposits, historical and archeological features, and vegetative growth, is prohibited except when in accordance with written permission of the Water System.

(b) Cutting or gathering of trees or parts of trees and/or the removal of wood from Project Lands is prohibited without written permission of the Water System.

(c) Pumping, or any other removal of water from a Reservoir by persons or entities other than the County is prohibited from Reservoirs, with the exception of two grandfathered adjacent property owners on Lake Horton and property owners on the west side of Lake Peachtree.

Section 5.12. Abandonment and Impound.

(a) Personal property of any kind shall not be abandoned, stored or left unattended upon Project Lands or Waters. After a period of 24 hours, or at any time after a posted closure hour in public use area, unattended personal property shall be presumed to be abandoned and may be impounded and stored at a storage point designated by the Water System. The Water System may assess a reasonable impoundment fee and such fee shall be paid before the impounded property is returned to its owner.

(b) The Water System shall, by public or private sale or otherwise, dispose of all lost, abandoned or unclaimed personal property that is within its custody or control. However, property may not be disposed of until diligent effort has been made to find the owner, heirs, next of kin or legal representative(s). The net proceeds from the sale of property shall be deposited into the Treasury of the Water System as miscellaneous receipts.

- i. If the owner, heirs, next of kin or legal representative(s) are determined but not found, the property may not be disposed of until the expiration of 120 days after the date when notice, giving the time and place of the intended sale or other disposition, has been sent by certified or registered mail to that person at the last known address.
- ii. When diligent efforts to determine the owner, heirs, next of kin or legal representative(s) are unsuccessful, the property may be disposed of without delay, except that if it has a fair market value of \$25 or more, the property may not be disposed of until 90 days after the date it is received at the storage point designated by the Water System.

(c) Personal property placed on Project Lands or Waters adjacent to a private residence and/or developments of any private nature for more than 24 hours without permission of the Water System shall be presumed to have been abandoned and, unless proven otherwise, such presumption will be sufficient to issue a citation.

Section 5.13. Lost and Found Articles.

All articles found shall be deposited by the finder at the Water System's office or other law enforcement personnel.

Section 5.14. Advertisement.

Advertising by the use of billboards, signs, markers, audio devices, handbills, circulars, poster, or any other means whatsoever, is prohibited without written permission of the Water System. Vessels and vehicles with semi-permanent or permanent painted or installed signs are exempt as long as they are used for authorized recreational activities and comply with all other rules and regulations pertaining to vessels and vehicles.

Section 5.15. Commercial Activities.

The engaging in or solicitation of business is prohibited except as authorized, pursuant to appropriate licensure by the Water System. Nothing contained herein shall be construed to preclude the operation of a water treatment facility by the Water System or its agent.

Section 5.16. Site Plan

All forms of development within Project Lands, except for the exemptions listed in Section 6.06, shall be required to have a site plan submitted and approved according to Section 6.06 before any rezoning requests or building permits may be approved or any land disturbing activity may take place.

Section 5.17. Unauthorized Structures.

The construction, placement, or existence of any structure (including, but not limited to, roads, trails, signs or landscape features) of any kind under, upon, in or over the Project Lands or Waters is prohibited unless a permit, lease, license, or other appropriate written agreement has been issued by the Water System. The design, construction, placement, existence or use of structures in violation of the terms of the permit, lease, license or other written agreement is prohibited. The County and/or Water System shall not be liable for the loss of or damage to, any private structures, whether authorized or not, placed on Project Lands or Waters. Unauthorized structures are subject to summary removal or impoundment by the Water System.

Section 5.18. Special Events.

(a) Special events including, but not limited to, water carnivals, boat regattas, music festivals, dramatic presentations or other special recreation programs are prohibited unless a permit has been granted by the Water System. An appropriate fee may be charged under the Authority of Section 5.20 and 6.01.

(b) The public shall not be charged any fee by the sponsor of such event unless the Water System has approved in writing (and the sponsor has properly posted) the proposed schedule of fees. The Water System shall have Authority to revoke permission and require removal of any equipment upon failure of the sponsor to comply with terms and conditions of the permit/permission or the regulations of this Plan.

Section 5.19. Unauthorized Occupation.

(a) Occupying any land, buildings, vessels or other facilities within the Project for the purpose of maintaining same as a full or part-time residence is prohibited. The provisions of this section shall not apply to the occupation of lands for the purpose of camping, in accordance with the provisions of Section 5.06.

(b) Use of Project Lands or Waters for agricultural purposes is prohibited except when in compliance with terms and conditions authorized by lease, license or other written agreement issued by the Water System.

Section 5.20. Recreation Use Fees.

(a) The Water System may collect special recreation use fees and/or special permit fees for the use of specialized sites, facilities, equipment or services related to outdoor recreation furnished at the County and/or Water System's expense. The use of sites, facilities, equipment or services related to outdoor recreation provided by landowners or third parties are exempt from this section.

(b) All use fees shall be fair and equitable and will be based on the following criteria:

- (1) The direct and indirect amount of County and/or Water System expenditure.
- (2) The benefit to the recipient.
- (3) The public policy or interest served.
- (4) The comparable recreation fees charged by federal or non-federal public agencies and the private sector within the service area of the management unit at which the fee is charged.
- (5) The economic and administrative feasibility of fee collection.
- (6) The extent of regular maintenance required.
- (7) Other pertinent factors.

Use fees shall be established and modified from time to time by the County and/or Water System and a list of such use fees shall be maintained in the Office of the Water System.

Section 5.21. Interference with County and Water System Employees.

(a) It shall be unlawful to forcibly assault, resist, oppose, impede, intimidate, or interfere with any civilian official, agent, or employee of the County, Water System or other law enforcement agency engaged in the performance of his or her official duties. Such actions or interference directed against an employee while carrying out his duties under the Plan are a violation of this Plan and may be a crime punishable under the laws of the State of Georgia.

(b) Failure to comply with a lawful order issued by an employee or designated agent acting pursuant to the Plan shall be considered as interference with that employee while engaged in the performance of their official duties. Such interference with an employee includes failure to provide a correct name, address or other identification upon request of the employee, when that employee or agent is authorized by the Water System or County to issue citations in the performance of the employee's official duties.

Section 5.22. State and Local Laws.

Except as otherwise provided herein, federal law or regulations, and state and local laws and ordinances shall apply on Project Lands and Waters and shall be enforced by those federal, state and local enforcement agencies established and authorized for that purpose. This includes, but is not limited to, federal, state and local laws and ordinances governing:

- (a) Operation and use of motor vehicles, vessels, and aircraft;
- (b) Hunting, fishing and trapping;
- (c) Use of firearms or other weapons;
- (d) Civil disobedience and criminal acts; and,
- (e) Littering, sanitation and pollution.

SECTION 6.00 PERMITS.

Project Lands and Waters must be regulated to fulfill the primary purpose of the respective Project, to encourage proper use of Project Lands and Waters, and to promote public safety. This Section describes the activities that may be allowed and when permits are required. All permit requests must be submitted to the Water System, who shall review and issue or deny the permit within 30 days of receipt of the request. The Water System may seek the advice of the DNR-EPD Water Quality Program whenever a requested permit may potentially affect water quality. Each permit application shall be reviewed and considered solely on its individual merits. All applicants shall be notified in writing of the reason for any denial of a permit request.

Section 6.01 Special Event Permits.

Examples of activities requiring Special Event Permits include, without limitation, sailing regattas, fishing tournaments, family reunions, and company or corporate outings. In determining whether or not to grant a Special Event Permit, the Water System shall consider all relevant factors including, without limitation, environmental laws and regulations; regulatory guidance; public safety; availability of space; effect on the rights of others; and the nature, duration, and extent of the proposed activity. Permits issued by the Water System for special events do not relieve the permittee from the necessity of obtaining similar local or state authorizations, if required. Events or actions prohibited elsewhere in this plan are not permitted as a special event.

- (a) Special Event Permits are required for use of Private Shoreline Areas whenever more than 30 persons are involved in a proposed activity.
- (b) Special Event Permits are required for use of the Project Waters whenever more than 15 vessels are involved in a proposed activity.

(c) The Water System shall have Authority to revoke permission and require removal of any equipment from Project Lands or Waters upon failure of the sponsor to comply with the terms and conditions of the permit/permission.

Section 6.02 Specified Acts Permits.

Specified Acts Permits are required for the performance of certain minor, one-time acts such as the removal of hazardous trees or noxious plants such as poison oak, ivy, or sumac; the planting of native species; the placement or erection of limited shoreline protection devices; etc. The Specified Acts Permit application shall detail the requested work including the methods to be employed, completion schedule, location, equipment to be used, if any, and a plan for restoration of Project Lands, if necessary. A simple drawing or plan including photographs may be required. The Specified Acts Permit shall be issued for one-time events only. Each request for a Specified Acts Permit shall be reviewed based on all relevant factors including, without limitation, those enumerated in Section 6.01.

Section 6.03 Point-Source Sedimentation Permits.

(a) Activities such as dredging; riprapping; construction of outfall lines, intake structures, other fixed structures, and retaining walls; fill; and the discharge of dredged or fill material; etc., into the Reservoir may be permitted only if they are not prohibited by the Reservoir Management Plan and federal, state, or local law.

(b) Point-source sedimentation violations that directly impact a Reservoir shall be reported to the Water System and the DNR-EPD.

Section 6.04 Private Shoreline Area Use Permits.

Private Shoreline Area Use Permits are required for certain long-term uses of Private Shoreline Areas. Certain activities or uses such as agriculture or the cutting of grass may be continued if such activities or uses are a continuation of the landowner's current activities or uses as of the date of the construction of the respective Reservoir and such current activities or uses do not pose an undue hazard to water quality or the environment. Structures placed on Project Lands via a Private Shoreline Area Use Permit shall be treated as private property on Project Lands for the term of such permits.

Section 6.04.01 Eligibility Requirements.

(a) Private Shoreline Area Use Permits shall be issued only to the fee simple owner of the underlying Private Land. Proof of ownership may be presumptively established by submitting a certified copy of a recorded deed. Failure to provide satisfactory proof of ownership shall result in denial of a permit.

(b) No such permit shall be issued to any person under the age of 18.

(c) Permits shall not be issued for speculative purposes or for enhancement of the value of private property. The permittee must be the ultimate user of any facilities or structures permitted.

Section 6.04.02 Site Requirements.

(a) Permits shall not be issued in Private Shoreline Area locations where there are archeological sites, historical sites, endangered species habitat(s), or federal jurisdictional waters.

(b) Any locations selected for placement of facilities or structures via a Private Shoreline Area Use Permit must conform to the rules and regulations contained herein and be located in a Private Shoreline Area. The location of proposed facilities or structures must not cause a safety hazard to either the applicant/user or the general public.

Section 6.04.03 Duration of Permits.

Private Shoreline Area Use Permits are temporary in nature and may contain expiration dates. Those permits issued without a specific termination date shall be issued for a one-year period, but shall be automatically renewed from year to year, subject to the County's right to inspect such use and terminate such permit or give notice of non-renewal thereof for any reason whatsoever, but especially when such use is found to be in a state of disrepair, creates a health or safety danger, or is no longer functional.

Permits are not transferable and shall lapse automatically upon a conveyance of the underlying Private Land.

Section 6.05 Handicapped-Accessible Facility Requirements.

Handicapped-accessible facilities will be developed in accordance with the requirements of law. Should further needs arise, each case or need shall be reviewed on its own merits. To qualify for special consideration, the individual must be eligible for federal or state assistance. Every effort will be made to grant permits to those who meet eligibility requirements; except that site conditions may limit the Water System's ability to accommodate every applicant.

Section 6.06 Site Plan

This Section shall not apply to Lake Peachtree or Millpond and is only applicable to property adjacent to Lake Horton, Lake Kedron and Lake McIntosh.

Section 6.06.01 Site Plan Requirements.

Except as provided in subsection 7.06.03, all forms of development within Project Lands shall be required to have a site plan submitted and approved by the Water System according to this Plan before any rezoning requests or building permits may be approved or any land disturbing activity may take place. Each site plan submitted shall include the following:

1. A site plan drawn to a scale and showing all planned improvements including width, depth, and length of all existing and proposed structures; roads; water courses; drainage ways; water, wastewater, and storm water facilities; and utility installations;
2. Location, dimension, and area of all impervious surfaces, both existing and proposed, on the site;
3. The orientation and distance from the boundaries of the proposed site to the nearest bank of an affected perennial stream or body of water;
4. Elevations of the site and adjacent lands within two hundred (200) feet of the site at contour intervals of no greater than five (5) feet;
5. Erosion and Sedimentation Control Plan; and

6. Any facility in the process of expanding shall provide location and detailed design of any spill and leak collection systems designed for the purpose of containing accidentally released hazardous or toxic waste.

Section 6.06.02 Activity Compliance.

All development activities or site work conducted after approval of the site plan shall conform to the specifications of said site plan. Significant changes to the site plan that would alter the amount and velocity of storm water runoff from the site; increase the amount of impervious surface within the development; alter the overall density of the development; result in a considerable increase in the amount of excavation, fill, or removal of vegetation during construction; or otherwise result in an alteration of the overall appearance of the development proposed, may be amended only with the approval of the Water System or other appropriate regulatory personnel.

Section 6.06.03 Exemptions from Site Plan Requirement.

Repairs to a facility that is part of a previously approved and permitted development shall be exempt from the site plan requirement.

Section 6.07 Specific Land-Use Practices.

This subsection addresses the permissive nature of commonly requested or occurring activities on Project Lands. It is the policy of the County and Water System to authorize certain private uses of Project Lands when these uses or acts are compatible with purposes of the Plan, water quality, and the provisions of public law and regulation.

Section 6.07.01 Activities Authorized Without a Permit.

The following is a non-exclusive list of commonly occurring situations for which permits are not required.

- (a) Native vegetative species may be planted in a random or natural fashion.
- (b) Mowing. Owners of Private Lands adjacent to Lake Kedron, Lake McIntosh and Lake Horton are expressly allowed to mow only in open areas generally evolved from agricultural practices that removed tree cover prior to respective Reservoir construction or from tree loss due to fires, diseases, or other natural causes. Open areas created by fires, disease, or other natural causes must be verified by the Water System prior to mowing.
- (c) Landowners adjacent to Project Lands may remove forest litter on Project Land found within six (6) feet of their residence where residential structures are built close to Project Lands.

Section 6.07.02 Activities Requiring a Permit.

The following is a non-exclusive list of commonly requested or occurring activities which may be authorized by the County and Water System pursuant to a Specified Act, or Private Shoreline Area Use Permit for Lake McIntosh, Lake Horton and Lake Kedron:

- (a) Construct pathways and other nature trails within the Easement Lands. All such construction shall conform to the restrictions set forth herein.
- (b) Erosion control methods such as planting of vegetation, placing water breaks along footpaths, or placement of stone to reduce rainwater runoff velocity or for shoreline protection may be authorized pursuant to a Private Shoreline Area Use Permit.
- (c) Land formations within the Project Lands may only be modified pursuant to a Private Shoreline Area Use Permit. The best available means of preventing erosion and sedimentation from entering the lake must be installed prior to any land disturbing activity. All areas of bare earth shall be covered with mulch or other pervious material immediately and vegetation established as soon as possible.
- (d) Due to their detrimental impact on water quality, chemical products such as pre-emergent weed killers, fertilizers, growth retardants, etc., shall not be used on Reservoir Project Lands, including areas allowed to be maintained as lawns or gardens, except some topical applications to control noxious species may be allowed pursuant to a Specified Acts Permit if not performed by the County.
- (e) Pest and varmint control on Project Lands, including the extermination of forest insects, pets or stray animals, rodents and other health related nuisances, must be authorized pursuant to a Specified Acts Permit if not performed by the County.
- (f) The cutting or removal of dead or diseased trees from within the Project Lands must be authorized pursuant to a Specified Acts Permit. The removal of dead or fallen trees from this area shall be authorized only when such tree(s) poses a threat to persons, personal property or some other authorized activity. If the Water System is requested to fell hazardous trees, any subsequent cleanup or removal of the tree is the responsibility of the requesting party.
- (g) Underbrushing including removal of invasive plant species shall be permitted pursuant to a Private Shoreline Area Use Permit provided that adequate ground cover is maintained for forest regeneration and the underbrushing can be accomplished without degradation of the site. Approval for underbrushing will be considered on a case-by-case basis and accomplished through an on-site meeting to develop an underbrushing plan that supports forest management objectives for the particular site.

Section 6.07.03 Prohibited Activities.

The following is a non-exclusive list of commonly requested or occurring activities that are prohibited on Lake Kedron, Lake Horton and Lake McIntosh Project Lands and Waters:

- (a) Exotic species or plants not native must be removed; flower gardens are prohibited.
- (b) Fires or the burning of debris is prohibited on Project Lands regardless of the Reservoir level except as provided herein. City or County burn permits shall not authorize burning on Project Lands.
- (c) No Impervious Surface, septic tank, or septic tank drain field shall be located, by Special Use Permit or otherwise, on Project Lands.
- (d) The removal of forest humus or mulch is prohibited.
- (e) The clearing of trees to obtain scenic vista or to establish lawns is prohibited.
- (f) The cleaning of vessels with soaps and solvents is prohibited.
- (g) Swimming, diving, snorkeling, or scuba diving is prohibited.
- (h) Construction of houses, sundecks, docks, porches, swimming pools or outbuildings partially on Project Lands, and the placement thereon of related debris, fill, septic tanks, and drain fields are expressly prohibited.
- (i) The conversion of Project Lands to private use through planting vegetable and flower gardens, clearing trees or underbrushing without a permit, constructing roadways to the shoreline, and abandoning or disposing of personal property on Project Lands is prohibited.

Section 6.08 Violation of Permit Conditions/Unauthorized Use.

Violations of permit conditions or unauthorized uses shall result in corrective action that may include termination of the permit, removal of private property, restoration of Project Lands, and/or other legal action as deemed necessary.

When a permit violation or unauthorized use is corrected, the violator may reapply for a Permit subject to current regulations; however, the Water System may consider such violation or unauthorized use as a factor in its decision whether or not to grant or renew such permit. Public utility

exceptions for any construction within the Flood Buffer Area or the Natural Buffer Area must have the approval of the County/Water System.

SECTION 7.00 **SET-BACK.**

Set-back building codes are necessary to prevent building errors or boundary discrepancies from becoming major encroachment problems. This policy will greatly reduce conflict between the general public, the County, and the neighboring landowners, as well as reduce the tax and rate payers' share of costs necessary to protect Project Lands around Lake Kedron, Lake Horton and Lake McIntosh. The County Rear set-backs, established by the Zoning Ordinance, shall be construed as referring to the outer boundary of Project Lands as if such Project Lands were owned by the County, and enforced accordingly. The County to establish minimum requirements for the area lying between the normal pool of each Reservoir and a parallel line running 150 feet from that point so as to prevent the construction of any impervious surfaces or the installation of any septic tanks or septic tank drainfields within 150 feet of any point, thereby creating a 150-foot natural, undisturbed buffer.

SECTION 8.00 **BOUNDARY CONTROL.**

Questions may arise concerning Reservoir project boundaries. Each Project was surveyed and monumented during the land and easement acquisition phase. Project Lands shall consist of all land extending for a distance of 150 feet from the normal pool elevation of each Reservoir.

For safety and water quality purposes, a chain link fence or other type fence may be erected on the Project Lands owned by the County by or on the County/Water System's behalf.

A private survey should be obtained prior to any construction on Private Land or adjacent to Project Land. Information related to the Project's boundaries may be obtained at the Water System's office.

SECTION 9.00 **ENCROACHMENT RESOLUTION.**

Unless permitted in writing by the Water System, items of realty or personally placed on Project Lands longer than 24 hours constitute an encroachment and shall be subject to summary removal and impoundment at the owner's expense. Impounded items ultimately will be disposed of if not claimed. Encroachments are classified as either major or minor.

Section 9.01 **Minor Encroachments.**

Minor encroachments are portable personal properties. The County generally prefers to return minor encroachments to private owners. Abandoned personal property often takes the form of solid waste such as rubber tires, Styrofoam, lumber, steel, furniture, building debris, etc. Solid waste shall be disposed of by the County/Water System.

Section 9.02 Major Encroachments.

Major encroachments are items of more substantial value or more permanent in nature, such as improvements or fixtures on the land. An unpermitted major encroachment may result in the filing of a civil action to enforce removal. Major encroachments generally include, without limitation, docks, storage sheds, swimming pools, decks, screen porches, houses, and garages.

SECTION 10.00 PROJECT MANAGEMENT.

Section 10.01 Forest Management.

Project Lands shall be managed to attain multiple benefits. Project Lands shall be developed and maintained to assure adequate forest resources to provide water quality protection. Forest products are not a focus of the County; rather all forest management goals shall have the primary focus of protecting water quality within Reservoirs. Additional goals of forest management shall be aesthetics, wildlife benefits, air and water quality, soil erosion, and outdoor recreation experiences.

Implementation of forest management objectives shall be accomplished on lands owned in fee simple by the County utilizing a variety of methods including selective thinning to reduce basal area and increase stand vigor and regeneration to establish cover on unforested areas and replace mature stands. On Private Lands, implementation will consist of enforcement of the Plan.

- (a) “Protected Shoreline Area” forest and vegetative management objectives shall be to sustain a healthy, vigorously growing, unevenly-aged, aesthetically pleasing forest. Management practices shall include those necessary to provide protection from fire, insects, disease, and other threats to allow for appropriate harvest of trees and to regenerate forest stands.
- (b) “Private Shoreline Area” forest and vegetative management objectives at Reservoirs are to sustain a healthy, vigorously growing, unevenly-aged, aesthetically pleasing forest capable of supporting recreational use. In such areas, underbrushing may be permitted provided that adequate ground cover is maintained for forest regeneration and the underbrushing can be accomplished without degradation of the site. Approval for underbrushing shall be considered on a case-by-case basis and accomplished through an on-site meeting to develop an underbrushing plan that supports management objectives for the particular site. The cutting of dead or diseased trees may be authorized in those areas where they pose a threat to persons or property. Clearing to obtain scenic vistas or to establish lawns is not permitted. Removal of forest humus or mulch is prohibited since it results in sheet erosion, root damage, and soil compaction. Areas presently modified to provide vistas or lawns shall be authorized for continued maintenance.

Section 10.02 Wildlife Management

- (a) Successful wildlife management at the Project lands and waters can best be achieved by integrating wildlife programs with effective forest management. The goal of wildlife management is developing, improving, and maintaining vegetative communities that will serve diverse wildlife. Fulfillment of this goal will provide enhanced opportunities to observe wildlife and to engage in other non-consumptive uses such as photography and nature study.

- (b) Hunting and trapping are prohibited unless an emergency permit is issued for the control of overpopulation. All federal, state and local laws governing these activities apply on Project Lands and Waters, as regulated by authorized enforcement officials.
- (c) In keeping with the promotion of a diverse wildlife community, the County may manipulate habitats. Active management includes providing deficient habitat components, such as installing nesting structures or food plots. Since Protected Shoreline Areas and Private Shoreline Areas tend to receive stress from human activity, the County encourages and authorizes the planting of native vegetation consistent with Forest Management Practices, (see Section 11.01 Forest Management). Snag or dead trees not endangering life or property may be purposely left to benefit both birds and mammals. Trees that fall into the lakes may be left in place to serve as habitat unless designated as a safety or public health hazard by the Water System.
- (d) Wildlife population regulation, especially game species, is the responsibility of the Georgia Department of Natural Resources. The County shall cooperate to support state efforts with population regulation by providing habitat for the production of game species for off-site utilization and assisting with the control of pest species.

Section 10.03 Fisheries Management.

- (a) Fisheries management is implemented to enhance and maintain existing fisheries habitat. Habitat enhancement is accomplished by conducting various practices such as water level management for stabilizing spawning habitats, installation of fish attractors, and planting native vegetation for erosion control and habitat.
- (b) Public Fishing is permitted at all lakes and subject to the rules and regulations of the Georgia Fish and Game Commission.
- (c) Removal of Grass Carp “Amur” is strictly prohibited. Amur can be identified by its silver-gray color and elongated body and can grow up to 35 pounds.

Section 10.04 Water Quality.

(a) Water quality management is a complex and challenging task due largely to the potentially varied human activity both in and around the Reservoirs. The County’s goal for this management responsibility is to promote water quality adequate for safe and healthy public use as well as conservation of wildlife, fish, and other beneficial aquatic life. To achieve this goal, the County strives to maintain compliance with federal and state water quality laws as they relate to specific operations. Protection of Project Waters is promoted by the following activities: enforcement of Project water pollution regulations, periodic water quality assessment, implementation of solid waste abatement programs for the shoreline, and promotion of environmental awareness. Additionally, the County shall maintain cooperative relations with other water quality management agencies.

(b) County personnel are authorized to enforce laws and regulations that prohibit the discharge of pollutants in and onto Project Lands and Waters. As situations dictate, County personnel shall conduct preliminary investigations of violations on or near the Project Lands and Waters and

forward their findings to agencies with appropriate jurisdiction for continued investigation and enforcement. The County will coordinate with Peachtree City for violations pertaining to Lake Peachtree.

(c) County regulations prohibit the discharge of sewage, garbage, and other pollutants from vessels into the Reservoirs and Starr's Mill pond, all of which shall be a **zero-discharge** water body for all vessels. **No gasoline or diesel powered vessels of any kind or size may be operated in the Reservoirs.** Any other provision of the Plan notwithstanding, the Water System, law enforcement and emergency rescue personnel or its designated agents shall be permitted to maintain and operate gasoline-powered vessels.

(d) Septic tanks or drain fields shall not be permitted on Project Lands. These measures will reduce infiltration of septic tank contents into lake water. The County shall encourage health officials with jurisdiction over lands adjacent to Project Lands to prohibit new septic tank systems or drain fields on Project Lands regardless of property ownership.

(e) Cleaning vessels with soaps and solvents on the shoreline pollutes the Reservoirs. This activity and the unauthorized use of insecticides, herbicides, pre-emergents and fertilizers are prohibited by regulation. Application of the above chemicals and construction on adjacent private property have the strong potential to disperse pollutants into the Reservoirs.

(f) Any incident of littering, water pollution, or any other act or omission, after a warning, that threatens water quality, in addition to any other punishment provided by other local, state or federal law, may be punishable by the maximum fine of \$1,000.00 allowed by law pursuant to O.C.G.A. Section 15-10-60, et seq.

Section 10.05 Wetlands.

The term "wetlands" means those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands in, on, or around the Reservoirs provide significant natural biological functions including food chain production; general habitat for aquatic and land species such as nesting, spawning, rearing, and resting sites; and purifying water.

No permit shall be granted for any general or specific use or alteration of wetlands unless prior written approval is obtained from the United States Army Corps of Engineers.

Section 10.06 Aquatic Weeds.

Nuisance aquatic weeds may invade the Reservoirs, Starr's Mill Pond and Lake Peachtree. The transport of such weeds is possible, and low areas may eventually have seasonal problems unless the public inspects and cleans boats and trailers after visiting other waterways known to have aquatic weed pests. Of most concern are hydrilla and Eurasian watermilfoil. .

At this time, upon recommendation of GA DNR, Lake Peachtree is treated with copper sulfate in areas designated by buoys. Asian Carp have been added to all Reservoirs, Lake Peachtree and Starr's Mill Pond as a preventative measure for the prevention of aquatic weeds. Aquatic weeds will be addressed as necessary to maintain water quality in accordance with state and federal laws

Section 10.07 Endangered Species.

It is the intention of the County to conserve threatened and endangered species and the ecosystems upon which those species depend. No permit shall be granted that poses any danger to the habitat(s) of any endangered species. Any permits issued in violation of this Section shall be rescinded.

Section 10.08 Cultural, Historic, and Archaeological.

It is the intent of the County to protect historical sites and recover historical and archeological data. No permit shall be granted, and any previously granted permit shall be rescinded, if it is determined that the permit infringes upon a historic or archeological site.

Section 10.09 Island Management.

Public access is prohibited on the islands within the Lake McIntosh, Lake Kedron, Lake Horton and Starr's Mill Pond. County and/or Water System personnel are permitted on the island for official duties and necessary lake operations. Peachtree City prohibits access on the island in Lake Peachtree.

Section 10.10 Recreational Areas

The County maintains two recreational areas at the Reservoirs: 82-acres at Lake Horton and 11-acres at Lake McIntosh. Within and adjacent to these areas, the County may provide parking, pavilions, restrooms, paths, playgrounds, picnic tables, boat launch ramps, racks, public docks, piers and other recreational amenities associated with fishing, boating activities and other outdoor recreation. Development of these public areas will be as necessary to meet the needs of the citizens as determined in the sole discretion of the County and in accordance with Best Management Practices.

SECTION 11.00 COMMERCIAL ACTIVITY.

Commercial activity shall be prohibited on all Project Lands and Waters except as authorized, pursuant to appropriate licensure by the County and permitting by the Water System.

SECTION 12.00 REGULATORY BUOYS.

The placement of regulatory buoys such as "no wake" buoys shall be accomplished by the County, with the concurrence of the DNR Wildlife Resources Division, to provide for general public boating safety.

SECTION 13.00 ADMINISTRATIVE REVIEW.

Recommendations made by the County field personnel are subject to review by supervisory and managerial staff. Review may be requested of any decision made at the field level. If reviews made by supervisory and/or managerial personnel are not deemed adequate, then the complaint may be forwarded to the County for further review and response. The administrative review process shall be deemed exhausted at the County level.

SECTION 14.00 ENFORCEMENT OF PLAN.

- (a) Violations of this Plan shall be tried in the Magistrate Court of Fayette County pursuant to O.C.G.A. § 15-10-60 *et seq.*
- (b) Any person who violates any provision of the this Plan may be punished by a fine of not more than \$1,000.00, or imprisonment for not more than sixty (60) days, or both, and may be tried and sentenced in accordance with the provisions of the laws of the State of Georgia. Persons designated by the County shall have the Authority to issue citations for violation of this Plan requiring the appearance of any person charged with the violation to appear before the Court.
- (c) Any person who commits an act against any official or employee of the County that is a crime under the provisions of United States Code or under provisions of pertinent state law may be tried and sentenced as further provided in federal or state law, as the case may be.

SECTION 15.00 SUMMARY AND AMENDMENT PROCEDURE.

It is the intent of this Plan to provide the maximum benefit to the public and to balance needs against the physical limitations and natural qualities of the each project. In formulating the Plan, present and future needs were considered. The Water System and Water Committee shall continually monitor the needs of the users and recommend revisions that will minimize conflicts between various interests. Minor changes in area limits or allocations of areas will continue to be monitored by the Water System and submitted to the Board of Commissioners annually. Any recommended changes or additions to the Plan will be submitted to the Board of Commissioners.

ENACTED AND ADOPTED THIS ____ DAY OF _____, 2016.

Fayette County Board of Commissioners

By: _____

Chairman

Attest: _____

Secretary

(COUNTY SEAL)

FAYETTE COUNTY WATER SYSTEM RESERVOIR MANAGEMENT PLAN 2008

EXHIBIT B



Where Quality Is A Lifestyle

January 29, 2008

Mr. Clay Burdette
Watershed Protection Branch
4220 International Parkway, Suite 101
Atlanta, Georgia 30354

Dear Mr. Burdette:

The Fayette County Board of Commissioner approved revising the Reservoir Management Plan for the Water System. We have enclosed three copies for your review and approval.

If you need additional information, please call me at 770-461-1146 ext. 6016.

Sincerely,

Tony V. Parrott, Director
Fayette County Water System

P.O. Box 190
Fayetteville, Georgia 30214

Board of Commissioners' Minutes
November 29, 2007
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SHERIFF'S DEPARTMENT

3. Approval of staff's recommendation for authorization to proceed with the acquiring replacement titles for three vehicles for the Sheriff's Department which were acquired as seized property through the court system. A copy of the request, identified as "Attachment No. 10", follows these minutes and is made an official part hereof.

SOLICITOR'S OFFICE

4. Approval of staff's recommendation for authorization to proceed with the acquisition of a Ford Crown Victoria for the Solicitor's Office, including the execution of tag and title documents, as approved in the FY 08 Budget. A copy of the request, identified as "Attachment No.11", follows these minutes and is made an official part hereof.

FIRE AND EMERGENCY SERVICES

5. Approval of Fire and Emergency Services' request to trade an existing Hurst Power Unit to Municipal Emergency Services, Inc. for a unit of equal value. A copy of the request, identified as "Attachment No. 12", follows these minutes and is made an official part hereof.

WATER COMMITTEE RECOMMENDATION

6. Approval of Water Committee recommendation for authorization for Mallett Consulting to draw up the specifications and the bid work to install the fence at the mitigation site on Helmer Road. A copy of the request, identified as "Attachment No. 13", follows these minutes and is made an official part hereof.

WATER COMMITTEE RECOMMENDATION

7. Approval of Water Committee's recommendation to adopt the revised Reservoir Management Plan. A copy of the request, identified as "Attachment No. 14", follows these minutes and is made an official part hereof.

LAKE MCINTOSH RESERVOIR PROJECT

8. Approval of "Proposal for Mitigation Site Assessments, Work Plan Preparations and Construction Support Service" with Eco-South, Inc., Environmental Consultants, for work associated with the Lake McIntosh Reservoir Project and authorization for the Chairman to execute said document. A copy of the request and contract, identified as "Attachment No. 15", follow these minutes and are made an official part hereof.

TAX ABATEMENTS

9. Approval of recommended disposition of tax abatement requests as presented. A copy of the list of tax abatement requests, identified as "Attachment No. 16", follows these minutes and is made an official part hereof.

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10. Please review the attachments on #10 that show the three local governments whose audits show that even though they were funding their annual dollars at a 100% of the actuarial calculations that they all have shortfalls which will have to be paid by the taxpayers. Will this Board show the true cost of a defined benefit plan?

Mr. Price asked for the Board's consideration to provide a response from the Board as a whole or individually to his questions.

Angela Wright: Angela Wright of Senoia commented on the four wheeler track located on her property and complaints that had been made to the Marshals Office. She presented a petition to the Board. A copy of the petition, identified as "Attachment No. 7", follows these minutes and is an official part hereof.

Richard Price: Richard Price of Fayetteville commented on the water level at Lake Horton and suggested this would be a good time for the Water System to make repairs to the boat ramp. He also commented on a small trench located in the grassy area at Lake Horton where people walk and play and the possibility of someone falling down.

Tim Thoms: Tim Thoms of Fayetteville said he would like to comment on the issue regarding water violations and would do so under New Business on the agenda.

Angela Hinton Fonda: Angela Hinton Fonda discussed the issue of a defined benefits pension plan.

CONSENT AGENDA: Chairman Smith reminded the Board that the May 22, 2007 Board of Commissioners' Budget Minutes had been removed and would be discussed under Old Business.

Commissioner Frady made a motion and Commissioner Horgan seconded the motion to approve consent agenda item nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13 with the exception of the May 22, 2007 Board of Commissioners' budget minutes. The motion carried 5-0.

SHERIFF'S DEPARTMENT

1. Approval of staff's recommendation for authorization to proceed with the acquisition of a new 2008 Ford Crown Victoria for the Sheriff's Department's new Compliance Officer position, including the execution of tag and title documents, as approved in the FY 08 Budget. A copy of the request, identified as "Attachment No. 8", follows these minutes and is made an official part hereof.

SHERIFF'S DEPARTMENT

2. Approval of staff's recommendation for authorization to proceed with the acquisition of two new 2008 Ford Crown Victorias for the Traffic Enforcement Division of the Sheriff's Department, including execution of tag and title documents, for two new positions, as approved in the FY 08 Budget. A copy of the request, identified as "Attachment No. 9", follows these minutes and is made an official part hereof.

FAYETTE COUNTY WATER SYSTEM

RESERVOIR MANAGEMENT PLAN



REVISED, APPROVED BY THE BOARD OF COMMISSIONERS NOVEMBER 29, 2007

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 11. 100 Year Flood Easements
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- EXHIBITS**
- A. Lake Peachtree Water Withdrawal Agreement
 - B. Peachtree City's Watershed Protection Ordinance
 - C. Peachtree City's Rules for Lake Peachtree and Lake Kedron
 - D. Fayette County's Watershed Protection Plan
 - E. Restriction Within the 100- Buffer
 - F. Fayette County Watershed Protection Ordinance

1. **Purpose.** The Fayette County Water System has the responsibility to provide safe and adequate water to the Customers. To do this, the Water Committee has developed the following Reservoir Management Plan. This document covers the history of the lakes' use, the management of the areas adjacent to the lakes and pond and the maintenance of the lakes.

2. **Objectives.** The objectives of the reservoir management plan are:

- A. To protect the quality of water.
- B. To maintain an undisturbed buffer around Lake Kedron, Starr's Mill Pond, Lake Horton, Lake Peachtree and Lake McIntosh.
- C. To control use and access to the Lakes and Pond.
- D. To promote fish and wildlife habitats.

3. **Jurisdiction.** The Director of the Fayette County Water System is responsible for the System's compliance with the Rules of the Georgia Department of Natural Resources, Environmental Protection Division, Chapter 391-3-6; Water Quality Control and the adopted Ordinance by the Fayette County Board of Commissioners concerning the permitted uses of the Lakes and Pond.

4. **Lake Descriptions and History.** The Fayette County Water System has three reservoirs, the Millpond, and the responsibility for Lake Peachtree. Lake Peachtree, which is owned by Peachtree City and to which the County has an agreement to maintain, is 250+/- acres (Exhibit A). This agreement is in effect until October 11, 2034. The west side has been developed as residential lots and the property owners have lake rights, which include the building of docks, use of motorboats, swimming, skiing, and the pumping of water for irrigation. Some of these residents are served by septic tank systems. The east side has a city owned green belt between the property owners and the lake. The green belt includes golf cart paths and sewer lines.

The Water System is obligated by contract to dredge the Lake every eight years, if necessary. The Lake was drained and dredged in 1986 at a cost of \$1,000,000.00. The Board of Commissioners approved funding an account to provide the monies necessary to do this. The second silt removal was in 2003. The contract also requires the Water System to maintain the dam and spillway and to keep the shoreline clear of trash. At the request of the Safe Dam Program, the Water System keeps trees and bushes from growing on the dam.

Lake Kedron is a 238-acre lake constructed by the Water System and completed in 1986. The Lake is solely owned by Fayette County. The County has an easement around the lake that is at approximately the 840 contour.

The Water System has tried to keep this easement undisturbed by development. No one is allowed

to build docks in the Lake. The shoreline is inspected regularly for erosion and clearing. A video is made annually for a permanent record. The dam was constructed with pressure sensors installed, so that the core pressure could be checked to determine any change. The drains, concrete spillway and wing walls are inspected monthly when the dam pressure is checked.

Starr's Millpond is a historic and scenic site with a run of the stream intake. The mill is the third one on this site, and was built around 1907. The first mill was a log structure built in the 1820's. The County accepts donations from people fishing that are used for preservation of the mill site.

Lake Horton is 780 acres. The Water System has a permit to pump into Lake Horton from the Flint River. The water at Starr's Mill can be pumped to Lake Horton.

Lake McIntosh will be 650 acres. A 404 Permit for this project has been issued. The County, using Water System revenue, has purchased this entire site. The extension of TDK Boulevard has changed the design of the emergency spillway. The recreation site is about five acres and will include a boat ramp. The rules for recreation on Lake McIntosh will be the same as on Lake Kedron.

5. **Master Plan.** All the adjoining property on Lake Peachtree has been developed. The last adjoining undeveloped property on Lake Kedron was developed as residential. At Starr's Mill the County purchased 16 acres. This includes the mill, dam and part of the 60-acre pond. A walking trail from the mill to Starr's Mill High School has been discussed. The trail would offer students the opportunity to see the wetland area along Whitewater Creek. At Horton Creek, an 82-acre recreation site was purchased and is being developed. The adjoining land is owned by individual property owners. Most of this land is zoned AR. At Lake McIntosh the west side of the lake is Coweta County and the east side of the Lake is Peachtree City. The Peachtree City side is developed as a golf course and residential. Several tracts on the Coweta county side are undeveloped.

6. **Public Recreation Areas.** The recreation on Lake Peachtree is governed by rules established by Peachtree City, (Exhibit C). No one is allowed to fish from the walkways to the pump stations at Lake Peachtree.

The Water System built a park with docks and a boat launch, at Lake Kedron. The park is about seven acres. The rules prohibit gas powered boats, swimming, diving and skiing. Sailboats, and other non-gas powered boats are allowed. Fishing is allowed from the docks and by boat, in compliance with current rules of the Fish and Game Commission. The only boat access to the Lake is through the park boat ramp.

At Starr's Mill, fishing is allowed. The public is not allowed to put boats into the Mill Pond, but private landowners adjacent to the millpond have this right. No swimming, diving or skiing is allowed in the county-owned portion of the Millpond.

The rules for Lake Horton are the same as those for Lake Kedron, except that fishing will be allowed

from the shore. Property owners can launch a boat from their property but must do so by hand and cannot leave the boat in the water or buffer. The park at Lake Horton is approximately 82 acres and includes 2.8 miles of walking paths, two restrooms and two pavilions.

The rules for Lake McIntosh will be the same as those for Lake Horton. The area that could be used for a boat ramp and park is on the Fayette County side of the dam and is about five acres.

7. **Water Quantity.**

- A. The permit for Lake Peachtree (#056-1102-03) is for .55 MGD for the 24 hour maximum and .5 MGD monthly average. The low flow is maintained by keeping the lake full at the spillway. This results in .5 MGD going downstream through the intake structure. The homeowners on the west side of Lake Peachtree have the right to pump from the Lake for irrigation.
- B. The permit for Lake Kedron (#056-1102-06) is for 4.5 MGD for 24 hour maximum and 4.0 MGD monthly average. The dam must be operated so that it continuously releases the lesser of 1.0 MGD or the inflow from Flat Creek. The intake has a control valve designed to release 4 MGD downstream. This water is then pumped from Lake Peachtree to the Crosstown Water Plant. It is the policy of the Board of Commissioners not to allow homeowners adjacent to the Lake to install irrigation pumps.
- C. The permit for Line Creek (#056-1102-09) is for 10.4 MGD for the monthly average. This amount is not available until Lake McIntosh Reservoir is built. The current permit requires the release of 3 MGD downstream when the pumps are running. The current low flow was determined by an in stream marker. The TDK Boulevard extension includes a downstream bridge. A staff gauge will be installed near the bridge for low flow monitoring.
- D. The permit for Whitewater Creek (A.K.A. Starr's Mill) (#056-1102-10) is for 2.0 MGD for the maximum 24-hour and for the monthly average. The low flow is determined by flow across the millpond dam. The 2.0 MGD is not available year round.
- E. The permit for Horton Creek Reservoir (056-1102-12) is for 14 MGD for the maximum 24-hour and for the monthly average. The Water System must observe, record and keep on file the flow of Horton Creek through the "V" notch weir in the low flow weir wall located immediately downstream of the plunge pool below the Horton Creek Reservoir Dam and determine the height of the water level at or above the low flow mark established on the "V" notch weir on a daily basis. The Water System must protect and allow to flow downstream, immediately below the low flow weir, a low flow of 2.6 cubic feet per second (cfs) or natural stream flow coming into the reservoir whichever is less. The Water System has installed a meter to measure and record the flow of 2.6 cfs. This is part of the SCADA and can be monitored from the water plants. It is the policy of the Board not to let homeowners install irrigation pumps, with the exception of two of the original property owners who retained the right to pump from Woolsey Creek.
- F. The permit for the Flint River (056-1102-13) is for 16.0 MGD for the maximum 24-hour

and for the monthly average. The Water System must measure, record and keep on file the flow of the Flint River at Hampton Road and determine in cubic feet per second (cfs) the flow rate in the Flint River at this location. The Water System must protect and allow to flow downstream, immediately below Hampton Road, a low flow of 30 cfs or natural stream flow, whichever is less. The County contracted with the United States Geological Survey (USGS) to install and maintain a real time flow and rain gauge. The flow gauge is read each day and recorded.

