

## BOARD OF COUNTY COMMISSIONERS

Lee Hearn, Chairman  
Edward Gibbons, Vice Chairman  
Eric K. Maxwell  
Charles W. Oddo  
Charles D. Rousseau



## FAYETTE COUNTY, GEORGIA

Steve Rapson, County Administrator  
Dennis A. Davenport, County Attorney  
Tameca P. Smith, County Clerk  
Marlena Edwards, Chief Deputy County Clerk

140 Stonewall Avenue West  
Public Meeting Room  
Fayetteville, GA 30214

## AGENDA

October 28, 2021  
5:00 p.m.

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Welcome to the meeting of your Fayette County Board of Commissioners. Your participation in County government is appreciated. All regularly scheduled Board meetings are open to the public and are held on the 2<sup>nd</sup> and 4<sup>th</sup> Thursday of each month at 5:00 p.m.

Call to Order  
Invocation and Pledge of Allegiance by Commissioner Charles Rousseau  
Acceptance of Agenda

### PROCLAMATION/RECOGNITION:

### PUBLIC HEARING:

1. Public Hearing involving the redistricting within the county based on the 2020 decennial census. (page 3)
2. Consideration of staff's request to adopt Resolution 2021-18 pertaining to the "Fayette County 2021 Annual Report on Fire Services Impact Fees, including Comprehensive Plan Amendments for Updates to the Capital Improvements Element and Community Work Program (FY2022- FY2026)" and to transmit the document to the Atlanta Regional Commission and the Department of Community Affairs for Regional and State review prior to adoption. (pages 4-15)
3. Consideration of Ordinance 2021-20, Amendments to Chapter 110. Zoning Ordinance, Regarding Sec. 110.75 - Structures permitted above the height limit and Sec. 110-169. - Conditional use approval, concerning outdoor amusement facilities, rides, structures over 35 feet in height. (pages 16-24)

### PUBLIC COMMENT:

*Speakers will be given a five (5) minute maximum time limit to speak before the Board of Commissioners about various topics, issues, and concerns. Speakers must direct comments to the Board. Responses are reserved at the discretion of the Board.*

### CONSENT AGENDA:

4. Approval of staff's recommendation to transfer \$19,993.00 from General Contingency to Repair & Maintenance Services to cover emergency repairs to the underground storage tank fill pipes. (pages 25-32)
5. Approval of the October 14, 2021 Board of Commissioners Meeting Minutes. (pages 33-45)

### OLD BUSINESS:

### NEW BUSINESS:

6. Consideration of staff's request to apply for and accept the Georgia Public Safety Officials and First Responders Supplement Grant and to authorize any necessary FY2022 budget amendments needed to process and award the grant payments to eligible County employees in the amount of \$381,990. (pages 46-59)
7. Consideration of staff's proposed reorganization of Animal Control by abolishing the Kennel Supervisor position, establishing and funding a second Senior Animal Control Officer, and funding the conversion of the Animal Adoption Counselor position from a part-time to a full-time position; effective November 6, 2021. (pages 60-61)
8. Discussion of the update of the Fayette County Comprehensive Plan and appointment of a member of the Board of Commissioner to the Steering Committee. (pages 62-85)
9. Consideration of staff's recommendation to award Bid #2010-B Contractor Resurfacing FY21 to Atlanta Paving and Concrete, Inc. in the amount of \$1,798,111.68. (pages 86-89)

**ADMINISTRATOR'S REPORTS:**

**ATTORNEY'S REPORTS:**

A: Contract #1431-P: Transportation Engineer of Record Task Order #52: SR 85 at Hwy. 85 Connector – Signal Warrant Analysis & Design Services (pages 90-98)

B: Contract #1815-A: Dust Control Services – Renewal 1 Change Order 1 (pages 99-100)

C: Contract #1867-P: Water System Engineer of Record Task Order 22-02: Subsurface Utility Engineering, Various Sites (pages 101-106)

D: Contract #1867-P: Water System Engineer of Record Task Order 22-03: Landfill Compliance Monitoring – FY 2022 (pages 107-132)

**COMMISSIONERS' REPORTS:**

**EXECUTIVE SESSION:**

**ADJOURNMENT:**

# COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

**Wording for the Agenda:**

Public Hearing involving the redistricting within the county based on the 2020 decennial census.

**Background/History/Details:**

At the October 14, 2021 Board of Commissioner meeting, Attorney Bryan Tyson updated the Board on the redistricting process. This meeting is to give citizens the opportunity to provide input.  
  
Information will be provided at the meeting.

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

Public Hearing involving redistricting within the county based on the 2020 decennial census.

**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:**

Governor Kemp called for the General Assembly to have a special session on November 3, 2021, to approve the State & Federal redistricting lines. This can take up to three (3) weeks to be signed. The local redistricting will be approved in the regular scheduled session sometime in January 2022.

# COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

**Wording for the Agenda:**

Consideration of staff's request to adopt Resolution 2021-18 pertaining to the "Fayette County 2021 Annual Report on Fire Services Impact Fees, including Comprehensive Plan Amendments for Updates to the Capital Improvements Element and Community Work Program (FY2022- FY2026)" and to transmit the document to the Atlanta Regional Commission and the Department of Community Affairs

**Background/History/Details:**

for Regional and State review prior to adoption.

Fayette County and the towns of Brooks, Tyrone, and Woolsey, in accordance with the Georgia Development Impact Fee Act and the Minimum Planning Standards, have prepared the "Fayette County 2021 Annual Report on Fire Services Impact Fees (FY2021), including the Comprehensive Plan amendments for updates to the Capital Improvements Element and Community Work Program (FY2021- FY2026)". This annual update was prepared in accordance with requirements of the Georgia Development Impact Fee Act and the Minimum Planning Standards and Procedures for Local Comprehensive Planning established by the Georgia Planning Act of 1989.

This annual update was prepared in accordance with requirements of the Georgia Development Impact Fee Act and the Minimum Planning Standards and Procedures for Local Comprehensive Planning established by the Georgia Planning Act of 1989.

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

Approval of staff's request to adopt Resolution 2021-18 pertaining to the "Fayette County 2021 Annual Report on Fire Services Impact Fees and to transmit the document to the Atlanta Regional Commission and the Department of Community Affairs for Regional and State review prior to adoption.

**If this item requires funding, please describe:**

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?\*

Backup Provided with Request?

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

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

**Staff Notes:**

**TRANSMITTAL RESOLUTION 2021-18**

WHEREAS, Fayette County, Georgia has prepared an annual update to a Capital Improvements Element and Community Work Program; and

WHEREAS, the annual update of the Capital Improvements Element and Community Work Program was prepared in accordance with the Development Impact Fee Compliance Requirements and the Minimum Planning Standards and Procedures for Local Comprehensive Planning established by the Georgia Planning Act of 1989, and a Public Hearing was held on October 28, 2021.

BE IT THEREFORE RESOLVED, that Fayette County, Georgia does hereby submit the annual update of the Capital Improvements Element and Community Work Program covering the five-year period of FY 2022 to FY 2026 to the Atlanta Regional Commission and Georgia Department of Community Affairs for regional review, as per the requirements of the Georgia Planning Act of 1989.

Adopted this 28<sup>th</sup> day of October, 2021

BY:

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ATTEST:

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<b>Fayette County and Towns of Brooks, Tyrone, and Woolsey Summary Impact Fee Financial Report FY2021</b>	
	Fire Services
Total Impact Fee Balance From Previous Fiscal Year	\$0.00
Impact Fees Collected in FY 2021 By Jurisdiction	
Fayette County	91,177.50
Brooks	1,201.14
Tyrone	25,223.94
Woolsey	2,402.28
Total	\$120,004.86
Accrued Interest	149.05
(Administrative Other Costs)	(3,494.85)
(Impact Fee Refunds)	\$0.00
(Impact Fee Expenditures)	(116,659.06)
Impact Fee Fund Balance Ending FY 2021	\$0.00
Impact Fees Encumbered	\$0.00

<b>Fayette County Impact Fee Financial Report FY2021</b>	
	Fire Services
Total Impact Fee Balance From Previous Fiscal Year	\$0.00
Impact Fees Collected in FY 2021 By Jurisdiction	
Fayette County	91,177.50
Accrued Interest	113.25
(Administrative Other Costs)	(2,655.33)
(Impact Fee Refunds)	\$0.00
(Impact Fee Expenditures)	(88,635.42)
Impact Fee Fund Balance Ending FY 2021	\$0.00
Impact Fees Encumbered	\$0.00

<b>Brooks Impact Fee Financial Report FY2021</b>	
	Fire Services
Total Impact Fee Balance From Previous Fiscal Year	\$0.00
Impact Fees Collected in FY 2021 By Jurisdiction	
Brooks	1,201.14
Accrued Interest	1.49
(Administrative Other Costs)	(34.98)
(Impact Fee Refunds)	\$0.00
(Impact Fee Expenditures)	(1,167.65)
Impact Fee Fund Balance Ending FY 2021	\$0.00
Impact Fees Encumbered	\$0.00

<b>Tyrone Impact Fee Financial Report FY2021</b>	
	Fire Services
Total Impact Fee Balance From Previous Fiscal Year	\$0.00
Impact Fees Collected in FY 2021 By Jurisdiction	
Tyrone	25,223.94
Accrued Interest	31.33
(Administrative Other Costs)	(734.58)
(Impact Fee Refunds)	\$0.00
(Impact Fee Expenditures)	(24,520.69)
Impact Fee Fund Balance Ending FY 2021	\$0.00
Impact Fees Encumbered	\$0.00

<b>Woolsey Impact Fee Financial Report FY2021</b>	
	Fire Services
Total Impact Fee Balance From Previous Fiscal Year	\$0.00
Impact Fees Collected in FY 2021 By Jurisdiction	
Woolsey	2,402.28
Accrued Interest	2.98
(Administrative Other Costs)	(69.96)
(Impact Fee Refunds)	\$0.00
(Impact Fee Expenditures)	(2,335.30)
Impact Fee Fund Balance Ending FY 2021	\$0.00
Impact Fees Encumbered	\$0.00

**Fayette County Comprehensive Plan Amendment - Capital Improvement Element - Project Update FY2022 - FY2026**  
**Public Facility - Fire Services**

Project Description	FY Project Start	FY Project End	Actual / Estimated Cost of Project	Funding from Impact Fees	Percent By Impact Fees	Other Funding Sources	Current Year Impact Fee Applied	Impact Fee Applied Previous Years	Remaining amount to be funded from impact fees	Status / Remarks
Construct Fire Station 1: SR 279	FY 2002	FY 2002	\$ 872,836	\$ 471,331	54.00%	Fire Tax	na	\$471,331	\$0	Completed in FY 2002
Construct Fire Station 10: Seay Road	FY 2002	FY 2002	\$ 838,295	\$ 687,402	82.00%	Fire Tax	na	\$687,402	\$0	Completed in FY 2002
Construct Fire Station 5: SR 85 South	FY 2002	FY 2003	\$ 1,191,565	\$ 369,385	31.00%	Fire Tax	na	\$369,385	\$0	Completed in FY 2003
Construct Fire Station 7: Hampton Road	FY 2003	FY 2003	\$ 1,066,472	\$ 586,559	55.00%	Fire Tax	na	\$586,559	\$0	Completed in FY 2003
Purchase Acreage for Future Fire Station - McElroy Road	FY 2004	FY 2004	\$ 25,000	\$ 25,000	100.00%	None	na	\$25,000	\$0	Completed in FY 2004
Purchase two (2) Quints	FY 2006	FY 2007	\$ 675,000	\$ 675,000	100.00%	None	na	\$675,000	\$0	Purchased in FY 2007
Emergency Operations Center	FY 2012	FY 2015	\$ 1,107,921	\$ 131,864	83.50%	Fire Tax / Grant	na	\$131,864	\$0	Completed in FY15
Construct Fire Training Center (Burn Building)	FY 2018	Future	\$ 1,120,000	\$ 253,680	22.65%	Fire Tax	na	\$253,680	\$0	Estimated FY2023
Construct FS2: S.R. 92N	FY 2018	FY2021	\$ 1,644,000	\$ 164,400	10.00%	Fire Tax	\$70,863	\$93,537	\$0	Complete in FY2021
Construct FS14: Sandy Creek/Flat Ck	Future	Future	\$ 1,613,773	\$ 1,613,773	100.00%	None	\$45,796	\$0	\$1,567,977	Future/Planned
Construct FS15: Ginger Cake/Graves	Future	Future	\$ 2,061,333	\$ 2,061,333	100.00%	None	\$0	\$0	\$2,061,333	Future/Planned
Rescue Truck (1)	Future	Future	\$ 224,334	\$ 224,334	100.00%	None	\$0	\$0	\$224,334	Estimated FY2023
Brush Truck (1)	Future	Future	\$ 57,011	\$ 57,011	100.00%	None	\$0	\$0	\$57,011	Estimated FY2023
Engine/Pumpers (8) - 2 Purchased in FY2018; 1 Purchased in FY2019; 1 purchased in FY2020;	FY 2018	Future	\$ 3,252,082	\$ 3,252,082	100.00%	None	\$0	\$0	\$3,252,082	In Progress
<b>Totals</b>			<b>\$ 15,749,622</b>	<b>\$ 10,573,155</b>			<b>\$ 116,659</b>	<b>\$ 3,293,758</b>	<b>\$7,162,737</b>	

**FAYETTE COUNTY COMPREHENSIVE PLAN  
COMMUNITY WORK PROGRAM FY2022- FY2026**

This section presents an updated five-year work program for FY 2022 through FY 2026 to implement the vision and goals of the Fayette County Comprehensive Plan. In addition to the scheduling of projects for the county, the Community Work Program indicates potential sources of funding.

**FAYETTE COUNTY COMPREHENSIVE PLAN  
COMMUNITY WORK PROGRAM FY2022-FY2026 - PUBLIC SAFETY**

Goal: Maintain and Improve the Level of Service for Public Safety			Plan Element: <b>Community Facilities</b>		
Project Description	Initiation Year	Completion Year	Total Estimated Costs	Funding Sources	Responsibility
<b>Fire and Emergency Medical Services</b>					
Links Training Facility	FY 2022	FY 2022	\$138,500	Fire Fund	Fayette County Emergency Services
<b>Sheriff's Office</b>					
Links Master Plan/Phase 1 (Sheriff's Training Center – Driving Course)	FY 2022	FY 2022	\$550,000	General Fund	Sheriff's Office

**FAYETTE COUNTY COMPREHENSIVE PLAN  
COMMUNITY WORK PROGRAM FY2022-FY2026 RECREATION**

Goal: Upgrade Recreation Services			Plan Element: <b>Community Facilities</b>		
Project Description	Initiation Year	Completion Year	Total Estimated Costs	Funding Sources	Responsibility
Make Enhancements to Kiwanis Park	FY 2022	FY 2026	\$295,000	General Fund	Recreation Dept.
Make Enhancements to McCurry Park	FY 2022	FY 2026	\$ 587,500	General Fund	Recreation Dept.
Make Enhancements to Kiwanis Park	FY 2022	FY 2026	\$70,000	General Fund	Recreation Dept.

**FAYETTE COUNTY COMPREHENSIVE PLAN  
COMMUNITY WORK PROGRAM FY2022-FY2026 - WATER SYSTEM**

Goal: Upgrade County Water System

Plan Element: **Community Facilities**

Project Description	Initiation Year	Completion Year	Total Estimated Costs	Funding Sources	Responsibility
Waterline Extensions	FY 2022	FY 2026	\$700,000	Enterprise Funds	Fayette County Water System
Update the SCADA System	FY 2022	FY 2026	\$1,400,000	Enterprise Funds	Fayette County Water System

**FAYETTE COUNTY COMPREHENSIVE PLAN  
COMMUNITY WORK PROGRAM FY2022-FY2026 - HAZARD MANGEMENT**

Goal: Upgrade and Repair Infrastructure to Mitigate Future Hazards

Plan Element: **Community Facilities**

Project Description	Initiation Year	Completion Year	Total Estimated Costs	Funding Sources	Responsibility
Address deteriorating and hazardous stormwater infrastructure, bridges and water impoundments/dams including, but not limited to, the inventory of Stormwater Projects in the 2017 SPLOST document, the non-splost pipe replacements in the FY 2020 Budget - Capital Improvement Plan (CIP) and items identified in the Fayette County Hazard Mitigation Plan Update 2020-2025.	FY2022	FY2026	\$23,991,641	SPLOST and General Fund	Fayette County Public Works, Fayette County Environmental Management Department and Fayette County Fire and Emergency Services

**FAYETTE COUNTY COMPREHENSIVE PLAN  
COMMUNITY WORK PROGRAM FY2022-FY2026 – PLANNING AND ZONING**

Goal: Growth and development should be consistent with the county comprehensive plan.

Plan Element: **Needs and Opportunities**

Project Description	Initiation Year	Completion Year	Total Estimated Costs	Funding Sources	Responsibility
Review County Code regarding electronic plan review system	FY 2022	FY 2023	Staff Time	General Fund	Fayette County Planning and Zoning

# COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

**Wording for the Agenda:**

Consideration of Ordinance 2021-20, Amendments to Chapter 110. Zoning Ordinance, Regarding Sec. 110.75 - Structures permitted above the height limit and Sec. 110-169. - Conditional use approval, concerning outdoor amusement facilities, rides, structures over 35 feet in height.

**Background/History/Details:**

Staff recommends approval of the amendments.

The Planning Commission recommended approval of the amendments.

Brian Haren made a motion to recommend approval of amendments to Chapter 110. Zoning Ordinance, Regarding Sec. 110.75 - Structures permitted above the height limit and Sec. 110-169. - Conditional use approval, concerning outdoor amusement facilities, rides, structures over 35 feet in height. Jim Oliver seconded the motion. The motion passed 5-0.

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

Approval of Ordinance 2021-20, Amendments to Chapter 110. Zoning Ordinance, Regarding Sec. 110.75 - Structures permitted above the height limit and Sec. 110-169. - Conditional use approval, concerning outdoor amusement facilities, rides, structures over 35 feet in height.

**If this item requires funding, please describe:**

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?\*

Backup Provided with Request?

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

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

**Staff Notes:**

Sec. 110-75. - Structures permitted above the height limit.

The height limit shall not apply to the following structures and architectural features: a cathedral or vaulted ceiling on a church or other place of worship, spire, steeple, belfry, cupola, dome, monument, water tower, observation tower, chimney, smoke stack, conveyer, mast or aerial, heating, ventilation, and air conditioning (HVAC) equipment, elevator equipment, roof mounted solar panels, roof mounted satellite/telecommunications equipment, **outdoor amusement facilities, rides and structures (Sec.110-169)** and a parapet wall not extending more than four feet above the roof line of the building. A freestanding flagpole is also permitted above the height limit, provided the total height does not exceed 70 feet. Total height shall be measured from the finished grade at the location of the flagpole to the highest point.

Sec. 110-169. - Conditional use approval.

kk. Outdoor amusement facilities, rides **and** structures over 35 feet in height, including, but not limited to bungee and parachute jumping. Allowed in the C-H and M-1 zoning districts.

1. Where applicable, all state codes, rules, and regulations shall apply. Verification that state requirements are met shall accompany the application for a conditional use permit.
2. ~~All~~ **The portion of the structural and support parts amusement facility, ride, or structure which exceeds 35 feet in height shall** not be located closer than 300 feet from any A-R or residential zoning district.
3. Any structure, ride, etc., erected in connection with an outdoor amusement activity, over 35 feet in height, shall be dismantled upon the closing of the business or activity in question.
4. ~~Any structure, ride, etc. over 35 feet in height, or with elements over 35 feet in height, shall be surrounded by a six-foot high fence with a locked gate when the facility is not in use. A four-inch sphere shall not be able to pass through any section of the fence or gate.~~
5. The structure shall be designed to fall entirely within the boundaries of the site should structural failure occur.

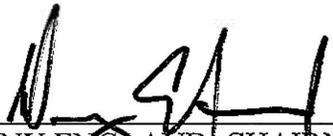
**PLANNING COMMISSION RECOMMENDATION**

Consideration of Amendments to the Fayette County Code of Ordinances, Chapter 110. Zoning Ordinance, Regarding Section 110.75 - Structures permitted above the height limit and Section 110-169. – Conditional use approval, concerning Outdoor Amusement Facilities, rides structures over 35 feet in height.

Recommended for approval to the BOC     Recommended for denial to the BOC

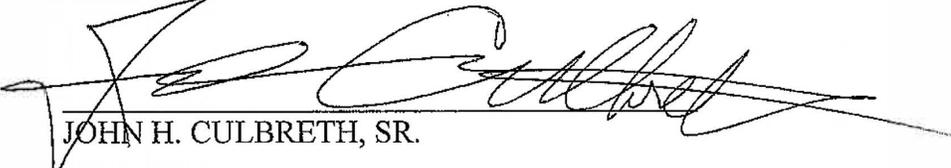
Tabled until \_\_\_\_\_

Per the Fayette County Planning Commission on this 7th day of October 2021.

  
\_\_\_\_\_  
DANNY ENGLAND, CHAIRMAN

  
\_\_\_\_\_  
ARNOLD L. MARTIN, VICE-CHAIRMAN

  
\_\_\_\_\_  
BRIAN HAREN

  
\_\_\_\_\_  
JOHN H. CULBRETH, SR.

  
\_\_\_\_\_  
JIM OLIVER

**Remarks:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**THE FAYETTE COUNTY PLANNING COMMISSION** met on September 16, 2021 at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia.

**MEMBERS PRESENT:** Danny England, Chairman  
John H. Culbreth  
Brian Haren  
Jim Oliver

**MEMBERS ABSENT:** Arnold Martin, Vice-Chairman

**STAFF PRESENT:** Pete A. Frisina, Director of Community Services  
Chanelle Blaine, Zoning Administrator  
Howard Johnson, Plan & Zoning Coordinator

**1. Discussion of Sec. 110-169. - Conditional use approval, concerning outdoor amusement facilities, rides, structures over 35 feet in height.**

John Arie of Fun Spot joined the meeting via teleconference.