8. **Hazardous Trees.** The Water System will be responsible for taking down hazardous trees on County property. Any removal of trees and vegetation from County property or easement is by written permission of the Board of Commissioners.

9. **Boundary Control.**

- A. Lake Peachtree is owned by the City of Peachtree City.
- B. Lake Kedron has a normal pool elevation of 835 MSL. The Water System has a 100-year flood easement around the lake, with the exception of Smokerise where the County owns property to at least the 840 contour.
- C. Starr's Mill Pond has private owners north of the 16 acres owned by the County and on the east side of Whitewater Creek.
- D. Lake Horton has a Georgia Power easement that crosses over the lake and through the park area. The shore, with the exception of the park, is privately owned. A flood easement to 784 MSL was purchased around the Lake. The Board of Commissioner adopted the following rules relating to the 100 foot buffer around the lake.
 - 1. Pavement or other impervious surfaces or nitrification fields may not be located within 50 feet of the 100-foot buffer or in the 100-foot buffer.
 - 2. Trees larger than two-inch may not be removed.
 - 3. Pruning of trees may not be done above ten-feet in height from ground level.
 - 4. Soil may not be disturbed. (No plowing or tilling)
 - 5. Undergrowth and grass not to be cut lower than three inches from ground level.
 - 6. Pesticides or fertilizers may not be used in the 100-foot buffer.
 - 7. Boats must be carried to be launched and a trailer cannot be used. Boats may not be stored in the buffer.
 - 8. No water withdrawal from the lake without approval of the Board of Commissioners.
 - 9. Leisure accessories may not be installed or remain in the buffer.
- E. Lake McIntosh is on Line Creek, which is the boundary between Fayette County and Coweta

County. The property purchased for the Lake includes part of the flood easement.

10. **Encroachment Resolution.** The Water System has a plat showing the limits of the Lake Kedron property. The Water System has installed markers and warning signs at most of the pins. If a homeowner is unsure of the property line, he can call and the Water System Inspector will try to locate the pin.

The adjoining property owners at Lake Horton were mailed a plat showing the flood easement, undisturbed buffer and setbacks.

When Lake McIntosh is completed, the adjoining property owners will be provided with a copy of the Reservoir Management Plan and plat showing the flood easement and buffers.

11. **100 Year Flood Easements.** Lake Kedron, Lake Horton and Lake McIntosh all have flood easements .

12. **Wildlife Management.** The goal of wildlife management is aimed at developing, improving, and maintaining vegetative communities that will serve diverse wildlife. Hunting is not permitted on County property. Fishing on Lake Kedron, Lake Peachtree, Lake Horton, Lake McIntosh and Starr's Mill Pond is subject to the rules and regulations of the Georgia Fish and Game Commission. The Fayette County Commissioners have tended to be pro-active in their wildlife management programs and have allowed the building of habitats for bluebirds, ducks, rabbits and quail. Snag or dead trees that do not endanger life or property, are purposely left to benefit both birds and mammals. Trees that fall into the Lakes are left.

13. **Water Quality.** The management of the water quality at the Lakes is a complex task. Several jurisdictions and agencies have overlapping and different regulatory responsibilities. The Georgia Department of Natural Resources Environmental Protection Division (EPD) enforces the State's water quality control law. The EPD is also empowered to enforce the Federal Clean Water Act within the State of Georgia. The Georgia EPD permits the discharge of certain effluent into Georgia waters. (There are no permitted upstream discharges on Flat Creek and Horton Creek.) They also permit the withdrawal of water and mandate the release of certain amounts. Lake Peachtree is policed by the City. The County properties at Lake Kedron, Lake Horton, Lake McIntosh and Starr's Mill Pond are legally under the Sheriff and Marshals' jurisdiction. Peachtree City has adopted the same rules for their Police to enforce. The Lakes are affected by construction in the watershed that includes Peachtree City, Tyrone, Fayetteville, Woolsey, Fayette County and Coweta County. Fayette County has adopted a watershed protection plan that exceeds the minimum required by the State. The water shed protection ordinance from Peachtree City, Tyrone and Coweta County are attached. (Exhibit D) Non-point water pollution is harder to control. Examples of non-point pollution are pesticide and fertilizer runoff and soil erosion. The State is mandating stormwater controls and monitoring.

14. **Wetlands.** Wetlands are protected by Section 404 of the Clean Water Act of 1977. Any wetlands next to the Lakes would be subject to the Corps of Engineers' permitting process.

15. **Aquatic Plants.** Lake Peachtree has had weed and algae problems in the past. The State Department of Natural Resources recommended treating the Lake with copper sulfate in an area denoted by some buoys, (the area is 15 to 17 acres). The Water System treats this area with about 50 pounds every month. The Water System also purchased Asian Carp to help control the growth of weeds in Lake Peachtree. Lake Kedron is not as shallow as Lake Peachtree and does not have a weed problem yet. Starr's Mill Pond has areas that have water lilies growing. These may cause water quality problems in the future. Lake Horton has the start of a waterweed problem on the Woolsey Creek side and Asian Carp were added.

16. **Island Management.** The island in Lake Peachtree was constructed from the materials from the 1986 dredging operation. The island is approximately eight acres. The island was landscaped according to the plan approved by the Board of Commissioners. It is the City of Peachtree's policy to not allow public access to the island. The Water System periodically checks the island for erosion, dead trees and vandalism.

The island on Lake Kedron is mostly rock. The Board of Commissioners approved the landscaping of this island as an Eagle Scout project. No public access is permitted on the island.

The several small islands in the Starr's Mill pond are not part of the County property.

The largest island in Lake Horton is connected to the park by the road and includes the Lake Horton Pump Station. The small island is used by water fowl for nesting.

The island in Lake McIntosh, called Koon's Island on earlier plats, will be off limits to the public. The plan is to leave the trees on this island when clearing the lake for construction.

17. **Flood Control.** Flooding has been a problem with areas north of Lake Peachtree for many years. Tinsley Mill Village, a condominium development was built in the flood plain of Flat Creek and Cherry Branch. This area was reviewed by the Soil Conservation Service in 1978. It was recommended that the culvert be larger under the road at Cherry Branch, periodic sediment removal be considered, and that the flash boards be removed from the spillway of Lake Peachtree. The report considered the raising of the bridge at Highway 54 or making the spillway larger to be too expensive. Since that time, the residents of Tinsley Mill have installed a larger culvert, the Water System dredged Lake Peachtree, and Peachtree City removed the flash boards on the spillway. The City has since quit using the flash boards to raise the lake level. Lake Kedron, which is north of Tinsley Mill, acts to detain part of the storm water. The Department of Transportation built a new bridge which is higher and wider across the creek. The drain valve at Lake Peachtree has been opened during high water, but the amount of water passing through the drain is insignificant compared to the water crossing the spillway. The valve is old and it is not recommended to use it for flood control.

Lake Kedron was designed for a 100-year storm and the Water System acquired an easement or property to this elevation. An alarm system was installed to sound if the water level reaches the top of the dam. The alarm is connected to the Peachtree City Police Department.

Lake Horton is designed for a 100-year storm and the Water System has an easement to this

elevation.

Lake McIntosh is designed for a 100-year storm and the Water System has an easement to this elevation.

The Reservoir Management Plan will be reviewed periodically by the Water Committee and any recommended changes or additions will be submitted to the Board of Commissioners.

Approved by the Board of Commissioners on December 15, 1993.

Revised, approved by the Board of Commissioners August 13, 1998.

Revised, approved by the Board of Commissioners September 1, 2004.

Revised, approved by the Board of Commissioners November 29, 2007

BOARD OF COUNTY COMMISSIONERS

Charles W. Oddo, Chairman
Randy Ognio, Vice Chair
David Barlow
Steve Brown
Charles D. Rousseau



Consent Agenda #8

FAYETTE COUNTY, GEORGIA

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

140 Stonewall Avenue West
Public Meeting Room
Fayetteville, GA 30214

MINUTES

August 11, 2016
7:00 p.m.

Call to Order

Chairman Oddo called the August 11, 2016 Board of Commissioners meeting to order at 6:59 p.m.

Invocation by Chairman Charles W. Oddo

Chairman Oddo offered the Invocation.

Pledge of Allegiance

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

Acceptance of Agenda

Commissioner Ognio moved to accept the Agenda as published. Commissioners Barlow and Brown seconded the motion. The motion passed 5-0.

PROCLAMATION/RECOGNITION:

1. Recognition of the Fayette County Water System for being presented with the prestigious "People's Choice Best of the Best Tasting Tap Water Award in Georgia."

Secretary-Treasurer for the Georgia Section of the American Waterworks Association Eric Osborne, Water System Director Lee Pope, and the Board recognized the Fayette County Water System for winning the "People's Choice Best of the Best Tasting Tap Water Award in Georgia." A copy of the request, identified as "Attachment 1," follows these minutes and is made an official part hereof.

2. Recognition of Water System Water Treatment Plant Manager, Joseph Spann, for being selected for the Hugh A. Wyckoff Award by the Georgia Association of Water Professionals.

Georgia Association of Water Professional's Board Member Eric Osborne, Water System Director Lee Pope, and the Board recognized Water System Water Treatment Plant Manager, Joseph Spann, for being selected for the Hugh A. Wyckoff Award by the Georgia Association of Water Professionals. A copy of the request, identified as "Attachment 2," follows these minutes and is made an official part hereof.

3. Recognition of Water System Distribution Manager, James Munster, and Water System Administrative Manager, Lisa Speegle, for being presented with the Life Membership Award of the Georgia Association of Water Professionals.

Georgia Association of Water Professional's Board Member Eric Osborne, Water System Director Lee Pope, and the Board recognized Water System Distribution Manager, James Munster, and Water System Administrative Manager, Lisa Speegle, for being presented with the Life Membership Award of the Georgia Association of Water Professionals. A copy of the request, identified as "Attachment 3," follows these minutes and is made an official part hereof.

PUBLIC HEARING:

There were no Public Hearing items on the Agenda.

CONSENT AGENDA:

Commissioner Ognio moved to approve Consent Agenda Items #5-7 excluding Consent Agenda Item #4. Commissioner Brown seconded the motion. The motion passed 5-0.

4. Approval of staff's recommendation to upgrade the office support position at Public Works and the Road Department from Administrative Secretary to Administrative Assistant.

Commissioner Ognio noted there were several tasks listed for the Administrative Secretary's position that were not listed for the Administrative Assistant's position. He asked that the request be approved based on Human Resources modifying the Administrative Assistant position to include those unlisted tasks from the Administrative Secretary position.

Commissioner Ognio moved to approve Consent Agenda Item #4 with the additional duties from the Administrative Secretary position being added to the Administrative Assistant position. Commissioner Brown seconded the motion and mentioned there was a document on the dais highlighting those additional duties. The motion passed 5-0. A copy of the request, identified as "Attachment 4," follows these minutes and is made an official part hereof.

5. Approval of Water System's request to award Bid #1139-B Water Distribution Parts to four companies that were low bidders on items used for distribution and repair (Consolidated Pipe and Supply Company; Delta Municipal Supply Company, Inc.; Ferguson Waterworks; and HD Supply Waterworks, LTD), in an aggregate amount not to exceed \$204,776.00. A copy of the request, identified as "Attachment 5," follows these minutes and is made an official part hereof.

6. Approval of staff's recommendation to amend Contract #960-B Crosstown Water Treatment Plant Improvements, which was awarded to Lakeshore Engineering, to include the Filter Magic Zero-To-Waste (FMZ2W) upgrade in the amount of \$113,304.63. A copy of the request, identified as "Attachment 6," follows these minutes and is made an official part hereof.

7. Approval of the July 28, 2016 Board of Commissioners Meeting Minutes.

OLD BUSINESS:

8. Consideration of Commissioner Brown's request to start the process to authorize a temporary moratorium on acceptance of applications for rezoning of property into all residential zoning classifications, including mixed uses with residential. This request includes backup materials, as attached, and a draft resolution that is to be sent to Planning and Zoning for consideration.

Chairman Oddo opened the floor to the public for comment.

Doug Powell: Mr. Powell, who previously served on Fayette County's Planning Commission, stated he was in favor of enacting a moratorium to ensure the right thing was being done for the county. He spoke about the recent rezoning requests in Fayette County and their impact to the county's infrastructure should they be approved with more requests forthcoming.

Mary Carroll: Ms. Carroll agreed with a moratorium since it would give taxpayer's an opportunity to decide if it is worth voting in favor of the upcoming Special Purpose Local Option Sales Tax (SPLOST). She stated she currently would vote against SPLOST due to the pressure coming from the developers since the developments would create problems for future taxpayers.

Colonel Jack Smith: Colonel Smith stated the hardest thing to maintain is the integrity of a plan, and he said the county's Land Use Plan is under attack. He provided several examples of "huge infrastructure problems with the county" that included the claim that the majority of county citizens are on well water. He agreed the moratorium was needed as an effort to address the county's needs.

David Qualls: Mr. Qualls stated that the issue was quality of life in Fayette County. He did not object to development, but he questioned if Fayette County could handle the development. He stated that the county's infrastructure was not suited to handle heavy development and that the county needed to manage its residential growth. He supported a moratorium in order to stop and ensure that the schools, Sheriff's Office, and Fire Department can handle the new development.

No one else spoke in favor of or against a possible moratorium.

Commissioner Brown moved to proceed with the process to authorize a temporary moratorium on acceptance of applications for rezoning of property into all residential zoning classifications, including mixed uses that have residential uses within them, and to send the materials and draft resolution to the Planning Commission to begin that process. Commissioner Ognio seconded the motion.

Commissioner Brown stated that one key indicator that something needs to be done is that the Board keeps turning rezoning requests down, and now the Board is starting to look at annexation requests and opposing them as well; meaning there is probably a systemic problem that needs to be considered. He said the county's Comprehensive Plan was drawn and, based on the conditions of the plan when it was last evaluated with major revisions, it was quite different from what the county has today. He pointed out that there is planned mini-city in Fayette County that is being unveiled at Pinewood Forrest, predicted the county would begin to see a run of these types of developments, and predicted these developments would be a major issue on a two-lane roads. Commissioner Brown told of when he grew up in DeKalb County and as he watched one county after another north of Fayette County, that were in the exact condition Fayette County currently is in, and how they just "hailed as many of the rezonings and annexations as they could through the system" while the leaders were saying "we will figure this out." He explained that the growth was tremendous while those counties' leadership were saying the growth was needed and would lead to bigger success. He said he watched one county after the other fail because there is a nexus between infrastructure capacity and the residential rezonings and annexations. He explained that Gwinnett County can generate \$1 billion in a SPLOST in addition to what is already collected from property taxes, but they are not close to handling the traffic problems. He mentioned that DeKalb and Cobb counties, as well as north Fulton County, are experiencing similar problems resulting in the decline of those counties since they are losing high-paying jobs and high-profile residents. Commissioner Brown reported that Fayette County is using the same planning methodology that the northern counties used and he asked would Fayette County want to repeat the process in the hopes of being the anomaly to pattern. He wanted Fayette County to be the first county to measure the road capacity, school capacity, and all its infrastructure components, including stormwater, to ensure it could keep pace with growth. He stated that if Fayette County cannot keep pace with growth using its current Land Use Plan then it would require changes. He then read eight points from the draft resolution and several questions into the record. Those points and questions are:

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1. The Board of Commissioners does direct the County Staff to stage no less than four public, joint meetings of the Board of Commissioners and the Fayette County Planning Commission to perform a thorough review of the comprehensive future land use plan for the County and to prepare recommendations to be presented to the Board of Commissioners for consideration.
 2. The Board of Commissioners directs there be a complete evaluation of the current infrastructure within the County to determine its ability to support future development, and the limits of the infrastructure to meet the needs of future development intensive use and density of property.
 3. The Board of Commissioners requests the cooperation of the local municipalities in assisting the County with analyzing the cities' future plans regarding the forthcoming annexations of unincorporated property and determining how the significant changes in residential density will affect the infrastructure capacity and quality of life of the entire county.
 4. The Board of Commissioners issues a formal request to all Fayette County citizens to participate in this formative process.
 5. The Board of Commissioners directs proposed revisions to the zoning and development standards within the ordinances of the County to address due process, simplification and transparency of procedures.
 6. The Board of Commissioners does enact a temporary moratorium for 150 days on the acceptance of any application for the re-zoning for residential purposes to allow for the study of the comprehensive future land use plan, zoning and development requirements, and reporting of recommended changes to be considered and enacted by the Board of Commissioners to the Community and Board of Commissioners.
 7. The Board of Commissioners directs that the moratorium hereby enacted shall not be applicable to limit or prohibit the ability of any entity or person from obtaining permits for use and development of any property for use under the current zoning classification of property.
 8. The Board of Commissioners further directs that in the event a revised future comprehensive land use plan, and revised zoning and development standard ordinances are adopted less than 150 days from the adoption of this moratorium, the moratorium shall be repealed by such adoption; otherwise the moratorium shall stand repealed 150 days from the date of adoption, unless extended by the Board of Commissioners.

How much developmental pressure can we sustain in the center of the county? Likewise, what happens when the traffic begins to bog down on State Route 54 between Fayetteville and Peachtree City?

Fayetteville has annexed a significant amount of land in the center of the county. The first residential project there will be around 1,250 housing units on less than 250 acres along with 275,000 square feet of office and retail. We could easily have 6,000 people or more on that site daily.

So what is the plan? Are the other sections of land in the center of the county going to also be radically changed to higher density uses? How exactly will that be accommodated on the two-lane road system in place? How will they get to the interstate highway?

What is the real value of significantly increasing residential density?

How important is traffic flow and greenspace to the quality of life in Fayette County?

Are we factoring in traffic from other counties traveling through Fayette to reach a destination?

What is the ceiling number on population and automobile traffic upon which a county without immediate access to an interstate highway begins to over congest its local road network?

What are the annexation plans for the municipalities and how will those annexations affect current plans from all jurisdictions?

Commissioner Brown thought that once those questions were answered then the county would know how to proceed. He stated 150 days is an extremely short amount of time to accomplish the work but that the county was up to the task. He added it was the most inclusive way to do the work as citizens from all over the county could come to the meetings and voice their opinions; having a say in the future outcome of the Land Use Plan.

Chairman Oddo questioned the language in the draft resolution that referred to an "unprecedented amount of residential development requests." He understood that a moratorium should be used in the case of some unusual event, emergency, or situation that could get out of hand, but he said he was not aware of what was being referred to by the phrase "unprecedented amount of residential development." Chairman Oddo stated that there have been five requests presented to the Board in 2016. He compared the number of requests received in 2016 to eleven requests in 2015, eight in 2014, three in 2013; one request each in both 2011 and 2012, zero requests each in both 2009 and 2010, three requests in 2008; five requests in 2007, twenty requests in 2006, and seventeen requests in 2005. He maintained that nothing was jumping out to him as being "unprecedented," and he was concerned about putting a moratorium in place to prevent a problem that has not occurred. Chairman Oddo stated that staff had been working on the Comprehensive Plan since January and that Community Development Director Pete Frisina had already had conversations with the municipalities addressing the annexation concerns noted by Commissioner Brown. Chairman Oddo added that there is already a process in place that will be completed by mid-2017 but that the request for a moratorium would end within two to three months before the revisions to the Comprehensive Plan would be finished, and that Commissioner Brown would have a say in the Comprehensive Plan since he is on the Steering Committee. Chairman Oddo stated that the concerns would be discussed methodically in light of the situation as it is now. He stated that the rezoning request that was recently denied conformed to the Land Use Plan, so there would be a look at the Land Use element with the revision of the Comprehensive Plan. He reiterated that he was trying to come to grips with the "unprecedented amount of residential development" since he did not see it.

Commissioner Brown replied that during the last two Public Hearings concerning the rezoning applications both applicants filed their constitutional rights, which usually means there is going to be a forthcoming lawsuit. He asked how many lawsuits Fayette County would want to enter into between now and a year from now, since the review of the Comprehensive Plan is scheduled to conclude in about a year. He further asked how much money the county would spend before it understood that it needed to take a short break and look at it.

Chairman Oddo replied that the notification to protect constitutional rights does not mean the county will be sued but it meant that without notification the applicants could not sue the county. He reported that he contacted the Board of Education and asked its review of the situation. He said the Board of Education reported schools are under capacity and are looking for growth in the system. He stated that currently closed schools could be reopened if necessary. Chairman Oddo reiterated that the county is revising its Comprehensive Plan and that both the revision and the moratorium would be occurring simultaneously and would be covering the same "item." He mentioned that there is one commercial rezoning coming to the Board and no residential rezoning requests coming to the Board for the next month or two. He further mentioned that there is no mad rush for rezoning in the county, that the county needed to progress calmly, and that a moratorium was an extreme measure. He stated that for him to enact an extreme measure there would have to be an extreme reason, and that he did not see that need.

Commissioner Ognio stated that if one looked at the county as a whole then the Board of Commissioners is responsible for the roads between the municipalities. He explained that the City of Peachtree City has a big development that is progressing as well as the City of Fayetteville with Pinewood Forrest and the rezoning next to Ingles Grocery Store. He said the additional traffic would eventually result in a "halt traffic-wise." He mentioned that traffic is already slow in downtown Fayetteville and that the extra traffic would impact the lives of Fayette's citizens and the character of the county. He

concluded that it is a good thing to step back and review before getting into the same scenario that Gwinnett County experienced since a little planning goes a long way.

Chairman Oddo replied that it would take longer than five months to fix some of the problems. He said the county needs to look at the problems and do what could be done. He reminded everyone that the county cannot control what the cities are doing, but it could only place a moratorium on county growth. He added that the county could put changes in place as needed. He explained that the denials made at the past meeting can be placed in the Land Use Plan if the Board wants and the Board does not have to wait until the Comprehensive Plan is updated next year or until the conclusion of the moratorium. He understood the concerns that had been expressed, but he repeated that the county needed to assess the situation without overreacting. He said the cities are amenable to a solution or a plan that provides expectations for all parties, and he stated it did not take a moratorium to work on that plan. He recommended that the update to the Comprehensive Plan should take its course.

Commissioner Brown stated effort was to avoid the piece-meal approach where a person comes with an application, it is denied, another application is forwarded to be denied, and then another. He asked if there had been meetings with the cities about annexations, and Chairman Oddo replied that he had not had any meetings but he had spoken to people individually in the cities who liked the idea of finding a solution. Commissioner Brown stated that the infrastructure could not hold the number of houses the county could build per the current Land Use Plan. He stated an intelligent, meaningful discussion had to be had concerning this matter, and he referred to the troubles experienced in the northern metro-Atlanta counties. He emphasized that the Board needed to be smart enough, thoughtful and meaningful enough, and inclusive enough to have citizens come to the meetings for an intelligent discussion about what things will look like. He stated if Fayette County took that approach then it would be the only county that has done something like that. He repeated that Fayette County is using the exact same mandated planning approach that the other counties used, and that he had watched those counties "go off the cliff," and he suggested that the county should stop and look before jumping.

Chairman Oddo stated that the county is doing that by revising the Comprehensive Plan, that it would get input from the citizens, and that the suggestions that Commissioner Brown provided are being done. He stated that a moratorium would only duplicate the current work. He emphasized that Fayette County was the fastest growing county during the 1980s and that this current growth is not unprecedented. Commissioner Brown replied that Fayetteville Mayor Ed Johnson had come to a previous meeting and stood at the Public Comment Podium saying he had a stack of rezonings on his desk. Commissioner Ognio repeated that the county is already in the process to review many of the issues, which would cover the same timeframe as a moratorium, and he asked for the Board to not stop development. He mentioned that Pinewood Forrest is unique to the City of Fayetteville and that Fayette County would not receive rezoning requests for every piece of property in Fayette County during the next five months.

Commissioner Rousseau stated that it is critically important for the public to be educated about the process. He explained that staff and the Board look at rezoning and annexation impacts all the time, and often times they look at it in consultation with partners such as the Board of Education. He said a person or entity has a constitutional right to say they want to do something with their property and that the Board has denied those requests. Commissioner Rousseau reported that he asked staff to do some research so he could make an informed decision about whether or not a moratorium is beneficial. He stated that the moratorium was going to run parallel to the review of the Comprehensive Plan, which is already in the process. He liked Commissioner Brown's recommendation to make sure the entities such as municipalities and public safety are included in the review of the Comprehensive Plan. Commissioner Rousseau stated the partners, who are separate entities who can make decisions on their own, would be asked to come to the table and provide input so that the County can know a little better what they are doing on most occasions. Commissioner Rousseau stated he wanted to ensure that some of Commissioner Brown's recommendations are enacted as the Comprehensive Plan is reviewed. He did not want the citizens to leave and continue to perpetrate misinformation since everybody, including property owners, has a right to quality of life. He stated the rezoning requests are weighed through the Planning Commission and by staff before they come to the Board of Commissioners for a final decision. Commissioner Rousseau stated that staff's research indicted there was not an alarming number of rezoning requests coming to the Board and he added it was expected that some annexation requests would come to the Board as part of doing business. He said he weighed the process that the county is about to undertake,

that he hoped all of those elements that have an intricate part of making sure the quality of life is high, are part of the process, and that by working together they would minimize any negative impact. He stated that Fayette County is unique from the northern counties since it does "not live off a freeway." Commissioner Rousseau added that unincorporated Fayette County is on septic and not sewer and that attracts development and traffic. He explained that the cities have massive traffic because they have added different elements of commercial and industrial development. He asked Commissioner Brown if he was amenable to direct staff to have more than four public hearings. He said he was concerned with the 150 timeframe as prescribed by the moratorium since it would lock the work into a short timeframe so that the work was not done correctly. He said he wanted the work to be done right and for staff to take the most time necessary to get the property input from all areas and elements in the county. He liked Commissioner Brown's proposal to make sure the county's infrastructure could sustain development. Commissioner Rousseau pointed out that Commissioner Brown had requested cooperation of the local municipalities and that the Board directed revisions to be forwarded to Zoning and Development, and he stated that these requests should be provided to staff on a go-forward basis. He thought those elements were already in place and he asked if his understanding was correct. County Administrator Steve Rapson replied that the vast majority were in place and that staff would take the comments that were made and make sure they are addressed as part of the process.

Commissioner Rousseau stated he wanted that to be staff direction; to make sure those elements were addressed. He concluded that this effort would reach the middle ground between the moratorium and the Comprehensive Plan. He stated that he had read through the Sandy Springs article provided at the last meeting and that he was somewhat familiar with that situation. He stated that Sandy Springs had adopted Fulton County's plan when they became a municipality on their own. He said Sandy Springs could not control novelty shops and pawn shops and so they wanted to revise their plan and that was why they enacted a target-specific moratorium. He stated that Sandy Springs article read: "Soon we realized, it is too flawed for patchwork and needs a complete overhaul." Commissioner Rousseau said he did not know if the county was at that stage, but that consideration needs to be made during the review. He further read the article that read: "By strengthening our ordinances and developing a state-of-the-art land use plan that can withstand legal scrutiny, we can do a better job of managing growth." Commissioner Rousseau said the Comprehensive Plan in place inclusive of the elements offered by Commissioner Brown was, in his opinion, the best approach. He added that the county could be innovative enough to make sure it could withstand the impact of development.

Chairman Oddo stated Commissioner Rousseau made good points. Commissioner Brown added that the Sandy Springs moratorium did not pertain to novelty shops, but rather it was the 2015 moratorium that addressed a situation similar to what Fayette County is currently dealing with. Commissioner Rousseau replied that Sandy Springs has done three or four moratoriums. Commissioner Brown explained that he was not saying the moratorium would take the place of the Comprehensive Plan's overview, but that it would provide a public look and a public, meaningful discussion to discover if there is something to be done and then to do it. He said the reason to have a moratorium instead of just reviewing the Comprehensive Plan is due to liability concerns. He explained that the county cannot get sued by anybody who is throwing plans on the desk while the county is going through the Comprehensive Plan revisions. He suggested that the county is due for at least one lawsuit from the last meeting and that the moratorium would give the freedom to have a meaningful conversation without someone throwing in plans leading to liability. He concluded that the shackles would be removed with a moratorium, and that is why it would be a freer process where there could be a discussion without fear.

Chairman Oddo replied that the liability issue would not really go away because, if the moratorium is too general, then the county could be sued for preventing people from doing what they want with the property according to the current Land Use Plan.

Commissioner Barlow recalled the day he received a letter in August 1966 that read: "Greetings from the President of the United States." He said that letter asked him to become a United States Army private in basic training. He said he learned: "Yours is not to reason why, yours is but to do and die." He also learned that individual rights were set aside for the good of the whole. He said after he went to Viet Nam and fought through the Tet Offensive in 1968, he learned that "Prior planning prevents pitifully poor performance." He said the county is in the prior planning stage to prevent poor performance later. He said that lesson applied to this discussion of a moratorium and the current study. He said the county has some of the finest minds involved in the Comprehensive Plan and he looked forward to hearing their input. He said the people who came to the

meeting are very precious to Fayette County and its success since their input is invaluable. Commissioner Barlow stated that he was looking at what he considers the good of the whole. He said he attended Board of Commissioners meeting for about two year prior to being elected, and he saw Stormwater Management Director Vanessa Birrell come to the Board of Commissioners in 2012 begging the County Commission to approve a public service announcement about the stormwater bill that was inevitable. He said the County Commission had been voted out decided to dump that problem on the incoming Commissioners; strapping them with 800 angry people coming to complain about a \$25.80 annual fee. He said there were no complaints from the citizens of Peachtree City who pay \$150 twice a year, and he explained that people did not storm into the Peachtree City Council Meeting because they saw the good of their stormwater fee. Commissioner Barlow stated that after seeing the people complain about the \$25.80 fee, he came to understand that "All politics are personal." He explained that no one complains until it encroaches on their property and bothers them. He stated that when the county adopted a no-smoking policy in Fayette County, there was a major rebellion and many complaints, but it reduced Fayette County's medical expense by 50%, ultimately saved taxpayer's money, and that the whole benefited to the good. He thanked Colonel Jack Smith for his service to the country.

Commissioner Ognio stated that the moratorium was for 150 days, but he heard talk about things that could be done in the meantime before the Comprehensive Plan is complete. He stated that the moratorium would allow for more citizen input on those temporary things that could be done before the end. He said this was important to him since the citizens could be involved in the process. He was unsure that the citizens would have a say without a moratorium and have meetings in a shorter timeframe. Commissioner Ognio stated that some argued about not being too hasty, but that the changes being made now may not be the right thing for the overall plan. He understood that Commissioner Rousseau liked some of the conditions of the moratorium and he offered that Commissioner Rousseau should vote for the moratorium if he likes the conditions.

Commissioner Rousseau said he was not in support of the moratorium at this point in time, but he wanted to make sure that the public did not feel that they were left out of the process. Mr. Rapson agreed saying there would be several public meetings in regards to implementation of the Comprehensive Plan, and he stressed that each meeting would be open to the public. Commissioner Rousseau did not want the people to leave without knowing what the process entails. He asked if any of the items outlined in items 1, 2, 3, 4 and 5 of the moratorium's draft resolution were outside the scope of what will be done with review of the Comprehensive Plan. Mr. Frisina replied that staff would generally be addressing "all these sort of things." Commissioner Rousseau stated that unless there was something preventing it, he would like to make sure that if the motion does not pass that these elements are definitely a part of the process going forward. He said they were healthy, good, useful, and are already being done. Commissioner Brown stated this was standard procedure, but that the moratorium would reduce the likelihood of being sued.

Commissioner Rousseau asked Assistant County Attorney Patrick Stough if the county could be sued at any time. Mr. Stough indicated the county could be sued at any time. Mr. Stough further stated that a moratorium is also a zoning decision that would have to stand up to judicial scrutiny as well as requiring the proper justification. Commissioner Rousseau reported that he asked staff to provide a timeline of the 150 days versus the timeline obligated to perform for the Comprehensive Plan review and update. He said he discovered that the timeline is off by two or three months and that was probably the last straw that helped him formulate his decision. He said he asked himself if he would rather take the extra two months to do the job right or would he rather be put into the 150 day box, and he concluded to err on the side of doing the job right with an additional two or three months. He stressed that the 1-5 elements in the draft resolution must be part of the process as part of the compromise and for the current process to proceed based on the few number of rezoning requests reported by staff. He closed that the county needed to include its municipal partners since it would do a disservice if it operated only in its own individual silos.

Commissioner Ognio stated that this motion would not approve the moratorium but it is a request to go through a process that may never get back to the Board of Commissioners based on the Planning Commission's recommendation.

Chairman Oddo called for a vote and restated the motion. He clarified that if the motion passed then the matter would be sent to Planning and Zoning and that a vote against the motion meant the matter would not be sent to Planning and Zoning.

The motion to proceed with the process to authorize a temporary moratorium on acceptance of applications for rezoning of property into all residential zoning classifications, including mixed uses that have residential uses within them, and to send the materials and draft resolution to the Planning Commission to begin that process failed 2-3 with Commissioners Oddo, Barlow, and Rousseau voting in opposition. A copy of the request, identified as "Attachment 7," follows these minutes and is made an official part hereof.

9. Consideration of a recommendation from the Selection Committee comprised of Commissioners Randy Ognio and David Barlow, to appoint Lavonia Stepherson to an unexpired term, replacing Margaret Sisson, beginning immediately and expiring on June 30, 2017, to the McIntosh Trail Community Service Board.

Commissioner Barlow spoke about Ms. Stepherson's qualifications.

Commissioner Barlow moved to accept the recommendation from the Selection Committee comprised of Commissioners Randy Ognio and David Barlow, to appoint Lavonia Stepherson to an unexpired term, replacing Margaret Sisson, beginning immediately and expiring on June 30, 2017, to the McIntosh Trail Community Service Board.

Commissioner Brown moved to table the request to the next regularly scheduled Board of Commissioners meeting on August 25, 2016. Commissioner Ognio seconded the motion.

Commissioner Brown explained there are related issues to discuss at the August 25, 2016 meeting.

The motion to table to request to the next regularly scheduled Board of Commissioners meeting on August 25, 2016 passed 5-0. A copy of the request, identified as "Attachment 8," follows these minutes and is made an official part hereof.

Chairman Oddo noted that he voted to table the request out of professional courtesy, even though he did not feel there was a need to table the item.

NEW BUSINESS:

10. Consideration of a recommendation of the Selection Committee, composed of Commissioners Steve Brown and Randy Ognio, to appoint Ted M. Kirk to the Region Six Mental Health, Developmental Disabilities, and Addictive Diseases Regional Planning Board for a three-year term beginning July 1, 2016 and expiring June 30, 2019.

Commissioners Ognio and Brown spoke highly of Mr. Kirk's qualifications. Mr. Kirk was asked to speak of his qualification and he did so.

Commissioner Ognio moved to accept the recommendation of the Selection Committee, composed of Commissioners Steve Brown and Randy Ognio, to appoint Ted M. Kirk to the Region Six Mental Health, Developmental Disabilities, and Addictive Diseases Regional Planning Board for a three-year term beginning July 1, 2016 and expiring June 30, 2019. Commissioner Brown seconded the motion. The motion passed 5-0. A copy of the request, identified as "Attachment 9," follows these minutes and is made an official part hereof.

11. Update on the Starrs Mill Path Project (#6220G) and request for Board direction for final design and project completion.

Public Works Director gave a sixteen minute PowerPoint presentation as his update on the Starrs Mill Path Project during which he answered questions from the Board. He explained that the Board had three options. The first option was for a new path with an at-grade crossing at Panther Path at an estimated cost of \$217,150.00, and he noted that the proposed area already had a crossing guard working at the location both in the morning and afternoon. The second option was a new path with a tunnel at an estimated cost of \$622,500.00. The third option was to enhance the existing Foreston Crossing with a HAWK Signal, Rectangular Rapid Flash Beacon, and Continued Use of a Crossing Guard at an estimated cost between

\$25,000.00 and \$127,600.00. It was noted that the crossing at Foreston Place was the only approved crossing of Redwine Road in order get to the school complex and that there was no signaling for the crossing. It was further noted that, beginning this year and for the duration of the school year, the Board of Education was sending its school resource officer to the crossing to manage the crossing. Mr. Mallon emphasized that the estimated costs were for construction only and did not include costs for property acquisition or any mitigations to the plan. He concluded that staff's recommendation was for the third option and he provided reasons for the recommendation. Mr. Mallon stated that the school system favored the first option since a crossing guard is already at the location. He stated that the Sheriff's Office was concerned that the crossing guard at Foreston Place is currently the school's resource officer so there is concern that the person who should be providing school security is not at the school twice each school day. He concluded that the Sheriff's Office agreed that the third option was probably best option as far as traffic safety is concerned.

Commissioner Brown stated the resource officer needed to be on campus at all times and he mentioned there is another officer directing traffic at the crossing guard. He stated he would not agree to a HAWK at the third option since people will become accustomed to using the HAWK during non-school hours creating its own safety matters. He said that people travel down Redwine Road at a high rates of speed and that is why he did not like the crossing at Foreston Place. Commissioner Brown pointed out that there were two or three parcels of land across Redwine Road and the school complex that would soon be annexed into Peachtree City. He said when Peachtree City annexes and builds homes on those parcels then there would be citizens asking how to cross Redwine Road to the schools. He suggested that the Board should "knock it out now" so that when they build the houses that discussion will not happen. He suggested that the crossing be located at Redwine Road and Panther Path with a person who is hired to be a crossing guard, not a school resource officer, and for the crossing guard to monitor traffic during school hours. Mr. Mallon replied that his concern was that the crossing guard would only be at the location for about two hours a day.

Commissioner Ognio was also concerned that the crossing guard would only be there twice a day even though there would be other reasons to cross at the location for events outside of normal school hours. He suggested that the tunnel made better sense, but he suggested that the City of Peachtree City should pay for part of the project since it is all of their residents crossing the road. Commissioner Brown replied that the city would not pay for the tunnel since it could not afford to fix potholes in their own path system. Commissioners Rousseau and Ognio replied that the city ought to place this project in the Special Purpose Local Option Sales Tax (SPLOST) project list. Commissioner Ognio further suggested that the county ought to talk to the Board of Education to see if it would help offset the costs. Mr. Mallon replied that he was supportive of Commissioner Ognio's recommendation.

Commissioner Brown agreed that constructing the tunnel is the ultimate way to go but that cost was a problem. He asked everyone to take a serious look at the lots that will soon be annexed into Peachtree City. He reminded the Board that the lots would be put on the sewer system, would have a higher density, and the people would have to have some way to cross.

Chairman Oddo asked Mr. Mallon if there had been discussion with the City of Peachtree City concerning a shared initiative. Mr. Mallon replied that there had been discussions with both the city and the Board of Education when this work first began three years ago, and he hinted that both bodies were unwilling to share in the cost. Chairman Oddo replied that the difference this time is that there is an upcoming SPLOST so they may be willing to put their project on its SPLOST list.

County Administrator Steve Rapson stated that Peachtree City would not put this project on their SPLOST list for an unincorporated Fayette County project, which is currently is. He explained that if the direction was to pay for a tunnel with SPLOST funds then it would be placed on Fayette County's list for the \$19.5 million Transportation Proposal. He agreed with Commissioner Brown that if Peachtree City intended to annex the properties then the city should pay. He added that when the city builds subdivisions today they put golf cart paths in them and there is no reason they cannot pick up the county's design and utilize it whenever the developer comes to develop those properties. Mr. Rapson then asked the Board what it wanted to do in the immediate future. He suggested that if the county wanted to remain at *status quo* then it could amend its current Intergovernmental Agreement (IGA) with the Board of Education, since Fayette County pays for school resource officers, and the county could fund one of the crossing guards to handle the majority of school hours. He further suggested that one of the options could be placed on the county's SPLOST list to see how it goes. He added that staff could

always come back to the Board with all the different options since there is already \$295,000.00 currently funded Capital Improvement Projects (CIP), and that approximately \$30,000.00 could be redirected to fund the crossing guard with the remaining budget being held until the outcome of SPLOST is known.

Commissioner Rousseau pointed out that the county was the “only one with skin in the game.” Commissioner Brown replied that the property and project currently is in unincorporated Fayette County, but he agreed with Commissioner Rousseau that the project largely benefits Peachtree City. Commissioner Rousseau suggest that the county should save the money, make sure everyone can cross the road safe, and to do it at the minimal cost. Commissioner Brown replied that he did not mind leaving the Foreston Crossing in place at it currently is so long at the first option is also considered with a crossing guard.

Mr. Mallon summarized that it sounded like the county should pursue options one and two by placing a crossing guard at Redwine Road and Panther Path as recommended with option one and to leave option two open for discussion when there is greater leverage after the city annexes the parcels across from the Starrs Mill School Complex. Chairman Oddo stated that was reasonable. Mr. Rapson stated that if that was the Board's direction then staff would modify the amount it pays the Board of Education in order to get a cross guard. He explained that he would contact the Board of Education to determine the additional cost and that he would provide that amount to the Board, so that, with the Board's blessing, the amount would be redirected out of current CIP funds back to the general fund to pay for the crossing guard. Commissioner Rousseau agreed.

Commissioner Brown asked if the proposal was to fund a crossing guard at Foreston Place. Mr. Rapson explained that when this was enacted two years ago, the principle agreement was that an officer would be placed at the Foreston Crossing since there was already an officer directing traffic at Panther Path. He told the Board that the Board of Education placed the officer at Foreston Place and has been paying the officer, but now the Board of Education is saying they have been paying for the position for two years. Mr. Rapson suggested that the right thing to do was to leave an officer at the Foreston Crossing location. Commissioner Brown disagreed saying the crossing needed to be at Panther Path since there is an officer already at the location. Mr. Rapson replied that if the first option was approved then the County would pay \$217,150 for a crossing that would then go into the city once the city annexes the properties. Commissioner Ognio suggested that would be the time for the city to make the tunnel, but Commissioner Brown replied that the tunnel would likely be a joint project.

Commissioner Brown asked, should the SPLOST not pass, what is the best option and direction. He agreed that if SPLOST passed then the county would install a tunnel, but if the SPLOST failed then the county should direct staff to do the first option to cross at Panther Path. Discussion followed about the costs to enact the third option. Mr. Mallon explained that the third option would cost approximately \$25,000.00 for construction costs with another approximate \$20,000.00 for the crossing guard. Mr. Rapson stated that the county would pay primarily for the high-traffic volumes during normal school hours but other events are paid for by sport's associations who pay for off-duty officers. Commissioner Rousseau stated that cost was reasonable since the county was the only one with skin in the game and since it could be done before the upcoming holidays. He stated that the county could then wait for the SPLOST to decide what to do next.

Commissioner Brown stressed that the crossing should be in front of Panther Path. Mr. Rapson stated that the proposed costs did not include acquisition of right-of-way. There was some discussion about putting the path in the county's current right-of-way to reduce cost, but Mr. Mallon replied there were some areas that would require property acquisition due to existing utilities in the right-of-way.

Commissioner Ognio stated he was concerned about the crossing at Foreston Place since they may not see golf carts in the area. Mr. Mallon replied that he had some of the same concerns and that there would have to be a study about leaving the crossing as it is or if the crossing should be moved 100 feet. Mr. Mallon suggested that the advantage of moving the crossing at Foreston Place further away was that the current crossing required crossing three lanes of traffic. Discussion followed concerning the safety crossing at Foreston Place.