Pete Frisina said the Fun Spot is building a roller coaster and we have gone through the first round of site plan review and have an issue with the roller coaster and the Conditional Use requirements for an amusement ride greater than 35 feet in height. He stated that 35 feet is significant because 35 is the height limit for the C-H zoning district. He said but an amusement ride can exceed 35 feet in height as a conditional use with five conditions as follows:

1. Where applicable, all state codes, rules, and regulations shall apply. Verification that state requirements are met shall accompany the application for a conditional use permit.
2. All structural and support parts shall not be located closer than 300 feet from any A-R or residential zoning district.
3. Any structure, ride, etc., erected in connection with an outdoor amusement activity, over 35 feet in height, shall be dismantled upon the closing of the business or activity in question.
4. Any structure, ride, etc. over 35 feet in height, or with elements over 35 feet in height, shall be surrounded by a six-foot-high fence with a locked gate when the facility is not in use. A four-inch sphere shall not be able to pass through any section of the fence or gate.
5. The structure shall be designed to fall entirely within the boundaries of the site should structural failure occur.

**Page 2**  
**September 16, 2021**  
**PC Meeting**

He stated that the issue is a portion of the roller coaster would be less than 300 feet from property zoned A-R or residential to the rear of the property. He pointed out on a concept plan that the portion of the roller coaster that is higher than 35 feet is close to SR 85 on the front of the property.

John Arie said the portion of the roller coaster parallel to SR 85 is approximately 140 feet in height and as it travels toward the rear of the property the height of the roller coaster is at 35 feet or less in height and even where the roller coaster goes over an existing building the height does not exceed 35 feet.

Pete Frisina said the way staff has interpreted condition #2 is that all structural and support parts of the roller coaster shall not be located closer than 300 feet from any A-R or residential zoning district even though in that area to the rear the roller coaster will not exceed 35 feet in height. He added that if a roller coaster did not exceed 35 feet in height in any area the 300 foot setback would not apply. He said when this ordinance was originally developed in the early 90's it was to allow a bungee jumping tower in the Dixie Land Fun Park, so remember that term "tower." He stated the County needed some regulations related to towers and where did they already have those kind of regulations.

Chairman England said the Cell Tower Ordinance.

Pete Frisina said correct, and conditional use requirements # 2 through #5 were derived from the cell tower ordinance and at that time cell towers had a standard setback of 300 or 400 feet.

Chairman England said we cleaned that up in the cell tower ordinance some time back.

Pete Frisina said the other regulations for the removal of the tower when it is no longer in use, that it has to be surrounded with a fence and that it is designed to fall entirely within the site is all cell tower related. He stated that he recommends changing condition #2 to state that only the portion of the amusement ride that exceeds 35 be setback 300 feet from property zoned A-R or residential. He asked John Arie to explain the fencing requirements under the American Society for Testing and Materials (ASTM) standards.

John Arie said the ASTM sets standards for all amusement rides and they have a 42 inch requirement for fencing, no gap in the fence can be more than 4 inches and the fence has to have a supporting strength of 150 pounds. He added that the roller coaster will have a six foot fence in most places but in areas where you have cue lines waiting to get on the roller coaster is where you would use the 42 inch fencing and the state inspects and approves the fencing.

Brian Haren clarified that the ASTM standards would apply.

**Page 3**  
**September 16, 2021**  
**PC Meeting**

John Arie said that is correct.

Chairman England said as an architect he is familiar with the ASTM standards.

Pete Frisina asked since there are fencing standards in place from other agencies does the county needs fencing regulations that may conflict with these other fencing requirements.

Brain Haren said we do not.

Pete Frisina said I suggest we delete condition #4 in its entirety.

It was the consensus of the Planning Commission to delete condition #4 in its entirety.

Pete Frisina said if the Planning Commission is comfortable with these amendments we can go to Public Hearings in October.

It was the consensus of the Planning Commission to go to Public Hearings.

John Culbreth asked what the setback will be along SR 85.

Pete Frisina said 75 feet from the right-of-way.

Chairman England asked about the requirement for that the structure be designed to fall entirely within the boundaries of the site.

Pete Frisina said we will need a stamped and signed letter from the design engineer.

**THE FAYETTE COUNTY PLANNING COMMISSION** met on October 7, 2021 at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia.

**MEMBERS PRESENT:** Danny England, Chairman  
Arnold Martin, Vice-Chairman  
John H. Culbreth  
Brian Haren  
Jim Oliver

**STAFF PRESENT:** Pete A. Frisina, Director of Community Services  
Chanelle Blaine, Zoning Administrator  
Howard Johnson, Plan & Zoning Coordinator

### **PUBLIC HEARING**

**1. Discussion Consideration of amendments to Chapter 110. Zoning Ordinance, Regarding Sec. 110-75 - Structures permitted above the height limit and Sec. 110-169. - Conditional use approval, concerning outdoor amusement facilities, rides, and structures over 35 feet in height.**

Pete Frisina said these are the amendments we discussed at the last meeting with John Arie, the owner of The Fun Spot Amusement Park, concerning the proposed roller coaster at The Fun Spot which will be greater than 35 feet in height. He added that the present ordinance basically says if any portion of an amusement ride exceeds 35 feet in height then the entire amusement ride must be setback 300 feet from any property zoned A-R or residential. He stated that these rules were originally developed when the bungee tower was being built at the amusement park in the 1990's and the rules were derived from the cell tower ordinance and at that time there was a standard setback of 300 or 400 feet from the cell tower to property zoned A-R or residential. He said the amendments under Sec. 110-75 is basically housekeeping as these outdoor amusement facilities, rides, and structures should have already been mentioned under this section. He added that the amendments to Sec. 110-169 under condition number 2 will now state that only the portion of the outdoor amusement facility, ride, or structure that exceeds 35 feet in height will need to meet the 300 foot setback. He said the portions of the amusement facility, ride, or structure that are 35 feet or less in height will meet the standards setbacks which in this case would be a total of 65 feet consisting of a 50 foot buffer and 15 foot setback. He added that condition number 4 is being deleted because these amusement rides are built under ASTM Standards which requires fencing and the County doesn't need to have rules that conflict with these standards.

Arnold Martin asked if the ordinance specifies a maximum height limit for the structures listed under Sec 100-75.

**Page 2**  
**October 7, 2021**  
**PC Meeting**

Pete Frisina said the ordinance does not specify a maximum height limit for the structures listed under Sec 100-75 but there is a limit to the height based on the structural aspects of the structure.

Arnold Martin said a roller coaster as tall as one at Six Flags could be built.

Pete Frisina said that is correct.

Jim Oliver said but the ordinance does specify that the structure be designed to fall within the boundaries of the property.

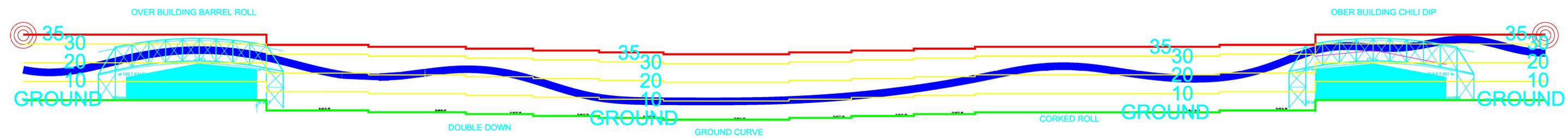
Brian Haren asks who enforces the ASTM Standards.

Pete Frisina said he thinks it would be the State Fire Marshal because they have jurisdiction over amusement rides.

Chairman England said that under condition number 1 it says all state codes, rules, and regulations shall apply.

Chairman England asked if anyone would like to comment either in favor or opposition to the proposed amendments to the zoning ordinance. Hearing none he said he would bring it back to the board.

Brian Haren made a motion to recommend approval of the amendments to Chapter 110. Zoning Ordinance, Regarding Sec. 110-75 - Structures permitted above the height limit and Sec. 110-169. - Conditional use approval, concerning outdoor amusement facilities, rides, structures over 35 feet in height. Jim Oliver seconded the motion. The motion passed 5-0.



# COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

**Wording for the Agenda:**

Approval of staff's recommendation to transfer \$19,993 from General Fund Project Contingency to create a CIP project to cover emergency repairs and modifications to the underground storage tank fill pipes.

**Background/History/Details:**

Fleet Maintenance was accepting a gasoline delivery on Wednesday, September 1, 2021, and when connections were made for the delivery, the fill pipe on the unleaded tank broke off. Upon inspection of the fill pipe, it was determined that the pipe broke due to severe oxidation. Further inspection revealed the fill pipe on the diesel tank had severe oxidation as well. Since there was a risk of rain water runoff entering the unleaded tank, emergency repairs were made to prevent contamination of our gasoline supply. Repairs consisted of replacing the risers and spill buckets for the fill and enhanced vapor recovery connections on unleaded tank, and riser/fill connection and spill bucket for diesel tank. Total cost for repairs was \$19,992.60. These tanks were originally installed in 2008.

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

Approval of staff's recommendation to transfer \$19,993 from General Fund Project Contingency to create a CIP project to cover emergency repairs and modifications to the underground storage tank fill pipes.

**If this item requires funding, please describe:**

Transfer of funds from General Fund Project Contingency 37510599-579000 to create a CIP in Fund 372 for the emergency repair and modifications.

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:**

**From:** [Jamie Comelleri](#)  
**To:** [Bill Lackey](#)  
**Subject:** Fwd: Spill buckets and fill pipe  
**Date:** Friday, September 3, 2021 3:16:37 PM

---

Thank you,

Jamie Comelleri  
Fayette County Fleet Maintenance  
770.320.6015

Sent via the Samsung Galaxy Note10+  
Get [Outlook for Android](#)

---

**From:** James Bennett <James@UnitedPump.com>  
**Sent:** Friday, September 3, 2021, 2:34 PM  
**To:** Jamie Comelleri  
**Cc:** Dispatch  
**Subject:** RE: Spill buckets and fill pipe

**\*External Email\* Be cautious of sender, content, and links**

Jamie,

I hope all is well for you today. I called and left a message but wanted to follow up with an email as well since it is a holiday weekend. Based on what we have seen from the pictures this is not a routine service call that can be fixed quickly. We are currently working on a quote and trying to contact our vendors to see what the lead times are to get the necessary equipment to fix the issue. We are estimating the cost to do the repairs in the range of 10k to 20k. If you wish for us to move forward please reply to this email or give me a call so we can discuss the next steps.

Thanks,

James Bennett | Service Manager  
United Pump and Controls, Inc. | 305 Shawnee North Drive | Suite 300 | Suwanee, GA 30024 | A  
Veteran-Owned Small Business  
Desk: (770) 662-0440 Ext. 3020 | Cell: (770) 561-5098 | Fax: (770) 729-0682  
|<http://www.unitedpump.com>

Our Mission:

We Stand United to Always Exceed Our Customers' Expectations At A Profit If We Can, At a Loss If We Must – While Honoring God In The Process

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**From:** Jamie Comelleri <jacomelleri@fayettecountyga.gov>  
**Sent:** Friday, September 3, 2021 11:36 AM  
**To:** Dispatch <Dispatch@UnitedPump.com>  
**Subject:** FW: Spill buckets and fill pipe

Good morning,

During our monthly inspection, and fuel delivery, the tanker driver was connecting to our fill pipe and the top broke off. Please see pictures attached for reference. Also, we need the flange that holds the lid for the diesel tank needs to be replaced as well. Can you please schedule a technician to make these repairs.

Thank you,

*Jamie Comelleri*

Fayette County Fleet Maintenance  
Service Advisor & Parts Clerk  
115 McDonough Road  
Fayetteville, GA 30214  
770.320.6015  
[www.fayettecountyga.gov](http://www.fayettecountyga.gov)

---

**From:** Eddie Oswald  
**Sent:** Wednesday, September 1, 2021 9:15 AM  
**To:** Jamie Comelleri <[jacomelleri@fayettecountyga.gov](mailto:jacomelleri@fayettecountyga.gov)>  
**Subject:** Spill buckets and fill pipe

Eddie Oswald  
Fayette County Fleet Maintenance  
Shop Supervisor  
115 McDonough Rd.  
Fayetteville, GA. 30214



# INVOICE

INVOICE NUMBER	Page 28 of 62	INVOICE DATE
72012		9/21/2021

305 Shawnee North Drive, Suite 300  
 Suwanee, GA 30024  
 770-662-0440  
[www.unitedpump.com](http://www.unitedpump.com)

<b>CUSTOMER PURCHASE ORDER</b>
JAIME COMELLERI

**Serving God by Serving People**

**BILL TO:**  
 FA0140  
 FAYETTE COUNTY  
 SUITE 101  
 140 STONEWALL AVE WEST  
 FAYETTEVILLE, GA 30214

**SERVICE LOCATION:**  
 FAYETTE COUNTY FLEET DEPT  
 115 MCDONOUGH RD  
 FAYETTEVILLE, GA 30214

DATE COMPLETED	TECHNICIAN	TERMS
9/07/2021	GARY GODFREY UEM	NET 30 DAYS

QUANTITY	ITEM/DESCRIPTION	UNIT PRICE	EXT PRICE
2.00	EMCO-494096 RISER SEAL ASSY	147.29	294.58
2.00	EMCO-A0030-124S BRASS SWIVEL FILL ADAPTER	228.90	457.80
1.00	EMCO-A0076-124S VAPOR SWIVEL ADAPTOR	316.50	316.50
2.00	EMCO-A0097-005 TIGHT FILL CAP 4" EMCO (GRAY)	41.45	82.90
1.00	EMCO-A0099-002 VAPOR CAP 4" EMCO (ORANGE)	41.45	41.45
2.00	EMCO-A1100EVR-056 OPV DROP TUBE 4" X 15'	738.47	1476.94
3.00	XXX-73442-01 SPILL BUCKET EVR 5 GAL 4IN NPT	665.81	1997.43
	EMERGENCY REPAIR		15325.00
	ON 9/7 CUSTOMER REQUESTED TO REPLACE UNLEADED FILL SPILL BUCKET DUE TO CORROSION AND FILL ADAPTER BROKEN OFF FILL RISER, AND TO REPLACE DIESEL SPILL BUCKET DUE TO CRACKED LID AND PLOW RING. UPON REVIEW OF PHOTOS, UNITED ADVISED CUSTOMER THAT DUE TO SEVERITY OF CORROSION, THE 4" RISERS FOR THE FILL AND VAPOR RECOVERY SPILL BUCKETS NEEDED TO BE REPLACED ALONG WITH THE FILL AND VAPOR RECOVER SPILL BUCKETS, AND THE DIESEL SPILL BUCKET. ON 9/7 MOBILIZED EMERGENCY REPAIR CREW TO PERFORM THE FOLLOWING SCOPE OF WORK: SAWCUT AND BREAK OUT APPROX. 6'X12' AREA AT REGULAR AND VAPOR SPILL BUCKETS AND 6'X6' AREA AT DIESEL SPILL BUCKET. FOUND EXISTING TANK PAD CONCRETE IS 12-18" THICK AND REQUIRED TWICE THE NORMAL TIME TO BREAK OUT CONCRETE. DISPOSED OF CONCRETE DEBRIS ONSITE PER CUSTOMER. USE VAC TRUCK TO EXCAVATE EXISTING BACKFILL MATERIAL TO TANK TOP AND STORE ONSITE FOR REUSE. REPLACED (3) 4" RISERS AND INSTALLED (3) NEW SPILL BUCKETS, CAPS AND ADAPTERS. PERFORMED HYDROSTATIC TEST ON (3) SPILL BUCKETS. INSTALLED (2) NEW OVERFILL PREVENTION DROP TUBES IN REGULAR		

ALL INVOICES ARE SUBJECT TO UNITED'S STANDARD TERMS AND CONDITIONS OF SALE AND/OR SERVICE AVAILABLE AT: [www.unitedpump.com/terms-and-conditions](http://www.unitedpump.com/terms-and-conditions)

ALL PAST DUE INVOICES ARE SUBJECT TO A FINANCE CHARGE OF 1.5% PER MONTH, OR 18% ANNUALLY

MATERIALS
LABOR
OTHER
TAX
<b>TOTAL DUE</b>

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# INVOICE

INVOICE NUMBER	INVOICE DATE
72012	9/21/2021

305 Shawnee North Drive, Suite 300  
 Suwanee, GA 30024  
 770-662-0440  
[www.unitedpump.com](http://www.unitedpump.com)

<b>CUSTOMER PURCHASE ORDER</b>
JAIME COMELLERI

**Serving God by Serving People**

**BILL TO:**  
 FA0140  
 FAYETTE COUNTY  
 SUITE 101  
 140 STONEWALL AVE WEST  
 FAYETTEVILLE, GA 30214

**SERVICE LOCATION:**  
 FAYETTE COUNTY FLEET DEPT  
 115 MCDONOUGH RD  
 FAYETTEVILLE, GA 30214

DATE COMPLETED	TECHNICIAN	TERMS
9/07/2021	GARY GODFREY UEM	NET 30 DAYS

QUANTITY	ITEM/DESCRIPTION	UNIT PRICE	EXT PRICE
	<p style="text-align: center;">*** CONTINUED ***</p> <p>AND DIESEL FILL RISERS AND PERFORMED EPD OVERFILL INSPECTION. BACKFILLED EXCAVATIONS WITH EXISTING BACKFILL MATERIAL. DOWELED INTO ADJACENT CONCRETE AND INSTALLED NEW REBAR, 12" OC EACH WAY. POURED 4,000 PSI CONCRETE IN DISTURBED AREA AND BARRICADED FOR 7 DAYS. RETURNED TO REMOVE BARRICADES. ALL POST CONSTRUCTION TEST REPORTS SUBMITTED TO OWNER.</p>		

ALL INVOICES ARE SUBJECT TO UNITED'S STANDARD TERMS AND CONDITIONS OF SALE AND/OR SERVICE AVAILABLE AT: [www.unitedpump.com/terms-and-conditions](http://www.unitedpump.com/terms-and-conditions)

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**We Stand United To Always Exceed Our Customers' Expectations At A Profit If We Can, At A Loss If We Must - While Honoring God In The Process**

<b>MATERIALS</b>	4667.60
<b>LABOR</b>	.00
<b>OTHER</b>	15325.00
<b>TAX</b>	.00
<b>TOTAL DUE</b>	<b>19992.60</b>





**GA EPD USTMP  
3 YEAR FLAPPER/VALVE INSPECTION REPORT**

Facility ID#:	Owner:
Facility Name:	Address:
Address:	City, State, Zip:
City, County, Zip:	Phone #:
Tester Name and Phone #:	Test Date:
Tester Company and Phone #:	Overfill Model:
Tank Material:	

**Measurements**

Tank ID (product stored)				
Has overfill device been removed from tank?				
A Actual Tank Capacity (gallons) <b>USE CHART*</b>				A
B Height (inches) from fill riser threads/face seal adapter to tank top				B
C Tank Diameter <b>USE CHART*</b>				C

**Calculations**

D Actual Tank Capacity <b>A</b> X .95 = 95% Tank Volume (gallons)				
E Height (inches) of 95% Tank Volume of <b>D USE CHART*</b>				E
F Tank Diameter <b>C</b> - 95% Tank Height <b>E</b> = Active Upper Tube in Tank <b>F</b>				F
G F + B = Minimum Upper Tube Length <b>G</b> (inches)				G
H Actual Measured Upper Drop Tube Length <b>H</b> (inches) <b>See instructions</b>				H

**Device Certification Criteria**

1. Does overfill prevention device meet the 95% or less requirement? (Measured Upper Drop Tube Length H ≥ Min. Upper Tube Length G?) <b>OR</b> Does overfill prevention device automatically shutoff flow to prevent product exposure to tank top fittings?				
2. Is bypass valve free of blockage? (where applicable)				
3. Does the overfill prevention device function as required? (Inspect for damage, contamination, freedom of movement, weakening due to wear and corrosion)				

**Device Certification (PASS/FAIL)**

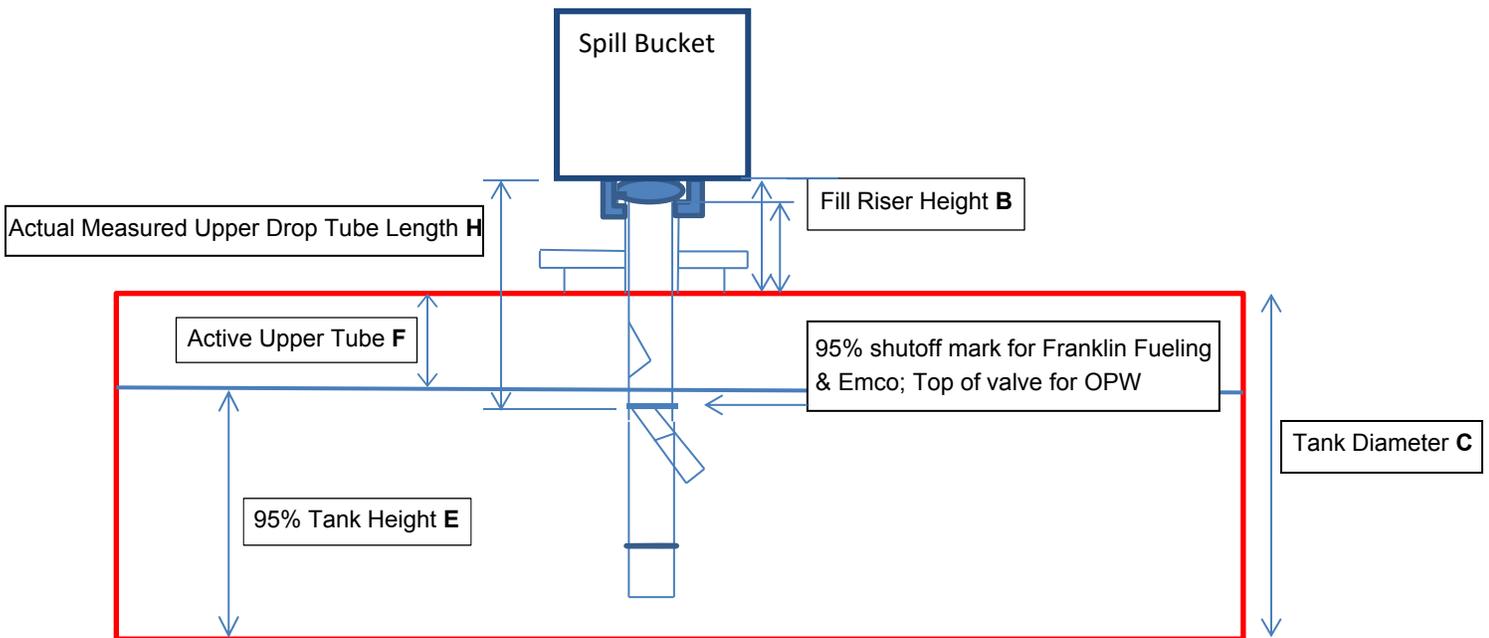
Technician certifies that the device is operationally compliant and that Criteria 1 through 3 are YES.				
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**Comments**

I hereby certify that all the information contained in this report is true, accurate and in full compliance with legal requirements.

Tester's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

### Overfill Valve/Flapper Diagram



#### Instructions

\*Tank Charts are located at: <http://containmentsolutions.com/calibration-charts.html>

1. Keep a record copy of this inspection for three (3) years.
2. Fill Riser Height B should include manway height and/or nipple height when applicable.
3. For **OPW 71SO**, use Appendix C Complete Shutoff Instructions:  
<https://epd.georgia.gov/land-protection-branch/land-protection-branch-technical-guidance/underground-storage-tank-1>
4. a. When available, Actual Measured Upper Drop Tube Length H should extend from top of drop tube to the 95% shutoff mark on the valve.  
OR  
b. If 95% shutoff mark is not present, Actual Measured Upper Drop Tube Length H should extend from top of drop tube to top of overfill valve. Make the following addition or subtraction to Actual Measured Upper Drop Tube Length H for the following:  
**+7.5" for EMCO Wheaton**  
**-1.5" for OPW 71SO (nontestable)**  
c. If 95% shutoff mark is not present for **EBW** models, Actual Measured Upper Drop Tube Length H should extend from top of drop tube to the machined ring on the valve.
5. If using a flapper/overfill valve and a ball float in one tank, flapper/overfill valve should be located at 90% Tank Volume and ball float should be located at 95% Tank Volume.
6. The valve must remain aligned with the length of the tank once it is reinserted.

**OPW Models must also meet the following Certification Criteria:**

2a. For All OPW: Is H at least 6.5" more than B?				
2b. For OPW 71SO(non testable): Is H ≥ 16"?				
2c. For OPW 71SO T: Is H ≥ 14.5"?				

**BOARD OF COUNTY COMMISSIONERS**

Lee Hearn, Chairman  
 Edward Gibbons, Vice Chairman  
 Eric K. Maxwell  
 Charles W. Oddo  
 Charles D. Rousseau

**FAYETTE COUNTY, GEORGIA**

Steve Rapson, County Administrator  
 Dennis A. Davenport, County Attorney  
 Tameca P. Smith, County Clerk  
 Marlena Edwards, Chief Deputy County Clerk

140 Stonewall Avenue West  
 Public Meeting Room  
 Fayetteville, GA 30214

**Minutes**

October 14, 2021

5:00 p.m.

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Welcome to the meeting of your Fayette County Board of Commissioners. Your participation in County government is appreciated. All regularly scheduled Board meetings are open to the public and are held on the 2<sup>nd</sup> and 4<sup>th</sup> Thursday of each month at 5:00 p.m.

**Call to Order**

Chairman Lee Hearn called the October 14, 2021 Board of Commissioners meeting to order at 5:01 p.m. A quorum of the Board was present.

**Invocation and Pledge of Allegiance by Chairman Lee Hearn**

Chairman Lee Hearn offered the Invocation and led the Board and audience in the Pledge of Allegiance.

**Acceptance of Agenda**

Vice Chairman Edward Gibbons moved to accept the agenda as written. Commissioner Charles Oddo seconded. The motion passed 5-0

**PROCLAMATION/RECOGNITION:****PUBLIC HEARING:**

*Community Development Director Pete Frisina read the Introduction to Public Hearings.*

- 1. Public Hearing involving update of the county's redistricting process and overview based on the 2020 decennial census.**

County Administrator Steve Rapson stated that this agenda item was at the request of the Board, to garner public input and would provide an outline of the county's redistricting process. Mr. Rapson introduced the County's redistricting attorney, Bryan Tyson, who presented the information.

Mr. Tyson with Taylor English Duma LLP stated that he was aware that the redistricting process was new for Fayette County, and it was his goal to make the process as painless and efficient as possible. He continued that when the new census results came out for 2020, it showed that the current four districts for the County Commission were just slightly out of the accepted range of deviation for the ideal population size. Mr. Tyson stated that the district ranges were outlined in the October 14, 2021 agenda package. He continued that the general standard of +/- 5% from the ideal district size was an allowable deviation for balancing districts. Mr. Tyson stated that in looking at District 4, it was underpopulated by -5.96% and District 2 was almost outside the population deviation at +4.91%. He stated that the other districts were within the 5% deviation threshold and would not necessarily need to be adjusted. He stated that when new census results come out the existing districts, if outside the population thresholds, they become unconstitutional for use as a violation of "one person one vote", thus the process of redistricting would re-balance the districts to make sure they all are within the constitutionally allowed deviations and the ideal size as equal as

possible. This process for Fayette County should not be difficult. District 4 was slightly under, and District 2 was slightly over and share boundaries making it relatively easy to exchange some population. Mr. Tyson stated that the process would begin this evening as a part of this Public Hearing were citizens are able to comment and express to the Board what they want to see in the districts. Mr. Tyson stated that Fayette County had an obligation under the Voting Rights Acts to protect District 4's ability to elect status, as a result, as the district map drawings are developed it would be an important factor to maintain the ability to elect level for minority voters in District 4. Mr. Tyson stated that the map drawing process would take place beginning October 14<sup>th</sup> until the November 9 meeting of the Board of Commissioners. The map drawing process would take place in coordination with the Joint Reapportionment Office at the State Capital to ensure the districts are done properly and correctly. He continued that the idea was to be able to present a draft district map before the November 9<sup>th</sup> Board of Commissioners Meeting so that citizens would be able to provide comments, concerns and input about the draft district map and how it was drawn. Mr. Tyson continued that those comments would then be taken into consideration and, if needed, adjustments could be made; with the goal of having a Resolution presented at the December 9 Board of Commissioners Meeting for the Local Delegation to introduce local legislation. Mr. Tyson stated that this timeline matters because the Governor has not authorized local redistricting to take place during the special session that would begin on November 3<sup>rd</sup> for State and Congressional redistricting but there would only be a very short window in the regular session in January for the completion of local redistricting. He stated that the local Elections Office had a lot of tasks that they have been charged with as it relates to allocating voters to precincts and proper districts and the goal was to ensure they had adequate time to complete those tasks. As a result, the end of January has been set as a deadline for any local legislation to be completed. Mr. Tyson stated that the goal of having the Resolution in place on December 9<sup>th</sup> allows the the delegation time to have everything ready with error check done by the Legislative Counsel's Office and the bill drafted. With these pieces in place, Fayette County would hopefully be at the "beginning of the line" for local legislation in January and could be sent to the Governor's Office and be in place well ahead of qualifying in March.

No one spoke in favor or opposition.

Chairman Hearn stated that a commonsense approach to the redistricting process would be the best course of action and would assist the Elections Director Brain Hill and his office as they work through assigning voters to the proper precincts, he added that he looked forward to working through the process.

No vote was taken.

**2. Consideration of Ordinance 2021-14, Amendments to Chapter 108. Sign Ordinance, Regarding Sec. 108-3. – Definitions, Sec. 108-30. - Prohibited Signs and Devices, Sec. 108-169. – Changeable Copy Signs and Sec, 108-170 – Signs On Awnings, Canopies, Gasoline Canopies, Marquees, or Other Similar Structures.**

Community Development Director Pete Frisina stated that this item included amendments to Chapter 108. Sign Ordinance, Regarding Sec. 108-3. – Definitions, Sec. 108-30. - Prohibited Signs and Devices, Sec. 108-169. – Changeable Copy Signs and Sec, 108-170 – Signs On Awnings, Canopies, Gasoline Canopies, Marquees, or Other Similar Structures.

Mr. Frisina stated that this item stemmed from a recent request from a convenience store in the County. The store owner wanted to redo all their signage including adding signage of the company name on the gasoline canopy. He added that the County Ordinance prohibits this type of signage. Mr. Frisina stated that in his discussion with the Planning Commission it was determined that it was not out of place to see a logo or the company's name on a gasoline canopy. He stated that lettering, logos or other graphics would be allowed to be applied on an awning or canopy and be placed on the face of a gasoline canopy, marquee, or other similar structure, but the lettering, logos or other graphics shall not exceed the dimensions of the face of the gasoline canopy, marquee, or other similar structure. He added that no sign shall be allowed to be placed on top of these structures and no permit would be required. He stated that these amendments would also address the definitions for changeable copy signs and the time duration for changeable copy signs- mainly digital signs. He added that the time duration of how long the sign image must remain before changing was being reduced from 30 second to 15 seconds as he had attended a sign ordinance seminar and 15 seconds was recommended as the regulation standard.

No one spoke in favor or opposition.

Commissioner Oddo asked if a canopy sign could be a changeable sign.

Mr. Frisina stated yes, it could because that was not precluded as a changeable copy sign. He added however, that the County's changeable copy signs regulation does not allow for animation or flashing; but required a static change from image to image with no additional movement.

Commissioner Eric Maxwell wanted to ensure this amendment would not allow businesses to add signage on top of their build structures.

Mr. Frisina stated "No", no sign would be allowed to be placed on top of the structures.

Vice Chairman Gibbons moved to approve Ordinance 2021-14, Amendments to Chapter 108. Sign Ordinance, Regarding Sec. 108-3. – Definitions, Sec. 108-30. - Prohibited Signs and Devices, Sec. 108-169. – Changeable Copy Signs and Sec, 108-170 – Signs On Awnings, Canopies, Gasoline Canopies, Marquees, or Other Similar Structures. Commissioner Oddo seconded. The motion passed 5-0.

#### **PUBLIC COMMENT:**

#### **CONSENT AGENDA:**

Vice Chairman Gibbons moved to accept the Consent Agenda as written. Commissioner Oddo seconded. The motion passed 5-0.

3. Approval to award RFQ #1986-A to Starnes Contracting, LLC, in the amount of \$70,000 for top rail fence installation at McCurry Park Softball Complex and Brooks Park and approval to transfer \$30,000 from the park project contingency to fully fund both fields.
4. Approval to acquire all fee simple right-of-way, easements, appraisals, etc. for the proposed rehabilitation of the Kozisek Lake Dam on Neely Road (2017 SPLOST 5509C).
5. Approval to acquire all fee simple right-of-way, easements, appraisals, etc. for the proposed rehabilitation of the Margaret Phillips Dam on Longview Road (2017 SPLOST 5509F).
6. Approval of the proposed 2022 Local Maintenance & Improvement Grant (LMIG) project list for unincorporated Fayette County and authorization for the Chairman to sign the LMIG Application and related documents.
7. Approval of staff's recommendation to renew the annual agreement with the U.S. Department of the Interior Geological Survey (USGS) that provides surface water monitoring in the amount of \$197,150.
8. Approval of the September 23, 2021 Board of Commissioners Meeting Minutes.

#### **OLD BUSINESS:**

#### **NEW BUSINESS:**

9. **Consideration of the Board of Elections' request to declare two (2) Absentee Drop Boxes as surplus property and to loan the two drop boxes to another County Elections office.**

Board of Elections Chairman Daryll Hicks stated that at the last meeting of the Board of Election there was discussion of allowing smaller counties, that were in need and did not have drop boxes, the opportunity to loan/borrow "surplus" Absentee Drop Boxes from Fayette County. He continued that the Board of Election decided that they would be willing to donate/loan out two (2)

Absentee Drop Boxes to a county in need. Mr. Hicks added that currently he was unaware of any County that had requested an Absentee Drop Boxes, but if a request did present itself, they would be available. Mr. Hicks stated in full transparency, there were areas of this request that needed to be vetted through, such as what happened if the Absentee Drop Boxes were needed here in Fayette County. How would they be returned, and the cost associated with that? Mr. Hicks stated that the County currently had four (4) Absentee Drop Boxes and by law can only use one. Which was why the Board of Elections agreed to donate/surplus two (2) of the Absentee Drop Boxes. Based on the voting population the county had to have at least one Absentee Drop Box per one-hundred thousand (100,000) voters and the County had ninety-seven thousand (97, 000) voters. He added that if the county's voting population reached one hundred and one thousand (100,001) voters then they could use the second Absentee Drop Box.

Vice Chairman Gibbons moved to approve the Board of Elections' request to declare two (2) Absentee Drop Boxes as surplus property and to loan the two drop boxes to another County Elections office. Commissioner Maxwell seconded.

Mr. Hicks stated that the reason Board of Elections opted to only donate/surplus two (2) two as opposed to three (3) of the Absentee Drop Boxes was because they wanted to maintain the additional box to be on the safe side in case it was needed in the future.

Commissioner Oddo stated that he had some apprehension regarding this request. He stated that he did not feel as though Election law was settled in the state and because of this uncertainty, changes and/or requirements may come down the pipeline in the future. Commissioner Oddo stated that as a result, he felt the County should not approve this item and hold on to the additional Absentee Drop Boxes for a while.

Commissioner Charles Rousseau stated that he also had concerns regarding the Absentee Drop Boxes as a whole and outstanding lawsuits regarding their use. He stated that if approved, however he wanted provisions to be included that would ensure they would be returned, if requested, and repaired and/or replaced if damaged. Commissioner Rousseau asked since the November election was already set any forthcoming request would be for next elections.

Mr. Hicks stated that although it would be rather late, in his opinion, if a county asked for an Absentee Drop Boxes it would be available for use.

Commissioner Rousseau stated that if a request was issued there were some logistically and regulatory provision he would want included. He stated that one of the provisions he would want included was regarding the return of the Absentee Drop Boxes if a lawsuit was successful and that it be returned in the condition it was given, if not be repaired or replaced if damaged.

Vice Chairman Gibbons amended his motion and moved to approve the Board of Elections' request to declare two (2) Absentee Drop Boxes as surplus property and to loan the two drop boxes to another County Elections office, and that the respective county pay for repair and/or replacement of Absentee Drop Boxes (if necessary); and would agree to return drop boxes upon request, if a lawsuit was successful. Commissioner Maxwell amended his seconded. The motion passed 4-1 with Commissioner Oddo voting in opposition.

#### **10. Consideration of staff's recommendation to resume design of path and tunnel near the intersection of Robinson Road and Redwine Road (2017 SPLOST project 17TAI).**

Public Works Director Phil Mallon stated that he was before the Board about six weeks ago at the August 26<sup>th</sup> Board of Commissioner Meeting regarding safe access across Redwine Road associated with the multi-use paths. He stated that at that meeting, the Board directed staff to prepare a feasibility study of up to \$18,000 to determine if a bridge would be a viable option. Shortly after that meeting there was a meeting involving Fayette County and Peachtree City who expressed very strong reservations about using a bridge there. He stated that part of the decision to move forward into the bridge option was because there was a 50-foot, 40-foot when considering right-of way dedications, city green belt that would aid in the construction and operation of the bridge. However, as a condition, Peachtree City stated that they would not support a bridge nor allow the use of any of the green belt for the bridge construction. Mr. Mallon stated with this added information he felt it would be prudent to come

back to the Board to determine if they still wanted to pursue the feasibility study or revert to design of a tunnel and associated paths at Robinson Road and Redwine Road intersection. He added that the design for the tunnel was about 50% complete.

Chairman Hearn stated that he supported that tunnel and felt that the Board should move forward with that design. He added that he liked the bridge option better but felt the tunnel would be a good alternative. Chairman Hearn stated that the County wanted to be good neighbors but did not see eye-to-eye with what Peachtree City was envisioning.

Mr. Mallon stated that under the existing Intergovernmental Agreement (IGA) between Fayette County and Peachtree City, the County would design and build this tunnel along with a path that would meet existing path to reach the tunnel.

Commissioner Maxwell stated that he was in favor of the bridge and was very vocal about it. He asked if the County moved forward with the tunnel, would there still be a need for the HAWK (High-Intensity Activated Crosswalk Beacon) System.

Mr. Mallon stated that he was asking the Board for direction on how to proceed, but in his opinion, if the Board moved forward with the tunnel design, then the HAWK crosswalk system would not be needed.

Commissioner Maxwell stated that he was in agreement with that opinion. He continued that if the goal was on safety, he would not want to place golf carts at grade traveling across Redwine Road. Commissioner Maxwell also asked if the officer posted at the spot was a Sheriff's Deputy or a Peachtree City Police officer.

County Administrator Steve Rapson stated it was either a Sheriff's Deputy or a School Resource Officer (SRO) and added Commissioner Maxwell was correct, that if the Board went with the tunnel design, the HAWK crosswalk system was not being recommended.

Commissioner Maxwell asked if there was going to be a path developed from Mill Farm Subdivision towards Highway 74.

Mr. Mallon stated that would be a question better answered by Peachtree City, however from his understanding, no, there would not be. He added that there would be a path that the Mill Farms Subdivision developer would design but it would tie into the internal roadway.

Commissioner Maxwell stated that his concern was that citizens, specifically, students on golf carts would cross over Redwine Road to get to the cart path on the other side of the street. He stated this was concerning to him because it was a major safety issue and people would cross at that point. He stated that there would not be an at-grade crossing nor a deputy at that location and that would be a trouble spot.

Vice Chairman Gibbons stated that from his understanding staff was not recommending removal of the deputy.

Mr. Rapson stated that what he communicated to Peachtree City that with the construction of a tunnel the Foreston Place, the at-grade crosswalk and Sheriff Deputy would be removed. He added that Peachtree City was agreeable to that. He stated that there were several other areas in Peachtree City where there was a subdivision across from a golf cart path, and citizens were used to going either north or south to reach the access points for the golf cart paths. He continued that the expectation for this path would be the same. The paths would lead/meet at the tunnel and cross at the tunnel. Mr. Rapson stated that if an individual crossed the road illegally, that would be a traffic violation and would be handled via the Sheriff's Office or Peachtree City Police Department.

Commissioner Maxwell asked if once the tunnel was in place would an officer be posted at that location.

Mr. Mallon stated that staff recommendation was to have the at-grade crossing removed at Foreston Place. Mr. Mallon did note that there was an officer at the end of Panther Path that was independent from this discussion but would remain in place.

Commissioner Maxwell stated that although public safety was the main concern, they also had to consider not tying up resources by having a deputy stationed there for the foreseeable future.

Chairman Hearn stated that the closing of the at-grade crosswalk at Foreston Place was as much a Peachtree City decision as it was a Fayette County decision, and if they wanted to place the HAWK system or an officer, at their expense, the County would not interfere.

Mr. Mallon stated as clarification, that crossing at Foreston Place was Fayette County's right-of-way.

Mr. Rapson stated that Chairman Hearn was probably referring to the offer Peachtree City made to contribute \$100K towards the \$250k costs of the HAWK crosswalk system, if the Board decided to do both the HAWK crosswalk and the tunnel. Mr. Rapson stated that his response was, if Peachtree City wanted the HAWK crosswalk system, they would have to pay for it themselves.

Commissioner Oddo moved to approve to resume design of path and tunnel near the intersection of Robinson Road and Redwine Road (2017 SPLOST project 17TAI). Vice Chairman Gibbons seconded.

Mr. Rapson acknowledged the Fayette County School Board superintendent attended the Board Meeting and was in favor of the design of path and tunnel near the intersection of Robinson Road and Redwine Road.

Commissioner Oddo moved to approve to resume design of path and tunnel near the intersection of Robinson Road and Redwine Road (2017 SPLOST project 17TAI). Vice Chairman Gibbons seconded. The motion passed 5-0

County Attorney Dennis Davenport stated that there was still a valid action directing the \$15K expenditure, he suggested the Board rescind it.

Vice Chairman Gibbons moved to rescind the \$15,000 for the bridge feasibility study and return the funds to the General Fund. Commissioner Oddo seconded. The motion passed 5-0.

#### **11. Consideration of Ordinance 2021-16, amendment to the membership of the Fayette County Transportation Committee.**

Mr. Mallon stated that before the Board was Ordinance 2021-16, which were amendments that would change the structure of the Fayette County Transportation Committee. Mr. Mallon stated that the two positions currently held by Commissioners would be replaced with one additional staff person position and a second citizen position.

Vice Chairman Gibbons moved to approve Ordinance 2021-16, amendment to the membership of the Fayette County Transportation Committee. Commissioner Odd seconded.

Commissioner Rousseau stated that he had several concerns and diametrically opposing views related to this item. He stated that he had expressed his opposition to having Commissioners sit on various Boards and/or Committees because it had an undo, whether real, imagined, or perceived, influence on the Committee. Commissioner Rousseau stated however, with this Committee he felt that the removal of Commissioners would leave county staff exposed to other elected officials that may challenge staff. He added that staff had the tendency, rightfully, to advocate for their positions in their jurisdictions leaving county staff unprotected with other elected official that would push their own agendas. Commissioner Rousseau stated that he felt having county staff exposed in that manner was not wise, nor prudent.

Vice Chairman Gibbons withdrew his motion.