Commissioner Brown recommended moving the crossing to Panther Path since that would eventually be the ultimate solution. Chairman Oddo asked what funds could be utilized or lost if the crossing was made at Panther Path. Mr. Mallon replied that if the first option was enacted only to be followed up by a tunnel later on then the at-grade crossing would be torn out and reworked. He suggested that if the tunnel would be constructed months after the at-grade crossing was constructed then that effort would be silly, but, if it would take years before the tunnel was constructed then it would be worth constructing an at-grade crossing. Chairman Oddo stated that the county could wait a little longer until the SPLOST vote occurs.

Commissioner Brown stated he would not mind paying for a crossing guard until the SPLOST vote was held, but after the SPLOST vote then the county should put in a crossing at Panther Path. He clarified that the county would not do anything physically except pay for the crossing guard until after the SPLOST referendum since, if the referendum is approved then the county could put in a tunnel and if it is not approved then the crossing could be put in at Panther Pass. Mr. Rapson agreed with Commissioner Brown's recommendation.

Commissioner Brown moved to fund a crossing guard at the Foreston Place crossing at Redwine Road until such time that it is known if the SPLOST referendum passes or not, to proceed with the tunnel project should the referendum be approved, and to proceed with the path if the referendum fails.

Commissioner Rousseau asked Commissioner Brown to amend his motion to fund a crossing guard to the end of the school year. Commissioner Brown agreed with the recommendation.

Commissioner Ognio seconded the motion.

The motion to fund a crossing guard at the Foreston Place crossing at Redwine Road until the end of the school year, to proceed with the tunnel project should the referendum be approved, and to proceed with the path if the referendum fails passed 5-0. Copies of the request and PowerPoint presentation, identified as "Attachment 10," follow these minutes and are made an official part hereof.

PUBLIC COMMENT:

Dennis Chase: Mr. Chase stated he had been involved with the last two iterations of the Land Use Plan as it has been developed. He said the last time it was a paper exercise that the county ignored with the construction of the West Fayetteville Bypass that violated eleven of the thirteen sections of the Land Use Plan pertaining to the environment, and that the latest disregard of the Land Use Plan involved the Board's vote to approve Pinewood Studios. Mr. Chase reported that the county has a series of projects for the upcoming Special Purpose Local Option Sales Tax (SPLOST), that the cities also have their projects, and that he has seen their lists of projects. He had some questions with some of the cities' projects and, while he understood the cities projects are not necessarily county problems, he suggested the county could take a stronger stance by having its staff do a detailed review to determine how well the municipal SPLOST projects fit in the current Land Use Plan. He said that effort could resolve a number of problems since the county could then ensure the public that the plans have been reviewed and do not create problems for the Land Use Plan. He said that if the county does not take that action then it could create a problem with the Land Use Plan, but if the county does take that approach then it could find there is a stronger support base for the SPLOST.

Mary Carroll: Ms. Carroll read a statement asking how would Fayette County and the City of Fayetteville handle the pressure for increased growth and population demands without being bled dry of beauty, character, and southern charm sought after by people and businesses wanting to move into the area, while also protecting quality of life for current and future citizens. She mentioned there is approximately 100 acres of undeveloped land near the vicinity of State Route 92 and State Route 54 behind the Ingles Grocery Store. She stated that recently a developer and owner of the land proposed to develop the acres with townhomes and single-family homes. She stated the development would look the same wherever it is built and she questioned the reason for placing the development on the property since there is so much more that could be done with the property. She suggested the property would be perfect as a recreational area and that, as such, it would increase the community's

competitiveness. She asked that the Special Purpose Local Option Sales Tax (SPLOST) include plans for acquiring the land and that Fayette County work with the City of Fayetteville for that purpose. She informed the Board that she had already spoken to members of the Fayetteville City Council who recommended meeting with the developer and the Board of Commissioners.

ADMINISTRATOR'S REPORTS:

Fayette County Library's Upcoming "One Book, One Community" Event: County Administrator Steve Rapson reported that the Library is having their 9th Annual "One Book, One Community" event coming up. He stated there is a flyer about the event and he wanted to bring it to the Board's attention.

Upcoming Fayette County Hospital Authority Meeting: County Administrator Steve Rapson stated the next Hospital Authority meeting would be held on Wednesday, August 17, 2016 at 6:30 p.m. He mentioned that the meeting would take place at Piedmont Fayette Hospital.

Response to Ms. Carroll's Comments Given during Old Business #8: County Administrator Steve Rapson replied to Ms. Carroll's comments made during the discussion of a possible moratorium where she indicated that the County's stormwater projects were \$64 million. He clarified that the County's entire allocation of SPLOST is \$64 million and that the stormwater projects were \$23.7 of the \$64 million.

Response to Colonel Jack Smith's Comments Given during Old Business #8: County Administrator Steve Rapson stated that Colonel Smith mentioned during his comments that the majority of unincorporated Fayette County has well water. He disagreed saying that only 30% to 35% are on well water.

Response to Mr. Chase's Public Comments: County Administrator Steve Rapson responded to Mr. Chase's comments by stating he has spoken to Mr. Chase several times about the Special Purpose Local Option Sales Tax (SPLOST) projects. He agreed that Mr. Chase has certain concerns with some municipal SPLOST projects and that he has relayed those concerns to the appropriate city managers. He explained that the county is not staffed enough to evaluate all the municipal projects, but that staff would work with Mr. Chase to get him the information needed from the cities. He stated that the County's entire SPLOST list is posted on-line, that the City of Peachtree City has posted most of their list on-line, and that the City of Fayetteville and the Town of Tyrone would soon post their lists on-line. Mr. Rapson stated that binders were being produced that provide the SPLOST lists of both the county and the municipalities and he added that the binders would be available at each municipality for easy citizen review.

Response to Ms. Carroll's Public Comments: County Administrator Steve Rapson replied to Ms. Carroll's public comments agreeing that the property would make a great city park and that the county would be glad to work with the city toward achieving that goal.

ATTORNEY'S REPORTS:

Notice of Executive Session: Assistant County Attorney Patrick Stough notified the Board that he had one item of Threatened Litigation and Review of the July 28, 2016 Executive Session Minutes for consideration in Executive Session.

COMMISSIONERS' REPORTS:

Commissioner Brown:

Water Guardians and Volunteers Coming Together to Clean Lake McIntosh: Commissioner Brown stated that on Saturday, August 13, beginning at 8:30 a.m., is the Lake McIntosh clean up with the Water Guardians. He stated there are 35 people already signed up to pick up trash from Lake McIntosh. He thanked Mr. J.R. Ramos who is a professional caterer with a huge

grill and trailer. Commissioner Brown stated that when Mr. Ramos tasted his hotdogs and hamburgers he volunteered his services from now on. Commissioner Brown thanked Mr. Ramos for thanking the food and he thanked CH2M Hill, who does some engineering work for the Water System, for donating hamburgers and hotdogs.

Response to Mr. Chase's Public Comments: Commissioner Brown stated he understood some of the concerns Mr. Chase has.

Commissioner Ognio:

Amend to Fayette County Policy 100.19: Commissioner Ognio asked for County Policy 100.19 to be amended to limit citizens to no more than one board since that could clear up some issues.

Alternative Efforts to Prevent the Zika Virus: Commissioner Ognio asked if the Board thought it was a good idea to look into getting the Boy Scouts and 4-H for building houses or martins around the lakes, perhaps even bat houses, to help cut down on the mosquito population. He said the reduction in mosquitos could work to prevent the Zika Virus. He noted that the State of Florida is concerned that the mosquitos are becoming immune to pesticides so this effort could be an alternative solution. He added that the county could provide the materials for this effort.

Fayette County Shirts: Commissioner Ognio asked the Board to think about having shirts made up to sell to citizens with the county's logo. He thought the citizens would be proud to wear the shirts and that they shirts could possibly be sold at the Historic County Courthouse and Library.

Parents Celebrating 60th Anniversary: Commissioner Ognio stated that his parents will have their 60th Anniversary on August 19, 2016. He wished them a Happy Anniversary.

Commissioner Rousseau:

Proactive in Preventing the Zika Virus: Commissioner Rousseau thanked Commissioner Ognio for his comments about being proactive in addressing the Zika Virus. He said the county needed to be proactive, that the Health Department was addressing the issue, and that it would be helpful to educate the public about the virus.

Educate the Public about the SPLOST Referendum: Commissioner Rousseau asked if dates had been established for the Special Purpose Local Option Sales Tax (SPLOST) referendum, and he asked when the available window of opportunity to have community town hall meetings was. County Administrator Steve Rapson replied there are many dates to available for town hall meetings both at the county and at the municipalities. He said he was holding off on scheduling those dates until the Transportation Committee meets on September 6, 2016 and an official document is released on the transportation component. He said a draft would likely be completed by October and a town hall would be scheduled prior to the holidays with other town hall meetings following. Commissioner Rousseau stated he wanted to aggressively educate the people about the SPLOST and to provide sound reasons for it.

Commissioner Barlow:

Simone Biles Raised by Her Grandparents: Commissioner Barlow stated that in 1972, when world championships were held in Arizona, he took his two daughters to see gymnast Cathy Rigby. He said his oldest daughter came home and taught herself splits that night and that both of his daughters were inspired to take gymnastics. He stated that during these Olympics everyone watched Simone Biles who is considered to be the greatest gymnasts in the world. He reported that she was raised and adopted by her grandparents. Commissioner Barlow stated he is on the Board of Grandparents and Kin Raising Children and that he appreciates that group. He said both he and his wife go to the meetings and are involved. He reported that some grandparents have adopted the children, and by doing so, some have to give up benefits. He reported that Simone Biles was brought into the world by a drug addicted mother and by a father who had nothing to do with her. He said she was raised by her grandparents and it was special to see her grow up to become the greatest athlete in the world.

Identify in Jesus Christ: Commissioner Barlow stated he was watching synchronized diving and, for the first time, the American men won a Silver Medal. He said it was interesting that one of the swimmers was asked how the experience had affected him. Commissioner Barlow reported that the swimmer replied that his identify was in Christ Jesus and that he was not having a great time because he was at the Olympics but that he was having a great time because he loved the Lord and because Christ was in his life. Commissioner Barlow reminded everyone that, last year, he told everyone that his identity was in Jesus Christ; not in the Fayette County GOP and not in the Fayette County Board of Commissioners. He thanked God that there were some tremendous, world-renown athletes who identify with Christ and are not ashamed.

Chairman Oddo:

Grand Opening of The Ridge Nature Area: Chairman Oddo stated that on Saturday, August 13, the City of Fayetteville and Southern Conservation Trust would have the Grand Opening of The Ridge Nature Area from 10 a.m. until 2 p.m. He explained there would be events at the Grand Opening and that the park is made up of 300 acres and it would be built in phases. He stated that additional information could be found on the City of Fayetteville's website.

Resurfacing of State Route 85: Chairman Oddo announced that the Georgia Department of Transportation (GDOT) would repave State Route 85 from the Clayton County border to approximately Georgia Avenue.

Peachtree City Rotary Club: Chairman Oddo thanked the Peachtree City Rotary Club for giving him an opportunity to speak earlier in the day. He stated that he gave a presentation on the Special Purpose Local Option Sales Tax (SPLOST) and the county's efforts. He encouraged them to review the material, ask questions, and communicate with others about the need for SPLOST.

EXECUTIVE SESSION:

Threatened Litigation and Review of the July 28, 2016 Executive Session Minutes: Commissioner Brown moved to go into Executive Session. Commissioner Ognio seconded the motion. The motion passed 5-0.

The Board recessed into Executive Session at 9:36 p.m. and returned to Official Session at 9:46 p.m.

Return to Official Session and Approval of the Executive Session Affidavit: Commissioner Ognio moved to exit Executive Session and for the Chairman to sign the affidavit. Commissioner Brown seconded the motion. The motion passed 5-0. A copy of the Executive Session Affidavit, identified as "Attachment 11," follows these minutes and is made an official part hereof.

July 28, 2016 Executive Session Minutes: Commissioner Ognio moved to approve the July 28, 2016 Executive Session Minutes. Commissioner Brown seconded the motion. The motion passed 5-0.

ADJOURNMENT:

Commissioner Ognio moved to adjourn the August 11, 2016 Board of Commissioners meeting. Commissioner Brown seconded the motion. The motion passed 5-0.

The August 11, 2016 Board of Commissioners meeting adjourned at 9:46 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 August 2016. Referenced attachments are available upon request at the County Clerk's Office.

Floyd L. Jones, County Clerk

COUNTY AGENDA REQUEST

Page 117 of 307

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Consideration of a recommendation from the Selection Committee comprised of Commissioners Randy Ognio and David Barlow, to appoint Lavonia Stepherson to an unexpired term, replacing Margaret Sisson, beginning immediately and expiring on June 30, 2017, to the McIntosh Trail Community Service Board.

Background/History/Details:

The McIntosh Trail Community Service Board is a public entity created by the Georgia legislature in 1993 to provide for mental health, developmental disability, and addictive disease services to residents living in Butts, Fayette, Henry, Lamar, Pike, Spalding and Upson Counties. the mission of the McIntosh Trail Community Service Board is to offer individuals experiencing symptoms associated with mental illness, addictive disease and/or developmental disability the hope for optimal functioning by providing quality behavioral health serves and supports. The McIntosh Trail Community Service Board is comprised of fifteen members appointed from each of the seven counties of which Fayette County has three members. Two of the Fayette County's members are appointed from the citizenry by the Fayette county Board of Commissioners and the other member is required to be an elected official or designated county appointee.

One available position was advertised and one citizen responded to the advertisement. The Selection Committee reviewed the applicant's application and made the recommendation to the Board of Commissioners for approval.

Ms. Stepherson was re-appointed to the Hospital Authority on July 19, 2016.

This request was tabled at the August 11, 2016 Board of Commissioners meeting.

What action are you seeking from the Board of Commissioners?

Appoint Lavonia Stepherson to an unexpired term, replacing Margaret Sisson, beginning immediately and expiring on June 30, 2017, to the McIntosh Trail Community Service Board.

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:

PRESS RELEASE

ONE OPEN POSITION ON THE MCINTOSH TRAIL COMMUNITY SERVICE BOARD

The McIntosh Trail Community Service Board is a public entity created by the Georgia Legislature in 1993 to provide for mental health, developmental disability, and addictive disease services to residents living in Butts, Fayette, Henry, Lamar, Pike, Spalding, and Upson Counties. The mission of the McIntosh Trail Community Service Board is to offer individuals experiencing symptoms associated with mental illness, addictive disease and / or developmental disability the hope for optimal functioning by providing quality behavioral health services and supports.

The McIntosh Trail Community Service Board is comprised of fifteen members appointed from each of the seven counties of which Fayette County has three members. Two of Fayette County's members are appointed from the citizenry by the Fayette County Board of Commissioners and the other member is required to be an elected official or designated county appointee. The McIntosh Trail Community Service Board meets on a monthly basis at various locations throughout its seven-county region.

The Fayette County Board of Commissioners would like to notify interested Fayette County citizens that a citizen's appointment for an unexpired term ending June 30, 2017 is available. The Board will accept applications with resumes for this position.

Applications can be obtained by contacting Fayette County Clerk Floyd Jones at (770) 3025-5102 or at fjones@fayettecountyga.gov. All applications must be returned to Floyd Jones at the Fayette County Administrative Complex, 140 Stonewall Avenue West, Suite 100, Fayetteville, Georgia by 5:00 p.m. on Friday, June 3, 2016.

Issued: May 5, 2016

Contact: Floyd L. Jones, County Clerk
Office (770) 305-5102

Floyd Jones

From: Tameca P. White
Sent: Monday, July 11, 2016 3:20 PM
To: [REDACTED]
Cc: Floyd Jones
Subject: McIntosh Trail Community Service Board

July 6, 2016

Lavonia Stepherson
440 Nora Drive
Fayetteville, GA 30214

Dear Ms. Stepherson:

Thank you for your interest in being considered for appointment to the McIntosh Trail Community Service Board. We appreciate your desire to serve.

We would like to inform you that we are making a recommendation to the Board of Commissioners that you be given the appointment based on your knowledge, personal commitment and passion for this area of need. You are a strong candidate and the right fit for this appointment.

This appointment is contingent on a vote from the Board of Commissioners. The next step is to bring this recommendation before the Board of Commissioners during our next meeting. This will take place on **Thursday, July 28, 2016 at 7:00 p.m.** at 140 Stonewall Avenue, West, Fayetteville, Georgia in the Public Meeting Room.

We invite you to attend in case the Board would like to ask you questions.

Please notify, Tameca White at 770-305-5103 no later than Monday, July 11, 2016 if you are able to attend.

Sincerely,

Randy Ognio
Vice Chairman

David Barlow
Commissioner

Sincerely,

Tameca P. White, MBA, CCC

Chief Deputy County Clerk
Fayette County Board of Commissioners
140 Stonewall Avenue West

Suite 100
Fayetteville, GA 30214
Office: 770-305-5103
Fax: 770-305-5210

www.fayettecountyga.gov



Please consider the environment before printing this e-mail!

APPLICATION FOR APPOINTMENT
McIntosh Trail Community Service Board

Thank you for your interest in being considered as Fayette County's appointment to the McIntosh Trail Community Service Board.

McIntosh Trail Community Service Board members represent seven counties throughout central-western Georgia to terms which generally last three years. Meetings are typically held once every month anywhere within its seven-county district. Please do not apply if you will be unable to attend a minimum of eighty percent (80%) of all meetings.

Please take a few minutes to complete the form and answer the questions below and return it with a resume, if available, to Floyd Jones, County Clerk, 140 Stonewall Avenue, West, Suite 100, Fayetteville, GA 30214 no later than 5:00 p.m. on June, 2016.

If you have any questions, please call (770) 305-5102.

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

NAME LAVONIA W. STEPHERSON

ADDRESS _____

TELEPHONE (day) _____

(evening) SAME

(email address) _____

Lavonia W. Stepherson
Signature

5/12/16
Date

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

Since March, 2013

2 .Why are you interested in serving on the McIntosh Trail Community Service Board?

Throughout my work career I have worked with or provided services for members of our society who have mental health, mental disability issues or behavioral health problems. I am an advocate for public education, delivery of quality professional programs, and services to help all people live mentally healthier lives.

3. What qualifications and experience do you possess for appointment to the McIntosh Trail Community Service Board?

Served

5 years South Georgia Community Service Board (2007-2012)

5 years South Georgia Regional Council (2007-2012)

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

WIA Intake Case Manager, AVPRIDE, Youth Workforce Development Program.

I provide support services for all youth 16-21 who meet income requirements or have a disability. The goal is for our students to graduate from high school, obtain a post-secondary education, or graduate from college and become gainfully employed.

5. Do you have any past experience relating to the McIntosh Trail Community Service Board? If so, please describe.

In the past I served 5 years on the Behavioral Health Service of South Georgia Community Board which provided disability services within the counties of Ben Hill, Berrien, Brooks, Cook, Echols, Irwin, Lanier, Tift and Turner. The Board provided a range of services to children, adults and families with mental illness, addictive disease and individuals with Developmental Disabilities.

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

No

7. Have you attended any McIntosh Trail Community Service Board meetings in the last two years and, if so, how many?

No

8. Are you willing to attend seminars or continuing education classes at county expense?

Yes

9. What is your vision of the county's future related to the duties of McIntosh Trail Community Service Board?

To provide excellent treatment and services to behavioral health and developmental consumers and their families.

10. Would there be any possible conflict of interest between your employment or your family and you serving on the McIntosh Trail Community Service Board?

No

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

No

12. Are you a consumer of services provided by the McIntosh Trail Community Service Board, or, are you a family member of an individual with behavioral health or developmental disabilities?

Yes

13. Describe your current community involvement.

Southside Support Inc. Executive Board

Member Cornerstone Baptist Church

National Alliance on Mental Illness NAMI

Factor

Judicial Review Panel

Piedmont Hospital Authority Board

South Metro Mental Health and Substance Abuse Network

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

Yes

15. Is there any reason you will not be able to comply with the County's Ethics Ordinance?

No

Lavonia W. Stepherson

QUALIFICATIONS SUMMARY

Results-oriented professional with twenty-five years of progressive responsibility in health, manufacturing and educational environments. Proficient in developing and implementing programs to quality and outcome standards.

CAREER SKILLS/KNOWLEDGE

Program Coordinator	Case Management	Clinical/Staff Training	Financial Analysis
Cost Management	Employee recruitment	Investigation/Litigation	Networking
Staffing strategies	Benefits administration	Accounts payable/receivable	
Supervision	General Management	Human Growth & Development	

EDUCATION

Wayne State University, Detroit, Michigan
Bachelors of Science, Nursing

Georgia Academy for Economic Development
Fitzgerald, Georgia
Region Economic and Leadership Development

Highland Park Community College, Detroit, Michigan
Associate of Science, Nursing

Boston University Center for Aging and Disability
Education and Research
Certificate in Aging and Disabilities

PROFESSIONAL EXPERIENCE

AVPRIDE

2014

WIA Intake Case Manager

- Conduct customer intake procedures and facilitate intensive services including but not limited to: student case management, assessment, career guidance. Maintain accurate, complete case records based on standards set forth by WIA Guidelines

Director of Certified Literate Community Program (CLCP) **Wiregrass Georgia Technical College**

2007-2012

- Develop ,present and implement strategic and operational plans to CLCP Executive Board of Directors
- Create partnerships with community organizations ,civic leaders ,industry leaders and business owners on behalf of literacy programs
- Establish Executive Board of Directors for Irwin, Ben Hill, Wilcox, Coffee , Atkinson , Berrien, Brooks, Cook, Echols and Lanier counties
- Coordinate and supervise CLCP operations throughout 11 county area

Interim Occupational Health**2005-2006****Occupational Health Nurse**

- Patient Assessments. Yearly health exams, Blood draws
- Administration of medication and treatments
- Emergency management of injury or health problem
- Health promotion and injury prevention teaching
- Managed and provided health services employees with injuries and illness
- Served as a case manager for employees with work related injuries

Dorminy Medical Center**2004 -2005****Risk Director**

- Coordinated investigations of incidents involving actual or potential injury to external and internal customers.
- Coordinated activities of one or more departments in formulating, revising, or administering organizational policies

COUNTY AGENDA REQUEST

Page 126 of 307

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Consideration of a recommendation from the Selection Committee, comprised of Commissioner David Barlow and Commissioner Charles Rousseau, to re-appoint Angela Hinton Fonda to Fayette County's Department of Family and Children Services Board to fill a five-year term beginning July 1, 2016 and expiring June 30, 2021.

Background/History/Details:

The mission of the Georgia Department of Human Resources is to strengthen Georgia's families by supporting their self-sufficiency and helping them protect vulnerable children and adults by being a resource for families; not a substitute. County Boards help to achieve the mission by making the Division of Family and Children's Services programs more meaningful to the families and children they are designed to serve. With the help of Board Members, the Division of Family and Children Services will help disadvantaged individuals and families progress toward independence in many aspects of their lives.

Fayette County's Board of Family and Children Services is made up of five volunteering citizens from across the county. Each member has been appointed to the Board by the Fayette County Board of Commissioners for a five-year term. Each Board member serves as a link between the County's Department of Family and Children's Services (DFCS) and the local Fayette County community.

Angela Hinton Fonda was re-appointed to the DFCS Board on June 23, 2011 by the Board of Commissioners to serve a five-year term beginning July 1, 2011 and expiring June 30, 2016 by a 4-1 vote with Commissioner Brown voting in opposition.

What action are you seeking from the Board of Commissioners?

Approval of a recommendation from the Selection Committee, comprised of Commissioner David Barlow and Commissioner Charles Rousseau, to re-appoint Angela Hinton Fonda to Fayette County's Department of Family and Children Services Board to fill a five-year term beginning July 1, 2016 and expiring June 30, 2021.

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:

APPLICATION FOR APPOINTMENT

Fayette County Board of Family and Children Services

Thank you for your interest in being considered for appointment to the Fayette County Board of Family and Children Services (DFACS).

The Fayette County Board of Family and Children Services is made up of five volunteering citizens from across the county. Each appointment is for a five-year term, or for the unexpired term of a resigning member. Please do not apply if you will be unable to attend a minimum of eighty percent (80%) of all meetings.

Please take a few minutes to complete the form and answer the questions below and return it with a resume, if available, to Floyd Jones, County Clerk, 140 Stonewall Avenue, West, Suite 100, Fayetteville, GA 30214 no later than 5:00 p.m. on June 24, 2016.

If you have any questions, please call (770) 305-5102.

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

NAME Angela Hinton Fonda

ADDRESS [REDACTED]

TELEPHONE (day) 404-783-0719

(evening) Same

(email address) [REDACTED]

[Signature]
Signature

JUNE 24, 2016
Date

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

I have been a resident of Fayette County since October 12, 2005.

2. Why are you interested in serving on the Fayette County Board of Family and Children Services (DFACS)?

I am interested in continuing to serve the children of this county whose family stresses are not the product of their choices but can, nonetheless, have life-long, debilitating impacts without community support and encouragement to succeed.

3. What qualifications and experience do you possess for appointment to the DFACS Board?

In addition to serving as a Board Member of the Union Mission of Savannah, I have served as Vice Chair of the Fayette County DFCS Board (FCDFCS). In that capacity, I have supported the Chair and the County DFCS Office in ensuring that State resources are appropriately allocated to Fayette County residents. I have also used my professional training to exercise local control within the scope of the Board's authority.

As a member of the FCDFCS, I spearheaded a project in partnership with travel industry businesses to get suitcases for children in foster care to carry their belongings. I also worked on a project to collect dorm/living supplies for young adults in foster care who go to college or age out of care. In that capacity, I have demonstrated good fiscal stewardship by leveraging community partner resources with State and County resources.

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

I am a Chief Counsel with the City of Atlanta's Department of Law.

5. Do you have any past experience relating to the DFACS Board? If so, please describe.

I have served the County's families and children as a FDCFCS Board member for the past 10 years. Fayette County taxpayers have appropriately high expectations for the performance of government services. I am proud to say that no Fayette County child under DFCS jurisdiction has died during my tenure on the Board. That has been, in large measure, the product of the Board supporting the work of the County DFCS office when the State dangerously slashed resources.

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

I am not an elected official with any government, nor do I serve on any commission/board/authority other than the FCD FCS.

7. Have you attended any DFACS Board meetings in the past two years and, if so, how many?

I have attended at least 8 FCD FCS Board meetings in the past two years.

8. Are you willing to attend seminars or continuing education classes at county expense?

Yes.

9. What is your vision of the county's future related to the duties of the DFACS Board?

The FCD FCS will have to work with the State's newly-created Regional Board to ensure that resources are appropriately allocated to Fayette County's families and that State policies do not create bureaucratic hurdles.

10. Would there be any possible conflict of interest between your employment or your family and you serving on the DFACS Board?

No.

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

No.

12. Describe your current community involvement.

In addition to my active engagement with the Board of Commissioners, I have worked on the projects above and assisted with FCD FCS events for community outreach.

13. Have you been provided a copy of the county's Ethics Ordinance?

I have a copy of the county's Ethics Ordinance and served on the committee that advised the Board of Commissioners on the re-drafting of that ordinance.

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

There is no reason I could not comply with the Ethics Ordinance.

Angela Hinton Fonda



EMPLOYMENT

Chief Counsel
CITY OF ATLANTA - LAW DEPARTMENT

February 2004 – Present
ATLANTA, GEORGIA

EDUCATION

Juris Doctor
DUKE UNIVERSITY SCHOOL OF LAW

1989
DURHAM, NORTH CAROLINA

Activities: Deans' Advisory Council
Moot Court Competition

Bachelor of Arts, Cum Laude
STATE UNIVERSITY OF NEW YORK AT ALBANY

1986
ALBANY, NEW YORK

Major: Rhetoric & Communication
Minor: American History

Activities: Dean's List of Distinguished Students 1984-1986
Purple & Gold, S.U.N.Y. honorary service organization
Competing member of the Equestrian Team

PAST AND PRESENT COMMUNITY INVOLVEMENT

- Fayette County DFCS Board Appointee, Vice Chair (2006 – 2011, and 2011 - 2016).
- Metro Fayette Kiwanis Club, Member (2006 - present).
- Leadership Fayette, Promise Place Project Leader (Class of 2007 – 2008)
- Leadership Savannah, Graduate Member (Class of 1998)

PROFESSIONAL ASSOCIATIONS/ACTIVITIES

- State Bar of Georgia, Access to Justice Committee, Vice Chair, 2014 – Present.
- Lawyers Club of Atlanta, Member, 2013 – Present.
- Global Benchmarking in Procurement, Phase I and II, World Bank, Consulted Expert, 2014 - Present.

COUNTY AGENDA REQUEST

Page 132 of 307

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Consideration of a recommendation from the Selection Committee, comprised of Commissioner David Barlow and Commissioner Charles Rousseau, to re-appoint Pete Nelms to Fayette County's Department of Family and Children Services Board to fill a five-year term beginning July 1, 2016 and expiring June 30, 2021.

Background/History/Details:

The mission of the Georgia Department of Human Resources is to strengthen Georgia's families by supporting their self-sufficiency and helping them protect vulnerable children and adults by being a resource for families; not a substitute. County Boards help to achieve the mission by making the Division of Family and Children's Services programs more meaningful to the families and children they are designed to serve. With the help of Board Members, the Division of Family and Children Services will help disadvantaged individuals and families progress toward independence in many aspects of their lives.

Fayette County's Board of Family and Children Services is made up of five volunteering citizens from across the county. Each member has been appointed to the Board by the Fayette County Board of Commissioners for a five-year term. Each Board member serves as a link between the County's Department of Family and Children's Services (DFCS) and the local Fayette County community.

Pete Nelms was re-appointed to the DFCS Board on June 23, 2011 by the Board of Commissioners to serve a five-year term beginning July 1, 2011 and expiring June 30, 2016 by a 4-1 vote with Commissioner Brown voting in opposition.

What action are you seeking from the Board of Commissioners?

Consideration of a recommendation from the Selection Committee, comprised of Commissioner David Barlow and Commissioner Charles Rousseau, to re-appoint Pete Nelms to Fayette County's Department of Family and Children Services Board to fill a five-year term beginning July 1, 2016 and expiring June 30, 2021.

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:

8:30 am

APPLICATION FOR APPOINTMENT
Fayette County Board of Family and Children Services

Thank you for your interest in being considered for appointment to the Fayette County Board of Family and Children Services (DFACS).

The Fayette County Board of Family and Children Services is made up of five volunteering citizens from across the county. Each appointment is for a five-year term, or for the unexpired term of a resigning member. Please do not apply if you will be unable to attend a minimum of eighty percent (80%) of all meetings.

Please take a few minutes to complete the form and answer the questions below and return it with a resume, if available, to Floyd Jones, County Clerk, 140 Stonewall Avenue, West, Suite 100, Fayetteville, GA 30214 no later than 5:00 p.m. on June 24, 2016.

If you have any questions, please call (770) 305-5102.

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

NAME Pete Nelms

ADDRESS [REDACTED]

TELEPHONE (day) _____

(evening) _____

(email address) peten@fayettecountyga.gov

Pete Nelms

Signature

June 3 - 2016

Date

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

30 years
2. Why are you interested in serving on the Fayette County Board of Family and Children Services (DFACS)?

I would like to continue the great work that has been accomplished at DFACS
3. What qualifications and experience do you possess for appointment to the DFACS Board?

I have 20 years on the Board 5 as chairman and have a desire to serve my community
4. List your recent employment experiences to include name of company and position.

Fayette County Dept of Fire and Emergency Services, EMA Director and Division Chief
5. Do you have any past experience relating to the DFACS Board? If so, please describe.

Yes 20 years on the Board and 5 as Chairman
6. Are you currently serving on a commission/board/authority or in an elected capacity with any government?

No
7. Have you attended any DFACS Board meetings in the past two years and, if so, how many?

7 / I was absent at one in the last 2 years

8. Are you willing to attend seminars or continuing education classes at county expense?
Yes

9. What is your vision of the county's future related to the duties of the DFACS Board?

To continue to bring community resources to those who seek the services of DFACS and to continue to with unwavering passion and commitment to reduce dependency on social services in our community.
10. Would there be any possible conflict of interest between your employment or your family and you serving on the DFACS Board?

No

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

No

12. Describe your current community involvement.

DFACS Board Chairman and Fayette Fire Foundation Board member

13. Have you been provided a copy of the county's Ethics Ordinance?

Yes but not sure I have the latest copy
14. Is there any reason you would not be able to comply with the Ethics Ordinance?

Not at all

COUNTY AGENDA REQUEST

Page 135 of 307

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Consideration of a recommendation from the Selection Committee, comprised of Commissioner David Barlow and Commissioner Charles Rousseau, to re-appoint Major Anthony Rhodes, of the Fayette County Sheriff's Office, to Fayette County's Department of Family and Children Services Board to fill a five-year term beginning July 1, 2016 and expiring June 30, 2021.

Background/History/Details:

The mission of the Georgia Department of Human Resources is to strengthen Georgia's families by supporting their self-sufficiency and helping them protect vulnerable children and adults by being a resource for families; not a substitute. County Boards help to achieve the mission by making the Division of Family and Children's Services programs more meaningful to the families and children they are designed to serve. With the help of Board Members, the Division of Family and Children Services will help disadvantaged individuals and families progress toward independence in many aspects of their lives.

Fayette County's Board of Family and Children Services is made up of five volunteering citizens from across the county. Each member has been appointed to the Board by the Fayette County Board of Commissioners for a five-year term. Each Board member serves as a link between the County's Department of Family and Children's Services (DFCS) and the local Fayette County community.

Major Anthony Rhodes was recommended by the Selection Committee comprised of then, Chairman Steve Brown and Commissioner Allen McCarty and DFCS Director Susan Boggs to be appointed to the DFCS Board in May 2014 to an unexpired term replacing Ms. Carol Colon.

What action are you seeking from the Board of Commissioners?

Approval of a recommendation from the Selection Committee, comprised of Commissioner David Barlow and Commissioner Charles Rousseau, to re-appoint Major Anthony Rhodes, of the Fayette County Sheriff's Office, to Fayette County's Department of Family and Children Services Board to fill a five-year term beginning July 1, 2016 and expiring June 30, 2021.

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:

APPLICATION FOR APPOINTMENT
Fayette County Board of Family and Children Services

Thank you for your interest in being considered for appointment to the Fayette County Board of Family and Children Services (DFACS).

The Fayette County Board of Family and Children Services is made up of five volunteering citizens from across the county. Each appointment is for a five-year term, or for the unexpired term of a resigning member. Please do not apply if you will be unable to attend a minimum of eighty percent (80%) of all meetings.

Please take a few minutes to complete the form and answer the questions below and return it with a resume, if available, to Floyd Jones, County Clerk, 140 Stonewall Avenue, West, Suite 100, Fayetteville, GA 30214 no later than 5:00 p.m. on June 24, 2016.

If you have any questions, please call (770) 305-5102.

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

NAME Anthony Rhodes
ADDRESS 145 Johnson Ave
Fayetteville Ga 30214

TELEPHONE (day) _____

(evening) _____

(email address) arhodes@fayettecountyga.gov

ARhodes
Signature

060616
Date

Anthony Alexander Rhodes

arhodes@fayettecountyga.gov

Job Objective: To utilize the knowledge and skills I have acquired in the criminal justice field to lead and motivate a police agency.

Education: Georgia State University, Atlanta Georgia
Bachelor of Science in Criminal Justice (1998)

Work Experience Fayette County Sheriff's Office
Major and Director of the Jail Division July 2013 to present
Captain in the Jail Division January 2013 to July 2013
Lieutenant in the Criminal Investigation Division 2012-2013
Sergeant in the Criminal Investigation Division 2008-2011
Sergeant response for School Resource Officers 2003-2008
Deputy Sheriff, July 1993 – present

As the Director of the Jail Division I am responsible for directing the daily operations of the Jail Division. My duties include supervising the development and administration of the annual budget: monitors expenditures within approved budget and ensures expenditures are within established procedures. My duties also involve overseeing inmate related matters including requests, grievances, and disciplinary actions. Coordinate and supervise the efforts of contracted services. Supervise and coordinate the daily operations of the county jail. My duties also include managing, supervising, approving or disapproves reports, bonds and written reports.

Training

First Line Supervisor Leadership Management 2011
Active Shooter Response 2010
Critical Incident Response School Violence 2004
School Policing School Resource Officer 2004
Death Investigations 2002
Legal Procedures Law, Liability for Juveniles 2000
P.O.S.T. Certified School Resource Officer 1999

Special Skills

Reid technique Interview and Interrogations 2008
Member of the Fayette County SWAT team 2001-2007

Honors/Awards

Griffin Judicial Circuit "White Collar Investigations Award" 2011
The American Legion Certificate of Commendation 2002
Meritorious Service Award 1998

1. How long have you been a resident of Fayette County?
2. Why are you interested in serving on the Fayette County Board of Family and Children Services (DFACS)?
3. What qualifications and experience do you possess for appointment to the DFACS Board?
4. List your recent employment experiences to include name of company and position.
5. Do you have any past experience relating to the DFACS Board? If so, please describe.
6. Are you currently serving on a commission/board/authority or in an elected capacity with any government?
7. Have you attended any DFACS Board meetings in the past two years and, if so, how many?
8. Are you willing to attend seminars or continuing education classes at county expense?
9. What is your vision of the county's future related to the duties of the DFACS Board?
10. Would there be any possible conflict of interest between your employment or your family and you serving on the DFACS Board?
11. Are you in any way related to a County Elected Official or County employee? If so, please describe.
12. Describe your current community involvement.
13. Have you been provided a copy of the county's Ethics Ordinance?
14. Is there any reason you would not be able to comply with the Ethics Ordinance?

Answer to DEFAC's Questionnaire

- 1. I am not a resident of Fayette I currently live in Coweta County. I have been an employee of Fayette County for 23 years.**
- 2. I am currently a board member and I want to further serve Fayette County in a different aspect then Law Enforcement.**
- 3. I have a lengthy history of working with youth in Fayette County I was a School Resource Officer at Sandy Creek High School for seven years. During that time I had a lot of interaction with DEFAC's and I assigned them on several cases involving children in the elementary schools, middle schools and high school.**
- 4. I currently work for the Fayette County Sheriff's Office. I am currently the Director of the Jail Division.**
- 5. Yes I have been a Board Member on the DEFAC's Board for the last year.**
- 6. I am currently a Board Member for Fayette Alliance Connecting Together Our Resources. Fayette Factor.**
- 7. Yes I am currently a Board Member**
- 8. Yes**
- 9. My vision is to improve the quality of life for families and children in the county.**
- 10. No**
- 11. No**
- 12. I am currently a Board Member for Fayette Factor and I have been involved in Back to School programs involving Fayette Factor which gets supplies from book bags for children returning to school.**
- 13. Yes**

14. No

COUNTY AGENDA REQUEST

Page 141 of 307

Department: Legal

Presenter(s): Commissioner Randy Ognio

Meeting Date: Thursday, August 25, 2016

Type of Request: New Business #13

Wording for the Agenda:

Consideration of Commissioner Ognio's recommendation to adopt Ordinance 2016-10- Records Retention and the Records Retention Schedule as set forth by the Division of Archives and History of the University System of Georgia.

Background/History/Details:

The Division of Archives and History of the University System of Georgia has established a Records Retention Schedule. Records Retention Schedules are adopted to ensure that all public records are maintained in such a way as to reduce costs and improve efficiency in record keeping.

The ordinance establishes the County Clerk as the officer to coordinate and perform all responsibilities required under state law in the management of the public records for the county. It also authorizes the County Clerk to recommend a records retention schedule.

The recommended records retention schedule is provided as "Exhibit A" to the ordinance.

A red-line version of the Records Retention Schedule ("Exhibit B") is provided showing modifications recommended by various Department Heads. The red-line changes are incorporated into the Final Records Retention Schedule

What action are you seeking from the Board of Commissioners?

Approval of staff's recommendation to adopt Ordinance 2016-10- Records Retention and the Records Retention Schedule as set forth by the Division of Archives and History of the University System of Georgia.

If this item requires funding, please describe:

Not Applicable.

Has this request been considered within the past two years? No

If so, when?

Is Audio-Visual Equipment Required for this Request?* No

Backup Provided with Request? Yes

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

Approved by Finance Not Applicable

Reviewed by Legal

Approved by Purchasing Not Applicable

County Clerk's Approval Yes

Administrator's Approval

Staff Notes:

This request is made in conjunction with New Business Item #14.

ORDINANCE 2016-10

RECORDS RETENTION SCHEDULE

FINAL FORM VERSION

COUNTY OF FAYETTE

STATE OF GEORGIA

ORDINANCE

NO. 2016-10

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF FAYETTE COUNTY, GEORGIA; TO ADOPT A RECORDS RETENTION SCHEDULE SET FORTH BY THE DIVISION OF ARCHIVES AND HISTORY OF THE UNIVERSITY SYSTEM OF GEORGIA; TO PROMOTE THE PUBLIC HEALTH, SAFETY AND WELFARE; AND FOR OTHER PURPOSES.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF FAYETTE COUNTY, GEORGIA AND IT IS HEREBY ENACTED PURSUANT TO THE AUTHORITY OF THE SAME BY AMENDING ARTICLE I OF CHAPTER 2 OF THE CODE OF ORDINANCES OF FAYETTE COUNTY, GEORGIA TO PROVIDE A RECORDS RETENTION SCHEDULE AS FOLLOWS:

Section 1. By adding a new section to Article I of Chapter 2 of the Code of Ordinances of Fayette County, Georgia to be numbered and to read as follows:

Sec. 2-3. Records retention schedule; officer responsible.

(a) The records retention scheduled is adopted by the Board of Commissioners of Fayette County, Georgia this ____ day of _____, 2016. The records retention schedule is adopted to ensure that all public records of Fayette County, Georgia are adequately maintained in such a way as to reduce costs and improve efficiency in record keeping.

(b) The County Clerk shall be the officer to coordinate and perform all responsibilities required under state law in the management of the public records for Fayette County, Georgia.

(c) The County Clerk shall recommend a records retention schedule. This schedule shall include an inventory of the type of records maintained and the length of time each type of record shall be maintained in the office or in a record-holding area. These retention periods shall be based on the legal, fiscal, administrative, and historical needs for the record. The recommendation from the County Clerk for the records retention schedule for Fayette County, Georgia is attached as Exhibit "A" hereto, with said Exhibit "A" being incorporated into this ordinance by this reference.

(d) Upon approval by the Board of Commissioners of Fayette County, Georgia, such recommended records retention schedule shall become the records retention schedule of Fayette County, Georgia.

Section 2. This Ordinance shall become effective immediately upon its adoption by the Board of Commissioners of Fayette County, Georgia.

Section 3. All other ordinances or resolutions or parts of ordinances or resolutions which are in conflict with this Ordinance are hereby repealed.

Section 4. In the event any section, subsection, sentence, clause or phrase of this Ordinance shall be declared or adjudged invalid or unconstitutional, such adjudication shall in no manner affect other sections, subsections, sentences, clauses or phrases of

this Ordinance, which shall remain in full force and effect as if the section, subsection, sentence, clause or phrase so declared or adjudged invalid or unconstitutional were not a part thereof. The Board of Commissioners hereby declares that it would have passed the remaining parts of this Ordinance if it had known that such part or parts hereof would be declared or adjudged invalid or unconstitutional.

SO ORDAINED this ____ day of _____, 2016

BOARD OF COMMISSIONERS
OF FAYETTE COUNTY, GEORGIA

(SEAL)

By: _____
CHARLES W. ODDO, Chairman

ATTEST:

Floyd R. Jones, County Clerk

Approved as to form:

County Attorney

ORDINANCE 2016-10
RECORDS RETENTION SCHEDULE

EXHIBIT A

EXHIBIT “A”**FAYETTE COUNTY, GEORGIA (the “County”)****RECORDS RETENTION SCHEDULE****ACCOUNTING**

Accounts Payable Files – Records documenting payments made by the County for services rendered or items purchased.