Commissioner Maxwell stated that he never cared for the structure of the Transportation Committee. He stated in agreeance with Commissioner Rousseau if the two Commissioners are removed from the Transportation Committee, the power of the committee, that the Board created, would shift to others on the committee. Commissioner Maxwell stated that he never really cared for the Transportation Committee and had concerns regarding having the two Commissioners on it and only needing one additional vote from another Board member to approve an item. He stated that there had been past discussion regarding the Transportation

Committee as a whole and determining if it should remain in existence, because ultimately the Board would be the authorizing body to make any decision related to transportation in the county. Commissioner Maxwell stated that his concerns were that removing the two Commissioners would leave the door open for outside influence even with strong and capable county staff on the Committee, there would still be a tendency toward, or deference shown to the elected official members. Commissioner Maxwell asked if these amendments of having no Commissioner participation and involvement would truly fix the problem.

Commissioner Oddo stated that the Development Authority functioned in a similar manner very well, without Board representation. He added that when he sat on the Transportation Committee there was one mayor in attendance, Mayor Laggis with the Town of Woolsey and Mayor Johnson from City of Fayetteville who attended once or twice. Commissioner Oddo stated that even with elected officials present, there was no bullying and county staff, particularly Mr. Mallon, generally lead the discussion and direction of the meeting. Commissioner Oddo stated that he did not see any adherent need to have a Commissioner sit on the Transportation Committee. He noted that the county had a great staff that took input from the city for discussion and voted on various decisions accordingly. Commissioner Oddo stated he was fine with approving Ordinance 2021-16.

Mr. Rapson echoed some of the sentiments of Commissioner Oddo noting that it was very rare for a city mayor to attend the Transportation Committee, however, as a public meeting a mayor or any other elected official could attend, outside of a quorum being in attendance for any given municipality. Mr. Rapson stated that he had no concerns with his staff interacting with elected officials. He reminded the Board that this was a committee established by the Board and if they did not want elected officials on it, they could change the terms of the committee. Mr. Rapson stated that the purpose of the committee and the primary benefit was the rapport and relationship it helped establish with the Atlanta Regional Commission (ARC) and Georgia Department of Transportation (GDOT) as it relates to funding for projects throughout the county. Mr. Rapson stated that there were ways of addressing some of the concerns expressed by the Board regarding having elected officials on the Board.

Commissioner Oddo stated that he had seen several instances where the Transportation Committee helped in facilitating various projects, most recently regarding a project near the Kenwood school where the Fayette County Board of Education got involved and contributed funding, so the Transportation Committee was working and a true benefit.

Commissioner Rousseau reiterated that what was before the Board was if there should be elected officials on the transportation Committee. He stated that he was not questioning the validity of the Transportation Committee and he felt that the Transportation Committee was good and beneficial. Commissioner Rousseau stated that using the Development Authority as an analogy was off base because they were conferred with certain powers to act of side of the Board of Commissioners unlike the Transportation Committee. He stated that his goal was to protect the interest of staff and although he felt that county staff could handle themselves, leaving them unnecessarily exposed with other elected officials was not wise.

Chairman Hearn stated that he had sat on the Transportation Committee for about nine months and from a positive perspective, he felt the committee maintained a good interaction and engagement between the jurisdictions within the county. He felt that the sharing of information and the opportunity to be updated on various projects each month was beneficial. He added however, on the negative side, there were occasions where he felt some of the jurisdiction may give too much input on projects that have nothing to do with their municipalities. One example is where he saw at the most recent Transportation Committee meeting where Peachtree City and The Town of Tyrone were dictating discussion regarding a project in the County near Kenwood schools that had absolutely nothing to do with their jurisdictions nor where they apart of funding the project. Chairman Hearn stated that he did not appreciate them dictating the conversation and felt they had too much influence regarding that project. He added that overall, he like the tone and flow of the meetings. He stated that he was torn between whether to have Commissioners sit on the Transportation Committee or not but stated that in the end, any recommendations would come before the Board of Commissioners.

Commissioner Oddo moved to revise Ordinance 2021-16 to remove all elected officials on the Transportation Committee. Commissioner Rousseau seconded.

Commissioner Maxwell stated that the motion was a good start, but it was not complete, if the elected officials were removed which staff members would replace those positions.

Further discussion continued regarding the structure of the Transportation Committee.

Mr. Davenport recommended denying the item and sending back for revisions based on Board feedback.

Commissioner Oddo withdrew his motion.

Vice Chairman Gibbons moved to deny Ordinance 2021-16, amendment to the membership of the Fayette County Transportation Committee. Commissioner Rousseau seconded. The motion passed 5-0.

**12. Consideration of Ordinance 2021-17, to provide for an amendment to the membership of the Fayette County Water Committee.**

Ms. Tigert stated that the proposal of the Water Committee, at the direction of the Board, was to remove "The Chairman of the Board of Commissioners, or his/her designee", and the "Director of Planning and Zoning" and replace those seats with the Director of Environmental Management and the Fayette County Fire Chief.

Vice Chairman Gibbons moved to approve Ordinance 2021-17, to provide for an amendment to the membership of the Fayette County Water Committee. Commissioner Oddo seconded. The motion passed 5-0.

**13. Consideration of Ordinance 2021-15, establishing the composition and responsibilities of the Fayette County Retirement Committee.**

Fayette County Human Resources Director Lewis Patterson stated that the Fayette County Retirement Committee was established in 2009, without any formal structure. He continued that the Committee had served well over the past years. Mr. Patterson stated that Ordinance 2021-15 would provide a formal structure for the committee. He stated that the Committee had seven members, historically, with a Commissioner serving as Chairman. Mr. Patterson stated that the Commissioner member would be removed and replaced with the Director of Public Works serving as the seventh member.

Commissioner Maxwell moved to deny Ordinance 2021-15, establishing the composition and responsibilities of the Fayette County Retirement Committee. Commissioner Gibbons seconded.

Commissioner Maxwell stated that he had in the past and was currently the Commissioner appointed as a member to the Retirement Committee. He stated that he enjoyed his time on the Committee and would like to remain, although he had only been able to make it to one meeting this year. Commissioner Maxwell stated that he had attended a recent training via the Association County Commissioners of Georgia (ACCG) and Endeavor [Empower] and felt that the Retirement Committee was needed, and regular review of the various plans was beneficial for the county employees. Commissioner Maxwell stated that he was ok with Ordinance 2021-15, with the addition to have an ex-officio member that would be a member of the County Commission appointed by the Board and who would serve as the chairman of the Retirement Committee.

Commissioner Maxwell moved to create the same committee established by Ordinance 2021-15, with the addition to have an ex-officio member that would be a member of the County Commission appointed by the Board and would serve as the chairman of the Retirement Committee.

Vice Chairman Gibbons stated that although he was ok with Commissioner Maxwell's motion, his recommendation would be to move forward with the denial and have staff bring back the item based on the recommended guidance.

Mr. Rapson stated that as a housekeeping measure, if approved, there was a new requirement that required all fiduciary members be trained. He advised that that requirement would be added into the ordinance to include the ex-officio member for training as well.

Commissioner Maxwell moved to deny Ordinance 2021-15, establishing the composition and responsibilities of the Fayette County Retirement Committee. Commissioner Gibbons seconded. The motion passed 5-0.

**14. Consideration of Ordinance 2021-19, to identify a Local Government Agent as contemplated by the Abandoned Mobile Home Act.**

Building Safety Director Steve Tafoya stated that he was contacted by one of the county's mobile home parks stating that they had a considerable number of mobile homes and was inquiring about where the County stood regarding the Abandoned Mobile Home Act, as it related to identifying the Local Government Agent who would then identify if a mobile home was considered derelict or intact. He continued that once this determination was made then the mobile home park could complete their due diligence and take matters to the courts to obtain title to either have the mobile home removed or renovated. Mr. Tafoya stated the Abandoned Mobile Home Act was reviewed with the County Attorney and Ordinance 2021-19 was the result of the discussion.

Vice Chairman Gibbons moved to approve Ordinance 2021-19, to identify a Local Government Agent as contemplated by the Abandoned Mobile Home Act. Commissioner Oddo seconded.

Commissioner Rousseau asked if there were not already any provisions for the owner of the mobile home park to deem a given mobile home as abandoned, and "considered private property on someone else's property".

Mr. Tafoya stated that this Abandoned Mobile Home Act was the only provision in place and had only been established in the past few years. He added that the only way for a mobile home park to gain possession of a "seemingly" abandoned mobile home is by following the statute which states it would have to be designated as derelict, in an uninhabitable condition or intact, habitable condition, and that designation would determine the direction taken via the court system.

Commissioner Rousseau stated that he had some concerns and felt that the County was being pulled into a dispute between the owner of the mobile home and the owner of the mobile home park. He added that by approving Ordinance 2021-19, the County would be the Local Government Agent determining the mobile home designation and in turn determining the direction a mobile park owner would take via the courts. He asked the County Attorney if the Board should be weighing in on private property issues.

County Attorney Dennis Davenport stated that it was a different issue because typically mobile and manufactured homes are considered personal property as opposed to real property and the rules are different for that class of property. He continued stating that when someone abandons a mobile home or refuses to pay rent for more than 90-days, as outlined by state law, the legal mechanism of abandonment is in place via the state already. However, the County can not act on this unless it names a local government official that has the authority to classify an individual mobile or manufactured home, which had been abandoned, as derelict or intact. Mr. Davenport stated that the classification would determine the direction taken through the courts system. He noted that a local government official would have to be named to make that classification and that individual would have to have the proper training.

Commissioner Rousseau stated that he still had his apprehension but understood the basic mechanics of the process.

Vice Chairman Gibbons moved to approve Ordinance 2021-19, to identify a Local Government Agent as contemplated by the Abandoned Mobile Home Act. Commissioner Oddo seconded. The motion passed 5-0.

**15. Consideration of the approval of a Deed of Easement and an Ingress/Egress Easement to be conveyed by the owners of property in Trilith to Fayette County for the purpose of installing, constructing, and maintaining water lines.**

Ms. Tigert stated that this was a house keeping item regarding water lines in place at the movie studio area without easements.

Commissioner Rousseau moved to approve a Deed of Easement and an Ingress/Egress Easement to be conveyed by the owners of property in Trilith to Fayette County for the purpose of installing, constructing, and maintaining water lines. Vice Chairman Gibbons seconded. The motion passed 5-0.

**16. Consideration of staff's request to apply for State of Georgia Fiscal Recovery Fund/American Rescue Plan Act – Water/Sewer Infrastructure Grant and/or the FEMA Hazard Mitigation Grant to replace and upgrade the emergency generator at the South Fayette Water Treatment plan in the amount of \$970,000 with a county match of \$388,000.**

Ms. Tigert stated that this item was requesting Board approval to apply for an American Rescue Plan Act (ARPA) grant for a generator at the South Fayette Water Treatment plant.

Commissioner Oddo moved to approve request to apply for State of Georgia Fiscal Recovery Fund/American Rescue Plan Act – Water/Sewer Infrastructure Grant and/or the FEMA Hazard Mitigation Grant to replace and upgrade the emergency generator at the South Fayette Water Treatment plan in the amount of \$970,000 with a county match of \$388,000. Vice Chairman Gibbons seconded.

Vice Chairman Gibbons asked what happens if the County was not approved for the grant funding.

Mr. Rapson stated that if the County did not receive the grant fund, the County would not spend the local match funds. He continued that the Board would only see this request, if the County received the grant approval.

Commissioner Oddo moved to approve request to apply for State of Georgia Fiscal Recovery Fund/American Rescue Plan Act – Water/Sewer Infrastructure Grant and/or the FEMA Hazard Mitigation Grant to replace and upgrade the emergency generator at the South Fayette Water Treatment plan in the amount of \$970,000 with a county match of \$388,000. Vice Chairman Gibbons seconded. The motion passed 5-0.

**17. Consideration of an Intergovernmental Agreement between the Town of Woolsey and Fayette County to transfer two American Rescue Plan Act (ARPA) allocations of \$31,182.00 each to Fayette County to use the funds as necessary under the terms of the ARPA program, in conformance with reporting rules, and in a manner that fosters the best interests of both the Town of Woolsey and Fayette County.**

Mr. Rapson stated that this item was part of the American Rescue Plan Act (ARPA). He stated that this was the Town of Woolsey's allocation that they would transfer to the County, as a result, an Intergovernmental Agreement between the Town of Woolsey and Fayette County had to be established to receive the funds.

Vice Chairman Gibbons moved to approve Intergovernmental Agreement between the Town of Woolsey and Fayette County to transfer two American Rescue Plan Act (ARPA) allocations of \$31,182.00 each to Fayette County to use the funds as necessary under the terms of the ARPA program, in conformance with reporting rules, and in a manner that fosters the best interests of both the Town of Woolsey and Fayette County. Commissioner Maxwell seconded.

Commissioner Rousseau stated as a point of clarification and public knowledge the amount being transfer was \$31,182.00.

Mr. Rapson stated that was correct and noted that it was the first of two payments. The second allocation would also be \$31,182.00.

Commissioner Rousseau asked how the funds was would be spent.

Mr. Rapson stated that the County would be using the funds under the American Rescue Plan Act (ARPA) to reimburse the Sheriff's salaries, which would place the monies into Fund Balance. He continued that there was an Intergovernmental

Agreement (IGA) between the Town of Woolsey and Fayette County to perform a lot of their infrastructure related activities. With that in mind, the Town of Woolsey wanted to use the funds to upgrade some of the lighting at the roundabout. In working with the Public Works department those funds would be routed through Fund Balance as those projects are performed.

Commissioner Rousseau stated as a point of clarification that the Sheriff Office had an Intergovernmental Agreement (IGA) with the Town of Woolsey to provide public safety. The monies spent over the past 18-months would be paid off from the Town of Woolsey via American Rescue Plan Act (ARPA) funds for services received from the Sheriff's Department.

Mr. Rapson stated that it would be submitted as a reimbursement and thus reported to the American Rescue Plan Act (ARPA) as such and in turn, free up monies in the Fund Balance that can be used for other projects in the Town of Woolsey.

Vice Chairman Gibbons moved to approve Intergovernmental Agreement between the Town of Woolsey and Fayette County to transfer two American Rescue Plan Act (ARPA) allocations of \$31,182.00 each to Fayette County to use the funds as necessary under the terms of the ARPA program, in conformance with reporting rules, and in a manner that fosters the best interests of both the Town of Woolsey and Fayette County. Commissioner Maxwell seconded. The motion passed 5-0.

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

County Administrator Steve Rapson advised that an updated "Hot Projects" list was sent out via email to the Board with the status of various projects throughout the county. He highlighted the Brockton Court Culvert Replacement, Brogdon Road and New Hope Road roundabout, Silverleaf Drive culvert replacement, Patricia Lane culvert replacement, and the Pleasant Hill culvert replacement.

Mr. Rapson wanted to advise the public that November 9<sup>th</sup> Board of Commissioners Meeting was a Tuesday meeting and would be held at 2:00 p.m. He noted that this would be the meeting where the draft redistricting maps would be discussed and wanted citizens to be aware of change in the day and time of the Board meeting, well in advance. He also acknowledged that the Thursday, December 9<sup>th</sup> meeting would also be at 2:00 p.m.

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

Mr. Davenport reminded the Board that he was comprising items for the 2022 Legislative Package and if they had not already done so, he would suggest getting any remaining items or have any additional discussions by the October 28<sup>th</sup> Board of Commissioner Meeting to ensure there was enough time to properly prepare the corresponding resolution needed for each item.

**Notice of Executive Session:** County Attorney Dennis Davenport stated there were three items for executive session. There were two items of threatened litigation and the review of the August 26, 2021 Executive Session Minutes for consideration in Executive Session.

### **COMMISSIONERS' REPORTS:**

#### **Commissioner Maxwell**

Commissioner Maxwell asked if the Peachtree City/Kedron Hills/Crabapple issue been resolved or was it still an open issue.

Mr. Rapson stated that at this point Peachtree City had not taken any definitive action.

Commissioner Maxwell spoke on his own behalf. He stated that he did not want to tell Peachtree City what to do. He stated that this issue was regarding the potential closure of a roadway or path between the County and Peachtree City. Commissioner Maxwell stated that the closure of the road would be legally within the rights of Peachtree City, however his concern was regarding the practically of it. He stated that he knew that it was an access point where citizens travelled back-and-forth. He

stated that he had heard there may be an attempt to change the roadway into a one-way road. Commissioner Maxwell stated that he wanted to work with Peachtree City and hope they do not sell any of the property, in the area. He stated that if Peachtree City decided to close the road that may force the County to make decisions as well. Commissioner Maxwell urged Peachtree City to make a good decision.

### **Vice Chairman Gibbon**

Vice Chairman Gibbon recognized a great American soldier and statesmen on his birthday. President Dwight D. Eisenhower, who was born October 14, 1890.

### **Commissioner Rousseau**

Commissioner Rousseau asked regarding the draft redistricting map if it would be available for the Nov. 9<sup>th</sup> Board of Commissioners Meeting and if not, would the draft redistricting map be based upon the early assessment of the balancing numbers mentioned today.

Mr. Rapson stated he was anticipating a draft redistricting map being available at the Nov. 9<sup>th</sup> Board of Commissioners Meeting. Mr. Rapson added that he would be asking the Board for guidance and direction. Specifically, from Chairman Hearn for District 2 and Commissioner Rousseau from District 4.

Commissioner Rousseau stated that if there was not a draft redistricting map issued by the Legislature or the Joint Reapportionment Office, he would expect a meeting with Mr. Tyson prior to his presentation at the November 9<sup>th</sup> Board of Commissioners Meeting to provide his input and feedback.

Commissioner Rousseau thanked staff for a job well done on work near Kedron schools and that he would contact Mr. Mallon for a few project updates in the area.

### **Commissioner Oddo**

Commissioner Oddo reminded everyone in attendance that Friday October 15, 2021, was the deadline for the 2020 tax return to be filed.

### **Chairman Hearn**

Chairman Hearn stated as an avid hunter, he wanted to caution drivers to be particularly careful starting next week because it was the beginning of gun season for deer, so he advised citizens to be aware. Chairman Hearn expressed his appreciation for County staff for their hard work and dedication.

### **EXECUTIVE SESSION:**

**Two items of threatened litigation and the review of the August 26, 2021 Executive Session Minutes for consideration in Executive Session.** Commissioner Rousseau moved to go into Executive Session. Commissioner Oddo seconded. The motion passed 5-0.

The Board recessed into Executive Session at 6:35 p.m. and returned to Official Session at 6:52 p.m.

**Return to Official Session and Approval to Sign the Executive Session Affidavit:** Commissioner Oddo moved to return to Official Session and for the Chairman to sign the Executive Session Affidavit. Vice Chairman Gibbons seconded the motion. The motion passed 5-0.

**Approval of the August 26, 2021 Executive Session Minutes:** Commissioner Oddo moved to approve the August 26, 2021 Executive Session Minutes. Vice Chairman Gibbons seconded the motion. The motion passed 5-0.

### **ADJOURNMENT:**

Commissioner Oddo moved to adjourn the October 14, 2021, Board of Commissioners meeting. Vice Chairman Gibbons seconded the motion. The motion passed 5-0.

The October 14, 2021 Board of Commissioners meeting adjourned at 6:53 p.m.

\_\_\_\_\_  
Marlena M. Edwards, Chief Deputy County Clerk

\_\_\_\_\_  
Lee Hearn, Chairman

The foregoing minutes were duly approved at an official meeting of the Board of Commissioners of Fayette County, Georgia, held on the 28<sup>th</sup> day of October 2021. Referenced attachments are available upon request at the County Clerk's Office.

\_\_\_\_\_  
Marlena Edwards, Deputy County Clerk

# COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

**Wording for the Agenda:**

Consideration of staff's request to apply for and accept the Georgia Public Safety Officials and First Responders Supplement Grant and to authorize any necessary FY2022 budget amendments needed to process and award the grant payments to eligible County employees in the amount of \$381,990.

**Background/History/Details:**

Governor Kemp has announced plans to utilize funds received by the state from the American Rescue Plan Act for a grant that will provide a \$1,000 pay supplement to all eligible POST certified law enforcement officers, firefighters and 911 Communications Officers who were active on payroll during the month of August 2021. Eligible employees who worked ANY time during August of 2021, regardless of their current employment status, are eligible to receive the grant money.

The grant stipulates that employers will apply on behalf of employees within their jurisdiction. Therefore, the County will be applying for eligible, full time employees working in the Fayette County Sheriff's Office, Fayette County Fire & Emergency Services, Fayette County 911 Center, Fayette County Marshal's Office and one employee of the Fayette County Solicitor which totals approximately 357 employees. The grant will include funds to reimburse the County for federal payroll taxes of each eligible employee, Social Security and FICA, which would bring the total grant amount to approximately \$381,990.

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

Approval for staff to apply for and accept the Georgia Public Safety Officials and First Responders Supplement Grant and to authorize any necessary FY2022 budget amendments needed to process and award the grant payments to eligible County employees in the amount of \$381,990.

**If this item requires funding, please describe:**

Funding is provide through the Georgia Public Safety Officials and First Responders Supplement Grant.

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:**



# Public Safety Officials and First Responders Supplement

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American Rescue Plan  
State Fiscal Recovery Funds



**Fund Source:** State Fiscal Recovery Funds

**Justification:** Negative Economic Impact

**Eligibility Period:** August 1-August 31, 2021

**Application Period:** October 1-December 31, 2021

**Eligible Employees:** POST Certified law enforcement officer, jail officer, communications officer, GFSTC certified career and volunteer firefighters, or DPH certified emergency medical services personnel from the state working for an eligible organization

**Supplement:**

- \$1,000 pay supplement to all eligible individuals
- \$300 supplement to Volunteer Firefighters



# Eligible Organizations and Employees

- **Eligible Organizations:** State government agencies and authorities, municipal and county governments, and emergency medical services agencies licensed by the Department of Public Health.
- **Eligible Employees:** Employees of one of the above organizations serving full-time as a public safety official or first responder in a **position requiring active certification** as a law enforcement officer, jail officer, communications officer, firefighter, or emergency medical services personnel from the state from either the Georgia Peace Officer Standards and Training Council (POST), Georgia Firefighter Standards and Training Council (GFSTC), or Department of Public Health (DPH).



Provides financial reimbursement for expenses likely to have been incurred as a result of being a frontline first responder:

- Potential out of pocket rapid testing to return to work
- Childcare costs incurred while working on the front lines to support our communities with essential services during the pandemic
- Unanticipated dependent care due to duties during COVID-19
- Additional home decontamination/disinfecting services/expenses due to COVID-19
- Additional health & diagnosis cost
- Isolation lodging due to COVID-19
- Other cost(s) associated with COVID-19 duties/deployment that impacted the responder



- Accept request from city, county, and state government entities, or licensed emergency medical services providers
- Cities and counties should apply on behalf of all eligible entities within their jurisdiction under a single grant award to their jurisdiction
  - Payments for departments within a city or county may be submitted as one payment request but should be separate direct expenses with independent supporting documentation
- Licensed emergency medical services agencies may apply. The agency can apply OR the agency can provide the county a list of those who were on their payroll in August and the county can apply on their behalf.



- The grant program has been created in the GeorgiaGrants portal for all eligible entities thus far.
- Applicants will not see an 'apply now' button, instead the grant will appear in the portal account as approved once the terms and conditions are signed and submitted
  - Applicants will then see the approved grant and a Request Payment button
- October 1<sup>st</sup> kickoff emails sent to POCs
- Terms and conditions are forthcoming [echosign@echosign.com](mailto:echosign@echosign.com)
- Applications must include documentation of payroll and eligibility criteria



- Employee Name
- Primary Employer
- Position Title
- Active Pay Status
- Full Time Status
- Certification Title and Number
- Reflect that the individual was an employee during the period between August 1 and August 31 of 2021
- Payroll information must also show whether the department or entity contributes to the Old Age, Survivors, and Disability Insurance (OASDI) program or pays Medicare for its Federal Insurance Contributions Act (FICA) payroll taxes.



- 1. Payroll Verification:** Applicants must submit documentation verifying employment in August of 2021. This documentation must show employee name, position title, active pay status, fulltime status
- 2. Template:** Applicants must submit the excel template to include primary employer, employee name, certification title, certification number, August 2021 employment dates , and amount requested
- 3. Acceptable Certification Types:** Georgia Peace Officer Standards and Training Council (POST), Georgia Firefighter Standards and Training Council (GFSTC), or Department of Public Health (DPH)



**Law Enforcement:** Each Law Enforcement Agency should have a Georgia Peace Officers and Standards Training Council administrator who is able to login to their P.O.S.T. account to view and download the list of the personnel they have within their agency or department.

**Note:** It is the responsibility of the agency and officer to keep their roster and individual information current. All agencies should make sure their rosters are accurate and up to date with P.O.S.T. All officers should verify their address and contact information in the P.O.S.T. Data Gateway to avoid any verification delays.

**EMS:** Each EMS Agency is able to login to their OEMST License Management System (LMS) Public Portal ([www.mygemsis.org/lms](http://www.mygemsis.org/lms)), and they click on Agencies on the left, and then on Personnel on the left to see the list of the personnel that they have on their roster. It will list their license level and expiration date.



**Fire:** Fire can access their rosters by logging on to the GFSTC website [management.gfstconline.org](http://management.gfstconline.org) and using their department power user login, access the Firefighters tab. You will not be able to export a csv file, but you can screenshot or print to pdf.



- Funds will be dispersed through the bank account listed with the state during the CRF distribution. The grantee will be responsible for disbursing amongst other accounts they may have by department. If a change to their banking information is required, the grantee will work with OPB and the State Accounting Office to verify new banking info before a payment is made.
- Payment Requests in GeorgiaGrants portal
  - Guide is forthcoming
- **Timing of payments depends upon correct banking, signing of terms and conditions, and providing complete documentation**



As a supplement, the payment is considered a wage and therefore subject to FICA, and must be included on a W2 or 1099, as appropriate. The supplement from OPB will include FICA costs.

As such, the Governor's Office of Planning and Budget (OPB) will require eligible entities to submit payroll information to show if it contributes to the Old Age, Survivors, and Disability Insurance (OASDI) program or pays Medicare for its Federal Insurance Contributions Act (FICA) payroll taxes so that when issued through payroll, eligible employees will receive the full amount.

Grantee payment requests should reflect contributes to the Old Age, Survivors, and Disability Insurance (OASDI) program or Medicare for its Federal Insurance Contributions Act (FICA) payroll taxes.

FICA	
OASDI and Medicare	7.65%
Medicare Only	1.45%



OPB Grants Division  
[grants@opb.georgia.com](mailto:grants@opb.georgia.com)

# COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

**Wording for the Agenda:**

Consideration of staff's proposed reorganization of Animal Control by abolishing the Kennel Supervisor position, establishing and funding a second Senior Animal Control Officer, and funding the conversion of the Animal Adoption Counselor position from a part-time to a full-time position; effective November 6, 2021.

**Background/History/Details:**

Fayette County Animal Control is currently staffed as follows: Director, Kennel Supervisor, Senior Animal Control Officer, three (3) Animal Control Officers, one (1) full-time Animal Adoption Counselor, and one (1) part-time Animal Adoption Counselor (24hrs per week).

The Kennel Supervisor retired on October 8th and that prompted the requested reorganization to better serve our community and prepare for the upcoming move into the New Animal Shelter.

The proposed reorganization would abolish the Kennel Supervisor and create an additional Senior Animal Control Officer and convert the part-time Animal Adoption Counselor to a full-time position. The reorganization would provide the ability to dedicate two officers to respond to calls for service, Monday-Friday, and three dedicated staff members to clean and care for the animal in the shelter. Improving service delivery, increasing customer service response and maximizing out assigned personnel.

See attached financial impact analysis - Attachment A

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

Approval of the reorganization of Animal Control by abolishing the Kennel Supervisor position, establishing and funding a second Senior Animal Control Officer, and funding the conversion of the Animal Adoption Counselor position from a part-time to a full-time position; effective November 6, 2021.

**If this item requires funding, please describe:**

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?\*

Backup Provided with Request?

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

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

**Staff Notes:**

**Proposed Animal Control Reorganization**

**Abolishment**

Job Class Description	Grade	Step	Annualized
Kennel Supervisor	814	35	\$58,901.26

<b>Available Funding</b>	<b>\$58,901.26</b>
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**Establishment**

Job Class Description	Grade	Step	Annualized
Senior Animal Control Officer	812	1	\$34,978.25

**Part-time to Full-Time**

Job Class Description	Grade	Step	Annualized
Adoption Coordinator <sup>1</sup>	809	1	\$23,423.00

<b>Proposed Uses</b>	<b>\$58,401.25</b>
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<b>Net Impact</b>	<b>(\$500.01)</b>
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<sup>1</sup>Includes fully loaded benefits

**Existing Animal Control Positions**

Job Class Desc	Hire Date	Grade	Step	Pay Hrly Rate	Annual Salary
Animal Cont & Kennel Supervisor	02/06/1989	814	35	28.3179	58,901.26
Director Animal Control	03/07/2005	822	18	37.5684	78,142.33
Animal Control Officer	07/28/2011	810	14	17.9050	37,242.43
Senior Animal Control Off	04/30/2013	812	17	20.5143	42,669.60
Pt Animal Adoption Counselor	07/25/2018	809	5	15.2395	19,049.38
Animal Control Officer	02/10/2020	810	6	16.2111	33,719.24
Animal Adoption Counselor	06/14/2021	809	4	15.0514	31,306.89
Animal Control Officer		810	3	15.6181	32,485.73

<b>Adoption Coordinator</b>	
44,484.00	Full-time Position
21,061.00	Part-time Budget
23,423.00	Benefits

# COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

**Wording for the Agenda:**

Discussion of the update of the Fayette County Comprehensive Plan and appointment of a member of the Board of Commissioner to the Steering Committee.

**Background/History/Details:**

Rules of Georgia Department of Community Affairs, Chapter 110-12-1 mandates that the Comprehensive Plan be reviewed and updated every five years. The County is starting that process now.

The rules state the following for the Steering Committee:

(a) Identification of Stakeholders. Compile a list of stakeholders who need to have a voice in the development of the plan. Refer to the list of suggested stakeholders provided in the Supplemental Planning Recommendations for suggestions. Members of the governing authority must be included among the selected stakeholders and be actively involved in plan preparation, such as serving on the steering committee that guides development of the plan. This will help ensure that the plan will be implemented, because leadership that is involved in plan development is likely to become committed to seeing it through.

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

Appointment of a Board of Commissioner Member to the Steering Committee.

**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:**

## **FAYETTE COUNTY COMPREHENSIVE PLAN UPDATE**

### **A Comprehensive Plan is a requirement of the Georgia Planning Act of 1989.**

The Georgia Department of Community Affairs administers the Minimum Standards for Local Comprehensive Planning. To be a Qualified Local Government a community must be current with these minimum standards and a Full Plan Update is a requirement of these standards. The due date for the adoption of the Fayette County Comprehensive Plan Update is June 30, 2022. The rules require that the County update the plan every five years.

The County did a major update to the Comprehensive Plan in 2017. The scope of the plan is approximately 20 years. Staff is not proposing to do a complete rewrite of the Comprehensive Plan. Staff is proposing that the plan be reviewed to determine if it's still current and relevant and amendments be made accordingly.

### **A Steering Committee will facilitate the Plan Update process and consist of the following:**

- Planning and Zoning Staff
- One member of the Board of Commissioners (?)
- One member of the Planning Commission (Arnold Martin)
- One member of the Fayette County Development Authority (Meagan Baker)
- One member of the Chamber of Commerce (Colin Martin)
- One representative of the environmental community (Nick Kilburg - Southern Conservation Trust)
- One representative of the agricultural/forestry community (Tim Thoms - local tree farmer and past member of the Planning Commission)
- One representative of the real estate community (Kay McInroe – local real estate agent)
- One representative of the development community – (Randy Boyd – local engineer/surveyor – represents developers as an agent for rezonings and develops plats and site plans for developers)
- Two citizen representatives (Bobby Ferrell – North Fayette Association) (?)

### **Stakeholder Groups**

Stakeholder Groups will be invited to provide input on the relevance of the existing Needs and Opportunities, Goals and Objectives and Land Use Element/Plan via.

- County Staff (Various County Departments)

- Law Enforcement (Sheriff's Office)
- Fayette County School System
- Fayette County Development Authority
- Fayette County Chamber of Commerce
- Fayette County Board of Realtors
- Developers
- Local Civil Engineering Firms, Specializing in Land Development
- Local Land Trusts and/or Environmental Organizations
- Senior Services
- Local Representatives of Agricultural and Forestry
- Home Owners Associations
- Other Groups/Organizations Not Identified at this Time

### **Public Participation**

The public will be invited to provide input on the existing Needs and Opportunities, Goals and Objectives and Land Use Element/Land Use Plan via the County website to determine if they are still current and relevant.

### **New Broadband Services Element**

Each local government must include in its Local Comprehensive Plan an action plan for the promotion of the deployment of broadband services by broadband service providers into unserved areas within its jurisdiction. This is a new plan element that must be addressed in the comprehensive plan update.

**RULES  
OF  
GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS**

**CHAPTER 110-12-1  
MINIMUM STANDARDS AND  
PROCEDURES FOR LOCAL  
COMPREHENSIVE PLANNING**

**TABLE OF CONTENTS**

110-12-1-.01 Purpose  
110-12-1-.02 Requirements  
110-12-1-.03 Plan Elements  
110-12-1-.04 Procedures  
110-12-1-.05 Definitions

**CHAPTER 110-12-1-.01  
PURPOSE**

**110-12-1-.01 Purpose.** These rules become effective October 1, 2018. The purpose of the Minimum Standards and Procedures is to provide a framework for the development, management and implementation of local comprehensive plans at the local, regional and state government level. They reflect an important state interest: healthy and economically vibrant cities and counties are vital to the state's economic prosperity.

Statewide benefits of comprehensive planning

City and county comprehensive planning should be conducted in the context of Georgia's strong and vibrant intergovernmental system that clearly recognizes the important role cities and counties play in fostering the state's image as an attractive place to invest, conduct businesses and raise a family. City and county comprehensive planning enhances coordination at many levels.

Local benefits of comprehensive planning

The highest and best use of comprehensive planning for local governments is to show important relationships between community issues. A local comprehensive plan is a fact-based resource for local constituents that tracks implementation of community-based policies. Furthermore, local comprehensive planning creates an environment of predictability for business and industry, investors, property owners, tax payers and the general public. In addition, the plan helps local governments to recognize and then

implement important economic development and revitalization initiatives. For these reasons, the state finds that well-planned communities are better prepared to attract new growth in a

highly competitive global market.

In short, local planning should recognize that:

- Assets can be **accentuated** and **improved**;
- Liabilities can be **mitigated** and **changed** over time; and
- Potential can be **sought after** and **developed**.

These minimum standards and procedures for city and county comprehensive planning reflect the principles of partnership and the unique needs, conditions and aspirations of each city and county.

Statutory Authority, O.C.G.A. 50-8-7.1(b)

## CHAPTER 110-12-1-.02 REQUIREMENTS

**110-12-1-.02 Requirements.** O.C.G.A. 50-8-1 et seq. gives the Department authority to establish standards and procedures for comprehensive planning by all local governments in Georgia. Those standards and procedures, embodied herein, emphasize preparation of plans that help each local government address its immediate needs and opportunities while moving toward realization of its long-term goals for the future. In order to maintain qualified local government certification, and thereby remain eligible for selected state funding and permitting programs, each local government must prepare, adopt, maintain, and implement a comprehensive plan as specified in these standards.

**(1) Required and Optional Plan Elements.** Each community's comprehensive plan must include the required plan elements specified in the "Required for" column below. Each community is encouraged to go beyond these minimum required elements and supplement its comprehensive plan with other plan elements (refer to the list of optional plan elements in the Supplemental Planning Recommendations for suggestions) to make the overall plan a good fit for the community.

Plan Element	Required for	Recommended for	Specifics at
Community Goals	All local governments		110-12-1-.03(1)
Needs and Opportunities	All local governments		110-12-1-.03(2)
Community Work Program	All local governments		110-12-1-.03(3)
Broadband Services Element	All local governments		110-12-1-.03 (4)
Capital Improvements Element	Governments that charge impact fees		110-12-1-.03(5)
Economic Development Element	Communities included in Georgia Job Tax Credit Tier 1	Communities seeking improved economic opportunities for their citizens	110-12-1-.03(6)
Land Use Element	Communities with zoning or equivalent land development regulations that are subject to the Zoning Procedures Law	Communities that: <ul style="list-style-type: none"> <li>• Are considering new land development regulations</li> <li>• Include Target Areas in their comprehensive plan</li> <li>• Wish to improve aesthetics of specific areas or protect the character of specific parts of their community</li> </ul>	110-12-1-.03(7)

Transportation Element	Local governments that have territory included in a Metropolitan Planning Organization	Communities: <ul style="list-style-type: none"> <li>• With automobile congestion problems in selected areas</li> <li>• Interested in adding alternative transportation facilities for bicyclists, pedestrians, public transportation users</li> <li>• That may have too much or too little parking in specific areas</li> </ul>	110-12-1-.03(8)
Housing Element	HUD CDBG Entitlement Communities	Communities with: <ul style="list-style-type: none"> <li>• Concentrations of low-quality or dilapidated housing</li> <li>• Relatively high housing costs compared to individual/family incomes</li> <li>• A jobs-housing imbalance</li> </ul>	110-12-1-.03(9)

**(2) Community Involvement.** Each element of the comprehensive plan must be prepared with opportunity for involvement and input from stakeholders and the general public, in order to ensure that the plan reflects the full range of community needs and values. The three steps for involving stakeholders and the general public in developing the comprehensive plan are listed below.

**(a) Identification of Stakeholders.** Compile a list of stakeholders who need to have a voice in the development of the plan. Refer to the list of suggested stakeholders provided in the Supplemental Planning Recommendations for suggestions. Members of the governing authority must be included among the selected stakeholders and be actively involved in plan preparation, such as serving on the steering committee that guides development of the plan. This will help ensure that the plan will be implemented, because leadership that is involved in plan development is likely to become committed to seeing it through.

**(b) Identification of Participation Techniques.** Review each of the recommended community participation techniques identified in the Supplemental Planning Recommendations to select those to be used locally for involving the selected stakeholders in the process of developing the plan. At minimum, your community must form a steering committee to oversee and participate in development of the plan that includes some of the stakeholders identified in section (a) above, members of the governing authority, local economic development practitioners, and local government staff.

**(c) Conduct Participation Program.** Invite each of the stakeholders identified in section (a) above to participate in the activities and events identified in section (b). Use these participation events to solicit specific input on the content of the plan. Hold regular meetings of the steering committee to provide input and feedback to the plan preparers as the plan is developed.

**(d) Documentation of Community Involvement Activities.** Include an appendix to the comprehensive plan which assembles documentation showing that the activities discussed, above, occurred. This documentation must include: a list of stakeholders who were specifically identified to provide input on the plan; an overview of the participation techniques used to gather community input; and a list of the members of the steering committee that specifically identifies the governing authority and economic development practitioner representatives. Additionally, documentation of the community involvement activities and events undertaken in preparing the plan must be provided. The breadth and types of documentation may vary based upon community dynamics and the nature of the specific activities the community has undertaken. Acceptable types of documentation includes, but is not limited to: sign-in sheets from meetings/workshops/etc.; photographs of community involvement events; survey questions and results; records/agendas/minutes of meetings; copies of published advertisements of events; and/or copies of published social media posts.

**(3) Consideration of the Regional Water Plan and the Environmental Planning Criteria.** During the process of preparing its comprehensive plan, each community must review the Regional Water Plan(s) covering its area and the Rules for Environmental Planning Criteria (established and administered by the Department of Natural Resources pursuant to O.C.G.A. 12- 2-8) to determine if there is need to adapt local implementation practices or development regulations to address protection of these important natural resources. The community must certify via a cover letter signed by its chief elected official that it has considered both the Regional Water Plan and the Rules for Environmental Planning Criteria when it transmits the plan to the Regional Commission for review.

**(4) Review of the Comprehensive Plan.** Upon completion, the comprehensive plan must be transmitted to the Regional Commission for review. Both the Regional Commission and the Department will review the plan and respond to the local government with findings and recommendations. Once approved by the Department as being in compliance with the Minimum Standards and Procedures, the local government may adopt the plan. Specific details for this review process are covered in section 110-12-1-.04.

**(5) Official Listing of Planning Requirements and Deadlines.** The Department maintains and makes available on its website a recertification schedule identifying the deadlines for comprehensive plan updates, and the specific plan elements that must be included in each update, for all counties and municipalities in Georgia.

**(6) Alternative Planning Requirements.** Any Regional Commission may apply to the Department for approval of alternative planning requirements for a particular community if both the community's leadership and Regional Commission agree that an alternative to the planning standards provided herein is more appropriate for the community. Communities interested in pursuing alternative planning requirements should consult with their regional commission for ideas and guidance prior to beginning their local planning process. Specific details about applying for this exemption are covered in section 110-12-1-.04(3).

**(7) Planning Resources and Support.**

(a) The Department's Supplemental Planning Recommendations provide ideas and suggested best practices to assist communities as they prepare their plans and address these Minimum Standards and Procedures.

(b) The community's Regional Commission is available to prepare the four core elements of the comprehensive plan (i.e., the Community Goals, Needs and Opportunities, Broadband Element, and Community Work Program), or an alternative plan of similar or lesser complexity agreed upon under the alternative planning requirements specified in section (5) above, at no additional cost for any interested community.

(c) To help ensure the ongoing efficacy of the comprehensive plan, the community's Regional Commission will meet with each community's leadership regularly to:

- review the plan;
- identify any needed changes or updates;
- discuss the community's recent plan implementation accomplishments;
- prioritize plan implementation activities for the upcoming year; and
- offer Regional Commission assistance with plan implementation.

Statutory Authority, O.C.G.A. 50-8-7.1(b)

## **CHAPTER 110-12-1-.03 PLAN ELEMENTS**

**110-12-1-.03 Plan Elements.** This chapter provides guidance for completing each element of the comprehensive plan. Communities should refer to section 110-12-1-.02(1) of these rules or the Department’s recertification schedule to determine which plan elements are required for their jurisdiction. For any of these plan elements, it is certainly acceptable and encouraged to draw from a previously prepared plan that addresses the guidance below into the comprehensive plan in lieu of preparing a new plan element. Each community is also encouraged to add optional elements to their comprehensive plan to address specific local needs (refer to the list of optional plan elements in the Supplemental Planning Recommendations for suggestions).

**(1) Community Goals.** (Required for all local governments, updates at local discretion.) The purpose of the Community Goals element is to articulate a long-term strategy for creating the set of conditions judged, by the community, to be best suited to maximizing the collective wellbeing of its residents. The Community Goals element details the overarching concepts which should guide local day-to-day decision-making for five, ten, even twenty years into the future. As such, the Community Goals shall be developed through a very public process of involving community leaders and stakeholders. The Community Goals are intended to generate local pride and enthusiasm about the future of the community, thereby leading citizens and leadership to act to ensure that the plan is implemented. The result must be an easy-to-use document readily referenced by community leaders as they work toward achieving this desired future of the community. Regular update of the Community Goals is not required, although communities are encouraged to amend the goals whenever appropriate.

The Community Goals must include at least one or a combination of any of the four components listed below:

**(a) General Vision Statement.** Include a general statement that paints a picture of what the community desires to become, providing a complete description of the development patterns to be encouraged within the jurisdiction.

**(b) List of Community Goals.** Include a listing of the goals the community seeks to achieve. Review the suggested community goals in the Supplemental Planning Recommendations for suggestions.

**(c) Community Policies.** Include any policies (such as, “New development will be encouraged to locate on infill sites closer to town, whenever possible.”) the local government selects to provide ongoing guidance and direction to local government officials for making decisions consistent with achieving the Community Goals. Refer to suggested policies listed in the Supplemental Planning Recommendations for suggestions.