Retention: 5 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. §§ 11-2-725; 36-11-1

Accounts Receivable Files – Records documenting monies owed to and collected by the County.

Retention: 5 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 11-2-725

Annual Financial Statement – Annual reports of the accounts, income and liabilities of the County.

Retention: Permanent

Classification: Permanent

Legal Citation: O.C.G.A. §§ 36-1-6; 36-81-8

Bank Loan Records – Include outstanding financial obligations incurred by the County in the form of bank loans.

Retention: 5 years after settlement of loan

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 9-3-25

Bank Statements – Periodic computations of deposits and credits to a bank account.

Retention: 5 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 9-3-25

Bids and Competitive Selection Records – Records documenting quotes by vendors to supply products or services to the County.

Retention: Capital Improvement Projects: 11 years; All other records: 7 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. §§ 9-3-24; 9-3-51; 11-2-725; 36-91-20

Cancelled Checks, Vouchers, and EFTs – Copies (or originals) of paid warrants.

Retention: 5 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 9-3-25

Capital Improvement Bonds, Retired – Documenting the repayment of funds raised through bond issues.

Retention: 5 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. §§ 9-3-25; 36-1-8

Cash Balances and Reconciliations – Records documenting cash balances, receipts and disbursements completed during the day.

Retention: 5 years

Classification: Temporary – Short Term

Legal Citations: O.C.G.A. § 9-3-25

Collection Records – Records documenting the County's efforts to collect unpaid accounts.

Retention: 5 years after account paid in full or deemed uncollectable

Classification: Temporary – Short Term

Legal Citations: O.C.G.A. § 9-3-25

Archival Instructions: Vital Record – duplicate and store offsite

Contracts and Agreements – Records documenting services and products provided to the County for a specified cost and period of time.

Retention: Capital Improvement Projects: 10 years after expiration. Other Contracts: 7 years after expiration

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. §§ 9-3-24; 9-3-26; 36-91-20

Contracts, Employee – Service contracts between an individual and the County.

Retention: 7 years after expiration

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 36-1-11

Cost Accounting Reports – Financial reports by cost center of all expenditures.

Retention: 3 years

Classification: Temporary – Short Term

Credit Card Administration Records – Records documenting administration of credit cards issued to individual staff or offices.

Retention: 7 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 9-3-24

Deposit Slips and Reconciliations – Documents recording transactions in a bank account.

Retention: 5 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 9-3-25
 Federal and State Grant Project Files – Records documenting federal- and state-funded projects.

Retention: 3 years after submission of final financial report

Classification: Temporary – Short Term

Legal Citation: Uniform Requirements for Grants and Cooperative Agreements Between State and Local Governments (Common Rule): O.C.G.A. § 36-87-1

Federal Revenue Sharing Records – Records documenting federal, state and county revenue-sharing; includes summaries, expenditures, and investments.

Retention: 5 years after submission of final report

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 36-87-2

General Ledger and Trial Balances – Record of final entry for all financial transactions.

Retention: 7 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 9-3-24

Investment Records – Records documenting the savings and investments of funds.

Retention: 7 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 36-1-8

Invoices – Records requesting payment for goods and services provided to the County.

Retention: 10 years

Classification: Temporary – Short Term

Legal Citation: Listings of County-owned property and equipment

Journal Entries (Journal Vouchers) – Adjustments to financial accounts.

Retention: 5 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 9-3-25

Archival Instructions: Vital Record – duplicate and store offsite

Journals and Registers – Financial logs recording detailed transactions, encumbrances, and obligations of the County.

Retention: 5 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 9-3-25

Moving Expenses – Records documenting a new employee's moving and travel expenses paid by the County.

Retention: 5 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 9-3-26

Official Bonds and Oaths – Bonds required of local officials and custodians of funds.

Retention: 5 years after expiration of term

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. §§ 20-2-104; 36-6-2; 36-6-3; 36-6-4; 45-8-9

Outstanding Obligations – Documents the unpaid accounts of the County.

Retention: 5 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 9-3-25

Payment Schedules – Schedules of the deferred payment of goods, equipment and services.

Retention: 5 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 9-3-25

Professional Membership Records – Records documenting County-paid individual memberships and activities in professional organizations.

Retention: Permanent

Classification: Permanent

Legal Citation: O.C.G.A. § 9-3-26

Receipts – Documentation of monies collected.

Retention: 10 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. §§ 11-2-201; 11-2-725

Reconciliations – Periodic reconciliations of accounts within operating and general ledgers.

Retention: 5 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 9-3-25

Refund/Disbursement Requests – Records documenting requests and disbursements made for overpayment of funds.

Retention: 4 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. §§ 9-3-25; 11-2-725

Returned Checks – Records documenting attempts to collect monies for non-negotiable (usually insufficient funds) checks received for payment to County accounts.

Retention: 5 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 11-2-725

Signature Authorizations – Records documenting the certification of employees who are authorized to sign fiscal and contractual documents.

Retention: 7 years after authorization expires

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 9-3-24

Travel – Registration Fee Payments – Records documenting payment of registration fees which are not considered travel expenses.

Retention: 4 years

Classification: Temporary – Short Term

Travel Authorization and Reimbursement Records – Records documenting requests for authorization from supervisors to travel on official business and related material, such as reimbursement of expenses and itineraries.

Retention: 3 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 50-6-7; Government Accounting Manual for the State of Georgia

ADMINISTRATION

Accident Reports – Reports of accidents involving County-owned vehicles.

Retention: 7 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 9-3-33

Annual and Ad Hoc Narrative Reports – Annual and ad hoc narrative reports that describe County functions and activities.

Retention: Permanent. Retain 1 copy. Destroy all others when no longer useful

Classification: Permanent

Code Violations – Any violations of the Code of Ordinances pertaining to property.

Retention: Permanent

Classification: Permanent

Correspondence, Fiscal – Records documenting purchases, issuance of fiscal policy, or obligations and revenues.

Retention: 5 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. §§ 9-3-25; 11-2-725

Correspondence, General – Correspondence related to day-to-day operations of the office.

Retention: 5 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 9-3-25

Crisis or Disaster Records – Records documenting events and damages to County property due to storms, riots, fires, drought, floods, and other acts affecting the citizens or County facilities; may include photos, logs, reports, notes, and correspondence.

Retention: Permanent

Classification: Permanent

Legal Citation: O.C.G.A. §§ 9-3-32; 38-3-30

Daily Broadcast Logs – Records documenting County daily broadcast activities via radio or television.

Retention: 2 years

Classification: Temporary – Short Term

Legal Citation: 47 C.F.R. 1073.1840

Daily/Monthly Activity Reports – Record of daily/monthly activities.

Retention: 7 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 9-3-25

DCA Mandated Surveys – Surveys required by the Department of Community Affairs; includes, but is not limited to, Solid Waste Management Survey and Full Cost Report, Report of Local Government Finances, Independent Authority Board Indebtedness Form, Wage and Salary Survey, and Government Management Indicators Survey.

Retention: 5 years

Classification: Temporary – Short Term

Deeds and Condo Plats – Records documenting individual ownership for properties that are filed with the County.

Retention: Permanent

Classification: Permanent

Legal Citation: O.C.G.A. § 44-2-25

Deeds, Right-of-Way – Records authorizing use of land for road widening or public works.

Retention: Permanent

Classification: Permanent

Deeds, Security – Deeds to properties on which the County holds the second mortgage.

Retention: 5 years after final payment

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. §§ 44-2-25; 44-14-60

e-Certified Mail and Return Receipts – Technology implemented to replace the “Green Card” certified mail receipts.

Retention: 6 years

Classification: Temporary – Short Term

Archival Instructions: Note: system will store receipts for 7 years

Easements – Records documenting the granting of access by a property owner to the County to run wiring, water or sewage pipes, and other public works (or other reasons).

Retention: Permanent

Classification: Permanent

Emergency Preparedness Plans, Superseded – Business recovery plans for man-made and natural disasters.

Retention: 5 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 9-3-32

Emergency Relief Records – Records documenting eligibility for financial assistance following a natural or other type of disaster.

Retention: Permanent

Classification: Permanent

Federal and State Grant Final Reports – Final narrative summary submitted according to requirements of the funding agency.

Retention: Permanent

Classification: Permanent

Legal Citation: Uniform Requirements for Grants and Cooperative Agreements Between State and Local Governments (Common Rule)

Historic Preservation Files – Records documenting preservation of local landmarks and buildings.

Retention: Permanent

Classification: Permanent

Maps and Plats, Copies – Copies of maps and plats used for reference purposes.

Retention: Permanent

Classification: Permanent

Maps, Plats and Drawings – Records documenting the location of roads, subdivisions, water and sewage lines.

Retention: Permanent

Classification: Permanent

Legal Citation: O.C.G.A. §§ 36-7-9; 44-2-26

Meeting Notices – Official notification of the time and place of regular and special meetings.

Retention: 5 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 50-14-1

Minutes and Agendas – Official record of County meetings and the decisions made.

Retention: Permanent

Classification: Permanent

Legal Citation: O.C.G.A. § 36-1-25

Open Records Act Requests and Correspondence – Inquiries from members of the public requesting access to information under the Georgia Open Records Act (O.C.G.A. §§ 50-18-70 et seq.).

Retention: Permanent

Classification: Permanent

Petitions – Signatures of local residents requesting action by the County on a specific issue.

Retention: 5 years and resolution of issue

Classification: Temporary – Short Term

Photographs – Aerial and other photographs of county property and functions.

Retention: Permanent

Classification: Permanent'

Policies and Procedures – Standard operating practice for business processes.

Retention: Permanent. Retain 1 copy

Classification: Permanent [Is there a need to retain prior versions?]

Printing Service Files – Includes printing requests, cost estimates, mock-ups, proofs, and printing plates.

Retention: 1 year after superseded

Classification: Temporary – Short Term

Publications – Newsletters, handbooks, pamphlets, and brochures published by the County.

Retention: Permanent. Retain 1 copy

Classification: Permanent

Relocation Assistance Files – Records documenting financial assistance to individuals searching for new homes under the Community Development Program.

Retention: 5 years

Classification: Temporary – Short Term

Reports, Public – Quarterly and other narrative reports (not annual) that describe County functions and activities.

Retention: 3 years

Classification: Temporary – Short Term

Resolutions and Ordinances – Local laws and actions adopted by the Board of Commissioners.

Retention: Permanent

Classification: Permanent

Right-of-Way Agreements – Agreements with property owners specifying the terms and access to property for public works purposes.

Retention: Permanent

Classification: Permanent

Speeches – Records relating to public speaking engagements of local officials.

Retention: Permanent

Classification: Permanent

Visitors Logs and Sign-In Sheets – Consists of sign-in forms or sheets generally located at the County's reception desk to document visitors to the facility.

Retention: 2 years

Classification: Temporary – Short Term

ADMINISTRATIVE SUPPORT

Blank Forms and Duplicates – Extra copies of blank forms and duplicates of reports or other materials that are no longer needed.

Retention: Retain for useful life

Classification: Transitory

Calendars – Desk calendars and other scheduling media.

Retention: Retain until no longer useful

Classification: Transitory

Certified Mail Logs – Receipt books containing records of certified mail sent out.

Retention: Permanent

Classification: Permanent

Data Input Forms – Any type of forms used to collect information for input into electronic form.

Retention: Destroy upon verification/audit of data entry

Classification: Temporary – Short Term

Email Messages – Text documents which are created, stored, and delivered in an electronic format; email is a communication tool, equivalent to paper, microfilm, etc. in status; retention of email is decided by the CONTENT not the format of the record.

Retention: Transitory; Administrative Support; or Policy and Program

Legal Citation: O.C.G.A., §§ 45-6-1; 50-18-70 (a)

Emails, Administrative Support – Messages of a facilitative nature created or received in the course of administering programs; examples – correspondence, daily/weekly activity reports, appointments.

Retention: Identify functional content (financial, administrative, etc.) and consult relevant common schedules

Classification: Temporary – Short Term

Emails, Policy and Program – Messages documenting the formulation and adoption of policies and procedures and the management of County programs or functions; examples – case file management, constituent correspondence, periodic reports, budget documents.

Retention: Identify functional content (financial, administrative, etc.) and consult relevant common schedules

Emails, Transitory – Messages of short-term interest with no documentary or evidential value; examples – routine requests for publications; transmittal letters; County event notices (holidays, parties, charitable campaigns).

Retention: Retain for useful life

Classification: Transitory

Indexes – Provide a ready reference or pointer into larger sets of records.

Retention: Retain until destruction of indexed set of records

Classification: Temporary – Short Term

Mailing Lists – Various standard lists of names and addresses.

Retention: Retain for useful life

Classification: Transitory

Newsclippings and Scrapbooks – Copies of news articles and photos maintained by the County as an historical record of activities.

Retention: Newspaper Clippings: Retain for useful life; Scrapbooks: Permanent

Classification: Permanent

Reference Files – Copies of records, publications, and other materials used to answer routine inquiries and questions.

Retention: Retain for useful life

Classification: Transitory

Telephone and Fax Machine Contact Logs – Lists of telephone and fax machine contacts and related data.

Retention: Retain for useful life

Classification: Transitory

Telephone Return Message Records – While You Were Out message slips and related data.

Retention: Retain for useful life

Classification: Transitory

AUDITS

Audit Reports – Reports prepared by external auditors examining and verifying the County's financial activities for a defined period of time.

Retention: Permanent

Classification: Permanent

Legal Citation: O.C.G.A. §§ 36-11-2; 36-81-7

Internal Auditing Records – Records documenting the conduct of an internal review of County financial accounts and processes.

Retention: 7 years
 Classification: Temporary – Short Term
 Legal Citation: O.C.G.A. §§ 36-11-2; 36-81-7

BUDGETING

Budget Maintenance Records – Records documenting changes made in the County’s initial budget including change requests, request authorizations, funds transfers, and other records.

Retention: 6 years
 Classification: Temporary – Short Term
 Legal Citation: O.C.G.A. §§ 45-8-9; 45-12-83; 45-12-87

Budget Reports – Reports documenting the status of the County’s budget.

Retention: 6 years
 Classification: Temporary – Short Term

Archival Instructions: Vital Record – duplicate and store offsite (latest copy)

Budget Request Records – Records documenting the preparation of a budget request package and reporting of the status of funds, requesting amendments of allotments, and reporting program performance.

Retention: 5 years after the end of the fiscal year
 Classification: Temporary – Short Term
 Legal Citation: O.C.G.A. § 36-81-5

Cooperative Federal Programs Budget Preparation, Project, and Allocation Records – Records used to develop, estimate, propose, and plan preliminary budget requests for cooperative state/federal programs and reflects the process by which annual budget allotments are distributed.

Retention: 5 years after the end of the fiscal year
 Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 9-3-25; OMB Circular A-102, Grants and Cooperative Agreements with State and Local Governments

Final Budgets – Includes the final approved budget for the County.

Retention: Permanent

Classification: Permanent

Legal Citation: O.C.G.A. § 36-81-5

BUILDING

Blueprints and Specifications, As-Built – Plans and specifications submitted by contractors when applying for building permits.

Retention: Permanent

Classification: Permanent

Blueprints and Specifications, Interim and Never Constructed – Plans and specifications submitted by contractors when applying for building permits; these buildings were never constructed or plans were altered prior to construction.

Retention: Permanent

Classification: Permanent

Legal Citation: O.C.G.A. § 9-3-24

Building Codes – Published code books containing building standards.

Retention: Permanent

Classification: Permanent

Legal Citation: O.C.G.A. §§ 8-2-28; 36-13-1

Certificates of Occupancy – Records documenting compliance with minimum standards required by the safety fire laws.

Retention: Permanent

Classification: Permanent

Demolition Records – Records relating to the demolition and clearance of buildings deemed unfit for habitation.

Retention: Permanent

Classification: Permanent

Legal Citation: O.C.G.A. § 8-4-3

Rehabilitation Applications, Inactive – Applications from owners of substandard property for financial assistance to improve property.

Retention: 5 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 36-44-3

Sewage Disposal System Inspection Reports – Records documenting the inspection of building sewage systems for compliance with building codes.

Retention: 2 years

Classification: Temporary – Short Term

Street Address Lists – Listings of streets and house numbers.

Retention: Retain for useful life

Classification: Transitory

CEMETERY

Internment Records – Provide a cross-reference for other cemetery records by listing name of deceased, location, costs, and date of burial.

Retention: Permanent

Classification: Permanent

Lot Owner Card Files – Description of cemetery plots that provides owner name, date of purchase, and deed number.

Retention: Permanent

Classification: Permanent

Registers – Lists of cemetery plots indicating location, purchaser, and deed numbers.

Retention: Permanent

Classification: Permanent

ELECTIONS

Absentee Ballot Records – Registrar – Absentee ballot applications.

Retention: 2 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. §§ 21-2-381 (a), (b); 21-2-384 (d); 21-2-386 (a), (d); 21-2-387; 21-2-388

Absentee Voter Lists – Registrar – List of certified absentee voters.

Retention: 2 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 21-2-386 (a)

Appointment and Resignation Records – Records relating to the appointment and resignation of election officials.

Retention: 2 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. §§ 21-2-90 thru 95; 21-2-70 (6), (14); 21-2-70.1; 21-2-212; 21-2-213

Appointment Files – Precinct Manager, Clerks and Voting Equipment Custodians – Oaths, lists, orders and correspondence relating to the appointment of Precinct Managers, Clerks and Voting Equipment Custodians.

Retention: 2 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. §§ 21-2-90; 21-2-93; 21-2-94; 21-2-95; 21-2-359 (b); 21-2-405

Appointment, Commissioning and Resignation Papers of Registrars and Deputy Registrars – Certificates, appointments, notifications, resignations, oaths of office.

Retention: 2 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 21-2-212

Ballot Samples and Labels – Samples or facsimiles of ballots and ballot labels.

Retention: 2 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. §§ 21-2-292; 21-2-400

Budget Estimates – Registrar – Records and working papers related to the cost estimates for holding an election.

Retention: 4 years
 Classification: Temporary – Short Term
 Legal Citation: O.C.G.A. § 21-2-212 (f)

Budget Estimates – Superintendent – All records relating to election budgetary needs.

Retention: 4 years
 Classification: Temporary – Short Term
 Legal Citation: O.C.G.A. §§ 21-2-70 (12); 21-2-71

Calls for Elections – Records relating to the calling of bond elections, special elections, nonpartisan primaries, and recall elections by a governing authority.

Retention: 2 years
 Classification: Temporary – Short Term
 Legal Citation: O.C.G.A. §§ 21-2-540; 21-2-541; 21-2-541.2; 21-4-13

Calls for Special Primaries and Elections – Records related to the announcement of a special primary or election.

Retention: 2 years
 Classification: Temporary – Short Term
 Legal Citation: O.C.G.A. § 21-2-504

Campaign Disclosure Violation/Complaint Records – Superintendent – Complaints received and reports to the State Ethics Commission.

Retention: 5 years
 Classification: Temporary – Short Term
 Legal Citation: O.C.G.A. § 21-5-36

Campaign Financial Disclosure Reports – County Offices/Referendums – Superintendent Copy – Disclosure reports for county offices and county referendums.

Retention: 5 years
 Classification: Temporary – Short Term
 Legal Citation: O.C.G.A. § 21-5-34

Candidate Filing Papers – All records relating to the qualifying of candidates.

Retention: 2 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. §§ 21-2-132; 21-2-134; 21-2-153; 21-2-154; 21-2-170; 21-2-187

Certificates of Election – Certifications of elected candidates.

Retention: Permanent

Classification: Permanent

Legal Citation: O.C.G.A. § 21-2-502

Challenge to Qualifications of Electors – Records relating to the challenge of the qualifications of electors.

Retention: 2 years after removal or rejection from list

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. §§ 21-2-228; 21-2-229; 21-2-230; 21-2-236

Challenges to Qualifications of Candidates – Complaints, petitions, correspondence relating to qualification challenges.

Retention: 2 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 21-2-6

Change of Polling Place – Records relating to the changing of a polling place.

Retention: 2 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 21-2-265

Collection of Qualifying Fees – Receipts, correspondence and transmittals regarding the collection of qualifying fees.

Retention: 2 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 21-2-131

Computing and Canvassing the Vote Records – All records related to the process of computing, tallying and canvassing the vote.

Retention: 2 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. §§ 21-2-472; 21-2-492; 21-2-493

Contested Election/Primary Records – Records related to the resolving of a contested election or primary.

Retention: 2 years after resolution of dispute

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. §§ 21-2-525; 21-2-526; 21-2-527

Correspondence – Superintendent – All correspondence related to the general administration of the office.

Retention: 2 years

Classification: Temporary – Short Term

Court Orders for Opening Voting Machines – Records relating to the examination procedures for voting machines.

Retention: 2 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 21-2-457

Declaration of Intent to Accept Contributions – Superintendent – Declarations by candidates or their campaigns to accept contributions.

Retention: 5 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 21-5-30 (g)

Election Offenses – Superintendent's records relating to the investigation and/or prosecution of election offenses.

Retention: 2 years after close of case

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. §§ 21-4-5; 21-4-6; 21-4-9; 21-4-11; 21-4-13

Election Returns (copies), Ballots and Other Election Materials – Copies of election returns filed with election superintendent, used and voided ballots, tally sheets, oaths and numbered lists of voters.

Retention: 2 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 21-2-110 (b)

Electors List Purchase Records – Registrar – Statements verifying that purchased copies of the electors list will not be used for commercial purposes.

Retention: 2 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 21-2-225 (c)

Electors List – List of all qualified electors for a given primary or election. This is the registrar's retained copy.

Retention: 5 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. §§ 21-2-233; 21-2-227; 22-2-401 (b), (c)

Electors Lists Receipts – Registrar – Receipts for the delivery of electors lists.

Retention: 2 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 21-2-401 (b)

Electors Lists, Marked – Registrar – Marked copy of voter list.

Retention: 5 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 21-2-411

Electors' Change of Residence Cards – Records relating to the change of address for electors.

Retention: Retain last change of address

Classification: Transitory

Legal Citation: O.C.G.A. §§ 21-2-218; 21-2-226 (e); 21-2-234 (c-e)

General and Consolidated Returns – Records related to consolidating voting results.

Retention: 2 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. §§ 21-2-436 (a); 21-2-455; 21-2-496; 21-2-497

List of Convicted Felons – Clerk of Superior Court – List of individuals who have been disenfranchised for a felony conviction.

Retention: 2 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 21-2-231 (a)

List of Disqualified Voters – List of voters who have been disqualified for mental incompetency.

Retention: 2 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 21-2-131 (a-c)

List of Deceased Individuals – Monthly list prepared by Vital Statistics and sent to the Voter Registrar.

Retention: 2 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 21-2-231 (c)

Lists of Persons Assisting Electors – Records documenting statutory compliance with providing assistance to electors.

Retention: 2 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 21-2-409 (a, b)

Lists of Persons Assisting Voters – Names of individuals who assisted voters.

Retention: 2 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 21-2-409

Nomination Petitions and Examination Files – Records relating to the examination of petitions.

Retention: 2 years after election or litigation; whichever is later

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 21-2-171

Notice of No Election – Notification of no election.

Retention: 2 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. §§ 21-2-291; 21-2-545; 21-2-285 (j, k)

Notices of Qualifying Fees – Records relating to the establishment of qualifying fees for county primaries and elections.

Retention: 2 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. §§ 21-2-131; 21-2-132 (c)

Oaths of Assisted Electors – Registrar – Duplicate copy of oath administered to electors requiring voting assistance.

Retention: 2 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 21-2-409 (c)

Oaths of Electors Needing Assistance – Records documenting assistance provided to qualified electors.

Retention: 2 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 21-2-409 (a)

Official List of Qualified Candidates, Constitutional Amendments and Questions – Lists the names of all qualified political candidates, constitutional amendments and other questions certified to be on the election ballot.

Retention: 2 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 21-2-285

Poll Operation and Procedure Records – Records relating to the preparing, opening, operating and closing of a polling location during election day.

Retention: 2 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. §§ 21-2-293; 21-2-294; 21-2-327; 21-2-328; 21-2-329; 21-2-359; 21-2-401; 21-2-450; 21-2-454; 21-2-455; 21-2-492

Polling Place Change Notices – Notices of polling place change.

Retention: 2 years
 Classification: Temporary – Short Term
 Legal Citation: O.C.G.A. § 21-2-265 (a)

Precinct Boundary Changes – All records relating to the change of precinct boundaries.

Retention: Permanent
 Classification: Permanent
 Legal Citation: O.C.G.A. § 21-2-261; CFR 28

Precinct Boundary Files – All records relating to the change in precinct boundaries including but not limited to maps, plats, notifications, reports, correspondence and minutes.

Retention: Permanent
 Classification: Permanent
 Legal Citation: O.C.G.A. §§ 21-2-261; 21-2-262

Publication of Qualifying Fees for County Office – County Officials – All records related to the fixing and publishing of qualifying fees for each county office.

Retention: 2 years
 Classification: Temporary – Short Term

Qualification Fees – Records relating to the fixing and publication of qualification fees.

Retention: 2 years
 Classification: Temporary – Short Term
 Legal Citation: O.C.G.A. § 21-2-131

Racial Breakdown of Electors – Registrar's retained copy of certified report submitted to Secretary of State.

Retention: Permanent
 Classification: Permanent

Recall of Elected Officials – Records relating to the recall process of elected officials.

Retention: 2 years

Classification: Temporary – Short Term

Recount Records – All records related to recounting or re-canvassing the votes cast in an election.

Retention: 2 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 21-2-495

Registration Cancellations – Records relating to the removal of names from electors list.

Retention: 2 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. §§ 21-2-218; 21-2-231; 21-2-232; 21-2-234

Registration Renewal Cards – Cards returned by electors requesting to remain registered.

Retention: 2 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. §§ 21-2-228 (f); 21-2-229 (e); 21-2-231 (e)

Removals of Registrars for Cause – Complaints, notices, court orders and related documents.

Retention: 2 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 21-2-212

Requests for Reimbursement of Precinct Boundary Change Cost – Requests to the Secretary of State for reimbursement boundary changes.

Retention: 2 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. §§ 21-2-261.1; 21-2-264

Special Registration Drive Notices – Notices of voter registration locations and hours.

Retention: 2 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 21-2-215 (e)

Vote Count Discrepancies – Records relating to the reporting and resolving of count discrepancies.

Retention: 4 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 21-2-493

Voter Registration Cards – Registration cards as required by law.

Retention: Permanent for active status; 2 years after deletion for inactive status

Classification: Permanent

Legal Citation: O.C.G.A. § 21-2-236

Voter Registration Correspondence – Records relating to the registration of voters.

Retention: 2 years

Classification: Temporary – Short Term

Voter Registration Maintenance Files – Records relating to registered voters not required by law.

Retention: 2 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 21-2-236

Voters Certificates – Registrar – Certificates of persons who voted.

Retention: 2 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 21-2-411

Voting Machine Custodian/Vote Recorders Oaths – Oaths of voting machine custodians and records of the vote filed with the county clerk.

Retention: 2 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 21-2-359 (b)

Voting Machine/Voter Recorder Certificates – Certificates assuring that vote recorders and machines are in proper order.

Retention: 2 years
 Classification: Temporary – Short Term
 Legal Citation: O.C.G.A. § 21-2-359 (e)

Write-In Candidate Notifications – Records relating to qualifying as a write-in candidate.

Retention: 2 years
 Classification: Temporary – Short Term
 Legal Citation: O.C.G.A. §§ 21-2-133; 21-2-452 (d)

INFORMATION TECHNOLOGY

Computer Inventory Records – Records documenting the assignment of a specific computer to an individual as well as an inventory of the software licensed for that computer; also may include IP address or mailbox assigned to the individual.

Retention: 4 years after computer removed from service or staff leaves the County
 Classification: Temporary – Short Term
 Legal Citation: O.C.G.A. §§ 16-9-93; 45-11-1; 50-5-51; 50-5-80; 50-5-146

Computer System Documentation – Hardware and software manuals and program coding.

Retention: 5 years and migration of all permanent records to new system
 Classification: Temporary – Short Term

Equipment and Network Usage Documentation – Policies and procedures for appropriate use of County equipment and software.

Retention: 4 years after superseded
 Classification: Temporary – Short Term
 Legal Citation: O.C.G.A. § 16-9-93 (g) (4)

Equipment Records – Includes purchase orders, warranties, operations manuals and service contracts for all computer hardware and software.

Retention: 4 years after disposition of equipment'

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. §§ 9-3-32; 16-9-93; 50-5-51; 50-5-80

Network and PC Password and Security Identifications – Records documenting the issuance or selection of a network password and the administration of security on an agency's network.

Retention: 4 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 16-9-93 (g) (4)

System Architecture Documents and Wiring Schematics – Records documenting the location of wiring and the design of the overall County network environment.

Retention: 3 years after obsolete or replaced

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 9-3-33

LEGAL

Attorney Case Files – Documents the work of the County's legal counsel in advising and representing the County.

Retention: 6 years after settlement of case

Classification: Temporary – Short Term

Attorney's Opinions – Interpretations of the law and the County's compliance with the law.

Retention: Permanent

Classification: Permanent

LIBRARY

Accession Records – Master record of all acquisitions.

Retention: Permanent

Classification: Permanent

Archival Instructions: Vital Record – duplicate and store offsite

Circulation and Retrieval Records – Records documenting daily, monthly, and annual reference activity.

Retention: 3 years

Classification: Temporary – Short Term

Inventories – Listing of holdings.

Retention: Retain until superseded

Classification: Transitory

Membership Registrations – Records used to grant borrower or user privileges to patrons.

Retention: 2 years after expiration

Classification: Temporary – Short Term

PAYROLL

Annual Payroll Earnings Reports – Summary of employees' payroll earnings for a fiscal year, including deductions.

Retention: 50 years after the tax year in which the records were created

Classification: Temporary – Long Term

Deduction Authorizations – Records documenting an individual employee's authorization to withhold taxes, to allow direct deposits, and other deductions from the employee's pay.

Retention: 5 years after the end of the fiscal year

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 48-7-111; 26 C.F.R. 31.6001-1

Direct Deposit Records – Including blank checks used to establish direct deposit of employee's paycheck.

Retention: 1 year

Classification: Temporary – Short Term

Employee Retirement Contribution Reports – Documents relating to participation in a County-supported retirement program.

Retention: 6 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. §§ 36-1-11.1; 47-2-26; 48-7-111

Family Medical Leave Act (FMLA) Compliance Records – All records pertaining to FMLA's leave requirements, including dates and hours of FMLA leave; copies of employer notices; documents describing premium payments; employee benefits; and records of disputes over FMLA benefits.

Retention: 3 years

Classification: Temporary – Short Term

Legal Citation: 29 C.F.R. 825.500

Garnishments – Records documenting the withholding of funds from an employee's wages at the request of the courts or a state agency.

Retention: 4 years after release from garnishment

Classification: Temporary – Short Term

Legal Citation: 26 C.F.R. 31.6001-1; 29 C.F.R. 516.5

HIPAA/HITECH Records – Compliance policies and procedures.

Retention: 6 years

Classification: Temporary – Short Term

Legal Citation: 45 C.F.R. 164.316 (b); 45 C.F.R. 164.530 (j)

Periodic Tax Reports – Records documenting taxable and non-taxable income of the County.

Retention: 4 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 48-7-111

Salary and Wage Records – Pre-payroll reports, monthly payroll check registers, monthly fund distribution reports, and payroll action forms.

Retention: 4 years after the end of the fiscal year

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 9-3-25; 26 C.F.R. 31.6001-1

Unclaimed Pay Checks – Checks that remain unclaimed by employees.

Retention: 1 year

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 44-12-206

Unemployment Compensation Records – Documentation related to employee claims for unemployment compensation.

Retention: 5 years after the end of the fiscal year in which the transaction occurred

Classification: Temporary – Short Term

Wage and Rate Tables – Records utilized to calculate straight time and overtime work schedules.

Retention: 2 years

Classification: Temporary – Short Term

Legal Citation: 29 C.F.R. 516.6; 29 C.F.R. 1602.32

Wage and Tax Statements – An information return used to report wages paid to employees and the taxes withheld from them. Includes W-2s.

Retention: 4 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 48-7-111; 26 C.F.R. 31.6001-1

Withholding Allowance Certificates (W-4 Forms) – Federal forms completed by an individual employee to establish the amount of taxes withheld from wages.

Retention: 4 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 48-7-111; 26 C.F.R. 31.6001-1

Work-Time Schedules – Records documenting employees’ daily and weekly work schedules.

Retention: 4 years and settlement of all claims due

Classification: Temporary – Short Term

PERMITS

Alcoholic/Malt Beverage Licenses – Applications to sell beer and wine in the county.

Retention: 7 years after expiration

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 3-2-5

Ambulance Service Applications and Permits, Expired – Records designating a vehicle as an emergency vehicle and providing for emergency lighting on the vehicle.

Retention: 3 years

Classification: Temporary – Short Term

ATF License Application for Collector of Curios and Relics – ATF form F7CR.

Retention: 1 year

Classification: Temporary – Short Term

Building Permit Applications and Permits – Applications from property owners to erect a new structure or make modifications to an existing structure; includes permits allowing construction.

Retention: Permanent

Classification: Permanent

Business License Citation Records – Records documenting citations issued by license inspectors for non-compliance with business license agreements.

Retention: 2 years

Classification: Temporary – Short Term

Business Licenses – Records documenting the issuance of business privilege licenses and license renewal notices.

Retention: 2 years

Classification: Temporary – Short Term

Archival Instructions: Vital Record – duplicate and store offsite

Contractors Licenses, Inactive – Applications for licensing as a general contractor; includes copies of licenses.

Retention: Permanent

Classification: Permanent

Electrical, Gas, and Plumbing Permits – Permits to install or upgrade plumbing fixtures, gas connections, or electrical equipment.

Retention: Permanent

Classification: Permanent

Legal Citation: O.C.G.A. § 36-13-6

Excavation Permits, Expired – Permits to local contractors to excavate in proximity of utility lines.

Retention: 5 years

Classification: Temporary – Short Term

Fingerprint Cards – Beer License Application Files, Expired – Fingerprints and identification records for individuals applying for a beer license.

Retention: 5 years

Classification: Temporary – Short Term

House Moving Applications – Records documenting the review and approval of permits to relocate houses.

Retention: Permanent

Classification: Permanent

Master Lists of Business Licenses – Listings of all businesses operating within the County.

Retention: Retain until superseded

Classification: Transitory

Mobile Home Permits, Expired – Records used to register mobile homes for tax purposes and to permit electrical and sewage hook-ups.

Retention: 5 years

Classification: Temporary – Short Term

Record of Permits Issued – Listing of permits issued.

Retention: Permanent

Classification: Permanent

Archival Instructions; Vital Record – duplicate and store offsite

Sign Permits – Applications and permits for temporary signage.

Retention: Permanent

Classification: Permanent

Sign Permits for Permanent Signs – Permits for permanent signs such as subdivision signs.

Retention: Permanent

Classification: Permanent

Tent Permits – Applications for permit to erect a tent for public use.

Retention: Permanent

Classification: Permanent

Trade Certifications, Inactive – Records granting licenses to building tradesmen wanting to work in an area.

Retention: 3 years

Classification: Temporary – Short Term

Vehicles for Hire Permits, Inactive – Records authorizing the issuance of operating permits to taxi cab companies and drivers.

Retention: 5 years

Classification: Temporary – Short Term

Yard Sale Applications and Permits – Applications and permits to hold a yard sale.

Retention: 3 years

Classification: Temporary – Short Term

PERSONNEL

Accident Reports – Reports of employee accidents and injuries; may include workers' compensation claims.

Retention: 2 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. §§ 9-3-33; 36-11-1

Affirmative Action Audits and Annual Reports – Documents County response to federal program reviews, state compliance audits, annual reporting requirements, and internal audits.

Retention: 3 years

Classification: Temporary – Short Term

Legal Citation: 29 C.F.R. 1602.48; 41 C.F.R. 60

Affirmative Action Plans – Records documenting the Count's compliance with the requirements of the Equal Employment Opportunity Commission.

Retention: 3 years

Classification: Temporary – Short Term

Legal Citation: 29 C.F.R. 1602; 41 C.F.R. 60

Applications for Employment, Not Hired – Records documenting applications for job openings.

Retention: 2 years

Classification: Temporary – Short Term

Legal Citation: 29 C.F.R. 1602.31

Applications for Employment, Unsolicited or Incomplete – Records documenting applications for job openings.

Retention: Retain for useful life

Classification: Transitory

Background Surveys – Copies of fingerprint cards and criminal background checks of new or potential employees.

Retention: 7 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 45-20-13

Cafeteria Plan (Flexible Benefits) Records – Records documenting salary reduction-type plans authorized by the Internal Revenue Service.

Retention: 6 years after termination of participation

Legal Citation: IRS Code, Section 125; O.C.G.A. §§ 36-1-11.1; 45-18-52

Continuation of Insurance Benefits (COBRA) Records – Copies of notices required by COBRA; documentation that notices were received; documentation of any circumstance in which COBRA continuation is not offered due to gross misconduct.

Retention: 2 years

Classification: Temporary – Short Term

Legal Citation: 29 U.S.C. 1027 (ERISA requirements); 42 U.S.C. 300bb-1 to 08; 29 U.S.C. 1161 et seq.

Contracts, Employee – Service contracts between an individual and the County.

Retention: 7 years after expiration

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 36-1-11

Converted Personal Leave Request – Records documenting converted personal leave requests.

Retention: 1 year after leave used

Classification: Temporary – Short Term

Drug Testing Records – Records documenting the random drug testing of employees to include pre-employment, and reasonable suspicion.

Retention: Positives and refusals: 5 years; Negatives and cancelled: 2 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 45-20-13

Drug Testing Records – Collection – Records related to the collection process including collection logbooks; documents relating to the random sampling process, and reasonable suspicion testing.

Retention: 2 years

Classification: Temporary – Short Term

Legal Citation: 49 C.F.R. 382.401

Drug Testing Records – Equipment Calibration – Equipment calibration documentation, and other records related to the administration of alcohol and controlled substance testing programs.

Retention: 5 years

Classification: Temporary – Short Term

Legal Citation: 49 C.F.R. 382.401

Employee Assistance Program Case Files – Records documenting the referral and treatment of employees in the County-sponsored assistance program.

Retention: 5 years after employee completes program

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 45-20-13

Employee Grievance Action Case Files, Resolved – Resolution of employee complaints against supervisor or other employee.

Retention: 2 years

Classification: Temporary – Short Term

Legal Citation: 29 C.F.R. 1602.31

Employee Handbooks – Guidelines created to explain the internal operations and procedures of the County to a new employee.

Retention: Permanent

Classification: Permanent

Employee Medical Files, Toxic/Hazardous Substance Exposure – Documentation of employee exposure to hazardous materials.

Retention: 30 years after separation

Classification: Temporary – Long Term

Legal Citation: 29 C.F.R. 1910.1020 (d)

Employee Personnel Files – Permanent Staff – Records documenting an employee's work history with the County, generally maintained as a case file; includes records of continuing education, performance evaluations, disciplinary actions, and background checks.

Retention: 7 years after separation

Classification: Temporary – Long Term

Legal Citation: O.C.G.A. §§ 45-20-13; 47-2-2; 47-2-70 (c); 47-2-92; 47-2-94; 47-2-25

Employee Personnel Files – Temporary Staff – Records documenting the work of temporary staff that accrue no retirement benefits as part of their employment.

Retention: 7 years after no longer employed

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. §§ 36-1-11; 47-2-99

Employee Retirement Plans – Copies of pension plans, both current and past, summarizing benefits and eligibility criteria.

Retention: Permanent. Retain 1 copy

Classification: Permanent

Employee Retirement Records, Inactive – Records including declaration of beneficiary, requests for retirement, insurance authorizations, correspondence, election of option forms, and other related materials.

Retention: 7 years after death of retiree

Classification: Temporary – Long Term

Employee Salary Schedules – Records documenting pay scales and salary levels for all employees.

Retention: Permanent

Classification: Permanent

Employment Eligibility Verification Records – I-9 forms.

Retention: 3 years after date of hire or 1 year after separation, whichever is longer

Classification: Temporary – Short Term

Legal Citation: 8 C.F.R. 274a (2)

Equal Employment Opportunity Commission (EEOC) Charges – Records documenting charges of discrimination filed against the County.

Retention: 2 years or until final disposition of the charge or action

Classification: Temporary – Short Term

Legal Citation: 29 C.F.R. 1602.31

Equal Employment Opportunity Commission (EEOC) Reports – Reports classifying employees by race and gender that document compliance with EEOC rules.

Retention: 3 years

Classification: Temporary – Short Term

Legal Citation: 29 C.F.R. 1630.32

Family Medical Leave Case Files – Records documenting extended absence from work by an employee under provisions of the Family Medical Leave Act.

Retention: 3 years

Classification: Temporary – Short Term

Legal Citation: 29 C.F.R. 1602.31\

Georgia Commission on Equal Opportunity (GCEO) Complaints – Records documenting charges of discrimination filed against the County.

Retention: 2 years or until final disposition of the charge or action

Classification: Temporary – Short Term

Legal Citation: 29 C.R.R. 1602.31

Group Health Insurance Policies, Expired – Group insurance policies held by the County as part of the employee benefits program.

Retention: 10 years

Classification: Temporary – Short Term

Hazardous Materials Exposure Records – Records monitoring the exposure to hazardous materials by employees.

Retention: 30 years

Classification: Temporary – Short Term

Legal Citation: 49 C.F.R. 382.401

Insurance Claims, Closed – Records documenting the administration of a government operated insurance program.

Retention: 8 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. §§ 9-3-31; 9-3-32; 9-3-33

Recruitment Materials – Records documenting efforts to advertise positions and attract qualified personnel.

Retention: 2 years

Classification: Temporary – Short Term

Legal Citation: 29 C.F.R. 1602.31

Leave Records – Records documenting hours worked, leave earned, and leave taken; does not include final leave status.

Retention: 3 years

Classification: Temporary – Short Term

Leave Status, Final – Records documenting cumulative leave held by an individual employee.

Retention: Place in personnel file at separation

Classification: Temporary – Long Term

Legal Citation: O.C.G.A. § 47-2-91

Official Bonds and Oaths – Bonds required of local officials and custodians of funds.

Retention: 5 years after expiration of term

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. §§ 20-2-104; 36-6-2; 36-6-3; 36-6-4; 45-8-9

Position Classification Materials – Records documenting job requirements, description, and salary range.

Retention: 4 years after position is reclassified

Classification: Temporary – Short Term

Legal Citation: 29 C.F.R. 1620.32; 29 C.F.R. 516.5; 29 C.F.R. 516.6

Pre-employment Assessments, Not Hired – Exams taken by those applying for positions with the County.

Retention: 2 years

Classification: Temporary – Short Term

Legal Citation: 29 C.F.R. 1620.31

Retirement Incentive Program Records – Records documenting employees who elect for early retirement under County-sponsored incentive programs.

Retention: 6 years

Classification: Temporary – Short Term

Retirement System Transaction Reports – Status of individual pension accounts including interest, contributions, and withdrawals.

Retention: 10 years after fiscal year in which the record was created

Classification: Temporary – Short Term

S.A.V.E. Affidavits – Affidavits testifying to an individual's right to receive public benefits.

Retention: 3 years

Classification: Temporary – Short Term

Archival Instructions: Retention applies only to those affidavits not maintained as part of another record, such as a contract or bid response

Short/Long Term Disability Leave Files, Non-FMLA – Records documenting extended absence from work by an employee; non-FMLA.

Retention: 3 years

Classification: Temporary – Short Term

Training Records – Records documenting attendance and course content for required continuing education training.

Retention: 5 years

Classification: Temporary – Short Term

Training Records – Breath-Alcohol Testing – Records relating to the training of individuals for breath-alcohol testing.

Retention: 2 years after individual ceases to perform the testing function

Classification: Temporary – Short Term

Legal Citation: 49 C.F.R. 382.401

Unemployment Compensation Records – Documentation related to employee claims for unemployment compensation.

Retention: 5 years after the end of the fiscal year in which the transaction occurred

Classification: Temporary – Short Term

Work-Time Schedules – Records documenting employees’ daily and weekly work schedules.

Retention: 4 years and settlement of all claims due

Classification: Temporary – Short Term

Worker’s Permits – Permits to allow persons under 18 years old to obtain summer employment.

Retention: Return to issuing officer (school board) after termination or failure to appear for 30 days

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 39-2-13

Workers’ Compensation Claims, Closed – Records documenting employee accidents, injuries, and medical claims.

Retention: 4 years and settlement of all claims due

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 9-3-31

PLANNING AND ZONING

Planning Studies and Reports – Studies and reports completed by outside consultants and/or planners.

Retention: Permanent

Classification: Permanent

Residential Blueprints – Residential construction plans and specifications submitted by developers and builders as part of the permit process.

Retention: Permanent

Classification: Permanent

Legal Citation: O.C.G.A. § 9-3-51

Zoning Board Appeals – Appeals of decisions of the Planning and Zoning Department.

Retention: 5 years

Classification: Temporary – Short Term

Zoning Change Requests – Requests from property owners for changes in the zoning of their property.

Retention: 5 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 36-66-4

Zoning Litigation Files – Records documenting the review, evaluation, and decision in rezoning court suits.

Retention: 20 years

Classification: Temporary – Long Term

Zoning Ordinances – Records establishing property usage for commercial, residential, or agricultural purposes.

Retention: Permanent

Classification: Permanent

Legal Citation: O.C.G.A. §§ 36-66-1; 36-66-5

Zoning Variance Applications – Applications for an exception to a zoning ordinance.

Retention: Permanent

Classification: Permanent

Legal Citation: O.C.G.A. § 36-66-4

PROPERTY

Acquisition Records – Records documenting the purchase of property (real and personal) by the County; does not include deeds or titles.

Retention: 5 years

Classification: Temporary – Short Term

Architectural Project Monitoring Files – Monitoring of the construction of County facilities.

Retention: 7 years after project completion

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 9-3-24

Blueprints and Specifications, As-Built – Plans and specifications of County-owned facilities.

Retention: Permanent

Classification: Permanent

Legal Citation: O.C.G.A. § 9-3-51

Archival Instructions: Vital Record – duplicate and store offsite

Building/Grounds Maintenance Remodeling and Repair Records – Documents the condition, upkeep and routine maintenance on County facilities and grounds.

Retention: 7 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 9-3-24

Capital Construction Project Records – Provides a record of the planning, administration and implementation of capital construction projects; includes project descriptions and requirements, bid records, plan reviews, project schedules, contract changes, consultant contracts, and budgets.

Retention: 11 years after completion of project

Classification: Temporary – Long Term

Legal Citation: O.C.G.A. § 51-1-11

Depreciation Schedules – Records documenting useful life and depreciation of County-owned equipment and property, usually for insurance purposes.

Retention: 3 years after disposition of equipment or property

Classification: Temporary – Short Term

Equipment and Vehicle Purchases – Records documenting the purchase of County-owned vehicles.

Retention: 5 years after disposition of equipment

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 9-3-31

Equipment Maintenance Records – Includes purchase orders, warranties, operating manuals, service contracts and service logs for maintenance of County-owned equipment and vehicles.

Retention: 5 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. §§ 9-3-31; 9-3-32

Facility Inspection Files and Reports – Records documenting inspection of facilities to comply with standards, rules, and codes affecting health and safety of the occupants; includes security and safety inspections.

Retention: Building Age 0-8 years: 11 years. Building Age 9 years and up: 3 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. §§ 9-3-33; 9-3-51

Facility/Building Security Records – Records documenting security measures and procedures.

Retention: 5 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 9-3-30

Federal Property Records – Records documenting the loan or lease of federal government equipment.

Retention: 7 years after expiration of contract or disposal of equipment

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 9-3-24

Fuel and Oil Usage Reports – Periodic reports of the consumption of diesel, gas, and oil in government-owned vehicles.

Retention: 3 years

Classification: Temporary – Short Term

Fuel Tax Reports – Periodic reports of taxable and nontaxable diesel fuel usage by government-owned vehicles.

Retention: 3 years

Classification: Temporary – Short Term

Government Equipment Lease Records – Records documenting the lease of government equipment (federal or state) by the County.

Retention: 7 years after expiration of lease

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 9-3-24

Insurance Fund Claims – Records documenting requests for payment of insurance claims.

Retention: 5 years after claim is paid or denied

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. §§ 9-3-31; 9-3-32; 9-3-33

Insurance Policies – Records documenting insurance purchase for County facilities or of membership in risk management cooperatives.

Retention: 7 years after expiration of policy or membership

Classification: Temporary – Long Term

Legal Citation: O.C.G.A. § 9-3-24

Inventories – Listings of County-owned property and equipment.

Retention: Retain until superseded

Classification: Transitory

Archival Instructions: Vital Record – duplicate and store offsite

Leasing and Rental Records – Records documenting leasing or renting of land, buildings, or facilities.

Retention: 7 years after expiration (or termination) of contract

Classification: Temporary – Long Term

Legal Citation: O.C.G.A. § 9-3-24

Maintenance Schedules – Schedules for maintenance of County-owned equipment and vehicles.

Retention: 5 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 9-3-26

Motor Pool Vehicle Records – Records documenting reservation and use of motor pool vehicles by County personnel and gasoline usage by motor pool vehicles.

Retention: 5 years

Classification: Temporary – Short Term

Property Disposition Requests (Surplus Property Records) – Documents requesting change in status of County-owned property.

Retention: 5 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 9-3-26

Real Property Ownership Records – Deeds and supporting documentation for land owned by the County.

Retention: Permanent

Classification: Permanent

Legal Citation: O.C.G.A. § 9-3-51

Receipts of Responsibility – Records of documenting property temporarily in use or possession of an employee.

Retention: Retain until return of item to property manager

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. §§ 9-3-31; 9-3-32; 50-5-80

Restricted Area/Access Authorization Identification Records – Documents the issuance of security/access badges to staff.

Retention: 5 years after employee separation from service

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 16-9-93 (g) (4)

Space Planning/Design Management Project Files – Evaluation and design of office space for County departments.

Retention: 3 years after project completion

Classification: Temporary – Short Term

Utility Systems Operating and Maintenance Records – Records include equipment operations logs, mechanical reading charts, equipment maintenance histories.

Retention: 5 years after equipment is no longer in service

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 9-3-26

Vehicle Accident Reports – Records documenting damage to County-owned vehicles.

Retention: 5 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. §§ 9-3-33; 9-3-32

Vehicle and Equipment Cost Reports – Reports generated to assess and monitor the costs of County-owned vehicles and heavy equipment.

Retention: 3 years

Classification: Temporary – Short Term

Vehicle and Equipment Maintenance Files – Records documenting routine maintenance on vehicle and equipment.

Retention: 5 years after the vehicle is sold or replaced

Classification: Temporary – Long Term

Legal Citation: O.C.G.A. §§ 9-3-31; 9-3-32

Vehicle Parts Lists – Lists of replacement parts for County-owned vehicles.

Retention: 3 years

Classification: Temporary – Short Term

Vehicle Permits/Security Identification Records – Records documenting the issuance of vehicle decals providing access to security areas.

Retention: 2 years after expiration

Classification: Temporary – Short Term

Vehicle Title Records – Documents County ownership of cars, vans, trucks, trailers, tractors, etc.

Retention: Applications: Retain until receipt of title. Title: Retain for duration of ownership

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 9-3-31

Vehicle Usage Reports – Reports used to track fuel usage and mileage.

Retention: 3 years

Classification: Temporary – Short Term

Vehicle Use Authorizations and Requests – Open Records Act Requests and Correspondence.

Retention: Inquiries from members of the public requesting access to information under the Georgia Open Records Act (O.C.G.A. §§ 50-18-70 et seq.)

Classification: Temporary – Short Term

PUBLIC SAFETY

911 Emergency Call Recordings – Digital or analog recordings of emergency calls handled by the 911 center.

Retention: 3 years

Classification: Temporary – Short Term

Accident Reports – Reports of traffic and other accidents.

Retention: 2 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 9-3-33

Accident Reports, Hazardous Material – Reports on accidents involving the spillage or combustion of hazardous materials.

Retention: Permanent

Classification: Permanent

Ambulance Trip Reports – Record of patient vital statistics from the point at which the ambulance picks the individual up to the hospital.

Retention: 5 years

Classification: Temporary – Short Term

Animal Control Case History Records – Case history records (cards) maintained on all animals received at the animal shelter.

Retention: 1 year

Classification: Temporary – Short Term

Animal Intake Reports and Logs – Records documenting animal intake.

Retention: 2 years

Classification: Temporary – Short Term

Animal Shelter Control Records – Records documenting animal shelter operations.

Retention: 1 year

Classification: Temporary – Short Term

Animal Sterilization Citations and Records – Records documenting animal sterilization.

Retention: 1 year

Classification: Temporary – Short Term

Dead Animal Pick-up Records – Records documenting the disposition of animal carcasses.

Retention: 2 years

Classification: Temporary – Short Term

Emergency Dispatch Logs – Record of emergency calls received over radio and logged at time of dispatch.

Retention: 3 years

Classification: Temporary – Short Term

Emergency Management Operations Reports – Records documenting the type of emergency operation and the assistance provided.

Retention: 3 years

Classification: Temporary – Short Term

Fire Hydrant Inspection Reports – Records documenting the installation and maintenance of fire hydrants.

Retention: 5 years

Classification: Temporary – Short Term

Fire Incident Reports – Record of fires and related damage.

Retention: 50 years

Classification: Temporary – Long Term

Fire Prevention Plans – Review of structure, along with flammable material contained within, alarm systems, placement of extinguishers and emergency numbers.

Retention: 5 years after superseded

Classification: Temporary – Short Term

Fire Safety Inspection Reports – Reports documenting compliance with and violations of fire regulations.

Retention: 5 years

Classification: Temporary – Short Term

Fire/Arson Investigation Files – Investigations of the cause and origin of fires in order to determine criminal intent.

Retention: 50 years

Classification: Temporary – Long Term

Fireworks Display Registrations – Registrations of the location of fireworks displays with the fire department.

Retention: 3 years

Classification: Temporary – Short Term

Incident Reports (duplicated in investigative file) – Reports of incidents of suspected criminal activity investigated by public safety officers.

Retention: Retain for useful life

Classification: Transitory

Incident Reports (not duplicated in case file) – Reports of incidents of suspected criminal activity investigated by public safety officers.

Retention: 5 years

Classification: Temporary – Short Term

Incident Reports (not reported to GCIC) – Reports of incidents of suspected criminal activity investigated by public safety officers.

Retention: 2 years

Classification: Temporary – Short Term

Incident Reports (removed from GCIC) – Reports of incidents of suspected criminal activity which have been removed from the GCIC database.

Retention: Destroy

Classification: Temporary – Short Term

Incident Reports (reported to GCIC) – Reports of incidents of suspected criminal activity investigated by public safety officers.

Retention: Maintain as long as report remains in GCIC

Classification: Transitory

Internal Investigations Files, Closed – Records used to investigate complaints against public safety officers.

Retention: Founded: 20 years after settlement of case. Unfounded: 1 year after investigation completed.

Classification: Temporary – Long Term

Investigation Logs – Chronological listing of investigations.

Retention: 2 years

Classification: Temporary – Short Term

Medicaid/Medicare Billing Statements – Billing record for Medicaid and Medicare claims.

Retention: 5 years

Classification: Temporary – Short Term

Medicaid/Medicare Insurance Claims – Invoices sent to Medicaid/Medicare for reimbursement.

Retention: 5 years after settlement

Classification: Temporary – Short Term

Medicaid/Medicare Paid Bill Receipts – Documents payment of claims.

Retention: 5 years

Classification: Temporary – Short Term

Proof of Rabies Vaccination – Records documenting rabies vaccination.

Retention: 3 years from date of issuance

Classification: Temporary – Short Term

Radio Control Logs – Record of first official report of a fire or incident from incoming radio calls.

Retention: 4 years

Classification: Temporary – Short Term

Radio Dispatch Logs – Recorded information received through incoming radio calls.

Retention: 3 years

Classification: Temporary – Long Term

Record of Animal Bites – Record documenting type of animal, owner, past history of attacks, individual bitten, date, physician treatment, and observation for rabies.

Retention: 3 years

Classification: Temporary – Short Term

Street Number Location Records – Easy reference source to locate an address.

Retention: Retain for useful life

Classification: Transitory

Traffic Citation Log – Listing of parking tickets and other traffic citations issued along with court dates and associated fines.

Retention: 5 years

Classification: Temporary – Short Term

Traffic Citations – Warnings – Warnings to drivers of the occurrence of equipment malfunctions such as burned out light.

Retention: 2 years

Classification: Temporary – Short Term

PUBLIC WORKS

Adjusted Billing Reports – Billing details and adjustments for misread service meters

Retention: 5 years

Classification: Temporary – Short Term

Bill Payment Reconciliations – End-of-day reconciliations of payments received for water and sewer services.

Retention: 3 years

Classification: Temporary – Short Term

County Road Dockets – Records showing road maintenance work; includes Commissioner of Roads Overseer Ledger.

Retention: Permanent

Classification: Permanent

Customer Account Records – Records documenting billings and payments of all customer service accounts.

Retention: 5 years

Classification: Temporary – Short Term

Customer Service Deposits, Refunded – Documents refunds of initial hook-up deposits to customers.

Retention: 3 years

Classification: Temporary – Short Term

Drainage and Flood Problem Records – Documents monitoring and resolution of drainage and flood problems.

Retention: Permanent

Classification: Permanent

Filter Plant Files – Records monitoring the operation of water filtration plants.

Retention: 3 years

Classification: Temporary – Short Term

Landfill Reports – Records created in the operation of the landfill; used for management reporting purposes.

Retention: Permanent

Classification: Permanent

Maintenance Records – Documents service and repair work to public utility lines, mains, and meters.

Retention: 5 years

Classification: Temporary – Short Term

Maintenance Records, Traffic – Records documenting maintenance to traffic lights, signs, and other equipment.

Retention: 3 years

Classification: Temporary – Short Term

Meter Books – Record of meter readings.

Retention: 5 years

Classification: Temporary – Short Term

Meter Maintenance Records – Records documenting maintenance work performed on service meters.

Retention: 3 years

Classification: Temporary – Short Term

Meter Reading Summary Reports – Periodic reports of meter readings by customer account.

Retention: 3 years

Classification: Temporary – Short Term

Overdue Water Billing Accounts – Reports used to track past-due payments and new charge totals.

Retention: 5 years

Classification: Temporary – Short Term

Requests for Meter Re-read – Record of new meter readings to support billings and adjustments.

Retention: 3 years

Classification: Temporary – Short Term

Requests for Meter Turn-on and Shut-off – Records requesting water service connection or disconnection.

Retention: 3 years

Classification: Temporary – Short Term

Revenue Collection Reports – Reports showing a breakdown of daily revenue collections for government-operated utilities.

Retention: 5 years

Classification: Temporary – Short Term

Road Maintenance Records – Records documenting requests for paving and road improvements; includes memos, petitions, and surveys.

Retention: 5 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. §36-39-3

Road Maintenance Work Reports – Reports documenting work performed by road maintenance crews.

Retention: 3 years

Classification: Temporary – Short Term

Road Repair Costs – Records used to estimate job costs and prepare a budget.

Retention: 3 years

Classification: Temporary – Short Term

Service Interruption Logs – Reports documenting the interruption of sewer and water services, including time and location of incident.

Retention: 5 years

Classification: Temporary – Short Term

Water Improvement Projects – Records documenting improvement projects for water services; includes contracts, petitions, surveys, resolutions, bid specifications, inspections reports, cost estimates, and cost assessments.

Retention: 20 years

Classification: Temporary – Long Term

Water Permits, Expired – Records of permits to install water meters and connections to water mains.

Retention: 3 years

Classification: Temporary – Short Term

Solid Waste Weight Tickets – Tickets printed each time a garbage truck crosses the scales at the entrance to a landfill.

Retention: 3 years

Classification: Temporary – Short Term

Street Design Improvement Records – Records documenting road accidents that are used to assess the cause and to make design improvements to reduce accidents.

Retention: 5 years

Classification: Temporary – Short Term

Street Maintenance Work Orders – Records documenting maintenance to streets and roads.

Retention: 3 years

Classification: Temporary – Short Term

Street Resurfacing Reports – Lists of streets and locations that have been resurfaced; includes type of resurfacing, materials, and costs.

Retention: 20 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. §§ 36-39-6; 36-39-7; 36-39-8

Subdivision Plats and Inspections – Records showing the layout and roads within a subdivision.

Retention: Plats: Permanent. Other records: 15 years

Classification: Permanent

Traffic Signals Intersection Files – Includes product literature and studies related to traffic planning such as drawings of signal controllers and intersections, and traffic signal permits.

Retention: 10 years

Classification: Temporary – Short Term

Traffic Signs and Lights Inventories – Listing of all traffic signs and lights.

Retention: Retain until superseded

Classification: Transitory

Utility Line Relocation Billings – Bills to request reimbursement from the state for relocation of utility lines impacted by state highway road construction.

Retention: 5 years

Classification: Temporary – Short Term

Water Billings – Bills for water and sewer service; including invoices for maintenance work and monthly usage fees.

Retention: 3 years

Classification: Temporary – Short Term

RECORDS MANAGEMENT

Annual Master Negative Inspection Reports – Reports documenting the statistical sample of film inspected each year for signs of physical deterioration.

Retention: Permanent

Classification: Permanent

Condition Reports of Duplicating Masters – Records documenting the inspection of microfilm duplicating masters for signs of physical deterioration.

Retention: Retain for useful life

Classification: Transitory

Destruction Records – Records documenting the destruction of County records.

Retention: 7 years

Classification: Temporary – Short Term
 Legal Citation: O.C.G.A. § 9-3-24

Inventories – Current listings of records created and maintained by the County.

Retention: 5 years

Classification: Temporary – Short Term

TAXATION

Alcoholic and Malt Beverage Tax Reports – Reports of alcohol sold and amount of taxes paid.

Retention: 2 years or until audited

Classification: Temporary – Short Term

Assessment Appeals Case Files, Closed – Appeals by taxpayers for reconsideration of the assessed value of their property.

Retention: 3 years

Classification: Temporary – Short Term

Assessment Notices – Legal notices to taxpayers that their property will be reassessed for its tax value.

Retention: 3 years

Classification: Temporary – Short Term

Board of Equalization Appeals – Records documenting appeals by citizens to the Board of Tax Equalization.

Retention: Permanent

Classification: Permanent

Boat Registrations – Reference listing of boats and owners from the state.

Retention: 3 years

Classification: Temporary – Short Term

Building Inspection Sheets – Building permits maintained to aid in assessing property values for taxes.

Retention: 5 years

Classification: Temporary – Short Term

Commercial Banks Tax Workpapers – Assessments of taxes to be paid by banking institutions in lieu of state income taxes.

Retention: 5 years

Classification: Temporary – Short Term

County Tax Levy – Annual resolution fixing tax rates.

Retention: Permanent

Classification: Permanent

Federal Aviation Administration Aircraft Listings – Listing of aircraft registrations.

Retention: 3 years

Classification: Temporary – Short Term

Insurance Premium Tax Records – Records on taxes collected from insurance companies.

Retention: 5 years

Classification: Temporary – Short Term

Listing of Real Property – Annual listing of real property in the county.

Retention: Retain for useful life

Classification: Transitory

Monthly Reports for Hotel-Motel Taxes – Reports of taxes owed and collected from hotel operations.

Retention: 5 years

Classification: Temporary – Short Term

Not on Digest Records – Adjustments and relief orders explaining why a tax record was not recorded in the tax digest.

Retention: 14 years

Classification: Temporary – Short Term

Personal Property Appraisals – Tax appraiser's worksheets to establish property values for tax purposes.

Retention: 2 years after superseded

Classification: Temporary – Short Term

Personal Property Record Cards – Current assessed values for Personal Property.

Retention: 7 years after property is sold

Classification: Temporary – Long Term

Personal Property Returns – Record of value for personally owned property such as boats, equipment, and businesses.

Retention: 7 years

Classification: Temporary – Short Term

Real Property Cards – Tax history of each parcel of land in the county.

Retention: Permanent

Classification: Permanent

Sales Ratio Studies – Analysis of the sale of property as compared to the tax value of property.

Retention: 10 years

Classification: Temporary – Short Term

Tax Assessment Errors and Adjustments – Record of additions to or removals from the tax digest because of errors.

Retention: 7 years

Classification: Temporary – Short Term

Tax Digests – List of taxpayers and assessed value of real and personal property.

Retention: 14 years

Classification: Temporary – Short Term

Tax Error and Release Orders – Requests for credit allowance pertaining to liabilities shown on the tax digest.

Retention: 15 years

Classification: Temporary – Long Term

TOURISM AND RECREATION

Convention Planning Records – Records documenting a local government's efforts to increase convention and tourism in an area.

Retention: 5 years

Classification: Temporary – Short Term

Park Work Orders – Documents the repair and maintenance of park grounds, buildings, and facilities.

Retention: 3 years
 Classification: Temporary – Short Term
 Legal Citation: O.C.G.A. §§ 9-3-33; 36-11-1

Participant Registration and Eligibility Records – Records used to register individuals for sports or other parks and recreation activities.

Retention: 3 years
 Classification: Temporary – Short Term

Playground Inspection Reports – Documents the routine inspection of playground shelters and fitness tracks.

Retention: 3 years
 Classification: Temporary – Short Term
 Legal Citation: O.C.G.A. §§ 9-3-33; 36-11-1

Recreation Program Records – Activity schedules, rules and regulations, rosters and status sheets for recreational programs.

Retention: 3 years
 Classification: Temporary – Short Term

Reservations – Records documenting activities scheduled for tourist and convention facilities.

Retention: 3 years
 Classification: Temporary – Short Term

ORDINANCE 2016-10

RECORDS RETENTION SCHEDULE

RED-LINE VERSION

EXHIBIT B

Federal and State Grant Project Files – Records documenting federal- and state-funded projects.

Retention: 3 years after submission of final financial report

Classification: Temporary – Short Term

Legal Citation: Uniform Requirements for Grants and Cooperative Agreements Between State and Local Governments (Common Rule): O.C.G.A. § 36-87-1

Federal Revenue Sharing Records – Records documenting federal, state and county revenue-sharing; includes summaries, expenditures, and investments.

Retention: 5 years after submission of final report

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 36-87-2

General Ledger and Trial Balances – Record of final entry for all financial transactions.

Retention: 7 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 9-3-24

Investment Records – Records documenting the savings and investments of funds.

Retention: 7 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 36-1-8

Invoices – Records requesting payment for goods and services provided to the County.

Retention: ~~5~~10 years

Classification: Temporary – Short Term

Legal Citation: Listings of County-owned property and equipment

Journal Entries (Journal Vouchers) – Adjustments to financial accounts.

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 9-3-25

Professional Membership Records – Records documenting County-paid individual memberships and activities in professional organizations.

Retention: ~~5-years~~ Permanent

Classification: ~~Temporary – Short Term~~ Permanent

Legal Citation: O.C.G.A. § 9-3-26

Receipts – Documentation of monies collected.

Retention: ~~5~~ 10 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. §§ 11-2-201; 11-2-725

Reconciliations – Periodic reconciliations of accounts within operating and general ledgers.

Retention: 5 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 9-3-25

Refund/Disbursement Requests – Records documenting requests and disbursements made for overpayment of funds.

Retention: 4 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. §§ 9-3-25; 11-2-725

Returned Checks – Records documenting attempts to collect monies for non-negotiable (usually insufficient funds) checks received for payment to County accounts.

Retention: 5 years

Classification: Temporary – Short Term

Code Violations – Any violations of the Code of Ordinances pertaining to property.

Retention: ~~3-years~~Permanent

Classification: ~~Temporary—Short Term~~Permanent

Correspondence, Fiscal – Records documenting purchases, issuance of fiscal policy, or obligations and revenues.

Retention: 5 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. §§ 9-3-25; 11-2-725

Correspondence, General – Correspondence related to day-to-day operations of the office.

Retention: 5 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 9-3-25

Crisis or Disaster Records – Records documenting events and damages to County property due to storms, riots, fires, drought, floods, and other acts affecting the citizens or County facilities; may include photos, logs, reports, notes, and correspondence.

Retention: ~~5-years~~Permanent

Classification: ~~Temporary—Short Term~~Permanent

Legal Citation: O.C.G.A. §§ 9-3-32; 38-3-30

Daily Broadcast Logs – Records documenting County daily broadcast activities via radio or television.

Retention: 2 years

Classification: Temporary – Short Term

Legal Citation: 47 C.F.R. 1073.1840

Daily/Monthly Activity Reports – Record of daily/monthly activities.

Retention: ~~27~~ years
 Classification: Temporary – Short Term
 Legal Citation: O.C.G.A. § 9-3-25

DCA Mandated Surveys – Surveys required by the Department of Community Affairs; includes, but is not limited to, Solid Waste Management Survey and Full Cost Report, Report of Local Government Finances, Independent Authority Board Indebtedness Form, Wage and Salary Survey, and Government Management Indicators Survey.

Retention: 5 years
 Classification: Temporary – Short Term

Deeds and Condo Plats – Records documenting individual ownership for properties that are filed with the County.

Retention: Permanent
 Classification: Permanent
 Legal Citation: O.C.G.A. § 44-2-25

Deeds, Right-of-Way – Records authorizing use of land for road widening or public works.

Retention: Permanent
 Classification: Permanent

Deeds, Security – Deeds to properties on which the County holds the second mortgage.

Retention: 5 years after final payment
 Classification: Temporary – Short Term
 Legal Citation: O.C.G.A. §§ 44-2-25; 44-14-60

e-Certified Mail and Return Receipts – Technology implemented to replace the “Green Card” certified mail receipts.

Retention: 6 years
 Classification: Temporary – Short Term

Retention: ~~Retain for useful life~~Permanent

Classification: ~~Transitory~~Permanent

Maps, Plats and Drawings – Records documenting the location of roads, subdivisions, water and sewage lines.

Retention: Permanent

Classification: Permanent

Legal Citation: O.C.G.A. §§ 36-7-9; 44-2-26

Meeting Notices – Official notification of the time and place of regular and special meetings.

Retention: 5 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 50-14-1

Minutes and Agendas – Official record of County meetings and the decisions made.

Retention: Permanent

Classification: Permanent

Legal Citation: O.C.G.A. § 36-1-25

Open Records Act Requests and Correspondence – Inquiries from members of the public requesting access to information under the Georgia Open Records Act (O.C.G.A. §§ 50-18-70 et seq.).

Retention: ~~5 years~~Permanent

Classification: ~~Temporary—Short Term~~Permanent

Petitions – Signatures of local residents requesting action by the County on a specific issue.

Retention: 5 years and resolution of issue

Classification: Temporary – Short Term

Photographs – Aerial and other photographs of county property and functions.

Retention: Permanent

Classification: Permanent'

Policies and Procedures – Standard operating practice for business processes.

Retention: Permanent. Retain 1 copy

Classification: Permanent [Is there a need to retain prior versions?]

Printing Service Files – Includes printing requests, cost estimates, mock-ups, proofs, and printing plates.

Retention: 1 year after superseded

Classification: Temporary – Short Term

Publications – Newsletters, handbooks, pamphlets, and brochures published by the County.

Retention: Permanent. Retain 1 copy

Classification: Permanent

Relocation Assistance Files – Records documenting financial assistance to individuals searching for new homes under the Community Development Program.

Retention: 5 years

Classification: Temporary – Short Term

Reports, Public – Quarterly and other narrative reports (not annual) that describe County functions and activities.

Retention: 3 years

Classification: Temporary – Short Term

Resolutions and Ordinances – Local laws and actions adopted by the Board of Commissioners.

Retention: Permanent

Classification: Permanent

Right-of-Way Agreements – Agreements with property owners specifying the terms and access to property for public works purposes.

Retention: Permanent

Classification: Permanent

Speeches – Records relating to public speaking engagements of local officials.

Retention: Permanent

Classification: Permanent

Visitors Logs and Sign-In Sheets – Consists of sign-in forms or sheets generally located at the County's reception desk to document visitors to the facility.

Retention: 2 years

Classification: Temporary – Short Term

ADMINISTRATIVE SUPPORT

Blank Forms and Duplicates – Extra copies of blank forms and duplicates of reports or other materials that are no longer needed.

Retention: Retain for useful life

Classification: Transitory

Calendars – Desk calendars and other scheduling media.

Retention: Retain until no longer useful

Classification: Transitory

Certified Mail Logs – Receipt books containing records of certified mail sent out.

Retention: ~~Retain for useful life~~ Permanent

Classification: ~~Transitory~~ Permanent

Data Input Forms – Any type of forms used to collect information for input into electronic form.

Retention: Destroy upon verification/audit of data entry

Final Budgets – Includes the final approved budget for the County.

Retention: Permanent
 Classification: Permanent
 Legal Citation: O.C.G.A. § 36-81-5

BUILDING

Blueprints and Specifications, As-Built – Plans and specifications submitted by contractors when applying for building permits.

Retention: ~~Retain for life of structure~~ Permanent
 Classification: ~~Temporary—Long Term~~ Permanent

Blueprints and Specifications, Interim and Never Constructed – Plans and specifications submitted by contractors when applying for building permits; these buildings were never constructed or plans were altered prior to construction.

Retention: ~~1-year~~ Permanent
 Classification: ~~Temporary—Short Term~~ Permanent
 Legal Citation: O.C.G.A. § 9-3-24

Building Codes – Published code books containing building standards.

Retention: Permanent
 Classification: Permanent
 Legal Citation: O.C.G.A. §§ 8-2-28; 36-13-1

Certificates of Occupancy – Records documenting compliance with minimum standards required by the safety fire laws.

Retention: ~~10-years~~ Permanent
 Classification: ~~Temporary—Short Term~~ Permanent

Demolition Records – Records relating to the demolition and clearance of buildings deemed unfit for habitation.

Retention: ~~5-years~~ Permanent
 Classification: ~~Temporary—Short Term~~ Permanent
 Legal Citation: O.C.G.A. § 8-4-3

Retention: 2 years

Classification: Temporary – Short Term

Archival Instructions: Vital Record – duplicate and store offsite

Contractors Licenses, Inactive – Applications for licensing as a general contractor; includes copies of licenses.

Retention: ~~5 years~~ Permanent

Classification: ~~Temporary – Short Term~~ Permanent

Electrical, Gas, and Plumbing Permits – Permits to install or upgrade plumbing fixtures, gas connections, or electrical equipment.

Retention: ~~5 years~~ Permanent

Classification: ~~Temporary – Short Term~~ Permannent

Legal Citation: O.C.G.A. § 36-13-6

Excavation Permits, Expired – Permits to local contractors to excavate in proximity of utility lines.

Retention: 5 years

Classification: Temporary – Short Term

Fingerprint Cards – Beer License Application Files, Expired – Fingerprints and identification records for individuals applying for a beer license.

Retention: 5 years

Classification: Temporary – Short Term

House Moving Applications – Records documenting the review and approval of permits to relocate houses.

Retention: ~~2 years~~ Permanent

Classification: ~~Temporary – Short Term~~ Permanent

Master Lists of Business Licenses – Listings of all businesses operating within the County.

Retention: Retain until superseded

Classification: Transitory

Mobile Home Permits, Expired – Records used to register mobile homes for tax purposes and to permit electrical and sewage hook-ups.

Retention: 5 years
 Classification: Temporary – Short Term

Record of Permits Issued – Listing of permits issued.

Retention: Permanent
 Classification: Permanent

Archival Instructions; Vital Record – duplicate and store offsite

Sign Permits – Applications and permits for temporary signage.

Retention: ~~3 years~~ Permanent
 Classification: ~~Temporary – Short Term~~ Permanent

Sign Permits for Permanent Signs – Permits for permanent signs such as subdivision signs.

Retention: ~~3 years after removal of sign or permit~~
~~superseded~~ Permanent
 Classification: ~~Temporary – Short Term~~ Permanent

Tent Permits – Applications for permit to erect a tent for public use.

Retention: ~~3 years~~ Permanent
 Classification: ~~Temporary – Short Term~~ Permanent

Trade Certifications, Inactive – Records granting licenses to building tradesmen wanting to work in an area.

Retention: 3 years
 Classification: Temporary – Short Term

Vehicles for Hire Permits, Inactive – Records authorizing the issuance of operating permits to taxi cab companies and drivers.

Retention: 5 years
 Classification: Temporary – Short Term

Yard Sale Applications and Permits – Applications and permits to hold a yard sale.

Retention: 3 years
 Classification: Temporary – Short Term

Retention: 5 years after the end of the fiscal year in which the transaction occurred

Classification: Temporary – Short Term

Work-Time Schedules – Records documenting employees' daily and weekly work schedules.

Retention: 4 years and settlement of all claims due

Classification: Temporary – Short Term

Worker's Permits – Permits to allow persons under 18 years old to obtain summer employment.

Retention: Return to issuing officer (school board) after termination or failure to appear for 30 days

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 39-2-13

Workers' Compensation Claims, Closed – Records documenting employee accidents, injuries, and medical claims.

Retention: 4 years and settlement of all claims due

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 9-3-31

PLANNING AND ZONING

Planning Studies and Reports – Studies and reports completed by outside consultants and/or planners.

Retention: Permanent

Classification: Permanent

Residential Blueprints – Residential construction plans and specifications submitted by developers and builders as part of the permit process.

Retention: ~~7 years~~ Permanent

Classification: ~~Temporary – Short Term~~ Permanent

Legal Citation: O.C.G.A. § 9-3-51

Zoning Board Appeals – Appeals of decisions of the Planning and Zoning Department.

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 9-3-24

Blueprints and Specifications, As-Built – Plans and specifications of County-owned facilities.

Retention: ~~10 years~~ Permanent

Classification: ~~Temporary – Short Term~~ Permanent

Legal Citation: O.C.G.A. § 9-3-51

Archival Instructions: Vital Record – duplicate and store offsite

Building/Grounds Maintenance Remodeling and Repair Records – Documents the condition, upkeep and routine maintenance on County facilities and grounds.

Retention: 7 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 9-3-24

Capital Construction Project Records – Provides a record of the planning, administration and implementation of capital construction projects; includes project descriptions and requirements, bid records, plan reviews, project schedules, contract changes, consultant contracts, and budgets.

Retention: 11 years after completion of project

Classification: Temporary – Long Term

Legal Citation: O.C.G.A. § 51-1-11

Depreciation Schedules – Records documenting useful life and depreciation of County-owned equipment and property, usually for insurance purposes.

Retention: 3 years after disposition of equipment or property

Classification: Temporary – Short Term

Equipment and Vehicle Purchases – Records documenting the purchase of County-owned vehicles.

Retention: 5 years after disposition of equipment

Retention: 7 years after expiration (or termination) of contract

Classification: Temporary – Long Term

Legal Citation: O.C.G.A. § 9-3-24

Maintenance Schedules – Schedules for maintenance of County-owned equipment and vehicles.

Retention: 5 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 9-3-26

Motor Pool Vehicle Records – Records documenting reservation and use of motor pool vehicles by County personnel and gasoline usage by motor pool vehicles.

Retention: 5 years

Classification: Temporary – Short Term

Property Disposition Requests (Surplus Property Records) – Documents requesting change in status of County-owned property.

Retention: 5 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. § 9-3-26

Real Property Ownership Records – Deeds and supporting documentation for land owned by the County.

Retention: ~~11 years after the year in which the property was sold or transferred~~ Permanent

Classification: ~~Temporary – Long Term~~ Permanent

Legal Citation: O.C.G.A. § 9-3-51

Receipts of Responsibility – Records of documenting property temporarily in use or possession of an employee.

Retention: Retain until return of item to property manager

Classification: Temporary – Short Term

Dead Animal Pick-up Records – Records documenting the disposition of animal carcasses.

Retention: 2 years

Classification: Temporary – Short Term

Emergency Dispatch Logs – Record of emergency calls received over radio and logged at time of dispatch.

Retention: 3 years

Classification: Temporary – Short Term

Emergency Management Operations Reports – Records documenting the type of emergency operation and the assistance provided.

Retention: 3 years

Classification: Temporary – Short Term

Fire Hydrant Inspection Reports – Records documenting the installation and maintenance of fire hydrants.

Retention: 5 years

Classification: Temporary – Short Term

Fire Incident Reports – Record of fires and related damage.

Retention: 50 years

Classification: Temporary – Long Term

~~Fire Log Books – Record of fire including date, name of caller, stations responding, damage to structure, equipment used and time required.~~

~~Retention: 7 years~~

~~Classification: Temporary – Short Term~~

Fire Prevention Plans – Review of structure, along with flammable material contained within, alarm systems, placement of extinguishers and emergency numbers.

Retention: 5 years after superseded

Classification: Temporary – Short Term

Fire Safety Inspection Reports – Reports documenting compliance with and violations of fire regulations.

Internal Investigations Files, Closed – Records used to investigate complaints against public safety officers.

Retention: Founded: 20 years after settlement of case. Unfounded: 1 year after investigation completed.

Classification: Temporary – Long Term

Investigation Logs – Chronological listing of investigations.

Retention: 2 years

Classification: Temporary – Short Term

Medicaid/Medicare Billing Statements – Billing record for Medicaid and Medicare claims.

Retention: 5 years

Classification: Temporary – Short Term

Medicaid/Medicare Insurance Claims – Invoices sent to Medicaid/Medicare for reimbursement.

Retention: 5 years after settlement

Classification: Temporary – Short Term

Medicaid/Medicare Paid Bill Receipts – Documents payment of claims.

Retention: 5 years

Classification: Temporary – Short Term

~~Pre-Fire Plans and Inspection Reports – Inspections of structures used in fire safety training.~~

~~Retention: 5 years~~

~~Classification: Temporary – Short Term~~

Proof of Rabies Vaccination – Records documenting rabies vaccination.

Retention: 3 years from date of issuance

Classification: Temporary – Short Term

Radio Control Logs – Record of first official report of a fire or incident from incoming radio calls.

Retention: 4 years

Classification: Temporary – Short Term

Radio Dispatch Logs – Recorded information received through incoming radio calls.

Retention: 3 years

Classification: Temporary – Long Term

~~Radio Dispatch Reports – Reports of all alarms called into a fire station.~~

~~Retention: 3 years~~

~~Classification: Temporary – Short Term~~

Record of Animal Bites – Record documenting type of animal, owner, past history of attacks, individual bitten, date, physician treatment, and observation for rabies.

Retention: 3 years

Classification: Temporary – Short Term

Street Number Location Records – Easy reference source to locate an address.

Retention: Retain for useful life

Classification: Transitory

Traffic Citation Log – Listing of parking tickets and other traffic citations issued along with court dates and associated fines.

Retention: 5 years

Classification: Temporary – Short Term

Traffic Citations – Warnings – Warnings to drivers of the occurrence of equipment malfunctions such as burned out light.

Retention: 2 years

Classification: Temporary – Short Term

PUBLIC WORKS

Adjusted Billing Reports – Billing details and adjustments for misread service meters

Retention: 5 years

Classification: Temporary – Short Term

Bill Payment Reconciliations – End-of-day reconciliations of payments received for water and sewer services.

Retention: 3 years

Classification: Temporary – Short Term

County Road Dockets – Records showing road maintenance work; includes Commissioner of Roads Overseer Ledger.

Retention: Permanent

Classification: Permanent

Customer Account Records – Records documenting billings and payments of all customer service accounts.

Retention: 5 years

Classification: Temporary – Short Term

Customer Service Deposits, Refunded – Documents refunds of initial hook-up deposits to customers.

Retention: 3 years

Classification: Temporary – Short Term

Drainage and Flood Problem Records – Documents monitoring and resolution of drainage and flood problems.

Retention: ~~10 years~~ Permanent

Classification: ~~Temporary – Short Term~~ Permanent

Filter Plant Files – Records monitoring the operation of water filtration plants.

Retention: 3 years

Classification: Temporary – Short Term

Landfill Reports – Records created in the operation of the landfill; used for management reporting purposes.

Retention: ~~3 years~~ Permanent

Classification: ~~Temporary – Short Term~~ Permanent

Maintenance Records – Documents service and repair work to public utility lines, mains, and meters.

Retention: 5 years

Classification: Temporary – Short Term

Maintenance Records, Traffic – Records documenting maintenance to traffic lights, signs, and other equipment.

Retention: 3 years

Classification: Temporary – Short Term

Street Maintenance Work Orders – Records documenting maintenance to streets and roads.

Retention: 3 years

Classification: Temporary – Short Term

Street Resurfacing Reports – Lists of streets and locations that have been resurfaced; includes type of resurfacing, materials, and costs.

Retention: ~~10~~20 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. §§ 36-39-6; 36-39-7; 36-39-8

Subdivision Plats and Inspections – Records showing the layout and roads within a subdivision.

Retention: Plats: Permanent. Other records: ~~5~~15 years

Classification: Permanent

Traffic Signals Intersection Files – Includes product literature and studies related to traffic planning such as drawings of signal controllers and intersections, and traffic signal permits.

Retention: 10 years

Classification: Temporary – Short Term

Traffic Signs and Lights Inventories – Listing of all traffic signs and lights.

Retention: Retain until superseded

Classification: Transitory

Utility Line Relocation Billings – Bills to request reimbursement from the state for relocation of utility lines impacted by state highway road construction.

Retention: 5 years

Classification: Temporary – Short Term

Water Billings – Bills for water and sewer service; including invoices for maintenance work and monthly usage fees.

Retention: 3 years

Classification: Temporary – Short Term

Tax Digests – List of taxpayers and assessed value of real and personal property.

Retention: 14 years

Classification: Temporary – Short Term

Tax Error and Release Orders – Requests for credit allowance pertaining to liabilities shown on the tax digest.

Retention: 15 years

Classification: Temporary – Long Term

TOURISM AND RECREATION

Convention Planning Records – Records documenting a local government's efforts to increase convention and tourism in an area.

Retention: 5 years

Classification: Temporary – Short Term

Park Work Orders – Documents the repair and maintenance of park grounds, buildings, and facilities.

Retention: 3 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. §§ 9-3-33; 36-11-1

Participant Registration and Eligibility Records – Records used to register individuals for sports or other parks and recreation activities.

Retention: 23 years

Classification: Temporary – Short Term

Playground Inspection Reports – Documents the routine inspection of playground shelters and fitness tracks.

Retention: 3 years

Classification: Temporary – Short Term

Legal Citation: O.C.G.A. §§ 9-3-33; 36-11-1

Recreation Program Records – Activity schedules, rules and regulations, rosters and status sheets for recreational programs.

Retention: 3 years

Classification: Temporary – Short Term

Reservations – Records documenting activities scheduled for tourist and convention facilities.

Retention: 23 years

Classification: Temporary – Short Term

COUNTY AGENDA REQUEST

Page 233 of 307

Department: Legal

Presenter(s): County Attorney Dennis Davenport

Meeting Date: Thursday, August 25, 2016

Type of Request: New Business #14

Wording for the Agenda:

Consideration of staff's recommendation adopt Ordinance 2016-16 and, in so doing, amend the Policies and Procedures for Fayette County Georgia by repealing Policy 100.21 pertaining to "Records Management Plan."