**(d) Character Areas and Defining Narrative.** This option lays out more specific goals for the future of the community by community sub-areas, districts, or neighborhoods, and may be prepared using the guidance provided for the Land Use Element at 110-12-1-.03(6)(a).

**(2) Needs and Opportunities.** (Required for all local governments, updates required every five years.) This is the locally agreed upon list of Needs and Opportunities the community intends to address. In contrast to the long-term focus of the Community Goals element, the Needs and Opportunities element conveys the relatively short-term imperatives which will require direct

attention from the community in the following five years. The list must be developed by involving community stakeholders in carrying out a SWOT (strengths, weaknesses, opportunities, threats) or similar analysis of the community. The community may opt to designate specific needs or opportunities as “high priority” indicating that they must be followed-up with corresponding implementation measures in the Community Work Program. The following resources may also be enlisted to help stakeholders identify local Needs and Opportunities:

**(a) Supplemental Planning Recommendations.** Review the list of typical needs and opportunities provided in the Supplemental Planning Recommendations and select those that are applicable for the community.

**(b) Analysis of Data and Information.** Check for potential needs and opportunities by reviewing and evaluating demographic, economic, housing, transportation and other data and information about the community. When evaluating this data and information, focus on:

- Whether it verifies needs or opportunities identified previously;
- Whether it uncovers new needs or opportunities not previously identified;
- Whether it indicates significant local trends that need to be considered in the planning process.

In order to ensure a concise and readable comprehensive plan, it is not recommended to include the data and information provided on the Department’s website in your plan, nor is it required to include evaluations, data, or maps to substantiate or illustrate the identified needs or opportunities. However, if the community finds it worthwhile, it may include charts, graphs, and/or tables illustrating the data-points which are most critical to its planning process in an appendix to the plan.

**(c) Analysis of Consistency with Quality Community Objectives.** Evaluate the community’s current policies, activities, and development patterns by comparing with the Department’s Quality Community Objectives and the supporting Best Practices available on the Department’s website. Use this analysis to identify any community needs and opportunities for adapting local activities, development patterns and implementation practices to the Quality Community Objectives.

**(3) Community Work Program.** (Required for all local governments, updates required every five years.) This element of the comprehensive plan lays out the specific activities the community plans to undertake during the five years following adoption of the plan as provided at section 110-12-1-.04(1)(j) to address its Needs and Opportunities while steadily moving toward the realization of its Community Goals. This includes any activities, initiatives, programs, ordinances, administrative systems (such as site plan review, design review, etc.) to be put in place to implement the plan. (Note that general policy statements should not be included in the Community Work Program, but instead should be included in the Community Goals element, perhaps in a section devoted specifically to Community Policies.) The Community Work Program must include the following information for each listed activity:

- Brief description of the activity;
- Timeframe for initiating and completing the activity;
- Responsible party for implementing the activity;
- Estimated cost (if any) of implementing the activity; and

- Funding source(s), if applicable.

**(4) Broadband Services Element.** (Required for all local governments, updates at local discretion.) Each local government must include in its Local Comprehensive Plan an action plan for the promotion of the deployment of broadband services by broadband service providers into unserved areas within its jurisdiction. The action plan must describe steps for the promotion of reasonable and cost-effective access to broadband to parts of the local government's jurisdiction designated by the Department as unserved areas. The local action plan required pursuant to this element may include, but shall not be limited to, any assessments, studies, ordinances, and/or goals to achieve certification as a Broadband Ready Community or designation of facilities and developments as Georgia Broadband Ready Community Sites. Each local comprehensive plan should contemplate and seek to implement this element in a manner which stresses the importance of broadband deployment across this state, and that broadband services should be considered as important as other necessary utilities.

**(5) Capital Improvements Element.** (Required for local governments that charge impact fees, optional but encouraged for all other local governments. Updates required every year.) For communities that charge development impact fees, a detailed Capital Improvements Element prepared to meet the Development Impact Fee Compliance Requirements (DCA Rules 110-12-2) is required. As such, it is not necessary to embed this element directly into the comprehensive plan document; however, it must be consistent with and reflective of the other components of the comprehensive plan.

**(6) Economic Development Element.** (Required for local governments included in Georgia Job Tax Credit Tier 1, optional but encouraged for all other local governments. Updates at local discretion.) Identify community goals, needs, and opportunities related to economic development and vitality of the community, and Community Work Program activities for addressing these needs and opportunities, considering such factors as diversity of the economic base, quality of the local labor force, effectiveness of local economic development agencies, programs and tools. The analysis produced for the Comprehensive Economic Development Strategy (CEDS) for the region or a similar local economic development plan may be substituted for this element's analytic requirements (and should be provided appropriate reference/citation); however, applicable community goals, needs and opportunities, and work program items, as provided in sections (1) through (3), above, must be explicitly integrated into the Local Comprehensive Plan.

**(7) Land Use Element.** (Required for local governments with zoning or equivalent land development regulations that are subject to the Zoning Procedures Law, optional but encouraged for all other local governments. Updates required every five years.) The Land Use Element, where required, must include at least one of the two components listed below:

**(a) Character Areas Map and Defining Narrative.** Identify and map the boundaries of existing or potential character areas (see definition in Chapter 110-12-1-.05) covering the entire community, including existing community sub-areas, districts, or neighborhoods. Refer to the list of recommended character areas provided in the Supplemental Planning Recommendations for suggestions. Note that community improvement districts, tax allocation districts, Livable Centers Initiative planning areas, designated redevelopment areas

and the like are good candidates for delineation as character areas.

For each identified character area, carefully define a specific vision or plan that includes the following information:

- Written description and pictures/illustrations that make it clear what types, forms, styles, and patterns of development are to be encouraged in the area. Refer to recommended development patterns listed in the Supplemental Planning Recommendations for suggestions.
- Listing of specific land uses and/or (if appropriate for the jurisdiction) zoning categories to be allowed in the area.
- Identification of implementation measures to achieve the desired development patterns for the area, for example: more detailed sub-area planning, new or revised local development regulations, incentives, public investments, and infrastructure improvements. Refer to recommended plan implementation measures listed in the Supplemental Planning Recommendations for suggestions.

**(b) Future Land Use Map and Narrative.** Prepare a Future Land Use Map that uses conventional categories or classifications to depict the location (typically parcel by parcel) of specific future land uses. If this option is chosen, prepare the Future Land Use Map using either of the land use classification schemes described below and include a narrative that explains how to interpret the map and each land use category within the context of the community producing the plan.

**1. Standard Categories.** More detailed categories used by communities must be able to be grouped into one of the following industry-standard categories:

- **Residential.** The predominant use of land within the residential category is for single-family and multi-family dwelling units organized into general categories of net densities.
- **Commercial.** This category is for land dedicated to non-industrial business uses, including retail sales, office, service and entertainment facilities, organized into general categories of intensities. Commercial uses may be located as a single use in one building or grouped together in a shopping center or office building. Communities may elect to separate office uses from other commercial uses, such as retail, service or entertainment facilities.
- **Industrial.** This category is for land dedicated to manufacturing facilities, processing plants, factories, warehousing and wholesale trade facilities, mining or mineral extraction activities, or other similar uses.
- **Public/Institutional.** This category includes certain state, federal or local government uses, and institutional land uses. Government uses include government building complexes, police and fire stations, libraries, prisons, post offices, schools, military installations, etc. Examples of institutional land uses include colleges, churches, cemeteries, hospitals, etc. Do not include facilities that are publicly owned, but would be classified more accurately in another land use category. For example, include publicly owned parks and/or recreational facilities in the park/recreation/conservation category; include landfills in the industrial category; and include general office buildings containing government offices in the commercial category.
- **Transportation/Communication/Utilities.** This category includes such uses as

major transportation routes, public transit stations, power generation plants, railroad facilities, radio towers, telephone switching stations, airports, port facilities or other similar uses.

- **Park/Recreation/Conservation.** This category is for land dedicated to active or passive recreational uses. These areas may be either publicly or privately owned and may include playgrounds, public parks, nature preserves, wildlife management areas, national forests, golf courses, recreation centers or similar uses.
- **Agriculture/Forestry.** This category is for land dedicated to farming (fields, lots, pastures, farmsteads, specialty farms, livestock production, etc.), agriculture, or commercial timber or pulpwood harvesting.
- **Undeveloped/Vacant.** This category is for lots or tracts of land that are served by typical urban public services (water, sewer, etc.) but have not been developed for a specific use or were developed for a specific use that has since been abandoned.
- **Mixed Use.** For a detailed, fine-grained mixed land use, or one in which land uses are more evenly balanced, mixed land use categories may be created and applied at the discretion of the community. If used, mixed land use categories must be clearly defined, including the types of land uses allowed, the percentage distribution among the mix of uses (or other objective measure of the combination), and the allowable density of each use.

**(c) Land Based Classification Standards (LBCS).** As an alternative to the standard classification system, local governments may, at their discretion, utilize the LBCS developed by the American Planning Association. The full implementation of this alternative system includes five dimensions to describe land uses, including activity, function, site development character, structural character, and ownership. Local governments electing to employ this system must at a minimum identify the function dimension of land uses in the analyses, assessments, mapping, and other land use requirements of this chapter.

**(8) Transportation Element.** (Required for the portions of a local government’s jurisdiction that are included in a Metropolitan Planning Organization, optional but encouraged for all other local governments. Updates at local discretion.) The analysis provided in the Metropolitan Planning Organization’s transportation strategy for the region or a similar local transportation plan may be substituted for this element’s analytical requirements (and should be provided appropriate reference/citation); however, applicable community goals, needs and opportunities, and work program items, as provided in sections (1) through (3), above, must be explicitly integrated into the Local Comprehensive Plan. If, rather than using the analysis prepared in a separate plan, a new Transportation Element is prepared, it must include the following components:

**(a)** Evaluate the adequacy of the following major components of the local transportation system for serving needs of the community throughout the planning period:

- **Road Network.** Identify roads, highways and bridges. Also identify any significant issues with the road network, including connectivity, signalized intersections or inadequate signage.
- **Alternative Modes.** Identify bicycle, pedestrian facilities and public transportation or other services for populations without automobiles. Also identify areas of the community

where mode choice is limited. Evaluate how effectively mobility needs of the community are met by these alternative transportation modes.

- **Parking.** Identify areas with insufficient parking or inadequate parking facilities (e.g., downtown, busy commercial areas), excess or obsolete surface parking facilities in need of retrofitting or redevelopment.
- **Railroads, Trucking, Port Facilities and Airports.** Identify freight and passenger rail lines, major rail intermodal facilities, non-rail freight operations, seaports, harbors, and commercial and general purpose air terminals. Evaluate the impact of these on the overall transportation network.
- **Transportation and Land Use Connection.** The transportation element should recognize that transportation policies, programs, and projects should be planned in alignment with local land use development policies. Future transportation investments should similarly be matched with appropriate land use policies.

(b) Develop a strategy for addressing any needs or opportunities identified above and integrate this strategy into the Local Comprehensive Plan's community goals, needs and opportunities and, community work, as provided in sections (1) through (3), above.

**(9) Housing Element.** (Required for Community Development Block Grant Entitlement Communities, optional but encouraged for all other local governments. Updates at local discretion.) Use the following factors to evaluate the adequacy and suitability of existing housing stock to serve current and future community needs. Factors to consider include: housing types and mix, condition and occupancy, local cost of housing, cost-burdened households in the community, jobs-housing balance, housing needs of special populations, and availability of housing options across the life cycle. The analysis provided in the Consolidated Plan or similar local housing plan may be substituted for this element's analytical requirements (and should be provided appropriate reference/citation); however, applicable community goals, needs and opportunities, and work program items, as provided in sections (1) through (3), above, must be explicitly integrated into the Local Comprehensive Plan.

Statutory Authority, O.C.G.A. 50-8-7.1(b)

## CHAPTER 110-12-1-.04 PROCEDURES

### 110-12-1-.04 Procedures.

**(1) Preparation, Transmittal and Review of the Comprehensive Plan.** All required hearings should be handled in a manner that is consistent with any locally-adopted ordinances or other customary processes regarding the conduct of public hearings. The Department recommends that any community which must include a Land Use Element in its plan pursuant to section 110-12-1-.03(7) should comply with the Zoning Procedures Law (O.C.G.A. § 36-66-1, et seq.). Failure to handle public hearings appropriately may undermine the legal validity of the local comprehensive plan. Documentation of the required public hearings (e.g., a copy of the “tear sheet” advertising the hearing in the local newspaper, a sign-in sheet from the hearing, etc.) must be included in the appendix of community involvement activities discussed in section 110-12-1-.02(2)(d).

**(a) First Required Public Hearing.** A first public hearing must be held at the inception of the local planning process. The purpose of this hearing is to brief the community on the process to be used to develop the plan, opportunities for public participation in development of the plan, and to obtain input on the proposed planning process. Once public comments have been addressed, the community may begin the process of developing the plan.

**(b) Developing the Plan - Community Involvement.** Each element of the plan must be prepared with considerable opportunity for involvement and input from stakeholders, local leadership, and the general public, following the process specified in section 110-12-1-.02(2). This will help ensure that the plan reflects the full range of community needs and values and that the plan will be implemented, because citizens and leadership that are involved in plan development are likely to become committed to seeing it through.

**(c) Second Public Hearing.** A second public hearing must be held once the plan has been drafted and made available for public review, but prior to its transmittal to the Regional Commission for review. The purpose of this hearing is to brief the community on the contents of the plan, provide an opportunity for residents to make final suggestions, additions or revisions, and notify the community of when the plan will be submitted to the Regional Commission for review. Once public comments have been addressed, the plan must be transmitted to the Regional Commission with the cover letter provided at section 110-12-1-.02(3).

**(d) Submittal for Review.** Upon completion, the local government must transmit its plan to the Regional Commission for review. Once received, the Regional Commission shall immediately forward the plan to the Department for review, indicating the date the plan was received from the local government. This date of submittal for review is the beginning of the plan review process.

**(e) Notification of Interested Parties.** Once the Regional Commission has accepted the plan for review, it shall immediately notify interested parties of the availability of the plan for review and comment, providing the name of the local government, the general nature of the plan and a deadline by which comments must be returned to the Regional Commission. At minimum, interested parties shall include:

- Local governments inside or outside the Regional Commission's region that are contiguous to the submitting local government, and other local governments that are likely to be affected by the plan;
- Any local authorities, special districts, or other entities identified in evaluating intergovernmental coordination mechanisms and processes (if applicable);
- Regional Commissions that are contiguous to the local government or that are likely to be affected by the plan; and
- Affected state agencies, including the Department of Transportation, the Department of Natural Resources, the Georgia Environmental Facilities Authority, and the Department.

The Regional Commission may (at its sole discretion) conduct a hearing at which any local government, Regional Commission or other local, regional, or state agency may present its views on the plan. The rules for conducting such hearings shall be as approved and adopted by the Council of the Regional Commission.

**(f) Regional Commission Review.** The Regional Commission shall review the plan for potential conflicts with plans of neighboring jurisdictions, opportunities for interjurisdictional/regional solutions to common issues, and consistency with the adopted regional plan for the region.

**(g) Department Review.** The Department shall review the required elements of the plan for compliance with the Minimum Standards and Procedures. This review may result in identification of deficiencies that must be resolved before the plan can be approved. The Department may also provide advisory comments to the community and/or the plan preparer (if the plan was prepared by some other party) which are intended to improve the usefulness of the submitted plan and other, future plans. Such advisory comments shall not prevent a local government from adopting an otherwise compliant local comprehensive plan. The Department's findings and recommendations resulting from its review shall be transmitted to the Regional Commission for inclusion in the final report within 35 days after submittal for review.

**(h) Report of Findings and Recommendations.** Within 40 days after submittal for review, the Regional Commission must transmit a report of findings and recommendations to the local government and a copy of which shall be provided to the Department. This report must include:

- Comments submitted by interested parties that reviewed the plan and (if applicable) a summary of the regional review hearing, detailing any significant issues raised;
- The Regional Commission's findings from its Intergovernmental and Consistency review of the plan and its recommendations for addressing these findings; and
- A copy of the Department's findings and recommendations resulting from its review of the plan.

**(i) Plan Revisions.** If the Report of Findings and Recommendations indicates that the plan is not yet in compliance with the Minimum Standards and Procedures, the local government must address any requested changes by revising the plan and resubmitting it

to the Regional Commission for review. Once the plan is resubmitted for review, both the Department and the Regional Commission will complete their review and respond to the local government as soon as possible. This process of revision and review can be repeated until the plan is found to be in compliance with the Minimum Standards and Procedures.

**(j) Adoption of the Plan.** Once the plan has been found by the Department to be in compliance with the Minimum Standards and Procedures, the local governing body may adopt the approved plan. In order to maintain Qualified Local Government certification, the local government must adopt the approved plan. If the local government fails to adopt the plan within one year after the plan is found to be in compliance with the Minimum Standards and Procedures, it will be necessary to resubmit the plan for review as provided at 110-12-1-.04(1)(d).

**(k) Notification of Local Adoption.** Within seven days of local adoption of the approved plan, the local government must provide an executed copy of the adoption resolution and an as-adopted version of the plan to the Regional Commission. Within seven days of receipt of this written notice, the Regional Commission must forward these documents to the Department.

**(l) Qualified Local Government Certification.** Once the Department has been notified by the Regional Commission that a local government has adopted the approved plan, the Department will notify the local government that Qualified Local Government certification has been extended.

**(m) Publicizing the Plan.** Once adopted by the local government, the availability of the plan must be publicized by the local government for public information. This requirement may be met by providing notice in a local newspaper of general circulation, posting notice on the local government's website, or using similar means to notify the public of plan adoption and directing them where a complete copy of the plan may be reviewed.

**(2) Maintaining the Plan.** Local governments are responsible for maintaining their plans to accurately reflect current community conditions and the community's goals and priorities for the future. Maintenance of the plan includes plan amendments and regular updates of the plan.

**(a) Plan Amendments.** The local government determines when a plan amendment is necessary to address changing circumstances that may have detracted from the usefulness of the plan as a guide to local decision-making. Any amendment which, in the judgement of the Department, may impact the compliance of any comprehensive plan component within these standards may be required to follow the submittal and review procedures outlined in section 110-12-1-.04(1). Guidance on the applicability of this requirement may be sought from the appropriate regional commission and/or the Department.

**(b) Plan Updates.** The elements of the comprehensive plan identified in Chapter 110-12-1-.03 as requiring 5-year updates must be updated every five years in accordance with the recertification schedule maintained by the Department. If significant changes have occurred in community conditions (e.g., if the data upon which the plan is based has become significantly outdated, or the community's goals have changed), a more

extensive update of other elements of the plan may be called for. A comprehensive plan update shall include update of all elements specified for five-year update in Chapter 110-12-1-.03 plus:

- A new Community Work Program (which includes the project which are included in the Capital Improvements Element) covering the five-year period beginning at the time the plan update is adopted as provided at section 110-12-1-.03(1)(j). And,
- A report of accomplishments that describes the current status of each activity in the previous Community Work Program (which includes the Capital Improvements Program). At a minimum, local governments must indicate which activities that:
  - Have been completed;
  - Are currently underway (including a projected completion date);
  - Have been postponed (explaining why and when it will be resumed); or
  - Have been cancelled and are no longer activities the local government intends to undertake (explaining why).

Any activities reported as “underway” or “postponed” must be reflected in the new Community Work Program or elsewhere in the comprehensive plan update, as appropriate.

**(c) Submittal and Review Procedures for Plan Updates.** Plan Updates and, when necessary, Plan Amendments shall be reviewed following the submittal and review procedures outlined in section 110-12-1-.04(1).

**(d) Service Delivery Strategy Review.** The update schedule for required five-year updates to each county comprehensive plan required by paragraph (b) of this section shall serve as the basis for a ten-year update schedule for the review of service delivery strategy agreements required by Code Section 36-70-28 (b)(1) such that each service delivery strategy agreement shall be reviewed after every other five-year county comprehensive plan update beginning with the most recent update.

**(3) Variances.** A request for alternative planning requirements or a variance from particular requirements in these rules must be submitted to the Department in writing by the local government and its Regional Commission, and must provide sufficient documentation to substantiate the request.

Variance requests specifically asking only for time extensions to complete plans or plan updates will be granted only under the following conditions:

- (a)** If the preparation of a plan or plan update is substantially complete at the time revised Minimum Standards and Procedures take effect and the local government desires to change its plan or major plan update to conform to the new requirements. Generally, such variance will only be granted if the local government's recertification date falls within 12 months after the effective date for the revised Minimum Standards and Procedures.
- (b)** If events beyond the local government's control have occurred (e.g., a natural disaster that affects the local government's jurisdiction or a fire that substantially damages the local government's planning or administrative offices, etc.) and the local government is

under extraordinary stress in coping with this compelling situation.

**(4) Mapping Requirements.** If either a Character Areas Map or Future Land Use Map is included in the plan, this must be submitted to the appropriate regional commission and the Department in a GIS digital vector data format simultaneously with the comprehensive plan. To facilitate the preparation of these and other maps that may be included in the plan. It is recommended that plan preparers use these maps, but if other maps are used, they must meet the following requirements:

**(a) Digital Format.** Maps submitted in digital form must be provided as digital vector map products, using the shapefile format via a Department-approved exchange media or electronic transfer method.

**(b) Base Maps.** Base or reference maps must equal or exceed the scale, accuracy, precision, and feature content of the equivalent map made available by the Department. They must use the Georgia Coordinate System of 1985 as defined in the O.C.G.A. 44-4-20 through 44-4-31, or use latitude and longitude coordinates based on the North American Datum of 1983.