Background/History/Details:

County Policy 100.21- Records Management Plan was established several years ago to provide guidance for the proper maintenance of county records.

County Ordinance 2016-10 supersedes any Policy 100.21, therefore, staff requests that the Board abolish the policy.

Ordinance 2016-16 will repeal County Policy 100.21. This is a new ordinance, therefore, there is no red-line version required or available.

County Policy 100.21 is included in the supporting document as "Exhibit A." This is a

What action are you seeking from the Board of Commissioners?

Adopt Ordinance 2016-16 and, in so doing, amend the Policies and Procedures for Fayette County Georgia by repealing Policy 100.21 pertaining to "Records Management Plan."

If this item requires funding, please describe:

Not Applicable.

Has this request been considered within the past two years? No

If so, when?

Is Audio-Visual Equipment Required for this Request?* No

Backup Provided with Request? Yes

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

Approved by Finance Not Applicable

Reviewed by Legal

Approved by Purchasing Not Applicable

County Clerk's Approval Yes

Administrator's Approval

Staff Notes:

This request is made in conjunction with New Business #13.

STATE OF GEORGIA

FAYETTE COUNTY

ORDINANCE

NO. 2016-____

AN ORDINANCE TO AMEND THE POLICIES AND PROCEDURES FOR FAYETTE COUNTY, GEORGIA; TO REPEAL POLICY 100.21, PERTAINING TO “RECORDS MANAGEMENT PLAN”; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROMOTE THE PUBLIC HEALTH, SAFETY AND WELFARE, AND FOR OTHER PURPOSES.

WHEREAS, the Board of Commissioners for Fayette County (the “County”) is the duly authorized governing body for Fayette County, Georgia; and

WHEREAS, the Board of Commissioners has adopted a Policies and Procedures Manual containing policies and procedures pertaining to certain administrative matters; and

WHEREAS, Section 100.21, pertaining to “Records Management Plan”, of said Policies and Procedures Manual contains guidance for the management and retention of County records, including a records retention schedule; and

WHEREAS, on August 25, 2016, the Board of Commissioners adopted Ordinance 2016-_____, which contains new regulations governing records management and retention, with said regulations codified as Section 2-3 of Article I of Chapter 2 of the Fayette County Code of Ordinances; and

WHEREAS, said Ordinance 2016-_____ also contains a records retention schedule that will be submitted to the State Records Committee; and

WHEREAS, once the aforementioned records retention schedule has been accepted and approved by the State Records Committee, Section 100.21 of the County's Policies and Procedures Manual will no longer be needed.

THEREFORE, BE IT ORDAINED by the Board of Commissioners of Fayette County and it is hereby enacted pursuant to the authority of the same that, upon acceptance and approval by the State Records Committee of the records retention schedule contained in Ordinance 2016-_____ as adopted by this Board, Section 100.21 of the County's Policies and Procedures Manual shall be repealed and said Section 100.21 shall be designated as "Reserved".

BE IT FURTHER ORDAINED that all other ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

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

SO ENACTED this _____ day of _____, 2016.

BOARD OF COMMISSIONERS OF
FAYETTE COUNTY

By: _____
Charles W. Oddo, Chairman

(SEAL)

ATTEST:

Floyd Jones, County Clerk

Approved as to form:

County Attorney

EXHIBIT A

POLICY 100.21

RECORDS MANAGEMENT PLAN

**FAYETTE COUNTY
POLICIES AND PROCEDURES****EXHIBIT A****ADMINISTRATION
Records Management Plan
100.21****PURPOSE**

Fayette County has a responsibility to its citizens to manage, protect, preserve and make available County records. The purpose of this policy is to provide secure and effective controls over the management, retention, and disposition of all records of Fayette County.

POLICY

There shall be the consistent and uniform management, retention, and disposal of County records. This policy will be implemented through a comprehensive system of procedures for the management of records from their creation to their ultimate disposition, consistent with the requirements of the Georgia Records Act (O.C.G.A. 50-18-90 et seq.).

PROCEDURES

All County records must be managed, maintained, and disposed of in accordance with this policy.

DEFINITIONS

“COUNTY RECORD” – all documents, papers, letters, records, books, maps, drawings, photographs, tapes, computer based or generated information, data, data fields, or similar material prepared, maintained, or received by Fayette County or any of its officers or employees pursuant to law or in the transaction of public business.

“DEPARTMENT” - any department, division, commission, authority, committee, task force, or similar entity of the County.

“DEPARTMENT RECORDS SCHEDULE” – records schedule from each department listing the record types and retention schedules of all records maintained by the department that correspond with the State of Georgia’s Records Retention and Disposal Schedule.

“ESSENTIAL RECORD” - any County record necessary to resume or continue operations of the County in an emergency or disaster; recreate the legal and financial status of the County; or to protect and fulfill obligations to the citizens of the County.

“GEORGIA RECORDS ACT” - O.C.G.A. § 50-18-90 through 103, are the Georgia laws that govern the duties, responsibilities, and requirements of state and local governments regarding the management, retention, and disposition of government records. The Georgia

**FAYETTE COUNTY
POLICIES AND PROCEDURES****ADMINISTRATION
Records Management Plan
100.21**

Retention Schedules for Local Government Records are based upon the requirements of the Georgia Records Act.

“GEORGIA OPEN RECORDS ACT” - O.C.G.A. § 50-14-70 through 77. The Georgia Open Records Act governs which government records are to be open for public inspection.

“PERMANENT RECORD” - any County record for which the retention period on a Records Retention and Disposition Schedule is given as permanent.

“RECORD RETENTION AND DISPOSITION SCHEDULE” - a set of disposition instructions prescribing how long, where, and in what form a record series shall be kept. The approved “Georgia Retention Schedules for Local Government Records” will be the record retention and disposition schedule for Fayette County. It can be accessed via internet at <http://sos.georgia.gov/>.

“RECORDS DISPOSITION” - the removal or destruction of a County record from a department or Records Center that has passed its minimum legal retention period and no longer has value to the County, or for a permanent County record, transfer of the record to the *RECORDS CENTER* for permanent archival.

“RECORDS INVENTORY” - the process of locating, identifying, and describing in detail the records of a department.

“RECORDS LIAISON” - a person designated by each Department Head/Chief to implement the Records Management Program in their department.

“RECORDS MANAGEMENT” - the creation and implementation of systematic controls for County records from the point where they are created or received through final disposition or archival retention, including distribution, use, maintenance, storage, retrieval, protection, preservation and disposal, for the purpose of achieving adequate and proper documentation of the policies and transactions of County government and reducing costs and improving the efficiency of record keeping. The term includes: development of Records Retention and Disposition Schedules; management of filing and information retrieval systems; protection of essential and permanent records; economical and space-effective storage of non-current records; control over the creation and distribution of forms, reports, and correspondence; management of manual, micrographic, electronic, and other records storage systems; and identification of functional record keeping requirements that ensure County records are created to adequately document the County's business transactions.

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“RECORDS MANAGEMENT COORDINATOR” - the person appointed by the County Administrator to administer the County's Records Management Program. Fayette County's Record Management Coordinator shall be the County Clerk.

“RECORDS MANAGEMENT PROGRAM” - the requirements, policies, and procedures developed by this document.

“RECORDS CENTER” - the facility used to provide centralized and secure storage for non-current and permanent County records.

“RETENTION PERIOD” - the minimum time that must pass after the creation, recording, or receipt of a County record, or after the fulfillment of certain actions associated with a County record before the record is eligible for disposition.

OWNERSHIP AND CUSTODY OF COUNTY RECORDS

Every County record is the property of Fayette County. No County officer or employee has any personal or property right to a County record even though they may have developed, compiled, or received the record. The unauthorized alteration, destruction, deletion, or use of a County record is prohibited. A County record exempted from public disclosure under State or federal law is not made subject to disclosure by its designation as County property under this section.

Except when a County record is transferred into the archival custody of the RECORDS CENTER, legal custody of a County record created or received by a department during the course of business remains with the Department Head. The legal custodian, as guardian of the record, does not relinquish responsibility for the care, preservation, or legal disposition of the record even though physical custody of the record for maintenance and preservation purposes may be held by another department or agency. The physical custodian of the record is also responsible for complying with all Records Management Policy requirements and procedures. An original County record may not leave the custody of the department concerned when it is being used by a member of the public.

Every official or employee shall deliver to any successor all County records pertaining to the office held by the County officer or employee. The legal and physical custody of a County record that has continuing historical value to the County may be transferred to the Records Center upon agreement between the Department Head and the Records Management Coordinator. Records Center's custody of the record subsequently will be known as archival custody, and ownership of the record remains with the County. The Records Center shall have legal and physical custody of all County records belonging to any defunct department that does not have a named successor.

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The Records Center serves as centralized records storage facilities for all departments for storage of non-current County records and is under the direct control and supervision of the Records Management Coordinator. The Records Management Coordinator shall establish policies and procedures regulating the operations and use by County departments. The Records Center shall serve as the repository for permanent and historical County records that are transferred to the Records Management Coordinator by departments.

RECORDS INVOLVED IN PUBLIC INFORMATION REQUESTS, PENDING LITIGATION OR PENDING AUDITS

The destruction of a County record involved in a pending request under the Georgia Open Records Act, pending litigation, or a pending audit is prohibited, even if the destruction of the record is authorized by an approved Records Retention and Disposition Schedule.

RECORDS MANAGEMENT COORDINATOR DUTIES / RESPONSIBILITIES

In addition to other duties assigned by this chapter and State law, the Records Management Coordinator shall:

1. Coordinate the County's Records Management Program and provide advice and assistance to Department Heads in its implementation;
2. Prepare the requirements, policies and procedures for the County's Records Management Program;
3. In cooperation with Department Heads, identify essential records and establish a records disaster and recovery plan for each department to ensure maximum availability of the records in order to re-establish operations quickly and with minimum disruption and expense;
4. Monitor retention/disposition schedules and administrative rules issued by the Georgia Secretary of State;
5. Disseminate information concerning State laws and administrative rules relating to County records to the Department Heads;
6. Instruct Records Liaisons and other personnel in the Records Management Program;
7. Direct Records Liaisons and other personnel in the conduct of records inventories;

**FAYETTE COUNTY
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8. Ensure that the creation, maintenance, preservation, microfilming, electronic storage, destruction, and other disposition of County records are carried out in accordance with the requirements, policies, and procedures of the Records Management Program, this chapter and State law;
9. Bring to the attention of the County Administrator any noncompliance by a Department Head or other personnel with the requirements, policies, and procedures of the Records Management Program, this chapter, or State law;
10. Develop procedures to ensure the permanent preservation of the historically valuable records of the County;
11. Provide uniform standards and efficient controls over the identification, maintenance, preservation, transfer, retention, and disposition of County records. The storage of documents are to be stored in boxes measuring 10"Hx12"Wx15"D.
12. Inspect all County records as necessary to ensure compliance with the Records Management Program, this chapter, and State law;
13. Review County-wide policies to ensure compliance with the Records Management Program, this chapter, and State law;
14. Serve as the County's liaison to the Georgia Secretary of State for Records Management Program requirements.

DEPARTMENT HEAD DUTIES AND RESPONSIBILITIES

Every Department Head shall:

1. Appoint a department Records Liaison in accordance with this program;
2. Cooperate with the Records Management Coordinator in carrying out the policies, procedures, and requirements of the Records Management Program, this chapter, and State law. Cooperate with the Records Management Coordinator for the period of time the records are to remain in their department before moving to the records center.
3. Maintain County records in their custody and carry out the preservation, microfilming, electronic storage, destruction, and other disposition of those records only in accordance with the Records Management Program, this chapter, and State law until the time to forward to Records Management Coordinator for recording in the records center.
4. Notify the Records Management Coordinator within 24 hours of the discovery of any

**FAYETTE COUNTY
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loss, theft, or damage to a County record;

5. Ensure the ability to access records regardless of form or medium; notify the Records Management Coordinator of proposed electronic record keeping systems to ensure compliance with electronic record keeping requirements established by the Records Management Program, this chapter, and State law;
6. Ensure electronic records in the director's custody are migrated forward as technology changes, for as long as the records are determined to have value, and to ensure that requests for funding for new systems or systems enhancements address requirements for backup, recopying, disaster recovery, security, public access, audit trails, and other record keeping requirements in accordance with the Records Management Program, this chapter, and State law;
7. In cooperation with the Records Management Coordinator, identify essential records of the department and establish and maintain a Department Records Schedule and a Records Disaster Recovery Plan to ensure maximum availability of the records to reestablish operations quickly and with minimum disruption and expense;

RECORDS LIAISON OFFICER DUTIES AND RESPONSIBILITIES

Each Department Head shall designate in writing to the Records Management Coordinator a member of the Department's staff to serve as the Records Liaison for the implementation of the Records Management Program for each department. If the Records Management Coordinator determines that more than one Records Liaison should be designated for a department, the Department Head shall designate the number of Records Liaisons specified by the Records Management Coordinator. The Department Head may serve as Records Liaison for a department.

A person designated as a Records Liaison shall be thoroughly familiar with departmental policies and activities and have full knowledge of and access to all County records created and maintained by the department and by all officers and employees of the department.

If a person designated as a Records Liaison resigns, retires, or is removed by action of the Department Head, the Department Head shall promptly designate another person to fill the vacancy.

In addition to other duties assigned in this chapter or by State law, a Records Liaison shall:

1. In cooperation with the Records Management Coordinator, coordinate and implement the requirements, policies, and procedures of the Records Management Program in the department;

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2. Disseminate information to department staff concerning the Records Management Program;
3. In cooperation with the Records Management Coordinator, coordinate the records inventory of the department. The liaison should review the Department's required retention schedules by accessing the latest version of the "Retention Schedules for Local Government Records" at www.sos.state.ga.us (click Archives) or at www.georgiaarchives.org and update their "Department Records Schedule" as necessary.
4. Verify the accuracy, content and completeness of the records inventory and store in the appropriate box prior to submission to the Records Management Coordinator. The records box should have listed on the front of the box the contents within. List the destroy date in the upper right hand corner in permanent black marker. If the records are permanent, print in BOLD black letters with permanent marker in the upper right hand corner: PERMANENT RECORDS. Notify the Records Management Coordinator when the records are ready to be placed in the Records Center. Provide the Coordinator with a description of the records to be recorded in the Records Center's Inventory/Disposal List.
5. Review departmental record keeping practices for compliance with the Records Management Program and, in consultation with the Records Management Coordinator, identify practices that require improvement for the purposes of increasing efficiency or implementing corrective action for program compliance; and; Report any noncompliance with the Records Management Program to the Department Head/Chief in writing; and correct and re-submit to the Records Management Coordinator any records inventory that is incomplete or inaccurate.
6. When documents need to be pulled from Records Center, the liaison must contact the Records Management Coordinator to complete the Records Center Sign In/Sign Out form. When documents are to be returned, the Liaison must return the records to the Records Center and update the Records Center Sign In/Sign Out form.

RECORDS RETENTION AND DISPOSITION SCHEDULES

The Records Management Coordinator, in cooperation with Department Heads and Records Liaisons, shall follow the "Georgia Retention Schedules for Local Government Records" guidelines on records retention and disposition schedules. Each Department shall also keep current their Department Records Schedule that corresponds with the "Georgia Retention Schedules for Local Government Records".

**FAYETTE COUNTY
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The Department Heads shall implement the Department Records Schedule in accordance with the requirements, policies, and procedures of the Records Management Program and State law.

A County record whose retention period has expired must be destroyed unless an Open Records Request is pending on the record; the subject matter of the record is pertinent to pending litigation or a pending audit; the Department Head requests to the Records Management Coordinator in writing that the record be retained for an additional period, which request must clearly state the reason for the continued retention; or the Records Management Coordinator sends written notification to a Department Head that the records must be held pending review for historical appraisal.

DESTRUCTION OF RECORDS:

The Records Management Coordinator shall approve County records proposed for destruction on a regularly scheduled basis, according to the maximum retention and records disposition guidelines provided in the “Georgia Retention Schedules for Local Government Records”. The destroy date is always the last day of December for the appropriate destruction year as outlined in schedules. No original record shall be destroyed without the review and concurrence of the Records Management Coordinator and the appropriate Department Head. The Records Management Coordinator is directed to supervise the destruction of records approved for final disposition on a regularly scheduled basis. Any County record, the subject matter of which is in litigation, shall not be destroyed until such litigation is final.

Destruction Of Original Records That Have Been Duplicated - Original paper records that have been duplicated on microfilm, microfiche, data processing or word processing equipment may be destroyed prior to the retention period specified in the records schedule without further approval provided the following three conditions are met:

1. The duplicate copy of the information contained in the original record is maintained for the specified time.
2. The original paper record has not been scheduled for permanent preservation.
3. The Records Management Coordinator has agreed to the destruction of the original paper record and the destruction is recorded.

UNSCHEDULED RECORDS

Records not on schedule can be destroyed at the Department Head’s discretion.

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While some records are not required to be retained by the County's Retention and Disposition Schedules, the County recognizes that County information exists that may be subject to Georgia Open Records requests, pending or potential litigation, or may be necessary for the continuing operation of the County. The County, therefore, reserves the right to backup, make copies of, and/or store any County records or data in any format, whether paper or in electronic form.

ELECTRONIC RECORDS – STORAGE AND DISPOSITION

Georgia retention periods are determined by the content of the record, not by its format. Whether a record is on paper, in electronic form, or on microfilm, it must be retained for as long as the retention schedule specifies. It is important that the County retain electronic files in a manner that permits them to be retrieved and viewed for the full length of the retention period. An electronic record with a 40 year retention period, for example, will need to be retrievable and readable forty years from now, despite hardware and software changes that occur during that period.

The creation, maintenance, preservation, and storage of the electronic County records must comply with the County's Record Retention and Disposition Schedule and State law. For all County records that meet those requirements and for ease of record keeping, it is recommended that departments organize their electronic records into folders and subfolders based on the data type and associated retention schedules. All related County records should be stored on County File Servers or in their associated Application. The Information Systems Department is responsible for performing backups of the County's File Servers. The County's Application Servers are either backed up by the Information Systems Department or the Software Vendor. The backup systems are intended to restore operation of the servers in case of failure and are not intended as a long term archival system to meet the requirements of the County's Record Retention and Disposition Schedule. Typical data retention for backup systems is only two to four weeks so it is imperative that Departments report the loss or accidental deletion of data immediately to the Information Systems Department so that the data can be restored before it expires from the backup system.

Local desktop and laptop hard drives and removable storage are not backed up by the County and should not be used for primary storage of County Records. The County recognizes, however, that there is information on local hard drives that may be subject to Georgia Open Records requests, pending or potential litigation, or may be necessary for the continuing operation of the County. For this reason, the County may choose to backup or make copies of local hard drives of Administrators, Department Heads, Supervisors, or other key employees.

Destruction of Electronic Records – Electronic records that have exceeded their associated

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retention schedule shall be treated similar to other County records. The Department Liaison shall notify the Records Management Coordinator when the electronic records have reached their retention schedule and are ready to be deleted. They shall provide the Coordinator with a description of the records to be deleted in a Records Inventory/Disposal List.

Computer printouts and other electronic data input/output may be destroyed without specific authorization and recording provided the following conditions apply:

1. The information is retained on magnetic media (e.g., hard drives, magnetic tape, optical disks, etc.), and the media is scheduled in the Department Records Schedule.
2. The output copy is not specifically listed and scheduled in this Records Retention and Disposition Schedule.

Email - The County's Email Archival System will retain emails for approximately one year from the date the email was sent or received. Based on their content, emails that have a longer retention period must be printed or saved in some other form to comply with the County's Record Retention and Disposition Schedule.

Password Protected Electronic Records - County Records may be password protected as long as the creator of the document provides his/her supervisor with the password.

COUNTY AGENDA REQUEST

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Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Consideration of Commissioner Barlow's recommendation to enter a contract with The Carl Vinson Institute of Government at the University of Georgia to conduct a compensation and classification study, beginning January 1, 2017 with a preliminary report submitted for review in May 2017, and a final report submitted in June 2017, at a cost of \$28,250.

Background/History/Details:

The University of Georgia's (UGA) Carl Vinson Institute of Government (CVIOG) conducted the County's last classification and compensation study in 2007. Since that study, UGA has assisted the County on an ongoing basis, at no additional charge, with updating job descriptions, grading new positions, creating new job descriptions, and maintaining pay grades. The County contracted with UGA to conduct a study of Water System positions at the two water treatment plants during the fall of 2013; and a study of the Information Technology Department (IT) in the spring of 2015.

UGA will meet personally with administration staff, constitutional officers, elected officials, department heads, and select classifications. The scope of work will include collecting wage and survey data to produce a recommended pay plan based on job analysis, job evaluation, and wage survey data, the review and upgrade of the current classification and pay plan for all County positions, updating job descriptions where significant position evolution or a major change in duties has occurred, and providing technical assistance to implement the study recommendations. This study will include a customized salary survey of the area market as proposed under Staff Notes outlined below. Positions in the Water System and IT will be excluded from this project since they were recently conducted.

The fiscal impact from the classification and compensation study is anticipated to be \$50,000.

What action are you seeking from the Board of Commissioners?

Approval of staff's recommendation to enter into a contract with The Carl Vinson Institute of Government at the University of Georgia to conduct a compensation and classification study, beginning January 1, 2017 with a preliminary report submitted for review in May 2017, and a final report submitted in June 2017, at a cost of \$28,250.

If this item requires funding, please describe:

Fund the \$28,250 cost of the proposed study from surplus FY2017 Budget fund balance with the implementation costs as a result of the study being included in the FY2018 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:

This study will compare Fayette County's compensation with the following other jurisdictions: Henry, Coweta, and Spalding Counties, the cities of Peachtree City, Fayetteville, Newnan, and Griffin, and the Town of Tyrone.



Proposal for Services

FAYETTE COUNTY FOLLOW-UP CLASSIFICATION & COMPENSATION STUDY

July 27, 2016

BACKGROUND AND PURPOSE:

This proposal is responsive to Fayette County's request to have the Carl Vinson Institute of Government's Strategic Operations and Planning Assistance (SOPA) division to review and update the County's current classification and compensation plan. *Please note positions from the Information Technology Department and Supply & Production area of the Water System will not be included in this project.*

SCOPE OF WORK:

The scope of work proposed here will derive information from data sources provided by Fayette County. The Carl Vinson Institute of Government and Fayette County will cooperate in guiding project evolution and direction.

Carl Vinson Institute of Government faculty and staff will take several steps or phases to develop a new job classification system and pay plan for all positions (except positions in the Information Technology Department and Supply & Production area of the Water System) covered under the County's personnel plan. The following summarizes the tasks to be undertaken:

1. Carl Vinson Institute of Government faculty and staff will conduct an on-site project orientation with administrators, constitutional officers, and elected officials from Fayette County. The orientation sessions will describe in detail the activities that will be required to successfully review and update the County's current classification and compensation plan.

At the orientation sessions, Carl Vinson Institute of Government faculty and staff will distribute existing job descriptions and job description review forms to constitutional officers and department directors. Each Constitutional Officer and/or Department Director will be required to review the existing job descriptions for their area and provide feedback via the review forms. The job description review forms are designed to collect supervisor feedback about the accuracy and completeness of existing job descriptions. Each existing job description will need to have its own completed job description supervisor review form.

2. Carl Vinson Institute of Government faculty and staff will meet with administration staff, constitutional officers, department directors, and select employees to discuss classification and compensation information within their area and to review their completed job description review forms. It is anticipated 20% of Fayette County's workforce will participate in these meetings.
3. Carl Vinson Institute of Government faculty and staff will update existing job descriptions for select positions in Fayette County. *Carl Vinson Institute of Government will only update existing position descriptions where significant position evolution or change in major duties has occurred.* The updated job descriptions will draw on three sources of information: (1) information on existing job description, (2) completed constitutional officer or department head review forms, and (3) information provided at elected official and employee meetings.
4. Carl Vinson Institute of Government faculty and staff will review and update the classification system for all of the positions covered under the County's personnel plan. All of the classifications will be evaluated with a point factor comparison job evaluation system as a method to rank positions and measure differences in position content.
5. Carl Vinson Institute of Government faculty and staff will collect published wage survey data. In a joint effort with appropriate County officials, Carl Vinson Institute of Government will collect published survey data covering public and private organizations. It is believed that published survey data will be derived from the Bureau of Labor Statistics of the U.S. Department of Labor (BLS), International County/County Management Association (ICMA), and the State of Georgia's Department of Community Affairs (DCA).
6. Carl Vinson Institute of Government faculty and staff will design and administer a custom mail-based salary survey specifically for this project. The purpose of the custom survey is to supplement other compensation information collected for the project. Carl Vinson Institute of Government faculty and staff will work with appropriate County officials to identify up to 12 organizations and appropriate positions for inclusion on the survey.

7. Carl Vinson Institute of Government faculty and staff will analyze and format the wage survey data for use in assessing the competitiveness of Fayette County's existing compensation plan.
8. Carl Vinson Institute of Government will develop an alternate compensation plan for Fayette County's consideration. The alternate compensation plan will include pay steps or salary ranges for each position. The market position of the alternate compensation plan will be aligned with the County's preferred pay-level policy. Carl Vinson Institute of Government will provide the associated costs for implementing the alternate compensation plan at the employee, departmental, and County-wide level.
9. Carl Vinson Institute of Government will develop and submit a final written report outlining the updated classification and compensation plan.
10. Carl Vinson Institute of Government will present report findings and final classification and compensation plan recommendations to the Fayette County Board of Commissioners.
11. Carl Vinson Institute of Government faculty and staff will collaborate and/or train Fayette County administrative and human resources personnel in each component of the project to ensure the successful implementation and maintenance of the updated classification and compensation plan.

DELIVERABLES:

An electronic and paper copy of each updated job descriptions in Fayette County will be developed. A written report outlining the updated classification and compensation plan (and associated recommendations for individual employees) will be produced. Carl Vinson Institute of Government faculty and staff will make a presentation to the Board of Commissioners (on-site meeting) outlining the final recommendations.

PROJECT TIMELINE:

The Carl Vinson Institute of Government will commence activities related to the classification and compensation study on Tuesday, January 3, 2017. Initial activities include an on-site project orientation with administrators, constitutional officers, and elected officials from Fayette County. During the orientation meeting, the Carl Vinson Institute of Government will discuss the project methodology and distribute existing job descriptions and job description review forms to constitutional officers and department directors for review and completion.

The next phase will involve on-site meetings with administration staff, constitutional officers, department directors, and select employees to discuss classification and compensation information within their area. It is anticipated that 20% of the County's workforce will participate in these meetings.

After completion of all of the on-site data collection activities, the next elements of the project will involve updating existing job descriptions (select), evaluation of positions, collection and analysis of a variety of salary survey data, and updating the existing classification and compensation plan. An alternate compensation plan will also be developed for the County's consideration.

The final steps in the project will involve reviewing the preliminary results with the County Manager and Human Resources Director. The final recommendations will be presented to the Board of Commissioners. A preliminary cost estimate and report will be submitted for review by Friday, May 19, 2017 and a final report submitted by Friday, July 14, 2017.

The Carl Vinson Institute of Government will remain available to assist with implementation and training related to the study recommendations until October 31, 2017.

COST:

A fixed fee of \$28,250 would be required to fund the project. The Institute of Government is willing to adjust the scope of work and costs accordingly to meet the County's needs. This proposal will be honored for 120 days from the date of the proposal (July 27, 2016).

Upon receipt of invoices, Fayette County will pay the University of Georgia's Carl Vinson Institute of Government a fixed of \$28,250 being due on June 30, 2017. The invoices should be directed to: Mr. Lewis Patterson, Director of Human Resources, Fayette County Board of Commissioners, 140 Stonewall Avenue, West Suite 212, Fayetteville, GA 30214; telephone number 770.305.5381.

CAPABILITIES OF THE VINSON INSTITUTE:

The mission of the Institute of Government is to improve governance and the lives of people in Georgia. In carrying out this mission, the Institute can call on the wide-ranging knowledge base of the University of Georgia as well as on over 85 years of direct service experience in providing technical assistance, training, research, and policy analysis to local and state governments in Georgia. The Institute of Government is among the most highly-rated university-based organizations designed specifically to span the gap between best practices research and the existing practice of government. The Institute of Government has developed expertise in numerous areas of public policy, public management, training, and human services and resource development. Most importantly for the purposes of this proposal, the Institute of Government's Strategic Operations and Planning Assistance (SOPA) Division has tremendous experience with assisting local governments with human resource management technical assistance projects.

The proposed researcher for this project is:

Alex Daman Alex Daman would oversee the project. Alex joined the Institute in 2007. He provides technical assistance to local governments and public sector organizations in the areas of position classification and compensation, job descriptions, salary and employee benefits surveys, executive searches, and general human resource management. Mr. Daman has directed over 70 human resource technical assistance projects in the State of Georgia. He is a member of the American Society for Public Administration (ASPA) and serves on the Executive Board of ASPA's Section on Personnel Administration and Labor Relations. He has a Master of Public Administration from the University of Georgia.

The Carl Vinson Institute of Government focuses on providing customized research projects based upon the unique and specific needs of each local government. We have several experts in this arena that can be called upon to provide additional technical support. We stand ready to meet your applied research and training needs! For additional information please contact:

Alex Daman
Public Service Assistant
adaman@uga.edu
706.542.9048

COUNTY AGENDA REQUEST

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Department: Board of Commissioners

Presenter(s): Commissioner Steve Brown

Meeting Date: Thursday, August 25, 2016

Type of Request: New Business #16

Wording for the Agenda:

Consideration of Commissioner Brown's request to change the hours for fishing on county lakes, to sunrise to sunset to allow more prime fishing opportunities and to align hours of operation with other outdoor parks.

Background/History/Details:

Commissioner Brown has provided a memorandum as an attachment to address the purpose for this request.

The Water Committee recommends to make no change to the park hours at the Water System reservoirs.

The Water Committee discussed the impact of changing the hours and recommend no changes. Changing the hours impacts all park visitors. There are safety concerns about allowing people to be in the park so close to dark and then having to try to locate someone still on the lake in a boat after dark. Attached is a graph comparing the times of sunrise and sunset throughout the past year to the actual time the gates close at the park. The gates are automatically set to open at 6:30 a.m. and close at 8:30 p.m. during Daylight Savings Time.

What action are you seeking from the Board of Commissioners?

Approval of Commissioner Brown's request to change the hours for fishing on county lakes, to sunrise to sunset and to align hours of operation with other outdoor parks.

If this item requires funding, please describe:

Not Applicable.

Has this request been considered within the past two years? No

If so, when?

Is Audio-Visual Equipment Required for this Request?* No

Backup Provided with Request? Yes

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

Approved by Finance Not Applicable

Reviewed by Legal

Approved by Purchasing Not Applicable

County Clerk's Approval Yes

Administrator's Approval

Staff Notes:



140 STONEWALL AVENUE WEST, STE 100
FAYETTEVILLE, GEORGIA 30214
PHONE: 770-305-5200
www.fayettecountyga.gov

"WHERE QUALITY
IS A LIFESTYLE"

MEMORANDUM

From: Commissioner Steve Brown

To: Board of Commissioners

Date: July 30, 2016

Subject: **Change hours for fishing on county lakes, August 25, 2016 BOC Meeting Agenda**

I have been approached by some avid fishermen in our county regarding the hours of operation for our water reservoirs.

The chief complaint is that some of the best fishing occurs before dusk at certain times of the year. The current hours of access at the lakes are "6:30 a.m. till 6:00 p.m. EST or 6:30 a.m. till 8:30 p.m. Daylight Savings Time."

Most of our county parks and most of the municipal outdoor parks are open "sunrise to sunset."

I am asking my fellow Commissioners to consider changing existing regulations and ordinances for the hours of access to the county's water reservoirs to ***sunrise to sunset*** which would allow more prime fishing opportunities and align hours of operation with some of our other outdoor parks.



"WHERE QUALITY
IS A LIFESTYLE"

MEMORANDUM

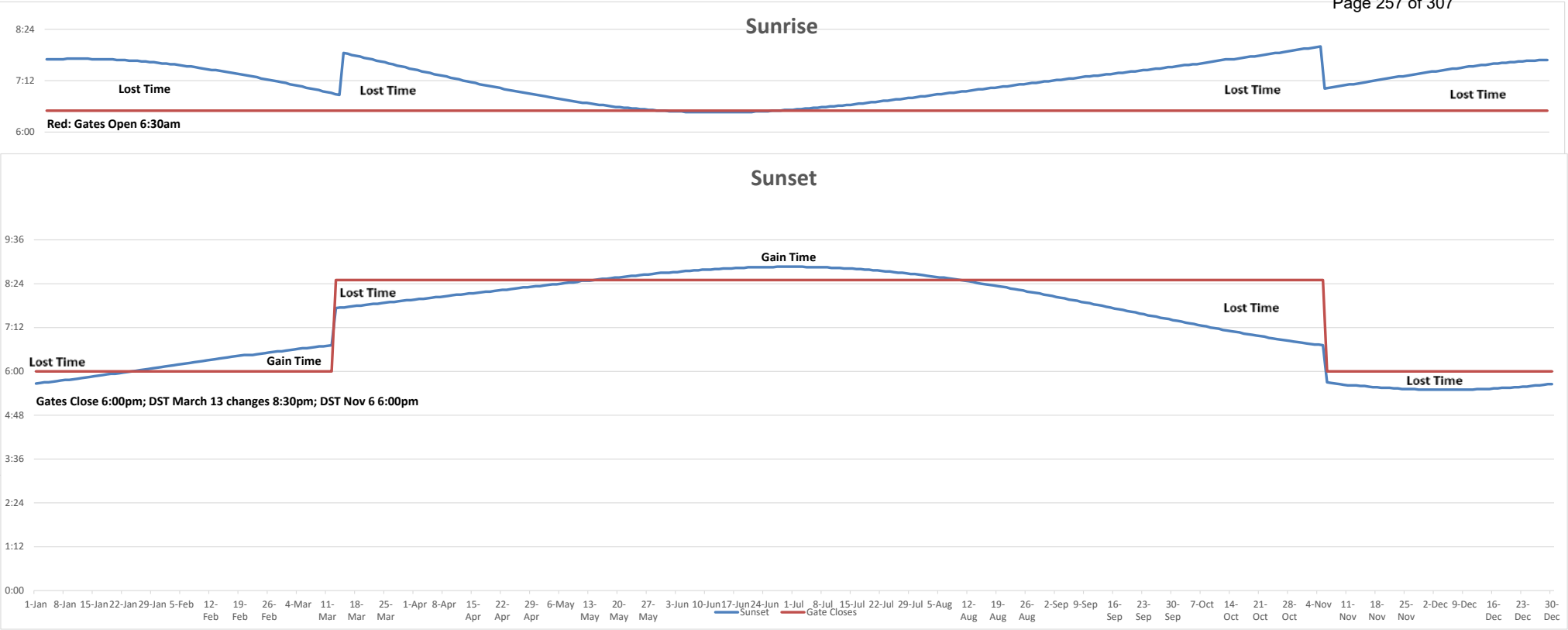
Date: August 11, 2016

To: Fayette County Board of Commissioners

From: Fayette County Water Committee (*P.A.F.*)

Re: Recommendation to make no change to the park hours at the Water System reservoirs.

The Water Committee discussed the impact of changing the hours and recommend no changes. Changing the hours impacts all park visitors. There are safety concerns about allowing people to be in the park so close to dark and then having to try to locate someone still on the lake in a boat after dark. Attached is a graph comparing the times of sunrise and sunset throughout the past year to the actual time the gates close at the park. The gates are automatically set to open at 6:30 a.m. and close at 8:30 p.m. during Daylight Savings Time.



Jan-16

	Sunrise	Gate Opens	Visitors gain/loss	Sunset	Gate Closes	Visitors gain/loss	Net gain/loss
1-Jan	7:42	6:30	1:12	5:40	6:00	0:20	1:32
2-Jan	7:42	6:30	1:12	5:41	6:00	0:19	1:31
3-Jan	7:42	6:30	1:12	5:42	6:00	0:18	1:30
4-Jan	7:42	6:30	1:12	5:42	6:00	0:18	1:30
5-Jan	7:42	6:30	1:12	5:43	6:00	0:17	1:29
6-Jan	7:43	6:30	1:13	5:44	6:00	0:16	1:29
7-Jan	7:43	6:30	1:13	5:45	6:00	0:15	1:28
8-Jan	7:43	6:30	1:13	5:46	6:00	0:14	1:27
9-Jan	7:43	6:30	1:13	5:46	6:00	0:14	1:27
10-Jan	7:43	6:30	1:13	5:47	6:00	0:13	1:26
11-Jan	7:43	6:30	1:13	5:48	6:00	0:12	1:25
12-Jan	7:42	6:30	1:12	5:49	6:00	0:11	1:23
13-Jan	7:42	6:30	1:12	5:50	6:00	0:10	1:22
14-Jan	7:42	6:30	1:12	5:51	6:00	0:09	1:21
15-Jan	7:42	6:30	1:12	5:52	6:00	0:08	1:20
16-Jan	7:42	6:30	1:12	5:53	6:00	0:07	1:19
17-Jan	7:42	6:30	1:12	5:54	6:00	0:06	1:18
18-Jan	7:41	6:30	1:11	5:55	6:00	0:05	1:16
19-Jan	7:41	6:30	1:11	5:56	6:00	0:04	1:15
20-Jan	7:41	6:30	1:11	5:56	6:00	0:04	1:15
21-Jan	7:40	6:30	1:10	5:57	6:00	0:03	1:13
22-Jan	7:40	6:30	1:10	5:58	6:00	0:02	1:12
23-Jan	7:40	6:30	1:10	5:59	6:00	0:01	1:11
24-Jan	7:39	6:30	1:09	6:00	6:00	0:00	1:09
25-Jan	7:39	6:30	1:09	6:01	6:00	0:01	1:08
26-Jan	7:38	6:30	1:08	6:02	6:00	0:02	1:06
27-Jan	7:38	6:30	1:08	6:03	6:00	0:03	1:05
28-Jan	7:37	6:30	1:07	6:04	6:00	0:04	1:03
29-Jan	7:36	6:30	1:06	6:05	6:00	0:05	1:01
30-Jan	7:36	6:30	1:06	6:06	6:00	0:06	1:00
31-Jan	7:35	6:30	1:05	6:07	6:00	0:07	0:58

Feb-16

	Sunrise	Gate Opens	Visitors gain/loss	Sunset	Gate Closes	Visitors gain/loss	Net gain/loss
1-Feb	7:35	6:30	1:05	6:08	6:00	0:08	0:57
2-Feb	7:34	6:30	1:04	6:09	6:00	0:09	0:55
3-Feb	7:33	6:30	1:03	6:10	6:00	0:10	0:53
4-Feb	7:32	6:30	1:02	6:11	6:00	0:11	0:51
5-Feb	7:32	6:30	1:02	6:12	6:00	0:12	0:50
6-Feb	7:31	6:30	1:01	6:13	6:00	0:13	0:48
7-Feb	7:30	6:30	1:00	6:14	6:00	0:14	0:46
8-Feb	7:29	6:30	0:59	6:15	6:00	0:15	0:44
9-Feb	7:28	6:30	0:58	6:16	6:00	0:16	0:42
10-Feb	7:27	6:30	0:57	6:17	6:00	0:17	0:40
11-Feb	7:27	6:30	0:57	6:18	6:00	0:18	0:39
12-Feb	7:26	6:30	0:56	6:19	6:00	0:19	0:37
13-Feb	7:25	6:30	0:55	6:20	6:00	0:20	0:35
14-Feb	7:24	6:30	0:54	6:21	6:00	0:21	0:33
15-Feb	7:23	6:30	0:53	6:22	6:00	0:22	0:31
16-Feb	7:22	6:30	0:52	6:23	6:00	0:23	0:29
17-Feb	7:21	6:30	0:51	6:24	6:00	0:24	0:27
18-Feb	7:20	6:30	0:50	6:25	6:00	0:25	0:25
19-Feb	7:19	6:30	0:49	6:26	6:00	0:26	0:23
20-Feb	7:18	6:30	0:48	6:27	6:00	0:27	0:21
21-Feb	7:17	6:30	0:47	6:27	6:00	0:27	0:20
22-Feb	7:15	6:30	0:45	6:27	6:00	0:27	0:18
23-Feb	7:14	6:30	0:44	6:28	6:00	0:28	0:16
24-Feb	7:13	6:30	0:43	6:29	6:00	0:29	0:14
25-Feb	7:12	6:30	0:42	6:30	6:00	0:30	0:12
26-Feb	7:11	6:30	0:41	6:31	6:00	0:31	0:10
27-Feb	7:10	6:30	0:40	6:32	6:00	0:32	0:08
28-Feb	7:09	6:30	0:39	6:33	6:00	0:33	0:06
29-Feb	7:07	6:30	0:37	6:33	6:00	0:33	0:04

Mar-16

Gate Closing Times Rolled Back to 8:30pm March 13th

	Sunrise	Gate Opens	Visitors gain/loss	Sunset	Gate Closes	Visitors gain/loss	Net gain/loss
1-Mar	7:06	6:30	0:36	6:34	6:00	0:34	0:02
2-Mar	7:05	6:30	0:35	6:35	6:00	0:35	0:00
3-Mar	7:04	6:30	0:34	6:36	6:00	0:36	0:02
4-Mar	7:02	6:30	0:32	6:37	6:00	0:37	0:05
5-Mar	7:01	6:30	0:31	6:38	6:00	0:38	0:07
6-Mar	7:00	6:30	0:30	6:38	6:00	0:38	0:08
7-Mar	6:59	6:30	0:29	6:39	6:00	0:39	0:10
8-Mar	6:57	6:30	0:27	6:40	6:00	0:40	0:13
9-Mar	6:56	6:30	0:26	6:41	6:00	0:41	0:15
10-Mar	6:55	6:30	0:25	6:41	6:00	0:41	0:16
11-Mar	6:53	6:30	0:23	6:42	6:00	0:42	0:19
12-Mar	6:52	6:30	0:22	6:43	6:00	0:43	0:21
13-Mar	7:51	6:30	1:21	7:44	8:30	0:46	2:07
14-Mar	7:50	6:30	1:20	7:45	8:30	0:45	2:05
15-Mar	7:48	6:30	1:18	7:45	8:30	0:45	2:03
16-Mar	7:47	6:30	1:17	7:46	8:30	0:44	2:01
17-Mar	7:46	6:30	1:16	7:47	8:30	0:43	1:59
18-Mar	7:44	6:30	1:14	7:48	8:30	0:42	1:56
19-Mar	7:43	6:30	1:13	7:48	8:30	0:42	1:55
20-Mar	7:42	6:30	1:12	7:49	8:30	0:41	1:53
21-Mar	7:40	6:30	1:10	7:50	8:30	0:40	1:50
22-Mar	7:39	6:30	1:09	7:51	8:30	0:39	1:48
23-Mar	7:38	6:30	1:08	7:51	8:30	0:39	1:47
24-Mar	7:36	6:30	1:06	7:52	8:30	0:38	1:44
25-Mar	7:35	6:30	1:05	7:53	8:30	0:37	0:28
26-Mar	7:33	6:30	1:03	7:54	8:30	0:36	0:27
27-Mar	7:32	6:30	1:02	7:54	8:30	0:36	0:26
28-Mar	7:31	6:30	1:01	7:55	8:30	0:35	0:26
29-Mar	7:29	6:30	0:59	7:56	8:30	0:34	0:25
30-Mar	7:28	6:30	0:58	7:57	8:30	0:33	0:25
31-Mar	7:27	6:30	0:57	7:57	8:30	0:33	0:24

DST Begins

Apr-16

	Sunrise	Gate Opens	Visitors gain/loss	Sunset	Gate Closes	Visitors gain/loss	Net gain/loss
1-Apr	7:25	6:30	0:55	7:58	8:30	0:32	1:27
2-Apr	7:24	6:30	0:54	7:59	8:30	0:31	1:25
3-Apr	7:23	6:30	0:53	7:59	8:30	0:31	1:24
4-Apr	7:21	6:30	0:51	8:00	8:30	0:30	1:21
5-Apr	7:20	6:30	0:50	8:01	8:30	0:29	1:19
6-Apr	7:19	6:30	0:49	8:02	8:30	0:28	1:17
7-Apr	7:18	6:30	0:48	8:02	8:30	0:28	1:16
8-Apr	7:16	6:30	0:46	8:03	8:30	0:27	1:13
9-Apr	7:15	6:30	0:45	8:04	8:30	0:26	1:11
10-Apr	7:14	6:30	0:44	8:05	8:30	0:25	1:09
11-Apr	7:12	6:30	0:42	8:06	8:30	0:24	1:06
12-Apr	7:11	6:30	0:41	8:06	8:30	0:24	1:05
13-Apr	7:10	6:30	0:40	8:07	8:30	0:23	1:03
14-Apr	7:09	6:30	0:39	8:08	8:30	0:22	1:01
15-Apr	7:07	6:30	0:37	8:08	8:30	0:22	0:59
16-Apr	7:06	6:30	0:36	8:09	8:30	0:21	0:57
17-Apr	7:05	6:30	0:35	8:10	8:30	0:20	0:55
18-Apr	7:04	6:30	0:34	8:11	8:30	0:19	0:53
19-Apr	7:03	6:30	0:33	8:11	8:30	0:19	0:52
20-Apr	7:02	6:30	0:32	8:12	8:30	0:18	0:50
21-Apr	7:00	6:30	0:30	8:13	8:30	0:17	0:47
22-Apr	6:59	6:30	0:29	8:14	8:30	0:16	0:45
23-Apr	6:58	6:30	0:28	8:14	8:30	0:16	0:44
24-Apr	6:57	6:30	0:27	8:15	8:30	0:15	0:42
25-Apr	6:56	6:30	0:26	8:16	8:30	0:14	0:40
26-Apr	6:55	6:30	0:25	8:17	8:30	0:13	0:38
27-Apr	6:54	6:30	0:24	8:18	8:30	0:12	0:36
28-Apr	6:53	6:30	0:23	8:18	8:30	0:12	0:35
29-Apr	6:52	6:30	0:22	8:19	8:30	0:11	0:33
30-Apr	6:51	6:30	0:21	8:20	8:30	0:10	0:31

May-16

	Sunrise	Gate Opens	Visitors gain/loss	Sunset	Gate Closes	Visitors gain/loss	Net gain/loss
1-May	6:50	6:30	0:20	8:20	8:30	0:10	0:30
2-May	6:49	6:30	0:19	8:21	8:30	0:09	0:28
3-May	6:48	6:30	0:18	8:22	8:30	0:08	0:26
4-May	6:47	6:30	0:17	8:23	8:30	0:07	0:24
5-May	6:46	6:30	0:16	8:23	8:30	0:07	0:23
6-May	6:45	6:30	0:15	8:24	8:30	0:06	0:21
7-May	6:44	6:30	0:14	8:25	8:30	0:05	0:19
8-May	6:43	6:30	0:13	8:26	8:30	0:04	0:17
9-May	6:42	6:30	0:12	8:26	8:30	0:04	0:16
10-May	6:41	6:30	0:11	8:27	8:30	0:03	0:14
11-May	6:41	6:30	0:11	8:29	8:30	0:01	0:12
12-May	6:40	6:30	0:10	8:29	8:30	0:01	0:11
13-May	6:39	6:30	0:09	8:29	8:30	0:01	0:10
14-May	6:38	6:30	0:08	8:30	8:30	0:00	0:08
15-May	6:38	6:30	0:08	8:31	8:30	0:01	0:07
16-May	6:37	6:30	0:07	8:32	8:30	0:02	0:05
17-May	6:36	6:30	0:06	8:32	8:30	0:02	0:04
18-May	6:35	6:30	0:05	8:33	8:30	0:03	0:02
19-May	6:35	6:30	0:05	8:34	8:30	0:04	0:01
20-May	6:34	6:30	0:04	8:34	8:30	0:04	0:00
21-May	6:34	6:30	0:04	8:35	8:30	0:05	0:01
22-May	6:33	6:30	0:03	8:36	8:30	0:06	0:03
23-May	6:33	6:30	0:03	8:37	8:30	0:07	0:04
24-May	6:32	6:30	0:02	8:37	8:30	0:07	0:05
25-May	6:32	6:30	0:02	8:38	8:30	0:08	0:06
26-May	6:31	6:30	0:01	8:39	8:30	0:09	0:08
27-May	6:31	6:30	0:01	8:39	8:30	0:09	0:08
28-May	6:30	6:30	0:00	8:40	8:30	0:10	0:10
29-May	6:30	6:30	0:00	8:41	8:30	0:11	0:11
30-May	6:30	6:30	0:00	8:42	8:30	0:12	0:12
31-May	6:29	6:30	0:01	8:42	8:30	0:12	0:11

Jun-16

	Sunrise	Gate Opens	Visitors gain/loss	Sunset	Gate Closes	Visitors gain/loss	Net gain/loss
1-Jun	6:29	6:30	0:01	8:42	8:30	0:12	0:13
2-Jun	6:29	6:30	0:01	8:43	8:30	0:13	0:14
3-Jun	6:29	6:30	0:01	8:43	8:30	0:13	0:14
4-Jun	6:28	6:30	0:02	8:44	8:30	0:14	0:16
5-Jun	6:28	6:30	0:02	8:45	8:30	0:15	0:17
6-Jun	6:28	6:30	0:02	8:45	8:30	0:15	0:17
7-Jun	6:28	6:30	0:02	8:46	8:30	0:16	0:18
8-Jun	6:28	6:30	0:02	8:46	8:30	0:16	0:18
9-Jun	6:28	6:30	0:02	8:47	8:30	0:17	0:19
10-Jun	6:28	6:30	0:02	8:47	8:30	0:17	0:19
11-Jun	6:28	6:30	0:02	8:47	8:30	0:17	0:19
12-Jun	6:28	6:30	0:02	8:48	8:30	0:18	0:20
13-Jun	6:28	6:30	0:02	8:48	8:30	0:18	0:20
14-Jun	6:28	6:30	0:02	8:49	8:30	0:19	0:21
15-Jun	6:28	6:30	0:02	8:49	8:30	0:19	0:21
16-Jun	6:28	6:30	0:02	8:49	8:30	0:19	0:21
17-Jun	6:28	6:30	0:02	8:50	8:30	0:20	0:22
18-Jun	6:28	6:30	0:02	8:50	8:30	0:20	0:22
19-Jun	6:28	6:30	0:02	8:50	8:30	0:20	0:22
20-Jun	6:28	6:30	0:02	8:51	8:30	0:21	0:23
21-Jun	6:29	6:30	0:01	8:51	8:30	0:21	0:22
22-Jun	6:29	6:30	0:01	8:51	8:30	0:21	0:22
23-Jun	6:29	6:30	0:01	8:51	8:30	0:21	0:22
24-Jun	6:29	6:30	0:01	8:51	8:30	0:21	0:22
25-Jun	6:30	6:30	0:00	8:51	8:30	0:21	0:21
26-Jun	6:30	6:30	0:00	8:51	8:30	0:21	0:21
27-Jun	6:30	6:30	0:00	8:52	8:30	0:22	0:22
28-Jun	6:31	6:30	0:01	8:52	8:30	0:22	0:23
29-Jun	6:31	6:30	0:01	8:52	8:30	0:22	0:23
30-Jun	6:31	6:30	0:01	8:52	8:30	0:22	0:21

Jul-16

	Sunrise	Gate Opens	Visitors gain/loss	Sunset	Gate Closes	Visitors gain/loss	Net gain/loss
1-Jul	6:32	6:30	0:02	8:52	8:30	0:22	0:20
2-Jul	6:32	6:30	0:02	8:52	8:30	0:22	0:20
3-Jul	6:33	6:30	0:03	8:52	8:30	0:22	0:19
4-Jul	6:33	6:30	0:03	8:51	8:30	0:21	0:18
5-Jul	6:34	6:30	0:04	8:51	8:30	0:21	0:17
6-Jul	6:34	6:30	0:04	8:51	8:30	0:21	0:17
7-Jul	6:35	6:30	0:05	8:51	8:30	0:21	0:16
8-Jul	6:35	6:30	0:05	8:51	8:30	0:21	0:16
9-Jul	6:36	6:30	0:06	8:51	8:30	0:21	0:15
10-Jul	6:36	6:30	0:06	8:50	8:30	0:20	0:14
11-Jul	6:37	6:30	0:07	8:50	8:30	0:20	0:13
12-Jul	6:37	6:30	0:07	8:50	8:30	0:20	0:13
13-Jul	6:38	6:30	0:08	8:49	8:30	0:19	0:11
14-Jul	6:38	6:30	0:08	8:49	8:30	0:19	0:11
15-Jul	6:39	6:30	0:09	8:49	8:30	0:19	0:10
16-Jul	6:40	6:30	0:10	8:48	8:30	0:18	0:08
17-Jul	6:40	6:30	0:10	8:48	8:30	0:18	0:08
18-Jul	6:41	6:30	0:11	8:47	8:30	0:17	0:06
19-Jul	6:42	6:30	0:12	8:47	8:30	0:17	0:05
20-Jul	6:42	6:30	0:12	8:46	8:30	0:16	0:04
21-Jul	6:43	6:30	0:13	8:46	8:30	0:16	0:03
22-Jul	6:44	6:30	0:14	8:45	8:30	0:15	0:01
23-Jul	6:44	6:30	0:14	8:44	8:30	0:14	0:00
24-Jul	6:45	6:30	0:15	8:44	8:30	0:14	0:01
25-Jul	6:46	6:30	0:16	8:43	8:30	0:13	0:03
26-Jul	6:46	6:30	0:16	8:42	8:30	0:12	0:04
27-Jul	6:47	6:30	0:17	8:42	8:30	0:12	0:05
28-Jul	6:48	6:30	0:18	8:41	8:30	0:11	0:07
29-Jul	6:48	6:30	0:18	8:40	8:30	0:10	0:08
30-Jul	6:49	6:30	0:19	8:40	8:30	0:10	0:09
31-Jul	6:50	6:30	0:20	8:39	8:30	0:09	0:11

Aug-16

	Sunrise	Gate Opens	Visitors gain/loss	Sunset	Gate Closes	Visitors gain/loss	Net gain/loss
1-Aug	6:50	6:30	0:20	8:38	8:30	0:08	0:12
2-Aug	6:51	6:30	0:21	8:37	8:30	0:07	0:14
3-Aug	6:52	6:30	0:22	8:36	8:30	0:06	0:16
4-Aug	6:53	6:30	0:23	8:35	8:30	0:05	0:18
5-Aug	6:53	6:30	0:23	8:34	8:30	0:04	0:19
6-Aug	6:54	6:30	0:24	8:34	8:30	0:04	0:20
7-Aug	6:55	6:30	0:25	8:33	8:30	0:03	0:22
8-Aug	6:55	6:30	0:25	8:32	8:30	0:02	0:23
9-Aug	6:56	6:30	0:26	8:31	8:30	0:01	0:25
10-Aug	6:57	6:30	0:27	8:30	8:30	0:00	0:27
11-Aug	6:57	6:30	0:27	8:29	8:30	0:01	0:28
12-Aug	6:58	6:30	0:28	8:28	8:30	0:02	0:30
13-Aug	6:59	6:30	0:29	8:27	8:30	0:03	0:32
14-Aug	7:00	6:30	0:30	8:25	8:30	0:05	0:35
15-Aug	7:00	6:30	0:30	8:24	8:30	0:06	0:36
16-Aug	7:01	6:30	0:31	8:23	8:30	0:07	0:38
17-Aug	7:02	6:30	0:32	8:22	8:30	0:08	0:40
18-Aug	7:02	6:30	0:32	8:21	8:30	0:09	0:41
19-Aug	7:03	6:30	0:33	8:20	8:30	0:10	0:43
20-Aug	7:04	6:30	0:34	8:19	8:30	0:11	0:45
21-Aug	7:04	6:30	0:34	8:18	8:30	0:12	0:46
22-Aug	7:05	6:30	0:35	8:16	8:30	0:14	0:49
23-Aug	7:06	6:30	0:36	8:15	8:30	0:15	0:51
24-Aug	7:07	6:30	0:37	8:14	8:30	0:16	0:53
25-Aug	7:07	6:30	0:37	8:13	8:30	0:17	0:54
26-Aug	7:08	6:30	0:38	8:11	8:30	0:19	0:57
27-Aug	7:09	6:30	0:39	8:10	8:30	0:20	0:59
28-Aug	7:09	6:30	0:39	8:09	8:30	0:21	1:00
29-Aug	7:10	6:30	0:40	8:08	8:30	0:22	1:02
30-Aug	7:11	6:30	0:41	8:06	8:30	0:24	1:05
31-Aug	7:11	6:30	0:41	8:05	8:30	0:25	1:06

Sep-16

	Sunrise	Gate Opens	Net gain/loss	Sunset	Gate Closes	Visitors gain/loss	Net gain/loss
1-Sep	7:12	6:30	0:42	8:04	8:30	0:26	1:08
2-Sep	7:13	6:30	0:43	8:02	8:30	0:28	1:11
3-Sep	7:13	6:30	0:43	8:01	8:30	0:29	1:12
4-Sep	7:14	6:30	0:44	8:00	8:30	0:30	1:14
5-Sep	7:15	6:30	0:45	7:58	8:30	0:32	1:17
6-Sep	7:15	6:30	0:45	7:57	8:30	0:33	1:18
7-Sep	7:16	6:30	0:46	7:56	8:30	0:34	1:20
8-Sep	7:17	6:30	0:47	7:54	8:30	0:36	1:23
9-Sep	7:18	6:30	0:48	7:53	8:30	0:37	1:25
10-Sep	7:18	6:30	0:48	7:52	8:30	0:38	1:26
11-Sep	7:19	6:30	0:49	7:50	8:30	0:40	1:29
12-Sep	7:19	6:30	0:49	7:49	8:30	0:41	1:30
13-Sep	7:20	6:30	0:50	7:48	8:30	0:42	1:32
14-Sep	7:21	6:30	0:51	7:46	8:30	0:44	1:35
15-Sep	7:21	6:30	0:51	7:45	8:30	0:45	1:36
16-Sep	7:22	6:30	0:52	7:43	8:30	0:47	1:39
17-Sep	7:23	6:30	0:53	7:42	8:30	0:48	1:41
18-Sep	7:23	6:30	0:53	7:41	8:30	0:49	1:42
19-Sep	7:24	6:30	0:54	7:39	8:30	0:51	1:45
20-Sep	7:25	6:30	0:55	7:38	8:30	0:52	1:47
21-Sep	7:25	6:30	0:55	7:37	8:30	0:53	1:48
22-Sep	7:26	6:30	0:56	7:35	8:30	0:55	1:51
23-Sep	7:27	6:30	0:57	7:34	8:30	0:56	1:53
24-Sep	7:27	6:30	0:57	7:32	8:30	0:58	1:55
25-Sep	7:28	6:30	0:58	7:31	8:30	0:59	1:57
26-Sep	7:29	6:30	0:59	7:30	8:30	1:00	1:59
27-Sep	7:29	6:30	0:59	7:28	8:30	1:02	2:01
28-Sep	7:30	6:30	1:00	7:27	8:30	1:03	2:03
29-Sep	7:31	6:30	1:01	7:26	8:30	1:04	2:05
30-Sep	7:31	6:30	1:01	7:24	8:30	1:06	2:07

Oct-16

	Sunrise	Gate Opens	Visitors gain/loss	Sunset	Gate Closes	Visitors gain/loss	Net gain/loss
1-Oct	7:32	6:30	1:02	7:23	8:30	1:07	2:09
2-Oct	7:33	6:30	1:03	7:22	8:30	1:08	2:11
3-Oct	7:34	6:30	1:04	7:20	8:30	1:10	2:14
4-Oct	7:34	6:30	1:04	7:19	8:30	1:11	2:15
5-Oct	7:35	6:30	1:05	7:18	8:30	1:12	2:17
6-Oct	7:35	6:30	1:05	7:16	8:30	1:14	2:19
7-Oct	7:36	6:30	1:06	7:15	8:30	1:15	2:21
8-Oct	7:37	6:30	1:07	7:14	8:30	1:16	2:23
9-Oct	7:38	6:30	1:08	7:12	8:30	1:18	2:26
10-Oct	7:39	6:30	1:09	7:11	8:30	1:19	2:28
11-Oct	7:40	6:30	1:10	7:10	8:30	1:20	2:30
12-Oct	7:41	6:30	1:11	7:08	8:30	1:22	2:33
13-Oct	7:42	6:30	1:12	7:07	8:30	1:23	2:35
14-Oct	7:42	6:30	1:12	7:06	8:30	1:24	2:36
15-Oct	7:42	6:30	1:12	7:05	8:30	1:25	2:37
16-Oct	7:43	6:30	1:13	7:04	8:30	1:26	2:39
17-Oct	7:44	6:30	1:14	7:02	8:30	1:28	2:42
18-Oct	7:45	6:30	1:15	7:01	8:30	1:29	2:44
19-Oct	7:46	6:30	1:16	7:00	8:30	1:30	2:46
20-Oct	7:46	6:30	1:16	6:59	8:30	1:31	2:47
21-Oct	7:47	6:30	1:17	6:58	8:30	1:32	2:49
22-Oct	7:48	6:30	1:18	6:57	8:30	1:33	2:51
23-Oct	7:49	6:30	1:19	6:55	8:30	1:35	2:54
24-Oct	7:50	6:30	1:20	6:54	8:30	1:36	2:56
25-Oct	7:51	6:30	1:21	6:53	8:30	1:37	2:58
26-Oct	7:51	6:30	1:21	6:52	8:30	1:38	2:59
27-Oct	7:52	6:30	1:22	6:51	8:30	1:39	3:01
28-Oct	7:53	6:30	1:23	6:50	8:30	1:40	3:03
29-Oct	7:54	6:30	1:24	6:49	8:30	1:41	3:05
30-Oct	7:55	6:30	1:25	6:48	8:30	1:42	3:07
31-Oct	7:56	6:30	1:26	6:47	8:30	1:43	3:09

Nov-16

Gates Reset to close at 6:00pm November 5

	Sunrise	Gate Opens	Visitors gain/loss	Sunset	Gate Closes	Visitors gain/loss	Net gain/loss	
1-Nov	7:57	6:30	1:27	6:46	8:30	1:44	3:11	
2-Nov	7:57	6:30	1:27	6:45	8:30	1:45	3:12	
3-Nov	7:58	6:30	1:28	6:44	8:30	1:46	3:14	
4-Nov	7:59	6:30	1:29	6:44	8:30	1:46	3:15	
5-Nov	8:00	6:30	1:30	6:43	8:30	1:47	3:17	DST Ends
6-Nov	7:01	6:30	0:31	5:42	6:00	0:18	0:49	
7-Nov	7:02	6:30	0:32	5:41	6:00	0:19	0:51	
8-Nov	7:03	6:30	0:33	5:40	6:00	0:20	0:53	
9-Nov	7:04	6:30	0:34	5:39	6:00	0:21	0:55	
10-Nov	7:05	6:30	0:35	5:38	6:00	0:22	0:57	
11-Nov	7:06	6:30	0:36	5:37	6:00	0:23	0:59	
12-Nov	7:07	6:30	0:37	5:37	6:00	0:23	1:00	
13-Nov	7:07	6:30	0:37	5:37	6:00	0:23	1:00	
14-Nov	7:08	6:30	0:38	5:36	6:00	0:24	1:02	
15-Nov	7:09	6:30	0:39	5:36	6:00	0:24	1:03	
16-Nov	7:10	6:30	0:40	5:35	6:00	0:25	1:05	
17-Nov	7:11	6:30	0:41	5:34	6:00	0:26	1:07	
18-Nov	7:12	6:30	0:42	5:34	6:00	0:26	1:08	
19-Nov	7:13	6:30	0:43	5:33	6:00	0:27	1:10	
20-Nov	7:14	6:30	0:44	5:33	6:00	0:27	1:11	
21-Nov	7:15	6:30	0:45	5:33	6:00	0:27	1:12	
22-Nov	7:16	6:30	0:46	5:32	6:00	0:28	1:14	
23-Nov	7:17	6:30	0:47	5:32	6:00	0:28	1:15	
24-Nov	7:18	6:30	0:48	5:31	6:00	0:29	1:17	
25-Nov	7:18	6:30	0:48	5:31	6:00	0:29	1:17	
26-Nov	7:19	6:30	0:49	5:31	6:00	0:29	1:18	
27-Nov	7:20	6:30	0:50	5:31	6:00	0:29	1:19	
28-Nov	7:21	6:30	0:51	5:30	6:00	0:30	1:21	
29-Nov	7:22	6:30	0:52	5:30	6:00	0:30	1:22	
30-Nov	7:23	6:30	0:53	5:30	6:00	0:30	1:23	

Dec-16

	Sunrise	Gate Opens	Visitors gain/loss	Sunset	Gate Closes	Visitors gain/loss	Net gain/loss
1-Dec	7:24	6:30	0:54	5:30	6:00	0:30	1:24
2-Dec	7:25	6:30	0:55	5:30	6:00	0:30	1:25
3-Dec	7:25	6:30	0:55	5:30	6:00	0:30	1:25
4-Dec	7:26	6:30	0:56	5:30	6:00	0:30	1:26
5-Dec	7:27	6:30	0:57	5:30	6:00	0:30	1:27
6-Dec	7:28	6:30	0:58	5:30	6:00	0:30	1:28
7-Dec	7:29	6:30	0:59	5:30	6:00	0:30	1:29
8-Dec	7:29	6:30	0:59	5:30	6:00	0:30	1:29
9-Dec	7:30	6:30	1:00	5:30	6:00	0:30	1:30
10-Dec	7:31	6:30	1:01	5:30	6:00	0:30	1:31
11-Dec	7:32	6:30	1:02	5:30	6:00	0:30	1:32
12-Dec	7:32	6:30	1:02	5:31	6:00	0:29	1:31
13-Dec	7:33	6:30	1:03	5:31	6:00	0:29	1:32
14-Dec	7:34	6:30	1:04	5:31	6:00	0:29	1:33
15-Dec	7:34	6:30	1:04	5:31	6:00	0:29	1:33
16-Dec	7:35	6:30	1:05	5:32	6:00	0:28	1:33
17-Dec	7:36	6:30	1:06	5:32	6:00	0:28	1:34
18-Dec	7:36	6:30	1:06	5:33	6:00	0:27	1:33
19-Dec	7:37	6:30	1:07	5:33	6:00	0:27	1:34
20-Dec	7:37	6:30	1:07	5:33	6:00	0:27	1:34
21-Dec	7:38	6:30	1:08	5:34	6:00	0:26	1:34
22-Dec	7:38	6:30	1:08	5:34	6:00	0:26	1:34
23-Dec	7:39	6:30	1:09	5:35	6:00	0:25	1:34
24-Dec	7:39	6:30	1:09	5:35	6:00	0:25	1:34
25-Dec	7:40	6:30	1:10	5:36	6:00	0:24	1:34
26-Dec	7:40	6:30	1:10	5:37	6:00	0:23	1:33
27-Dec	7:40	6:30	1:10	5:37	6:00	0:23	1:33
28-Dec	7:41	6:30	1:11	5:38	6:00	0:22	1:33
29-Dec	7:41	6:30	1:11	5:39	6:00	0:21	1:32
30-Dec	7:41	6:30	1:11	5:39	6:00	0:21	1:32

COUNTY AGENDA REQUEST

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Department: Board of Commissioners

Presenter(s): Commissioner Steve Brown

Meeting Date: Thursday, August 25, 2016

Type of Request: New Business #17

Wording for the Agenda:

Consideration of Commissioner Brown's request to allow children 12 years and older to operate a canoe, kayak, and stand-up paddle board solo, to exempt children under the age of twelve participating in the RowAmerica Peachtree program provided they are directly supervised by a certified instructor and all safety guidelines are followed, and for the Recreation Department to explore related activities.

Background/History/Details:

Commissioner Brown has issued a memo addressed to the Board of Commissioners pertaining to Minimum age solo paddling. The memo is attached.

Specifically, Commissioner Brown is asking the Board to:

1. Allow children age 12 and older to operate a canoe, kayak, or stand-up paddle board solo.
2. Create an exemption for younger children (below age 12) participating in the RowAmerica Peachtree rowing program as long as those children are under the direct supervision of a certified instructor and all safety guidelines are being followed.
3. Direct the county's Recreation Department to explore the possibility of offering a paddling and water safety course as part of its public continuing educational offerings if the resources are available.

What action are you seeking from the Board of Commissioners?

Approve of Commissioner Brown's request to allow children 12 years and older to operate a canoe, kayak, and stand-up paddle board solo, to exempt children under the age of twelve participating in the RowAmerica Peachtree program provided they are directly supervised by a certified instructor and all safety guidelines are followed, and for the Recreation Department to explore the possibility of offering a paddling and water safety course as part of its continuing educational offerings if the resources are available.

If this item requires funding, please describe:

Not Applicable.

Has this request been considered within the past two years? No

If so, when?

Is Audio-Visual Equipment Required for this Request?* No

Backup Provided with Request? Yes

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

Approved by Finance Not Applicable

Reviewed by Legal

Approved by Purchasing Not Applicable

County Clerk's Approval Yes

Administrator's Approval

Staff Notes:

The Water Committee tabled this request pending Legal's research of state law and ability to approve the request.



"WHERE QUALITY
IS A LIFESTYLE"

MEMORANDUM

From: Commissioner Steve Brown

To: Board of Commissioners

Date: July 30, 2016

Subject: **Minimum age for solo paddling, August 25, 2016 BOC Meeting Agenda**

Presently, the minimum age for a person to be able to solo pilot a canoe, kayak or stand up paddle board is 14 years.

I have been approached by many families who paddle water craft in the county's local reservoirs to change the minimum age to something more reasonable. In fact, many young people in our county who are younger than our current age limitation currently paddle on other lakes and rivers throughout the state and elsewhere. Their level of proficiency is often greater than many adults.

I am asking my fellow Commissioners to consider the following two changes to existing regulations and ordinances:

1. Allow children age 12 and up to operate a canoe, kayak or stand up paddle board solo.
2. That an exemption be created for younger children (below age 12) participating in the RowAmerica Peachtree rowing program as long as those children are under the direct supervision of a certified instructor and all safety guidelines are being followed.

And further ask that we:

3. Have the county's Recreation Department explore the possibility of offering a paddling and water safety course as part of their public continuing educational offerings if the resources are available.

COUNTY AGENDA REQUEST

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Department: Board of Commissioners

Presenter(s): Commissioner Steve Brown

Meeting Date: Thursday, August 25, 2016

Type of Request: New Business #18

Wording for the Agenda:

Consideration of Commissioner Brown's request to adopt Resolution 2016-12 to improve Voter Access and Participation in Fayette County, and by so doing formally changing the polling hours of every Tuesday and Thursday within the 21-day advanced early voting period to 10:00 a.m. to 7:00 p.m., and to use fund balance in an amount not-to-exceed to \$69,000.00 to pay for the extended hours.

Background/History/Details:

Resolution 2016-12 acknowledges that the United States Constitution mentions "the right to vote" five times, appearing more in the text than any other right of the people. The State of Georgia permits on-line voter registration, no-excuse absentee voting, and early voting. Early voting begins 21-days prior to primary, general, and special elections and it ends the Friday before Election Day.

Due to a significant segment of Fayette County's population working outside of the county's boundaries, it is difficult for workers to access polls even with early voting under the county's current polling hours from 8:00 a.m. to 5:00 p.m.

Resolution 2016-12 proposes to change the polling hours of every Tuesday and Thursday within the 21-day advanced early voting period to 10:00 a.m. to 7:00 p.m. to aid in generating more voter participation and to reduce the burden on Fayette County's voters working in other counties.

What action are you seeking from the Board of Commissioners?

Approval of Commissioner Brown's request to adopt Resolution 2016-12 to improve Voter Access and Participation in Fayette County, and by so doing formally changing the polling hours of every Tuesday and Thursday within the 21-day advanced early voting period to 10:00 a.m. to 7:00 p.m., and to use fund balance in an amount not-to-exceed to \$69,000.00 to pay for the extended hours.

If this item requires funding, please describe:

Fund balance is required to fund extra hours, if approved.

Has this request been considered within the past two years? No

If so, when?

Is Audio-Visual Equipment Required for this Request?* No

Backup Provided with Request? Yes

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

Approved by Finance Not Applicable

Reviewed by Legal

Approved by Purchasing Not Applicable

County Clerk's Approval Yes

Administrator's Approval

Staff Notes:

This matter is scheduled for consideration by the Board of Elections on August 23, 2016.

**County of Fayette;
State of Georgia**

RESOLUTION 2016-12

**A RESOLUTION TO IMPROVE VOTER ACCESS AND
PARTICIPATION IN FAYETTE COUNTY**

- WHEREAS,** The United States Constitution mentions "*the right to vote*" five times, appearing more in the text than any other right of the people; and
- WHEREAS,** Our ability to elect our government officials influences every aspect of our lives from local educational opportunities to our public safety, making your voice heard and registering your opinion on how you think the government should operate; and
- WHEREAS,** Georgia permits online voter registration, no-excuse absentee voting and early voting; and
- WHEREAS,** According to the National Conference of State Legislatures, early voting "allows voters to visit an election official's office or, in some states, other satellite voting locations, and cast a vote in person without offering an excuse for why the voter is unable to vote on election day," and as of July 2016, 34 states and the District of Columbia permit early voting; and
- WHEREAS,** Early Voting begins 21 days prior to a Primary, General, and Special Election and ends the Friday before Election Day with polling place hours varying by county in Georgia; and
- WHEREAS,** A significant segment of Fayette County's population works outside of the county's boundaries, often making access to the polls difficult even with early voting under county's current polling hours from 8:00 am to 5:00 pm;

BE IT THEREFORE RESOLVED THAT the Board of Commissioners of Fayette County does hereby formally change the polling hours of every Tuesday and Thursday within the 21-day advanced early voting period to 10:00 am to 7:00 pm, as permissible by state law, to aid in generating more voter participation and to reduce the burden on Fayette County voters working in other counties.

BE IT FURTHER RESOLVED THAT the Board of Commissioners strongly encourages all Fayette County citizens eligible to vote to register and become an active participant in your local, state and federal governments.

So resolved this 25th day of August 2016, by the

**BOARD OF COMMISSIONERS
FAYETTE COUNTY, GEORGIA**

Attest:

Charles Oddo, Chairman

Floyd L. Jones, County Clerk

FY17 Election Analysis

November 2016 General

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<i>Location</i>	<i>Extension Weeks Suggested</i>	<i>Add'l Costs @ 2 hours * 2 days</i>	<i>Add'l Costs @ 3 hours * 2 days</i>	<i>Add'l Costs @ 2 hours * 5 days</i>	<i>Add'l Costs @ 3 hours * 5 days</i>
Pollworkers					
Public Meeting Room	2	\$ 874.12	\$ 1,311.18	\$ 2,185.30	\$ 3,277.94
Fayette	3	\$ 1,311.18	\$ 1,966.77	\$ 3,277.94	\$ 4,916.91
PTC Library	3	\$ 1,311.18	\$ 1,966.77	\$ 3,277.94	\$ 4,916.91
Tyrone	2	\$ 749.24	\$ 1,123.87	\$ 1,873.11	\$ 2,809.67
Weekday Pollworkers		\$ 4,245.72	\$ 6,368.57	\$ 10,614.29	\$ 15,921.44
Manager OT					
Public Meeting Room	2	\$ 187.31	\$ 280.97	\$ 468.28	\$ 702.42
Fayette	3	\$ 280.97	\$ 421.45	\$ 702.42	\$ 1,053.62
PTC Library	3	\$ 280.97	\$ 421.45	\$ 702.42	\$ 1,053.62
Tyrone	2	\$ 187.31	\$ 280.97	\$ 468.28	\$ 702.42
Weekday OT		\$ 936.56	\$ 1,404.83	\$ 2,341.39	\$ 3,512.08
Pollworkers					
Saturday(s)	<i># of Saturdays</i>				
Public Meeting Room	1	\$ 874.12	\$ 874.12	\$ 874.12	\$ 874.12
Fayette	2	\$ 1,748.24	\$ 1,748.24	\$ 1,748.24	\$ 1,748.24
PTC Library	2	\$ 1,748.24	\$ 1,748.24	\$ 1,748.24	\$ 1,748.24
Tyrone	1	\$ 749.24	\$ 749.24	\$ 749.24	\$ 749.24
Saturday Pollworkers		\$ 5,119.83	\$ 5,119.83	\$ 5,119.83	\$ 5,119.83
Manager OT					
Saturday(s)	<i># of Saturdays</i>				
Public Meeting Room	1	\$ 187.31	\$ 187.31	\$ 187.31	\$ 187.31
Fayette	2	\$ 374.62	\$ 374.62	\$ 374.62	\$ 374.62
PTC Library	2	\$ 374.62	\$ 374.62	\$ 374.62	\$ 374.62
Tyrone	1	\$ 187.31	\$ 187.31	\$ 187.31	\$ 187.31
Saturday OT		\$ 1,123.87	\$ 1,123.87	\$ 1,123.87	\$ 1,123.87
Additional Site License		\$ 150.00	\$ 150.00	\$ 150.00	\$ 150.00
Estimated Advertising		\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00
November Grand Total		\$ 11,675.97	\$ 14,267.11	\$ 19,449.38	\$ 25,927.22

December 2016 Runoff

<i>Location</i>	<i>Extension Weeks Suggested</i>	<i>Add'l Costs @ 2 hours * 2 days</i>	<i>Add'l Costs @ 3 hours * 2 days</i>	<i>Add'l Costs @ 2 hours * 5 days</i>	<i>Add'l Costs @ 3 hours * 5 days</i>
Pollworkers					
Fayette	3	\$ 624.37	\$ 936.56	\$ 2,341.39	\$ 3,512.08
PTC Library	2	\$ 624.37	\$ 936.56	\$ 1,560.93	\$ 2,341.39
Tyrone	2	\$ 624.37	\$ 936.56	\$ 1,560.93	\$ 2,341.39
Weekday Pollworkers		\$ 1,873.11	\$ 2,809.67	\$ 5,463.24	\$ 8,194.86
Manager OT					
Fayette	3	\$ 280.97	\$ 421.45	\$ 702.42	\$ 1,053.62
PTC Library	2	\$ 187.31	\$ 280.97	\$ 468.28	\$ 702.42
Tyrone	2	\$ 187.31	\$ 280.97	\$ 468.28	\$ 702.42
Weekday OT		\$ 655.59	\$ 983.38	\$ 1,638.97	\$ 2,458.46
Pollworkers					
Saturday(s)	<i># of Saturdays</i>				
Fayette	2	\$ 1,248.74	\$ 1,248.74	\$ 1,248.74	\$ 1,248.74
PTC Library	1	\$ 624.37	\$ 624.37	\$ 624.37	\$ 624.37
Tyrone	1	\$ 624.37	\$ 624.37	\$ 624.37	\$ 624.37
Saturday Pollworkers		\$ 2,497.48	\$ 2,497.48	\$ 2,497.48	\$ 2,497.48
Manager OT					
Saturday(s)	<i># of Saturdays</i>				
Fayette	2	\$ 374.62	\$ 374.62	\$ 374.62	\$ 374.62
PTC Library	2	\$ 374.62	\$ 374.62	\$ 374.62	\$ 374.62
Tyrone	1	\$ 187.31	\$ 187.31	\$ 187.31	\$ 187.31
Saturday OT		\$ 936.56	\$ 936.56	\$ 936.56	\$ 936.56
Estimated Advertising		\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00
December Grand Total		\$ 6,062.73	\$ 7,327.08	\$ 10,636.24	\$ 14,187.35

January 2017 Runoff

Location	Extension Weeks Suggested	Add'l Costs @ 2 hours * 2 days	Add'l Costs @ 3 hours * 2 days	Add'l Costs @ 2 hours * 5 days	Add'l Costs @ 3 hours * 5 days
Pollworkers					
Fayette	3	\$ 624.37	\$ 936.56	\$ 2,341.39	\$ 3,512.08
PTC Library	2	\$ 624.37	\$ 936.56	\$ 1,560.93	\$ 2,341.39
Tyrone	2	\$ 624.37	\$ 936.56	\$ 1,560.93	\$ 2,341.39
Weekday Pollworkers		\$ 1,873.11	\$ 2,809.67	\$ 5,463.24	\$ 8,194.86
Manager OT					
Fayette	3	\$ 280.97	\$ 421.45	\$ 702.42	\$ 1,053.62
PTC Library	2	\$ 187.31	\$ 280.97	\$ 468.28	\$ 702.42
Tyrone	2	\$ 187.31	\$ 280.97	\$ 468.28	\$ 702.42
Weekday OT		\$ 655.59	\$ 983.38	\$ 1,638.97	\$ 2,458.46
Pollworkers					
Saturday(s)	# of Saturdays				
Fayette	2	\$ 1,248.74	\$ 1,248.74	\$ 1,248.74	\$ 1,248.74
PTC Library	1	\$ 624.37	\$ 624.37	\$ 624.37	\$ 624.37
Tyrone	1	\$ 624.37	\$ 624.37	\$ 624.37	\$ 624.37
Saturday Pollworkers		\$ 2,497.48	\$ 2,497.48	\$ 2,497.48	\$ 2,497.48
Manager OT					
Saturday(s)	# of Saturdays				
Fayette	2	\$ 374.62	\$ 374.62	\$ 374.62	\$ 374.62
PTC Library	2	\$ 374.62	\$ 374.62	\$ 374.62	\$ 374.62
Tyrone	1	\$ 187.31	\$ 187.31	\$ 187.31	\$ 187.31
Saturday OT		\$ 936.56	\$ 936.56	\$ 936.56	\$ 936.56
Estimated Advertising		\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00
January Grand Total		\$ 6,062.73	\$ 7,327.08	\$ 10,636.24	\$ 14,187.35

March 2017 SPLOST

Location	Extension Weeks Suggested	Add'l Costs @ 2 hours * 2 days	Add'l Costs @ 3 hours * 2 days	Add'l Costs @ 2 hours * 5 days	Add'l Costs @ 3 hours * 5 days
Pollworkers					
Fayette	3	\$ 624.37	\$ 936.56	\$ 2,341.39	\$ 3,512.08
PTC Library	2	\$ 624.37	\$ 936.56	\$ 1,560.93	\$ 2,341.39
Tyrone	2	\$ 624.37	\$ 936.56	\$ 1,560.93	\$ 2,341.39
Weekday Pollworkers		\$ 1,873.11	\$ 2,809.67	\$ 5,463.24	\$ 8,194.86
Manager OT					
Fayette	3	\$ 280.97	\$ 421.45	\$ 702.42	\$ 1,053.62
PTC Library	2	\$ 187.31	\$ 280.97	\$ 468.28	\$ 702.42
Tyrone	2	\$ 187.31	\$ 280.97	\$ 468.28	\$ 702.42
Weekday OT		\$ 655.59	\$ 983.38	\$ 1,638.97	\$ 2,458.46
Pollworkers					
Saturday(s)	# of Saturdays				
Fayette	2	\$ 1,248.74	\$ 1,248.74	\$ 1,248.74	\$ 1,248.74
PTC Library	1	\$ 624.37	\$ 624.37	\$ 624.37	\$ 624.37
Tyrone	1	\$ 624.37	\$ 624.37	\$ 624.37	\$ 624.37
Saturday Pollworkers		\$ 2,497.48	\$ 2,497.48	\$ 2,497.48	\$ 2,497.48
Manager OT					
Saturday(s)	# of Saturdays				
Fayette	2	\$ 374.62	\$ 374.62	\$ 374.62	\$ 374.62
PTC Library	2	\$ 374.62	\$ 374.62	\$ 374.62	\$ 374.62
Tyrone	1	\$ 187.31	\$ 187.31	\$ 187.31	\$ 187.31
Saturday OT		\$ 936.56	\$ 936.56	\$ 936.56	\$ 936.56
Estimated Advertising		\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00
March Grand Total		\$ 6,062.73	\$ 7,327.08	\$ 10,636.24	\$ 14,187.35
Total Proposed		\$ 29,864.17	\$ 36,248.35	\$ 51,358.11	\$ 68,489.26

COUNTY AGENDA REQUEST

Page 276 of 307

Department: Board of Commissioners

Presenter(s): Commissioner Steve Brown

Meeting Date: Thursday, August 25, 2016

Type of Request: New Business #19

Wording for the Agenda:

Consideration of Commissioner Brown's request to adopt Resolution 2016-13- A Resolution in Opposition of Judicial Intimidation and in Favor of Open Government and Free Speech.

Background/History/Details:

As stated: Resolution 2016-13 resolves that the Board of Commissioners stands behind the news media's legal right to government records without fear of retribution by virtue of the First Amendment to the U.S. Constitution and laws allowing access to government documentation, request that the judiciary comply with open records law.

The resolution further resolves that the Board of Commissioners acknowledges that our democratic form of government depends on government openness, transparency, and the protection of our liberties.

The resolution acknowledges that Judge Brenda Weaver has resigned from the Georgia's Judicial Qualifications Committee.

What action are you seeking from the Board of Commissioners?

Approval of Commissioner Brown's request to adopt Resolution 2016-13- A Resolution in Opposition of Judicial Intimidation and in Favor of Open Government and Free Speech.

If this item requires funding, please describe:

Not Applicable.

Has this request been considered within the past two years? No

If so, when?