**(c) Boundaries.** All administrative or political boundaries on maps submitted to the Department must include the latest available boundaries from the U.S. Census Bureau. In the event that the U.S. Census boundary map provided on the Department's website does not represent current municipal boundaries, due to recent annexations or de-annexations that have not yet been reported through the official U.S. Census Boundary and Annexation Survey update process, the plan preparer must use the most accurate representation of boundaries available. However, in cases where it is necessary to submit such alternate boundaries to the Department, the affected municipality is advised that O.C.G.A. 36-36-3 requires cities to report all annexations to the Department. Consequently, the municipality will be expected to participate in the next annual U.S. Census Boundary and Annexation Survey to reconcile these differences in their boundary map.

Statutory Authority, O.C.G.A. 50-8-7.1(b)

## CHAPTER 110-12-1-.05 DEFINITIONS

**110-12-1-.05 Definitions.** For the purpose of these rules, the following words shall have the meaning as contained herein unless the context does not permit such meaning. Terms not defined in these rules but defined in O.C.G.A. 50-8-1, et seq., or O.C.G.A. 50-39-1 shall have the meanings contained therein. Terms not defined in these rules, nor in O.C.G.A. 50-8-1, et seq., or O.C.G.A. 50-39-1 shall have ascribed to them the ordinary accepted meanings such as the context may imply. For the purpose of these rules, the terms “shall” and “must” have the same meaning, are mandatory in nature, and are indicative of a requirement. The following terms and definitions shall be used to guide the implementation of the comprehensive planning process.

- (1) ‘Character Area’ means a specific geographic area or district within the community that:
- has unique or special characteristics to be preserved or enhanced (such as a downtown, a historic district, and arts district, a neighborhood, or a transportation corridor);
  - has potential to evolve into a unique area with more intentional guidance of future development through adequate planning and implementation (such as a strip commercial corridor that could be revitalized into a more attractive village development pattern); or
  - requires special attention due to unique development issues (rapid change of development patterns, economic decline, etc.).

Each character area is a planning sub-area within the community where more detailed, small-area planning and implementation of certain policies, investments, incentives, or regulations may be applied in order to preserve, improve, or otherwise influence its future development patterns in a manner consistent with the Community Goals.

(2) ‘Community’ means the local jurisdiction (county or municipality) or group of local jurisdictions (in the case of a joint plan) that are preparing a local plan.

(3) ‘Comprehensive Plan’ means plan meeting these Minimum Standards and Procedures. The comprehensive plan must be prepared pursuant to the Minimum Standards and Procedures for preparation of comprehensive plans and for implementation of comprehensive plans, established by the Department in accordance with O.C.G.A. 50-8-7.1(b) and 50-8-7.2.

(4) ‘Comprehensive Planning Process’ means planning by counties or municipalities in accordance with the Minimum Standards and Procedures.

- (5) ‘Conflict’ means any conflict, dispute, or inconsistency arising:
- Between or among plans, or components thereof, for any counties or municipalities, as proposed, prepared, proposed to be implemented, or implemented;
  - Between or among plans for any regions, as proposed, prepared, proposed to be implemented, or implemented;
  - Between or among plans, or components thereof, for any counties or municipalities and plans for the region which include such counties or municipalities, as such plans are proposed, prepared, proposed to be implemented, or implemented;

- With respect to or in connection with any action proposed to be taken or taken by any county, municipality, or other local government relating to or affecting regionally important resources, as defined by the Department; or
- With respect to or in connection with any action proposed to be taken or taken by any county, municipality, or other local government relating to or affecting developments of regional impact, as defined by the Department.

**(6)** ‘Core Elements’ means the Community Goals, Needs and Opportunities, Broadband Element, and Community Work Program. These are the primary elements that must be included, at a minimum, in each community’s Comprehensive Plan.

**(7)** ‘County’ means any county of this state.

**(8)** ‘Days’ means calendar days, unless otherwise specified.

**(9)** ‘Density’ means an objective measurement of the number of people or residential units allowed per unit of land, such as dwelling units per acre.

**(10)** ‘Department’ means the Department of Community Affairs established under O.C.G.A. 50-8-1.

**(11)** ‘Governing Body’ means the board of commissioners of a county, sole commissioner of a county, council, commissioners, or other governing authority of a county or municipality.

**(12)** ‘Infrastructure’ means those man-made structures which serve the common needs of the population, such as: sewage disposal systems; potable water systems; potable water wells serving a system; solid waste disposal sites or retention areas; stormwater systems; utilities; piers; docks; wharves; breakwaters; bulkheads; seawalls; bulwarks; revetments; causeways; marinas; navigation channels; bridges; and roadways.

**(13)** ‘Local Government’ means any county, municipality, or other political subdivision of the state.

**(14)** ‘Metropolitan Planning Organization’ means the federally designated agencies created in urban areas containing more than 50,000 people that are charged with conducting comprehensive, coordinated planning processes to determine the transportation needs of their respective constituencies, and prioritizing and programming projects (including bicycle and pedestrian projects) for federal funding.

**(15)** ‘Minimum Standards and Procedures’ means the Minimum Standards and Procedures, including the minimum elements which shall be addressed and included, for preparation of comprehensive plans, for implementation of comprehensive plans, for updates of comprehensive plans including update schedules, and for participation in the coordinated and comprehensive planning process.

**(16)** ‘Mediation’ means the process to be employed by the Department and Regional Commissions for resolving conflicts which may arise from time to time in the comprehensive planning process. Procedures and guidelines to govern mediation are as established by the Department pursuant to O.C.G.A. 50-8-7.1(d).

- (17) ‘Municipality’ means any municipal corporation of the state and any consolidated government of the state.
- (18) ‘Plan’ means the comprehensive plan for any county or municipality.
- (19) ‘Plan amendment’ means a change to the adopted plan that occurs between plan updates. Amendments of the adopted plan are appropriate when the conditions, policies, etc., on which the plan is based, have significantly changed so as to materially detract from the usefulness of the plan as a guide to local decision making, or when required by the Department as a result of changes to the Minimum Standards and Procedures.
- (20) ‘Plan update’ means a more or less complete re-write of the plan, which shall occur approximately every five years, in accordance with the recertification schedule maintained by the Department.
- (21) ‘Planning’ means the process of determining actions which state agencies, Regional Commissions, and local governments propose to take.
- (22) ‘Qualified Local Government’ means a county or municipality that adopts and maintains a comprehensive plan as defined in these Minimum Standards and Procedures.
- (23) ‘Regional Commission’ means a Regional Commission established under O.C.G.A. 50-8-32.
- (24) ‘Regional Plan’ means the comprehensive plan for a region prepared by the Regional Commission in accordance with the standards and procedures established by the Department.
- (25) ‘Rules for Environmental Planning Criteria’ means those standards and procedures with respect to natural resources, the environment, and vital areas of the state established and administered by the Department of Natural Resources pursuant to O.C.G.A. 12-2-8, including, but not limited to, criteria for the protection of water supply watersheds, groundwater recharge areas, wetlands, protected mountains and protected river corridors.
- (26) ‘Service Delivery Strategy’ means the intergovernmental arrangement among municipal governments, the county government, and other affected entities within the same county for delivery of community services, developed in accordance with the Service Delivery Strategy law. To ensure consistency between the plan and the agreed upon strategy: (1) the services to be provided by the local government, as identified in the plan, cannot exceed those identified in the agreed upon strategy and (2) the service areas identified for individual services that will be provided by the local government must be consistent between the plan and Strategy. As provided in Code Section 36-70-28 (b)(1), Service Delivery Strategies must be reviewed, and revised if necessary, in conjunction with county comprehensive plan updates.
- (27) ‘Supplemental Planning Recommendations’ means the supplemental recommendations provided by the Department to assist communities in preparing plans and addressing the Minimum Standards and Procedures. The plan preparers and the community are encouraged to review these recommended best practices where referenced in the Minimum Standards and Procedures and choose those that have applicability or helpfulness to the community and its planning process.

**(28)** ‘Update Schedule’ means: the schedule or schedules for updating comprehensive plans on an annual or five-year basis as provided for in paragraph (2)(b) of Section 110-12-1-.04 of these Rules. The term “Update Schedule’ also means an additional schedule for the review of Service Delivery Strategy agreements by counties and affected municipalities on a ten-year basis in conjunction with comprehensive plan updates.

Statutory Authority, O.C.G.A. 50-8-7.1(b)

# COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

**Wording for the Agenda:**

Consideration of staff's recommendation to award Bid #2010-B Contractor Resurfacing FY21 to Atlanta Paving and Concrete, Inc. in the amount of \$1,798,111.68.

**Background/History/Details:**

Country Lakes Estates Subdivision asphalt pavement is currently failing and needs maintenance. This bid package repairs substructure of the roads that were constructed without rock base and resurfaces all the roads in the 4.6 mile subdivision.

The base repair on seven (7) roads will be done using the process of Full Depth Reclamation which mixes the existing asphalt and added cement into the current dirt base. The remaining eight (8) roads will be surfaced milled. Once completed all roads will meet current county road typical specifications with base, binder and topping.

All work is being done by Georgia Department of Transportation Specifications.

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

Approval to award Bid #2010-B Contractor Resurfacing FY21 to Atlanta Paving and Concrete, Inc. in the amount of \$1,798,111.68.

**If this item requires funding, please describe:**

There is funding available in the Road Department's account #37540220-541210-204AC for this project.

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:**



**Purchasing Department**  
 140 Stonewall Avenue West, Ste 204  
 Fayetteville, GA 30214  
 Phone: 770-305-5420  
 www.fayettecountyga.gov

To: Steve Rapson

From: Ted L. Burgess *T.L.B.*

Date: October 28, 2021

**Subject: Invitation to Bid #2010-B Country Lake Estates FDR Project**

Country Lake Estates subdivision roads are scheduled to be re-surfaced. Seven of the roads will involve full depth reclamation, re-using and mixing existing asphalt with additional cement. The other eight roads are to be surface milled and resurfaced.

The Purchasing Department issued Invitation to Bid #2010-B, Country Lake Estates FDR Project. Notice of the opportunity was emailed to 24 companies. Another 435 were contacted through the web-based Georgia Procurement Registry, who were registered under commodity codes 91371 Maintenance & Repair, Highway & Roads), 91384 (Maintenance & Repair, Streets, Major & Residential), 91395 (Paving & Resurfacing, Highway & Road), and 91396 (Paving & Resurfacing, Streets, Major & Residential). The offer was also advertised through Fayette News, Georgia Local Government Access Marketplace, the county website, and Channel 23.

Seven companies attended a mandatory pre-bid conference. Four of the attending companies submitted bids (Attachment 1). The Road Department recommends awarding the overall lowest responsive bidder Atlanta Paving & Concrete Construction, Inc. in the amount of \$1,798,111.68. A Contractor Performance Evaluation is attached for work previously done by this company (Attachment 2).

Specifics of the proposed contract are as follows:

<b>Contract Name</b>	#2010-B: Country Lake Estates FDR Project	
<b>Vendor</b>	Atlanta Paving & Concrete Construction, Inc.	
<b>Not-to-Exceed Amount</b>	\$1,798,111.68	
<b>FY 2022 Budget:</b>		
Fund	375	General Fund
Org Code	37540220	Road Department
Object	541210	Other Improvements
Project	204AC	Country Lake Estates Subdivision Rehabilitation
Available	\$1,914,510.00 As of 10/12/2021	

## ATTACHMENT 1

## ITB #2010-B: COUNTRY LAKE ESTATES FDR

DESCRIPTION	UNIT	ESTIMATED QUANTITY	ER Snell Contractor, Inc		BLOUNT Construction Company, Inc		CW Matthews Contracting Co., Inc.		Atlanta Paving & Concrete Construction, Inc	
			UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE
Mobilization	LS	1	\$52,000.00	\$52,000.00	\$32,796.19	\$32,796.19	\$9,988.00	\$9,988.00	\$50,000.00	\$50,000.00
Traffic Control	LS	1	265,000.00	265,000.00	138,895.04	138,895.04	142,144.63	142,144.63	39,000.00	39,000.00
Full Depth Reclamation	SY	29,669	15.10	448,001.90	10.94	324,578.86	13.83	410,322.27	13.02	386,290.38
Cement	TN	593	177.00	104,961.00	200.10	118,659.30	162.50	96,362.50	162.00	96,066.00
Binder layer 19mm @	TN	5,055	73.00	369,015.00	86.87	439,127.85	79.92	403,995.60	90.82	459,095.10
Mill Patching 19mm @	TN	1,315	152.00	199,880.00	148.28	194,988.20	127.14	167,189.10	135.00	177,525.00
9.5mm Type 2 @ 165l	TN	5,095	84.00	427,980.00	93.16	474,650.20	89.62	456,613.90	93.54	476,586.30
Tack	GAL	7,115	1.00	7,115.00	3.18	22,625.70	2.20	15,653.00	3.50	24,902.50
Surface Milling	SY	29,160	5.00	145,800.00	5.83	170,002.80	4.95	144,342.00	3.04	88,646.40
<b>TOTAL NOT TO EXCEED PROJECT PRICE</b>				\$2,019,752.90		\$1,916,324.14		\$1,846,611.00		\$1,798,111.68

## FAYETTE COUNTY, GEORGIA CONTRACTOR PERFORMANCE EVALUATION

Page 1

1. Use this form to record contractor performance for any contract of \$50,000 or above.
2. The person who serves as project manager or account manager is the designated party to complete the evaluation.
3. This form is to be completed and forwarded to the Purchasing Department not later than 30 days after completion or expiration of a contract. Past performance is considered on future contracts.

**VENDOR INFORMATION****COMPLETE ALL APPLICABLE INFORMATION**

Company Name: <b>Atlanta Paving &amp; Concrete Construction</b>	Contract Number: <b>#1821-B</b>
Mailing Address: <b>6825 Jimmy Carter Blvd.</b>	Contract Description or Title: <b>Annual Contract for Asphalt Milling</b>
City, St, Zip Code: <b>Norcross, Ga. 30071</b>	Contract Term (Dates) From: <b>7/1/2020</b> To: <b>current (06/30/2021)</b>
Phone Number: <b>770-220-0228</b>	Task Order Number: <b>NA</b>
Cell Number: <b>770-710-9990</b>	Other Reference: <b>Renewal 1</b>
E-Mail Address: <b>mneese@atlantapaving.com</b>	

**DEFINITIONS**

**OUTSTANDING** – Vendor considerably exceeded minimum contractual requirements or performance expectations of the products/services; The vendor demonstrated the highest level of quality workmanship/professionalism in execution of contract.

**EXCELLENT (Exc)** - Vendor exceeded minimum contractual requirements or performance expectations of the products/services.

**SATISFACTORY (Sat)** - Vendor met minimum contractual requirements or performance expectations of the products/services.

**UNSATISFACTORY (UnSat)** - Vendor did not meet the minimum contractual requirements or performance expectations of the products and/or services; Performed below minimum requirements

**EVALUATIONS (Place "X" in appropriate box for each criterion.)**

Criteria (includes change orders / amendments)	Out-standing	Exc	Sat	Un-Sat	Not Apply
1. Work or other deliverables performed on schedule			X		
2. Condition of delivered products			X		
3. Quality of work			X		
4. Adherence to specifications or scope of work			X		
5. Timely, appropriate, & satisfactory problem or complaint resolution			X		
6. Timeliness and accuracy of invoicing		X			
7. Working relationship / interfacing with county staff and citizens			X		
8. Service Call (On-Call) response time			X		
9. Adherence to contract budget and schedule			X		
10. Other (specify):					X
11. Overall evaluation of contractor performance			X		

**EVALUATED BY**

Signature: 	Date of Evaluation: <b>6/9/2021</b>
Print Name: <b>Steven L. Hoffman</b>	Department/Division: <b>Road</b>
Title: <b>Director</b>	Telephone No: <b>770-320-8012</b>

**Purchasing Department**

140 Stonewall Avenue West, Ste 204  
 Fayetteville, GA 30214  
 Phone: 770-305-5420  
 www.fayettecountyga.gov

To: Steve Rapson

Through: Ted Burgess *TB*

From: Natasha Duggan *ND*

Date: August 30, 2021

Subject: Contract #1431-P: Transportation Engineer of Record  
 Task Order #52: SR 85 @ Hwy. 85 Connector – Signal Warrant Analysis & Design Services

The current Transportation Engineer of Record, CROY Engineering, has issued Task Order 52 to provide a signal at the intersection of SR85 @ Hwy. 85 Connector. The tasks to be completed for this project include:

<u>Task</u>	<u>Cost</u>
Signal Warrant and ICE analysis	\$6,265 ✓
Signal Permitting	35,730 ✓
Engineering Design & Construction Plans	63,550 ✓
QA/QC	5,280 ✓
Signal & Intersection Design Services	<del>6,600</del>
	<u>\$117,425 ✓</u>

Specifics of the proposed Task Order are as follows:

<b>Contract Name</b>	#1431-P: Transportation Engineer of Record	
<b>Contractor</b>	CROY Engineering, LLC	
<b>Task Order</b>	52 – SR 85 @ Hwy. 85 Connector – Signal Warrant Analysis & Design Services	
<b>Not to Exceed Amount</b>	\$117,425.00	
<b>Budget:</b>		
Fund	321	2004 SPLOST
Org	32140220	SPLOST Road Department
Object	541210	Other Improvements
Project	R-20	SR85 Widening Bernhard
Available Budget	\$250,000.00	As of 8/27/2021

Approved by: \_\_\_\_\_

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

8/31/2021

# Task Order

**Contract Number:** 1431-P

**Task Order Number:** 52

**Contract Name:** Transportation Engineer of Record

**Contractor:** Croy Engineering

This Task Order is issued by Fayette County, Georgia in accordance with the above-named Contract and as described in the accompanying of the task(s).

**Task Order Description:**

To include: Task Order # 52 – SR 85 @ Hwy 85 Connector – Signal Warrant Analysis and Design Services  
Fayette County Project Number: TBD

**Fayette County’s Task Order Manager:**

Name: Phil Mallon Phone: 770-305-5229 Email: pmallon@fayettecountyga.gov

**Task Orders Not-To-Exceed Price:**

**\$117,425**

**Task Order # 52**

**CONTRACTOR:**

**FAYETTE COUNTY, GEORGIA:**

Signature: 

Signature: 

Print Name: Chris Rideout

Print Name: Steve Rapson

Title: Program Manager

Title: County Administrator

Date: 08/24/2021

Date: 8/31/2021

Scope of Work - Task Order # 52  
SR 85 @ Hwy 85 Connector – Signal Warrant Analysis  
August 24, 2021



---

# **Proposal to Fayette County for Task Order # 52 SR 85 @ Hwy 85 Connector – Signal Warrant Analysis and Design Services**

*Submitted to:*

Fayette County  
Fayette County Georgia Administrative Complex  
140 Stonewall Ave. West, Suite 203  
Fayetteville, Georgia 30214

Phil Mallon  
Email: [pmallon@fayettecountyga.gov](mailto:pmallon@fayettecountyga.gov)  
Phone: (770) 320-6009

*Submitted by:*

Croy Engineering  
200 Cobb Parkway North  
Building 400, Suite 413  
Marietta, Georgia 30062

Chris Rideout  
Email: [crideout@croyengineering.com](mailto:crideout@croyengineering.com)  
Phone: (770) 971-5407

August 24, 2021



## A. Introduction

A project identified in the 2004 Special Purpose Local Option Sales Tax (SPLOST) program for Fayette County is to, if deemed appropriate, provide a signal at the intersection of SR 85 @ Hwy 85 Connector. Funding for this project is through the SPLOST program although assistance may be sought from GDOT. If GDOT and/or Federal funding is provided, additional design fees will be required to take the project through GDOT's PDP process.

These detailed design efforts are being performed under Croy Engineering, LLC's (Croy) Transportation Engineer of Record (# 1431-P) contract with Fayette County.

Tasks to be completed for this project include:

- Signal Warrant & ICE Analysis
- Signal Permitting
- Signal & Intersection Design Services

The Scope of Work, Project Cost and Assumptions are detailed below.



## B. Scope of Work

Croy's scope of work for this Task Order includes the items described below.

### **Task 1: Signal Warrant and ICE Analyses**

#### *Task 1.1 Traffic Data Collection*

The primary traffic signal warrants are based on volumes particularly those from the minor street, in this case the Hwy 85 Connector. A 12-hour turning movement count (TMC) will be conducted at the intersection during a weekday. In addition, a 24-hour vehicle classification count will be performed on all approaches. This effort will be performed by a subconsultant.

#### *Task 1.2 Traffic Volume Normalization*

Due to the COVID-19 pandemic and the resulting shelter-in-place order, current traffic patterns are not representative of what is typical on GA roadways. Adjustments will be made to historical TMC data plus historic traffic volume data to arrive at a more accurate estimate for 2021.

A methodology for utilizing the historic data to estimate year 2021 daily traffic levels will be developed and discussed with GDOT District 3 traffic staff. The agreed upon methodology and resultant traffic volumes will be incorporated in the analyses.

#### *Task 1.3 Signal Warrant and ICE Analyses*

Prior to changing the existing traffic control at an intersection GDOT requires an Intersection Control Evaluation (ICE) analysis. This analysis will be performed at the intersection of SR 85 and the Hwy 85 Connector following the policies and procedures for GDOT's ICE analysis.

In conjunction with the ICE analysis, a signal warrant analysis will be performed that follows the policies articulated in the Federal Highway Administration's Manual on Uniform Traffic Control Devices (MUTCD). Each of the nine warrants, which includes obtaining crash records and performing an analysis, in the MUTCD will be evaluated to determine if signal warrants are met.

A brief report will be developed and submitted that contains the data used in the analyses; methodologies and techniques for performing the analyses; traffic engineering software outputs; and recommendation.

**If signal warrants are met, Croy will seek written authorization from Fayette County prior to starting Task 2.**



## **Task 2: Signal Permitting**

### *Task 2.1 Site Survey*

A field survey will be conducted to obtain a topographic survey to clearly define contours for the proposed site area with 1-foot contour intervals. Vertical data shall be based on NAVD 88 and Horizontal Datum based on NAD 83 State Plane Coordinate System.