Is Audio-Visual Equipment Required for this Request?* No

Backup Provided with Request? Yes

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

Approved by Finance Not Applicable

Reviewed by Legal

Approved by Purchasing Not Applicable

County Clerk's Approval Yes

Administrator's Approval

Staff Notes:

**County of Fayette;
State of Georgia**

RESOLUTION 2016-13

**A RESOLUTION IN OPPOSITION OF JUDICIAL INTIMIDATION
AND IN FAVOR OF OPEN GOVERNMENT AND FREE SPEECH**

- WHEREAS,** Open government and freedom of information in Fayette County and throughout Georgia is absolutely essential for an unbiased, ethical and honest public system whereby citizens can have a reasonable expectation of equitable treatment, fiscal responsibility and protection of their liberties; and
- WHEREAS,** Standing against injustice to any single person is standing for the liberty of all; and
- WHEREAS,** Anyone appointed to a judgeship should be of high moral character and desirous of upholding the law; and
- WHEREAS,** Appalachian Judicial Circuit Superior Court Judge and Judicial Qualification Committee Chairwoman Judge Brenda Weaver gave \$16,000 worth of public tax funds to a contract employee to cover personal legal expenses¹; and
- WHEREAS,** Fannin Focus Newspaper Publisher Mark Thomason filed an open records request for records regarding Judge Weaver's payment of taxpayer funds to the contract employee, but was refused access, later resorting to filing a subpoena for the records;² and
- WHEREAS,** Judge Weaver asked District Attorney Alison Sosebee (Weaver's former law clerk and a former attorney in Weaver's husband's law firm) to file a series of frivolous felony charges against Thomason and his 70-year-old attorney Russell Stookey, forcing them into jail, along with a \$10,000 bond and numerous self-pay drug tests as a condition of release;³ and
- WHEREAS,** J. Tom Morgan, DeKalb District Attorney, said, "Where on earth is the DA coming up with a felony?"⁴; and
- WHEREAS,** Hollie Manheimer, Executive Director of the Georgia First Amendment Foundation, said, "It is scary any time criminal remedies are even contemplated in connection with free speech";⁵ and
- WHEREAS,** Georgia Attorney General Sam Olens said he was "astounded to learn that an open records dispute somehow led to the seeking of an indictment" and "Public access to information is fundamental to our democratic form of government. Public officials have a responsibility to respond to requests to access documents regardless of the perceived merit of a citizen's request or their motivation in making it"; and
- WHEREAS,** The Society of Professional Journalists said, "Judge Weaver, your credibility went out the window the minute you had a journalist thrown in jail for criticizing you. The media isn't to blame for your troubles. You are. It is disturbing that you are unable to comprehend this very basic fact. If you were as honest as you claim, you would admit your fault in this matter and issue Thomason a sincere apology"; and
- WHEREAS,** An official complaint was filed against Judge Weaver to the Judicial Qualifications Committee by the Society of Professional Journalists;⁶ and

¹ Rhonda Cook, "Jailing of Fannin journalist, lawyer draws outrage," AJC, July 1, 2016 (Internet date)

² Rhonda Cook, "Publisher takes on Ga. courthouse," AJC, July 24, 2016 (Print date)

³ Bill Torpy, "Pushy journalist makes news when judge pushes back," AJC, July 7, 2016 (Print date); Jay Bookman, "Ga. Judge should resign for abuse of authority, position," AJC, July 26, 2016

⁴ Rhonda Cook, "Jailing of Fannin journalist, lawyer draws outrage," AJC, July 1, 2016 (Internet date)

⁵ Rhonda Cook, "Publisher takes on Ga. courthouse," AJC, July 24, 2016 (Print date)

WHEREAS, Judge Weaver has since backtracked and asked the District Attorney to drop all the charges, but has offered no apology and has become the subject of a federal investigation; and ⁷

WHEREAS, Judge Weaver has resigned from the Georgia's Judicial Qualifications Committee;⁸ and

WHEREAS, The citizens of the State of Georgia must have access to unbiased legal proceedings and legal decision-makers, whether jurors or judges, who render judgement on cases based on their merits, without prejudice or preconception;

BE IT THEREFORE RESOLVED THAT the Board of Commissioners of Fayette County does hereby stand behind the news media's legal right to government records without fear of retribution by virtue of the First Amendment of the U.S. Constitution and laws allowing access to government documentation, request that the judiciary comply with open records law;

BE IT FURTHER RESOLVED THAT the Board of Commissioners acknowledges that our democratic form of government depends upon government openness, transparency and the protection of our liberties.

So resolved this 25th day of August 2016, by the

**BOARD OF COMMISSIONERS
FAYETTE COUNTY, GEORGIA**

Attest:

Charles Oddo, Chairman

Floyd L. Jones, County Clerk

⁶ Rhonda Cook, "Judge seeks to end case against publisher," AJC, July 7, 2016

⁷ Rhonda Cook, "Judge seeks to end case against publisher," AJC, July 7, 2016

⁸ Rhonda Cook, "Records: How 1 Georgia judge spent her \$50,000 office expense account," AJC, August 15, 2016

Jailing of journalist, lawyer draws outrage

LOCAL

By [Rhonda Cook](#) - The Atlanta Journal-Constitution

7

Posted: 6:41 p.m. Friday, July 1, 2016

The reaction was swift and loud to [a report of a North Georgia newspaper publisher](#) who was indicted and jailed because he asked for public records was swift and loud.

“We are shocked that any journalist would be jailed for simply asking a question,” the Society of Professional Journalists said in a statement.

The society called for the state Attorney General’s Office to look into why a Superior Court judge in North Georgia sought charges against Mark Thomason, publisher of the Fannin Focus, and his newspaper’s attorney, Russell Stookey, after they tried to obtain records regarding the court.

Thomason and Stookey were arrested on felony charges and held in jail overnight on June 24. Both were charged with identity fraud and attempted identity fraud because they sought copies of checks written on court-funded bank accounts for two judges in the Appalachian Judicial Circuit. Thomason was also charged with making a false statement in an Open Records Act request.

Both are free on \$10,000 bond. Thomason said he had to submit to a random drug test Friday morning, a condition of his bond.

Neither District Attorney Alison Sosebee nor Brenda Weaver, the circuit’s chief judge, responded to emailed requests for comment Friday afternoon. Earlier, both had said the decision to indict was legally sound.

Thomason was trying to find records that might support rumors that some court funds were misspent. His open records request sought copies of checks that “have not been deposited but cashed illegally.”

The legal saga is rooted in a fight Thomason was having with a local court reporter. He had filed suit to obtain audio tapes of a court proceeding — tapes he thought would reveal information that was not in the court reporter’s transcript. The stenographer filed a counterclaim, saying Thomason had defamed her by questioning the accuracy of a court transcript.

Thomason’s suit was dismissed, and the court reporter then withdrew her action. But she persuaded Judge Weaver use a court account, funded by taxpayers, to cover her attorney fees,

which came to about \$16,000. Thomason and Stookey then obtained subpoenas for copies of those checks.

Weaver said in an email to the AJC there was “an improper use of a subpoena to obtain a third party’s banking records without proper notice. I do not believe you or anyone else would believe that this is allowable under the First Amendment. If true, that means I could file a bogus lawsuit against anyone and then use the lawsuit as a mechanism to ... obtain their bank records, both business and personal. How dangerous would that be in this age of internet and identity fraud?”

Weaver said Thomason might use that information to gain access to the account.

Such identifying information can be redacted before it’s released, according to legal experts and the Society of Professional Journalists.

“Where on earth is the DA coming up with a felony?” said J. Tom Morgan, the district attorney in DeKalb County for 12 years.

As in most small communities, many in Fannin County are related by blood, friendship or business. In this instance, the district attorney who obtained the indictments of Thomason and Stookey had once clerked for Weaver and also practiced law with Weaver’s husband. Judge Mary Beth Priest, appointed to Appalachian Judicial Circuit last spring, was the attorney for the court reporter who sued Thomason.

Weaver is a past president of the Council of Superior Court Judges and currently chairs the Judicial Qualifications Commission, which investigates allegations of judicial misconduct.

The Society for Professional Journalists said the JQC and the attorney general should investigate. But a spokesman for Attorney General Sam Olens said there was “no official investigation.” The JQC could not be reached Friday afternoon.

Several lawyers said Weaver should resign from the JQC.

Otherwise, said attorney Phillip Holloway, “she will be investigating herself. The fox is literally inside the hen house,” he said.

Weekly newspaper man takes on courthouse

LOCAL

By Rhonda Cook - The Atlanta Journal-Constitution

6

Posted: 12:00 a.m. Saturday, July 23, 2016

BLUE RIDGE — Tourists in downtown Blue Ridge stroll past a fudge shop, a brewpub, restaurants and stores that sell homey signs, and what they see is a quiet, quaint, friendly mountain community.

What they don't see is the raw, wrestle-in-the-mud ugliness just beneath that made-for-tourism surface. When county and courthouse politics are in play, people use words like "cartel" and "cabal."

And in the middle of the maelstrom is the publisher of a 2-year-old weekly newspaper who dared to ask how judges in the Appalachian Judicial Circuit spent taxpayers' money — and went to jail for asking.

And now, those outside the county have glimpsed the ugliness. Media statewide, as well as some news organizations beyond the state, have reported that the chief judge of the Appalachian Judicial Circuit was behind the indictment and jailing of the publisher of the Fannin Focus, Mark Thomason, and his 70-year-old attorney, Russell Stookey, because they tried to get some records regarding a public bank account she controlled.

"It is scary any time criminal remedies are even contemplated in connection with free speech," said Hollie Manheimer, executive director of the Georgia First Amendment Foundation.



Judge Brenda Weaver (holding trophy) and other members of the Judicial Qualifications Commission accept the Georgia First Amendment Foundation's 2014 Freedom ... [Read More](#)

Thomason had filed an request under Georgia's Open Records Act for copies of cashed checks that he described as "illegally cashed." For that he was charged with making a false statement. Thomason and Stookey also were charged with identity theft and attempted identity theft after they secured subpoenas for copies of checks drawn on bank accounts assigned to the offices of the judges in the three-county circuit.

Chief Judge Brenda Weaver has said she asked District Attorney Alison Sosebee to bring the charges. "I don't react well when my honesty is questioned," Weaver said just days after the indictment was returned on June 24. Less than a week later, Weaver asked Sosebee to drop the case.



+

Judge Brenda Weaver

A visiting judge on Monday officially dropped the criminal charges against Thomason and Stookey.

But now Weaver is facing several complaints filed against her with the Judicial Qualifications Commission, which she chairs.

'The frenzy of freedom of speech'

Try to keep up: the chief judge is married to a prominent defense attorney who at one time was the district attorney for the circuit. The current district attorney was the chief judge's clerk and also worked in the law firm of the judge's husband. The mayor of Jasper, in Pickens County, is the judge's brother-in-law. A judge appointed to the bench earlier this year was the attorney for a woman who sued Mark Thomason, the newspaper publisher.

That woman was Rhonda Stubblefield, a court reporter, who wrote an email and attachment to the AJC last week that totaled 1,196 words.

"Our town seems to be divided and feeding on the frenzy of freedom of speech," Stubblefield wrote.

Stubblefield, the subject of some of Thomason's stories, is with the faction that has demonized the newspaperman and Stookey.

"The Fannin Focus, Mark Thomason and Russell Stookey are relentless in their efforts to create controversy and spread untruths," Stubblefield wrote. Thomason and Stookey say they were doing their jobs.

Weaver did not respond to requests for comment for this article. But previously, the judge questioned Thomason's character, making allegations similar to those made by Stubblefield and others.

Stubblefield also wrote that Thomason had twice failed random drug-alcohol screens required of him when he was released on bond; he passed all five he took.

"I'm sure they would have arrested me if I had (failed)," Thomason said.

Gambling problem: scratch-off tickets

There also are allegations that Thomason gambles. That's not true, those close to him said. "He would buy those scratch off things (lottery tickets) but that's the only gambling I know about," said Delainge Dills, grandfather of Thomason's ex-wife, who says he still sees Thomason often.

Rumors are that Thomason has been jailed for not honoring his child support obligations. Thomason has records that show the monthly payment is automatically withdrawn from his credit card.

His detractors say he doesn't pay his employees.

"That's not true," said editor Jason Banks. A few times last year, checks were late a few days but employees were told in advance. No one is owed money now, Banks said.

"He's had some problems but nothing serious," Dills said. "He pays his child support. As far as being incarcerated, I've never heard of that. ... They have tried to close down his paper since it opened."

It has even been pointed out several times that Thomason lives in his mother's basement, which is true.

"Mark tends to ruffle feathers," said Fannin County attorney Lynn Doss, who was the subject of Thomason's first series of investigative stories.

"The bigger question is why would anyone have such a reaction to an inquiry by a Podunk paper?" Doss asked. "The individual in me says this (questions about court spending) has hit a raw nerve, and why it hit a raw nerve is a bigger question."

Weaver believes Doss was behind Thomason's questions. Doss said she was not. "It's a small town," Doss said.

'Didn't like what the paper printed'

While Stookey also went to jail for a night and was charged with two felonies, most of the public attention has been on Thomason, a 37-year-old native of Fannin County. Mark Thomason grew up in Fannin County, and his family has lived there for generations.

He had several careers, including one with the family hardware and lumber business. He went into the newspaper business when he took a sales job with the News Observer in Blue Ridge. He was fired after a disagreement with the editor.

A few months later, in 2014, he started the Fannin Focus, circulation 5,000, with the slogan “intent on integrity” printed on the nameplate. The Fannin Focus was the fourth newspaper, one of them exclusively online, to serve the county of less than 24,000.

“I leveraged everything I had,” Thomason said about starting the newspaper, which now employs nine full- and part-time people. “I had some money saved up. I’d always been a sports fanatic and collector of vintage sports memorabilia. I sold a lot of it. And I extended my credit as far as it would go.”

Thomason started his new endeavor by repeatedly asking for public documents, using the Georgia Open Records Act.

One of his first investigative stories was to question how much Fannin paid county attorney Doss, whom Thomason has known all his life.

“I don’t like what the paper printed,” Doss said. “(But) I thought it was totally fair.”

Drama began with racial slur in court

He also wrote a series of stories about checks missing from the Fannin County Recreation Department and then-director Bernie Hodskins writing checks to himself and hiring of his own children despite a policy prohibiting employing relatives. The county fired Hodskins in April 2015.

But it was his reporting that a now-former judge and an assistant district attorney used a racial slur during a hearing that went too far in the opinions of some locals. Judge Roger Bradley used the slur in reference to a witness during a March 2015 hearing. **Bradley resigned** as the Judicial Qualifications Commission investigated his behavior.

But Thomason heard deputies had also used the racial slur and wanted to confirm that through transcripts. According to the transcripts, only Bradley and an assistant district attorney used the word, but Thomason believed the audio recordings would show otherwise.

He sued June 26, 2015, to force the court reporter and the judges to let him hear the recording to verify that the transcript was correct. Two months later, a visiting judge determined the transcript was accurate and closed Thomason’s case.

By then Stubblefield, the court reporter, had sued Thomason for \$1.6 million for defaming her when he wrote stories suggesting that the transcripts were inaccurate. Stubblefield dropped her suit last April.

But that ending was also a beginning.

‘I absolutely have no vendetta’

Judge Weaver, using her court account, had reimbursed Stubblefield for \$16,000 in attorney fees she incurred while defending against Thomason's suit. Stubblefield is not a public employee but works for the court on contract.

In May, long after she had received the reimbursement from the judge, Stubblefield sued Thomason and Stookey for the same attorney fees.

That led Stookey and Thomason to get a subpoena for canceled checks written on the judges' office accounts. They hoped to show that Stubblefield had already been paid \$16,000 for her legal costs. Stubblefield's lawyer, however, said she wanted Thomason and Stookey to pay the legal fees so she could reimburse taxpayers for the money she'd received.

Weaver learned of the subpoenas and the records request in mid-June. Within 10 days a grand jury in Pickens County, where Weaver lives, had indicted Thomason and Stookey.

Weaver said Thomason had a "personal vendetta" against her and all he printed was lies.

"I absolutely have no vendetta," he said, noting that he had not met Weaver. "Bottom line is part of my job, I felt, was trying to hold a government official accountable. And, to date, Judge Weaver still refuses to provide account history from what she calls *her* account."

Torpy at Large: Pushy journalist makes news when judge pushes back

LOCAL

By [Bill Torpy](#) - The Atlanta Journal-Constitution

Posted: 5:36 a.m. Wednesday, July 6, 2016

If Mark Thomason is an identity fraud artist, he's a bad one.

Thomason and his lawyer, Russell Stookey, were arrested in Blue Ridge in North Georgia on charges of identity fraud and making false statements. Thomason is a known troublemaker — he publishes the Fannin Focus, one of the county's three newspapers. That's right, Fannin County, population 22,000, has three (3!) print newspapers AND a news blog.

The felony charges against Thomason go back to a year-old fight he's waged with the local Powers That Be, one that started with a prosecutor and a judge casually tossing around a racial slur in open court. [What got the publisher tossed in the pokey last month was his insistence to get his hands on bank records](#) to show Superior Court Judge Brenda Weaver (who is not the judge in the racial slur episode) used public funds to pay a court reporter when she shouldn't have.

Thomason first tried using the Open Records Act to come up with documentation. When that didn't work, he got inventive and used a subpoena from ongoing litigation to demand the records from a bank.

Whoops! Thomason soon found himself stopped by police on a highway, handcuffed, strip-searched not once, but twice, forced to sleep overnight on a concrete jailhouse floor, and then tested for drugs not once, but twice, since his release.

The story has gone national, with [First Amendment and newspaper groups saying his treatment represents an attack on Freedom of the Press](#). It's David getting 'cuffed by Goliath.

Thomason, who started his newspaper two years ago, is bemused. "If anyone wanted to commit ID fraud, the last thing they'd want to do is to file public records discussing it," he said.

It seems Judge Weaver has gotten her robes all bunched up because Thomason is pesky and aggressive and has bothered the heck out of her and other local officials.

Weaver told the AJC's Rhonda Cook she resented Thomason's continuing attacks in his weekly newspaper and what he was saying around town.

“I don’t react well when my honesty is questioned,” said Weaver, who called the questioning of her spending a “vendetta.”

If Thomason was twisting the process by using a subpoena to get the bank records, it seems an odd way to access the judge’s operating account to, say, buy stuff on Amazon. No, his intention was to write about how the judge used taxpayer dollars.

It all started last year when a prosecutor casually mentioned a racial slur as the nickname of a witness in a case before Appalachian Judicial Circuit Superior Court Judge Roger Bradley, who was Weaver’s colleague. Someone called Thomason about it and he started digging.

Thomason got a copy of the transcript, but it did not include other people (like two Fannin sheriff’s deputies) who used the slur, as he had been told by people in the courtroom.

The publisher demanded court reporter Rhonda Stubblefield turn over a tape recording of the proceedings. She wouldn’t. He sued her to get it. She slapped him with a \$1.6 million defamation lawsuit.

Ultimately, yet another judge ruled the court reporter didn’t have to turn over the tape and Stubblefield dropped her defamation suit. But late last year, Judge Weaver stepped in and approved paying the court reporter \$16,000 to cover her legal expenses, even though emails show at least one Fannin County administrator was uncomfortable with public money being spent to aide a private individual.

Weaver said she didn’t want the court reporter to be out all that money in attorney’s fees. And you certainly wouldn’t want an attorney to go unpaid. The court reporter’s attorney, Mary Beth Priest, is now a judge alongside Weaver.

Things get cozy in small towns like Blue Ridge.

For instance, the prosecutor who brought up the fraud charges against the newspaperman is District Attorney Alison Sosebee. When she got out of law school, she got a job as a law clerk — for Judge Weaver. And when she got her first lawyer job, it was with the firm of veteran attorney George Weaver, the judge’s husband. [Judges using the criminal justice system to settle a score or shut someone up](#) could run afoul of the state’s Judicial Qualifications Commission, which investigates wrongdoing. (In fact, Bradley, the judge in the racial slur case that started all this, resigned this year as the JQC investigated him.)

A JQC spokesman said he couldn’t comment on the situation.

Incidentally, Judge Weaver is the JQC’s board chairman. Georgia’s legal community is, in essence, a small town.

And in Blue Ridge, the newspaper and its publisher are the talk of the town. Thomason’s divorce record and failure to pay child support have surfaced. And there’s a deep divide on what people think.

Take Sheriff Dane Kirby, who took the publisher into custody: “I do not have a lot of confidence that what is printed in the Fannin Focus will be the truth.”

Or Blue Ridge Police Chief Johnny Searce, who has played softball with Thomason:
“He’s done my department fair. In two years, his paper has grown pretty popular.
He’s pretty aggressive. He’s more detailed. He goes after it.”

And now they’re going after him.

Georgia judge should resign for abuse of authority, position

OPINION

By [Jay Bookman](#) - The Atlanta Journal-Constitution

²

Posted: 3:00 p.m. Tuesday, July 26, 2016

Superior Court Judge Brenda Weaver of the Appalachian Judicial Circuit ought to resign, having demonstrated an astonishing lack of respect for the authority vested in that office and for the basic civil liberties that the judiciary was created to protect.

Weaver has instead abused that authority in a misguided attempt to protect herself from the scrutiny that every public official must accept as part of accepting a public paycheck and exercising public powers. It is inconceivable, given the willful nature of her actions, that she be allowed to remain in office.

If Weaver refuses to step down on her own, the state Judicial Qualifications Commission ought to begin the process of removing her through the means laid out in the law. And yes, the inconvenient fact that Weaver chairs the state Judicial Qualifications Commission does make the process a little more complicated.

However, it doesn't alter what should happen. To the contrary, it compounds the importance of Weaver's swift departure from office. If Weaver lacks the self-reflection needed to understand the gravity of her mistake — and so far that seems to be the case — then others have a responsibility to step in.

You probably know the story by now, but let's recap briefly:

The two main parties are Weaver, chief judge of the Appalachian circuit, and MARK THOMASON, a local newspaper publisher. In recent months the two had taken up opposing sides in one of those convoluted, overheated tales of poisonous small-town politics, and it all came to a head when Thomason tried to obtain copies of checks written on a public checking account controlled by Weaver.

Thomason claims that his request was investigative journalism; the judge claims it was part of a vendetta against her. In either case, Weaver overreacted badly. She demanded that the local district attorney seek Thomason's indictment, arrest and jailing on trumped-up, legally absurd felony charges of identity fraud and making false statements.

Appalachian Circuit District Attorney Alison Sosebee — a supposedly independent actor, with supposedly independent judgment — acceded to the judge's imperious demands, a decision that calls into question her own professional credibility. Thomason was arrested, charged, fingerprinted and jailed, as was his attorney.

It's important to stress the groundless nature of those charges. Thomason was perfectly within his rights to seek the information in question, and there is zero evidence to sustain the claim that he intended to use the information for criminal purposes. On the other hand, there is substantial evidence that Weaver and Sosebee attempted to use the considerable powers of their offices to punish, intimidate and silence Thomason.

That is not, to put it mildly, a legitimate use of judicial or prosecutorial power. It is telling that once details of the story began to appear in The Atlanta Journal-Constitution and other media outside Pickens County, Weaver and her cohorts began to shrink further into the shadows, unable and unwilling to defend what they had done. Last week, the charges against Thomason and his attorney, RUSSELL STOOKEY, were dropped.

That doesn't end the case, however. Judges are accountable to the law too, even in Pickens County.

Judge asks DA to drop criminal case against local newspaper publisher

3:08 p.m. Thursday, July 7, 2016 | Filed in: [Local News](#)

[COMMENTS](#) 0

The North Georgia judge who initiated a [criminal indictment against a weekly newspaper publisher and his attorney](#) was also behind the decision to abandon the three felony charges brought against the men in the wake of their efforts to access public records.

On Thursday — almost two weeks after Fannin Focus publisher Mark Thomason and attorney Russell Stookey were arrested and jailed overnight — District Attorney Alison Sosebee of the Appalachian Judicial Circuit filed court documents to drop the charges. She attached to the motion a letter from Chief Judge Brenda Weaver, who was listed as a victim on the indictment.

“You have many other cases with victims who have been harmed much more, and they need your full attention and time,” wrote Weaver, who presides in Fannin, Gilmer and Pickens Counties and is also chair of the state Judicial Qualifications Commission.

Sosebee declined to comment Thursday because her motion had not yet been signed by a judge to make it official.

“It’s a huge shift for an alleged victim to say I want something dismissed and it gets dismissed,” said defense attorney Ashleigh Merchant, who represented Thomason. “It’s definitely a shift in policy. (Weaver) said she has talked to her colleagues and has thought better of her complaint as a crime victim. [Pressure to abandon the case\) came from the press.](#)”

On Wednesday, the Society of Professional Journalists filed a JQC complaint against Weaver. The treasurer for the Georgia SPJ chapter said the organization was going to push forward with its complaint despite Weaver's efforts to stop the case.

Fundamental to democracy

Thomason and Stookey were indicted, arrested and jailed two weeks ago.

Thomason was charged with making a false statement in a request for copies of checks written on judges' offices' operating accounts that were "cashed illegally."

Attorney General Sam Olens, whose office enforces compliance with the Open Records Act, said he was "astounded to learn that an open records dispute somehow led to the seeking of an indictment ... Public access to information is fundamental to our democratic form of government. Public officials have a responsibility to respond to requests to access documents regardless of the perceived merit of a citizen's request or their motivation in making it."

Olens declined to say if his office would continue looking into the matter for possible charges.

Weaver said in her letter to Sosebee that she did not intend to infringe on free speech rights when she asked for the charge against Thomason.

She wrote that in speaking with others in the legal community she was reminded "that as a public official, I must expect not only false reporting in newspaper articles and television (which I have always understood) but I should ignore even blatant false allegations made in written emails to county commissioners."

SPJ was critical of her reasoning.

“Judge Weaver, your credibility went out the window the minute you had a journalist thrown in jail for criticizing you. The media isn’t to blame for your troubles. You are. It is disturbing that you are unable to comprehend this very basic fact. If you were as honest as you claim, you would admit your fault in this matter and issue Thomason a sincere apology,” SPJ said in a statement.

Spending taxpayer dollars

Also, Thomason and Stookey were charged with identity theft and attempted identity theft because the lawyer secured a subpoena for a cancelled \$16,000 check drawn on the judges’ accounts to use as evidence in a pending civil matter.

“The experts with whom I spoke certainly understood my grave concerns as to Thomason’s, and particularly his attorney’s, attempts to obtain official banking records without providing the required notice to me as a non-party in a separate civil case,” Weaver wrote Sosebee.

Weaver said after appearing before a local grand jury two weeks ago, she now has new “respect for the anxiety individuals must feel in moving through the criminal justice system.”

Stookey, however, was not satisfied.

“I want a trial. I want to get in a courtroom and make them prove this crap,” Stookey said. “They could come back in six months and do it again. ... (Otherwise) I’ll be known as the lawyer who did fraud and went to jail for it. I did no fraud and I don’t deserve that moniker on my reputation.”

Thomason said he was relieved but also surprised by the decision because as recent as Wednesday Sosebee, in an interview with another local paper, defended her decision to pursue criminal charges.

“There are still open records requests to be filed” said Thomason who had to give urine samples for drug tests three times, one as recent as Thursday, as a condition of his bond. “Throughout this we have, and I mean the public, yet to see how the (judges’) operating expenses have been spent. That was the main issue here, trying to confirm for the public whether taxpayer dollars were being spent in an appropriate way and the government officials were being good stewards of the taxpayers’ dollars.”

<http://www.myajc.com/news/news/local/checks-judge-spends-on-restaurants-others-for-rout/nsGPY/>

Records: How 1 Georgia judge spent her \$50,000 office expense account

By Rhonda Cook - The Atlanta Journal-Constitution

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Posted: 5:15 p.m. Monday, Aug. 15, 2016

A North Georgia judge spent more than \$12,000 in taxpayer money on restaurants and food last year, with more than a third of it for entertaining Georgia Supreme Court justices, their spouses and staff, records show.

The finding is significant not because of the sums involved, but because a Fannin County publisher and his lawyer were indicted and jailed in June after they tried to gain access to those same records. The indictment was dropped after a public outcry, but the case has had the effect of calling attention to the spending of Chief Judge Brenda Weaver of the Appalachian Judicial Circuit.

Until Friday, Weaver also was the chair of the state Judicial Qualifications Commission, which monitors judges' conduct. But Weaver is now under investigation by the commission, and she resigned from that post on Friday.

Records of Weaver's spending do not suggest any impropriety. As chief judge Weaver controls an office account of nearly \$50,000 a year, contributed by taxpayers in the three counties in the circuit — Fannin, Gilmer and Pickens. Last year she accounted for office expenses, including copying, phone service, printing, paper and pens, of \$23,000.

But Weaver also charged taxpayers \$3,540 for training and her memberships in local, state and national organizations like the State Bar of Georgia, the National Association of Women Judges and the Council of Juvenile and Family Court Judges. And she spent about a quarter of her office account on restaurants and food.

‘I can’t understand what’s the big deal?’

A large chunk of Weaver’s food expenses — \$4,725 — went for feeding the Georgia Supreme Court, the justices’ spouses and the court’s staff when the court visited the circuit to hold special session for oral argument last October. Local taxpayers also paid \$3,063 to lodge the visitors. Total taxpayer tab for the visit: \$7,788.

“We were very honored to have the Supreme Court in our circuit and it was a wonderful learning experience for our high school students as well as others who attended,” Weaver told The Atlanta Journal-Constitution.

The judge also spent more than \$7,000 on other food expenses, including \$1,458 at Deb’s Bakery, \$1,404 at Honey Baked Hams and \$766 at Bojangles. Weaver said she provides lunch at regular planning meetings and at meetings with outside agencies and advocates who work with the accountability courts.

The spending records — included in hundreds of pages of documents obtained by the AJC — are key in a long-running controversy in the circuit **in which the publisher** of a local newspaper and his attorney **were indicted and jailed** because of their attempts to get copies of checks drawn on the judge’s office account.

While the two men spent a night in jail and were under felony indictment for more than three weeks, the issue over the checks has had wide-ranging fallout.

Old feuds within the community were re-ignited. The FBI is investigating. **The media were riled** when publisher Mark Thomason and Fannin Focus attorney Russell Stookey were arrested on June 24 for seeking public records.

“Why didn’t she just release the records?” Stookey said recently. “I can’t understand what’s the big deal. Turn ‘em over.”

Weaver, on the bench for 20 years, refused to turn over the documents, saying the courts are not bound by the Georgia Open Records Law. Those records were included, however, in the file the District Attorney’s Office compiled, offering a glimpse of how the courts — or at least one court in the Appalachian Judicial Circuit — spend taxpayer dollars.

The day-to-day operation of a court

Weaver wrote two checks totaling \$23.85 to Village Cleaners, last year. There also were several checks to Walmart, Target and Dollar Tree. Jasper City Florists was paid \$58.85 in May 2015. A check for \$25 went to Keep Pickens Beautiful; the Pickens Chamber of Commerce received \$115.

Weaver also used \$830 from the account to decorate Christmas trees.

“The courthouses in our three counties do decorate trees and offices for the holiday season and have been doing so since the circuit was created in 1983,” Weaver wrote in an email. “To my knowledge, no citizen has ever objected.”

The biggest single expense was in October for dinner at the Black Sheep, a high-end restaurant in Blue Ridge. There had already been a \$274 check in August for lunch at the Black Sheep for Supreme Court staff to plan for arguments at the Pickens County Courthouse on Oct. 16. Weaver then spent \$2,400 for dinner at the Black Sheep for the justices, their spouses and the court staff the evening before the high court heard arguments.

The next day, a lunch for the justices and about 200 others was at Bigun’s Barbecue, costing \$2,050.

The county attorney for Fannin County, Lynn Doss, said her 15-year-old daughter attended the lunch. Doss said the education value was enormous because her daughter and her classmates experienced protesters outside the courthouse, heard arguments about an immigration issue and got to speak individually to the justices over lunch. Doss said it was “money well spent on educating students. ... Those kids were enthralled.”

The records provided the AJC include copies of the quarterly checks from each county as well as bank statements and deposit slips.

Those are the records Fannin Focus publisher Mark Thomason was trying to obtain.

‘Being done solely for vindictive reasons’

When Weaver turned Thomason down, he asked Fannin County officials for the cashed checks, since that government is covered by the open records law. In his request, Thomason wrote that he was looking for checks that had been “illegally cashed.” “It was that choice of words that was the basis of the felony charge of making a false statement.

“An investigation of this matter will clearly show these false written statements and false oral allegations from Thomason and others are being done with ‘actual malice’ and solely for vindictive reasons,” Weaver wrote in an email to county officials.

Thomason and Stookey were also charged with identity theft and attempted identity theft because they **secured a subpoena for a copy of one check drawn on a judge’s account in an unrelated matter**. A court reporter who sued Thomason but then dropped the case wanted to be reimbursed for her legal expenses. Weaver had already approved reimbursing Rhonda Stubblefield for her \$15,691 in lawyers’ bills, so Stookey wanted a copy of the check to show that the court reporter’s debt had been covered.

But Weaver saw something nefarious. She said the two could use information printed on the checks to access the funds.

“I don’t believe you have a First Amendment right to attempt to obtain a third party’s bank records without providing proper notice to the person,” Weaver said last month in an email.

The **felony charges against the two men were dismissed July 18, at Weaver’s request**.

<http://www.myajc.com/news/news/local/federal-grand-jury-seeks-records-in-fannin-focus-p/nsDSJ/>

Federal grand jury subpoenas records in Fannin publisher case

By Rhonda Cook - The Atlanta Journal-Constitution

(Rhonda Cook, rcook@ajc.com)

Posted: 7:36 p.m. Wednesday, Aug. 10, 2016

A federal grand jury issued a subpoena this week in the case of a North Georgia newspaper publisher who was criminally charged and locked up after he asked for public documents relating to how local judges spent public money.

Brenda Weaver, chief judge of the Appalachian Judicial Circuit, sought the indictment of Fannin Focus publisher Mark Thomason and his attorney, Russell Stookey, in part because Thomason's open records request offended her. She prevailed upon the local district attorney, Alison Sosebee, to pursue and ultimately secure the indictments. (Weaver also chairs the state Judicial Qualifications Commission, which monitors the behavior of judges statewide.)

Weaver, a Superior Court judge, did not respond to inquiries from The Atlanta Journal-Constitution Wednesday on whether she has received a subpoena. People in a position to know about the federal investigation told the AJC that a subpoena served on District Attorney Sosebee asked her to turn over an investigative file relating to the affair.

The AJC also asked Sosebee whether she'd been served.

"I'm not comfortable answering that," Sosebee said.

The U.S. Attorney's Office in Atlanta and the FBI also declined to comment.

Weaver and Sosebee are at the center of a bizarre episode in which they sought to indict Thomason and his lawyer for the act of requesting public documents.

The dispute began when a Superior Court judge — a man who is no longer on the bench — used a racial slur in open court.

Thomason, the publisher, asked for a transcript of the remarks from the court reporter, Rhonda Stubblefield. Thomason said he was trying to verify news tips that others in the court also used the slur. But the transcript did not reflect that, and he asked Stubblefield to provide audiotapes of the proceeding. She refused, and Thomason sued her to secure the audio. Stubblefield countersued, for \$1.6 million, saying Thomason had defamed her by questioning the accuracy of her work.

At length, Thomason's suit was dismissed and Stubblefield dropped her countersuit. But Stubblefield had run up \$15,691 in legal bills relating to the two suits. Although she is a private contractor — not a court employee — judges of the circuit saw fit to reimburse her for the expenses.

According to Weaver, the judges believed that paying Stubblefield's legal expenses was the least they could do, since she had spent the money on lawsuits related to her duties of transcribing court testimony.

Related

- Drug tests continue for publisher despite DA's plans to drop case
- North Georgia newspaper publisher jailed over open records request
- Jailing of journalist, lawyer draws outrage
- Judge asks DA to drop criminal case against local newspaper publisher

The federal investigation concerns that check for \$15,691, which was drawn on the account assigned to Roger Bradley, also a Superior Court judge in the Appalachian

Judicial Circuit, according to people familiar with the investigation. They requested anonymity because grand jury proceedings are secret.

Outside the circle of judges who presided in counties of the Appalachian Circuit — Fannin, Gilmer and Pickens — questions were raised about whether taxpayer dollars could be used to pay Stubblefield. The county attorney for Fannin, Lynn Doss, argued that the payment was a gratuity and violated the State Constitution. Rita Davis-Kirby, Fannin's finance director and county clerk, wrote in an email to Weaver's staff, "I'm not sure that's something we can go along with since she is contract labor and not a county employee."

The payment was made nevertheless.

Thomason and Stookey wanted to see a copy of the canceled check because Stubblefield had asked the court to order them to pay her legal expenses. They said they wanted to show that Stubblefield had already been reimbursed with taxpayer funds.

At the same time, Thomason was asking to see deposits and withdrawals from the account for Weaver's office. The chief judge controls an office account of nearly \$50,000 a year, which is contributed by taxpayers in the three counties of the circuit.

In the days before Thomason and Stookey were indicted, District Attorney Sosebee's investigators gathered records, conducted recorded interviews and struggled to find a crime. What came out in those recorded interviews, which the AJC obtained under the Georgia Open Records Act, was a picture of small-town feuds and a judge pushing the DA she once mentored to bring criminal charges against those who had questioned the judge's integrity.

"I don't react well when my honesty is questioned," Weaver had previously told the AJC.

Witness after witness on the recordings said there was no unusual activity regarding Weaver's account.

"It's a shame it's got to this point," investigator Greg Arp said during one of the interviews. "I don't know that anything illegal has gone on."

Despite the investigator's struggle to find a crime, Thomason and Stookey were indicted and jailed. Thomason was charged with making a false statement when he asked for copies of checks written on Weaver's office account that were "cashed illegally."

Thomason and Stookey also were charged with identity theft and attempted identity theft because they had secured a subpoena for a copy of the check written to Rhonda Stubblefield, the court reporter. (The charges were later dropped at Weaver's request, following a public outcry.)

Records show the chief judge was pushing for felony charges. But she says she stopped short of crafting the charging document.

"(I) did not see a copy of the indictment until after it had already been announced in open court," Weaver said in an email to the AJC.

Records show she was deeply involved in the process leading up to the grand jury session. Weaver emailed several local officials with the details of her personal investigation. Her law clerk researched the law and then the judge forwarded the clerk's findings to Sosebee.

Weaver proposed questions for Thomason and Stookey. The judge also sent Sosebee the names of people she should call before the grand jury and ask them "under oath" who had copies of checks that were eventually given to Thomason and Stookey; when did they have them; and how many times they had met to discuss "getting the Weavers."

Sosebee said she did not acquiesce to the judge's demands, and the grand jurors' decision to indict was theirs alone. The emails only show that she and the judge communicated, Sosebee said.

"I don't control what I receive."

Staff writer Bill Rankin contributed to this article

COUNTY AGENDA REQUEST

Page 303 of 307

Department: Board of Commissioners

Presenter(s): Commissioner Steve Brown

Meeting Date: Thursday, August 25, 2016

Type of Request: New Business #20

Wording for the Agenda:

Consideration of Commissioner Brown's request to discuss Hospital Authority appointments by the Board of Commissioners.

Background/History/Details:

Commissioner Brown has made a request to discuss the Hospital Authority appointments by the Board of Commissioners.

By request of Commissioner Brown, an email and email thread is included as support for this Agenda item.

What action are you seeking from the Board of Commissioners?

Discuss Hospital Authority appointments by the Board of Commissioners.

If this item requires funding, please describe:

Not Applicable.

Has this request been considered within the past two years? No

If so, when?

Is Audio-Visual Equipment Required for this Request? No

Backup Provided with Request? Yes

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

Approved by Finance Not Applicable

Reviewed by Legal

Approved by Purchasing Not Applicable

County Clerk's Approval Yes

Administrator's Approval

Staff Notes:

Floyd Jones

From: Steve Brown
Sent: Friday, August 5, 2016 10:50 AM
To: Floyd Jones; Tameca P. White
Cc: Commissioners Group
Subject: Agenda item - August 25 BOC meeting - Discussion of Hospital Authority appointments by the Board of Commissioners

BACK-UP:

The Board of Commissioners made it clear they wanted representation on the Hospital Authority in the past so that the county government could be included in such discussions and avoid any possible surprises which could possibly negatively impact the county and its citizens.

Previously, then-Commissioner Charles Oddo agreed to filled the role of Board of Commissioners representation on the Hospital Authority.

Upon renewal of Chairman Oddo's term on the Hospital Authority, he reapplied stating a willingness to maintain the role of county government representation on the Hospital Authority.

Unfortunately, after the interview process which I was part of, Chairman Oddo pulled his name out of contention for a Hospital Authority appointment, negating the possibility of Board of Commissioners' representation on the authority. Oddo gave no warning to his colleagues about his abrupt change. In fact, I found out after the fact from the authority's chairman. I believe the Chairman's behavior is disingenuous and irresponsible.

I have serious doubts about the motivations behind these moves. I believe it puts us and the citizens we represent at a disadvantage by not having representation on the authority.

Floyd Jones

From: Steve Brown
Sent: Monday, August 8, 2016 5:26 PM
To: Floyd Jones; Tameca P. White
Subject: FW: Suggested Commission Liaison with Fayette County Hospital Authority Board

Please include also a print out of this email thread in the backup for the my August 25 agenda item related to the Chairman and the Hospital Authority.

Many thanks.

Steve Brown
Commissioner
Fayette County Board of Commissioners
140 Stonewall Avenue, Suite 100
Fayetteville, GA 30214
Cell: 404.798.0587
Office: 770.305.5120
CommissionerBrown@fayettecountyga.gov
www.fayettecountyga.gov

From: Steve Brown
Sent: Monday, August 8, 2016 11:59 AM
To: 'T. Randahl Morris' ; Charles Oddo <COddo@fayettecountyga.gov>; David Barlow <DBarlow@fayettecountyga.gov>; Randy Ognio <ROgnio@fayettecountyga.gov>; Charles Rousseau <crousseau@fayettecountyga.gov>
Cc: J Michael Burnett <michael.burnett@piedmont.org>; scott.wolfe@piedmont.org; ; Darrell McKinney
lolda.bonney@fayettecareclinic.com
Subject: RE: Suggested Commission Liaison with Fayette County Hospital Authority Board

All,

A "liaison" is not allowed in executive sessions.

The point of having a commissioner from the Board of Commissioners on the Hospital Authority was to insure transparency and avoid possible surprises. That was the reason we appointed then-Commissioner Oddo to the authority in the first place.

Unfortunately, Chairman Oddo failed to communicate with his colleagues on his intent to withdraw from his application for re-appointment. Communication has been a significant issue with the Board of Commissioners. We could have re-opened the interview process.

I am deeply disappointed in Chairman Oddo and the fact that there is no Board of Commissioners representation on the Hospital Authority.

During the interview process, both Chairman Oddo and hospital CFO Scott Wolfe were made of aware of the strong desire to have a commissioner from the Board of Commissioners on authority's board.

Ms. Stepherson was an ideal candidate for the McIntosh Trail Community Service Board which she also applied for and the intention was to place her in that position in lieu of the Hospital Authority.

The failure of leadership has taken out the accountability factor for the Board of Commissioners and I am offended by Chairman Oddo's offer to be the new liaison after abandoning his pledge to be the Board of Commissioners' representative on the authority's board. This is a disservice to the citizens of Fayette County.

I am tired of the backdoor politics.

Steve Brown
Commissioner
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From: T. Randahl Morris [<mailto:>]
Sent: Monday, August 8, 2016 10:30 AM
To: Charles Oddo <COddo@fayettecountyga.gov>; David Barlow <DBarlow@fayettecountyga.gov>; Steve Brown <CommissionerBrown@fayettecountyga.gov>; Randy Ognio <ROgnio@fayettecountyga.gov>; Charles Rousseau <crousseau@fayettecountyga.gov>
Cc: J Michael Burnett <michael.burnett@piedmont.org>; scott.wolfe@piedmont.org; ; Darrell McKinney
laida.bonney@fayettecareclinic.com
Subject: Suggested Commission Liaison with Fayette County Hospital Authority Board

Commissioners,

During our July 19 board meeting, we elected three new board members to our five-member board. Unfortunately, due to the formation of the three pools of board candidates, two of our then-current board members were placed in the same pool. As a result, Charles Oddo removed himself from consideration to allow the other experienced board member to be re-elected.

As a public authority, it is part of our fiduciary responsibility to maintain the utmost inclusiveness and transparency. Therefore, I am recommending that we establish a Fayette County Commission Liaison to the authority position which will help to ensure that the county commission is updated on all authority business on a regular basis.

If all commission members would like to attend all meetings, that would be fine, too. However, it would be advisable to establish at least one regular liaison to ensure timely, ongoing communication.

Our next authority meeting is scheduled for Wed., Aug. 17, at 6:30 p.m., in the Piedmont Hospital executive conference room on the third floor of the medical office building. Please advise regarding your response to this proposal and as to who will be attending our next meeting.

Best Regards,

Tami Randahl

T. Randahl Morris, PhD, APR
Fayette County Hospital Authority Board Chair
Assistant Professor
University of West Georgia
770-487-1348