Improvements will be located within and on the approaches to the intersection. This includes roads, paths, buildings, utilities based on an 811 call, curb lines, trees, hardscape features, sidewalks, ground elevations, traffic paint, ingress/egress, and any other above-ground visible improvements.

For purposes of this Task Order, the “project limits” shall extend a minimum of 500 feet along each of the three approaches to the intersection and minimum of 100 feet from existing road centerline (both sides). At a minimum, the survey database shall include:

- All information required by GDOT;
- Establish R/W and easements within the project limits;
- Establish tree lines, specimen trees, landscape areas, etc. within the project limits.
- Capture topography within project limits; and
- Identify all improvements within the project limits.

Available public utility records, private utility company records, and facility utility records will be researched to determine the existence of all underground utilities within the area shown on the provided site plan.

All the traceable underground utilities including gravity fed sanitary sewer and storm lines within the area shown on the prepared site plan will be identified per the above ground features and an 811 call.

Croy shall provide a site report and APWA color-coded markup of all underground utilities, showing the size, type, material, and controlling entity (including contact person and phone number) of each utility found. The report shall also include specifics as to why any utility whose known presence was not marked, or not completely marked in the project site area.

#### *Deliverables:*

*Site report deliverable shall be in PDF and DWG format.*

*Copies of research information found and/or provided by utility companies upon request.*

*Digital Terrain Model (DTM) suitable for design purposes*



*Task 2.2 Signal Permit Plans and GDOT Coordination*

Develop signal plan showing location of and identifying all equipment, signal phasing, signs, and pavement markings.

Along with the ICE and Signal Warrant Analyses, the 30-scale plan will be submitted to GDOT District 3 and Traffic Operations as the signal permit application package.

**Upon approval of the signal permit package, Croy will seek written authorization from Fayette County prior to starting Task 3.**

**Task 3. Engineering Design and Construction Plans**

*Croy Engineering* will provide design plans based on the approved Signal Warrant analysis which will include the following:

- Prepare Cover and General Notes sheets
- Prepare typical roadway sections and mainline plans
- Prepare driveway profiles
- Prepare drainage design, calculations, and storm pipe profiles
- Prepare roadway cross-sections
- Prepare signing and marking plans
- Incorporate Signal plans prepared in Task 2
- Prepare erosion and sediment control plans
- Coordinate with existing utility owners and prepare utility plans
- Calculate plan quantities
- Prepare engineer's construction cost estimates
- Submit plans for review by County Staff, EPD, and any other appropriate agency
- Prepare encroachment permit for GDOT approval
- Revise plans based on received comments from County and other agencies

The project limits of a traffic signal and intersection improvements may overlap with the project limits of GDOT's SR 85 bridge replacement over Whitewater Creek (GDOT PI 013734). As part of this Task Order, Croy will coordinate with GDOT and identify possible points of conflict.

*Deliverable: Biddable set of construction plans*

Scope of Work - Task Order # 52  
 SR 85 @ Hwy 85 Connector – Signal Warrant Analysis  
 August 24, 2021



#### **Task 4. Quality Assurance/Quality Control**

Croy Engineering will provide quality control and assurance to ensure that all deliverables are accurate, coordinated, checked, and conform to applicable regulations and requirements.

#### **Task 5. Program Management**

In support of the design process, program management efforts will need to be conducted between Fayette County and Croy.

## **C. Project Cost**

An estimate for the Task Order costs is provided in the following table. The tasks and fees may be subject to change upon agreement between Fayette County and Croy.

SR 85 & Hwy 85 Connector		
Task #	Description	Cost
1	Signal Warrant & ICE Analysis	
	Task 1.1	\$1,070
	Tasks 1.2 & 1.3	\$5,195
	<b>Total Task 1</b>	<b>\$6,265</b>
2	Signal Permitting	
	Task 2.1	\$21,150
	Task 2.2	\$14,580
	<b>Total Task 2</b>	<b>\$35,730</b>
3	Engineering Design & Construction Plans	
	<b>Total Task 3</b>	<b>\$63,550</b>
4	QA/QC	
	<b>Total Task 4</b>	<b>\$5,280</b>
5	Program Management	
	<b>Total Task 5</b>	<b>\$6,600</b>
<b>Total</b>		<b>\$117,425</b>



## D. Project Schedule

The schedule below shows the projected duration to accomplish the tasks; because the date of the Notice to Proceed is unknown, specific dates for tasks' completion are not given.

Task	Month												
	1	2	3	4	5	6	7	8	9	10	11	12	
<b>Task 1: Signal Warrant and ICE Analyses</b>	█	█	█	█									
<b>Task 2: Signal Permitting</b>				█	█	█	█						
<b>Task 3: Engineering Design and Construction Plans</b>							█	█	█	█	█	█	█
<b>Task 4: QA/QC</b>				█			█			█			█
<b>Task 5: Program Management</b>	█	-	-	-	-	-	-	-	-	-	-	-	█



**Purchasing Department**  
140 Stonewall Avenue West, Ste 204  
Fayetteville, GA 30214  
Phone: 770-305-5420  
www.fayettecountyga.gov

To: Steve Rapson  
Through: Ted L. Burgess *TB*  
From: Sherry White *SW*  
Date: September 23, 2021  
Subject: Contract #1815-A: Dust Control Services – Renewal 1  
Change Order 1

The county contracts with South Eastern Road Treatment, Inc. to provide a road stabilizing dust control agent on specified county dirt roads. This is an annual contract coinciding with the county’s fiscal year. The contract has two one year renewal options. This Change Order 1 is for increase of mileage covered by the dust control agent.

At the end of Fiscal Year 2021 the Road Department proposed adding additional dirt roads to the contract with South Eastern Road Treatment, Inc. for Fiscal Year 2022. A Contract Performance Evaluation for previous work is attached. (Attachment 1)

Specifics of the proposed contract are as follows:

<b>Contract Name</b>	#1815-A: Dust Control Services
<b>Contractor</b>	South Eastern Road Treatment, Inc.
<b>Contract Type</b>	Fixed Unit Price (\$1.05 per gallon)
<b>Initial Contract amount</b>	\$102,199.65
<b>This Change Order</b>	<u>20,440.35</u>
<b>Revised Contract Amount</b>	\$122,640.00

<b>Budget:</b>		
Org Code	10040220	Road
Object	521316	Technical Services
Available Budget	\$ 2,433,670.90	As of 9/23/2021

Approved by: *[Signature]* Date: 9/23/21

## FAYETTE COUNTY, GEORGIA CONTRACTOR PERFORMANCE EVALUATION

Page 1

1. Use this form to record contractor performance for any contract of \$50,000 or above.
2. The person who serves as project manager or account manager is the designated party to complete the evaluation.
3. This form is to be completed and forwarded to the Purchasing Department not later than 30 days after completion or expiration of a contract. Past performance is considered on future contracts.

VENDOR INFORMATION	COMPLETE ALL APPLICABLE INFORMATION
Company Name: South Eastern Road Treatment, Inc.	Contract Number: 1486-A
Mailing Address: PO Box 1058	Contract Description or Title: Dust Control Services
City, St, Zip Code: Evans, GA 30809	Contract Term (Dates) From: 7/1/2018-6/30/2020
Phone Number: 706-860-1893	Task Order Number: N/A
Cell Number: 706-339-4196	Other Reference: for award of Contract 1815-A
E-Mail Address: richiea@knology.net	

### DEFINITIONS

**OUTSTANDING** – Vendor considerably exceeded minimum contractual requirements or performance expectations of the products/services; The vendor demonstrated the highest level of quality workmanship/professionalism in execution of contract.

**EXCELLENT (Exc)** - Vendor exceeded minimum contractual requirements or performance expectations of the products/services.

**SATISFACTORY (Sat)** - Vendor met minimum contractual requirements or performance expectations of the products/services.

**UNSATISFACTORY (UnSat)** - Vendor did not meet the minimum contractual requirements or performance expectations of the products and/or services; Performed below minimum requirements

### EVALUATIONS (Place "X" in appropriate box for each criterion.)

Criteria (includes change orders / amendments)	Out-standing	Exc	Sat	Un-Sat	Not Apply
1. Work or other deliverables performed on schedule			X		
2. Condition of delivered products			X		
3. Quality of work			X		
4. Adherence to specifications or scope of work			X		
5. Timely, appropriate, & satisfactory problem or complaint resolution			X		
6. Timeliness and accuracy of invoicing			X		
7. Working relationship / interfacing with county staff and citizens		X			
8. Service Call (On-Call) response time					X
9. Adherence to contract budget and schedule					X
10. Other (specify):					
11. Overall evaluation of contractor performance			X		

### EVALUATED BY

Signature: <i>Bradley Klinge</i>	Date of Evaluation: 6/26/20
Print Name: <i>Bradley Klinge</i>	Department/Division: <i>Road</i>
Title: <i>Asst. Director</i>	Telephone No: <i>6039</i>



**Purchasing Department**  
140 Stonewall Avenue West, Ste 204  
Fayetteville, GA 30214  
Phone: 770-305-5420  
www.fayettecountyga.gov

To: Steve Rapson  
From: Ted L. Burgess *TLB*  
Date: August 5, 2021  
Subject: Contract 1867-P: Water System Engineer of Record  
Task Order 22-02: Subsurface Utility Engineering, Various Sites

Arcadis U. S., Inc. currently serves as the Water System Engineer of Record. This task order will provide a subsurface utility engineering survey, including quality level "A" test holes at 22 sites within the county. The sites are either road culvert crossings or curb inlet crossings.

Documentation for each test hole will include its location, utility type and size, construction materials, condition, and depth.

Specifics of the proposed contract task order are as follows:

<b>Contract Name</b>	#1867-P: Water System Engineer of Record	
<b>Task Order</b>	#22-02: Subsurface Utility Engineering, Various Sites	
<b>Contractor</b>	Arcadis U. S., Inc.	
<b>Not to Exceed Amount</b>	\$59,700.00 ✓	
<b>Budget:</b>		
Fund	322	2017 SPLOST
Org Code	32240320	Stormwater
Object	541210	Other Improvements
Project	17SAS	Stormwater Improvements
Available	\$1,451,019	As of 8/3/2021

Approved by: *[Signature]* Date: 8/10/2021



Ms. Vanessa Tigert, P.G.  
 Director, Fayette County Water System  
 245 McDonough Road  
 Fayetteville, Georgia 30214



Arcadis U.S., Inc.  
 2839 Paces Ferry Road  
 Suite 900  
 Atlanta  
 Georgia 30339  
 Phone: 770 431 8666  
 Fax: 770 435 2666  
[www.arcadis.com](http://www.arcadis.com)

Date: July 20, 2021

Ref: Contract 1867-P Water System Engineer of Record

Subject: Task Order TO FY22-02 – Subsurface Utility Engineering (SUE),  
 Various Sites

Dear Ms. Tigert,

The Fayette County Water System (FCWS) has requested Arcadis to submit this proposal for a Task Order (TO) under Contract 1867-P Water System Engineer of Record to provide subsurface utility engineering (SUE) survey quality level “A” (QLA) test holes at twenty-two (22) sites in Fayette County. Arcadis has obtained the services of United Consulting (United) as a subconsultant to perform this work. Arcadis plans to provide project management and quality control services for this Task Order. Arcadis will leverage its expertise and knowledge in the water sector to provide technical services for FCWS.

## Background

Fayette County has requested the designation of gas and water mains in the area of the requested road crossing locations. The table below lists the proposed number of water and gas test holes and the project location.

Project Location	Proposed Number of Test Holes	
	Water	Gas
Chappell Road; two culvert locations	2	2
Ponderosa Drive	1	1
Merrydale Drive	1	1
Eastin Road	1	1
Lees Mill Road	1	1
Mackenzie Lane	1	1
Sams Drive	1	1
Ginger Cake Trail (161)	1	1
Ginger Cake Trail (261)	1	1
Tall Pine Drive	1	1
Peachtree Parkway/Bernhard Road	2	0
Ridge Way	1	1
Cedar Trail	1	1

Project Location	Proposed Number of Test Holes	
	Water	Gas
Callaway Road	2	1
Grandchester Way	1	1
Heritage Way	1	1
Angela Drive	1	1
Branchwood Court	1	1
Cross Creek Trail	1	1
North Bend Court	1	1
Ridge Brook Court	1	1
Downing Court	1	1

## Project Team

The key members of our project team are listed below. Arcadis will utilize United Consulting to perform the SUE services. Arcadis shall submit subcontractors to FCWS for approval prior to initiating any activities.

1. Aaron Capelouto, PE – Project Manager
2. Wiley Helm, EIT – Staff Water Engineer
3. Michael Diaz, PE, MS – Account Lead

## Scope of Work

Arcadis will deliver this Task Order through the completion of the tasks described in the sections below.

### Task 1: Project Management Services

Project Management will involve coordinating and oversight of the execution of the proposed tasks, tracking task budgets and schedules, as well as reviewing and ensuring the quality of the deliverables. Arcadis will charge its PM services time to the general on-call task order (TO 01 – FY 22).

The following deliverables and services will be prepared:

1. Project Scope and Budget Setup
2. Client and Internal Kick-off Meeting
3. Arcadis will hold bi-weekly progress meetings. An Agenda will be provided for each meeting one (1) business day prior to the meeting. Arcadis will provide minutes within seven (7) calendar days of the meeting.
4. Monthly Invoicing
5. Project Closeout

## Task 2: SUE Services

Task 2 includes the SUE services for this project including the QLA test holes previously mentioned. The site locations referenced above are storm drainage features that consist of either road culvert crossings or curb inlet crossings. The Utility Protection Center (UPC) will be contacted before mobilizing to designate the water and gas lines. This will allow the UPC to mark other underground utilities including telecommunications, power, and cable television while the locations of the water and gas mains are verified at each site. Based on the information provided, many of the water mains are constructed of PVC. Ground penetrating radar (GPR) will be used in addition to a traditional cable and pipe locator as an attempt to designate the water main's location. If the water main's location is unable to be designated, Arcadis and United will contact FCWS before conducting the proposed test holes. The location of the test holes will be laid out in the field as close to the storm water crossings as is feasible. The exceptions to the above statement are at the Callaway Road and Peachtree Parkway/Bernhard Road locations. At the Callaway Road project location, the water main daylights above the culvert. For this location, FCWS has requested that test holes are conducted on the north and south sides of the culvert. At the Peachtree Parkway/Bernhard project location, FCWS has asked to conduct test holes only for the water main. The requested locations are at the proposed tie points for the replacement water main to accommodate the proposed roundabout. The test hole locations will be based on measurements from site features, unless the location is painted or staked by FCWS.

Most of the project locations listed in the table above are located in residential neighborhoods. At these locations, cones will be placed around the United trucks to protect the excavation crew and the public. At several of the project locations listed above professional traffic control is expected to be needed. These locations include Eastin Road, Lees Mill Road, and Callaway Road. Traffic control may also be needed at the Mackenzie Lane, Sams Drive, and Peachtree Parkway/Bernhard Road project locations. At each of these locations, an assessment of whether the vacuum excavation truck can be safely parked outside of the travel lanes will take place. If the vacuum truck cannot be safely parked outside of the travel lanes, a subcontracted professional traffic control company will be needed. The traffic control subcontractor coordination will be included in this scope of work.

The vacuum truck will be used to expose the requested utilities. After the QLA test holes have been excavated, wooden hub stakes or survey nails will be driven in paved areas which represent the centerline of the excavated utility. A second, taller wooden stake will be driven adjacent to the wooden hub that provides the test hole data. Once the relevant data has been collected, the test holes will be backfilled with excavated soils, mechanically compacted and the surface restored as near as possible to its original condition. Concrete surfaces will be restored using a concrete patch and asphalt surfaces will be restored using asphalt cold patch.

## Schedule

The Arcadis team will begin work under this TO when authorized by the FCWS.

## Deliverables

The excavated utility's centerline will be marked with either a wooden hub, on unpaved surfaces, or a survey nail, on paved surfaces. A test hole sheet will be completed which will summarize the results of the test hole including its location relative to existing site features, the utility type, size, construction material, condition, and depth relative to the set wooden hub or survey nail. The test holes will not be surveyed, except at the Peachtree Parkway/Bernhard Road project location. A CADD drawing of the locations will not be provided.

## Budget

Compensation for the work in this Task Order will be based upon a time and materials basis using the proposed hourly rates defined in the table presented within the Contract 1867-P Water System Engineer of Record. This TO will have a not to exceed project budget of \$59,700.00 including travel expenses. Arcadis personnel will track and communicate with the FCWS any changes in scope, schedule, or budget if needed as a part of the project's monthly status report. Refer to EXHIBIT B for Engineering Fee breakdown.

## Assumptions

1. Targets greater than 8 feet below land surface may require specialized vacuum excavation equipment with modified price.
2. A placeholder value of \$5,700 for Traffic Control is included in Exhibit B, Engineering Fee Breakdown. It is assumed six sites will require traffic control at \$950/day.
3. A placeholder value of \$3,000 (20 hours @ \$150/hour) for additional survey work is included Exhibit B, Engineering Fee Breakdown.
4. Arcadis staff will observe the SUE work for two working days.

If you have any questions about this Task Order, please do not hesitate to contact me (850-879-8910, Aaron.Capelouto@arcadis.com). Thank you for this opportunity and we look forward to working with you and the FCWS team on this project.

Sincerely,

*Aaron Capelouto*

Aaron Capelouto, PE, MS  
Project Manager  
Arcadis U.S., Inc.

CC. Michael Diaz, PE, MS – Account Lead

## Exhibits

Exhibit A – United Consulting Proposal

Exhibit B – Engineering Fee Breakdown

FCWS - TO FY22-02 Subsurface Utility Engineering Various Sites

Discipline	Project Management			Process Mechanical	Fayette County Water System 				
	Acc.	PM	Acc.	Engineer	ARCADIS Subtotals		United Consulting Subsurface Utility Engineering		
Role									
Staff Proposed	Michael Diaz	Aaron Capelouto	Lois Dickson	Wiley P. Sims					
Labor Category	Principal Engineer / SME	Project Engineer		Staff Engineer					
Labor Rate	\$210.00	\$138	\$82.0						
Multiplier	2.1	3.3							
Internal Rate	\$98.34	\$41.44	\$25.1						
Total Role Hours									
Total Hours (by Discipline)									
Total Role Cost					Total Hours	Total Labor Cost	Total Hours	Total Labor	
Total Labor Cost (by Discipline)		\$0		\$0		\$0			
<b>TASK 1 Project Management Services</b>									
1.01 Project Management and Task Order Development					0	\$0			\$0
1.02 Client and Internal Kick-off Meeting					0	\$0			\$0
1.03 Progress Meetings with Client (Assuming 3)					0	\$0			\$0
1.04 Project Monthly Invoicing					0	\$0			\$0
1.05 Project Closeout					0	\$0			\$0
<b>Sub-total Task Hours</b>					0	\$0		\$	
<b>TASK 2 Subsurface Utility Engineering (SUE)</b>									
2.01 SUE Work (United Consulting)					0	\$0		\$51,000.00	\$51,000
2.02 Survey Placeholder								\$ 3,000.00	\$3,000
2.03 Traffic Control Placeholder								\$ 5,700.00	\$5,700
2.04 Observe SUE Work					0	\$0			\$0
2.05 Quality Control - SUE Deliverables					0	\$0			\$0
<b>Sub-total Task Hours</b>					0	\$0		\$ 59,700	\$59,700
<b>Budgetary Expenses (Other Direct Costs)</b>						\$0			
<b>Total Labor Cost</b>					0	\$0	0	\$59,700	\$59,700
<b>TOTAL</b>						\$0		\$59,700	<b>\$59,700</b>

Scope assumptions defined in the proposal.



**Purchasing Department**  
 140 Stonewall Avenue West, Ste 204  
 Fayetteville, GA 30214  
 Phone: 770-305-5420  
 www.fayettecountyga.gov

To: Steve Rapson  
 Through: Ted L. Burges   
 From: Natasha M. Duggan   
 Date: August 30, 2021  
 Subject: Contract 1867-P: Water System Engineer of Record  
Task Order 22-03: Landfill Compliance Monitoring – FY 2022

Arcadis U. S., Inc. currently serves as the Water System Engineer of Record. Under this task order, Arcadis will monitor, test, and analyze methane, groundwater, and surface water for post-closure care requirements at the Northside Landfill and Southside Landfill, both of which are located at First Manassas Mile. This task order authorizes the annual compliance monitoring for Fiscal Year 2022.

Specifics of the proposed contract task order are as follows:

<b>Contract Name</b>	#1867-P: Water System Engineer of Record	
<b>Task Order</b>	#22-03: Landfill Compliance Monitoring – FY 2022	
<b>Contractor</b>	Arcadis U. S., Inc.	
<b>Not to Exceed Amount</b>	<u>\$78,019.40</u>	
<b>Budget:</b>		
Fund	540	Solid Waste
Org Code	54040500	Solid Waste & Recycling
Object	521320	Closure / Post Closure Expense
Project	NA	
Available	\$78,024.00	As of 8/30/2021

Approved by: \_\_\_\_\_



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

8/31/2021



Ms. Vanessa Tigert, P.G.  
Director, FCWS Water System  
245 McDonough Road  
Fayetteville, Georgia 30214

Date: August 16, 2021  
Ref: Contract 1867-P Water System Engineer of Record  
Subject: Task Order TO FY22-03 – Fiscal Year 2022 Landfill  
Compliance Monitoring



Arcadis U.S., Inc.  
2839 Paces Ferry Road  
Suite 900  
Atlanta  
Georgia 30339  
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Dear Ms. Tigert,

The FCWS Water System (FCWS) has requested Arcadis to submit this proposal for a Task Order (TO) under Contract 1867-P Water System Engineer of Record to provide groundwater, surface water, and methane monitoring services as a part of post-closure care requirements for the Northside and Southside Landfills located in FCWS. Arcadis has obtained the services of Oasis Consulting Services (Oasis) as a subconsultant to perform this work. Arcadis plans to provide project management and quality control services for this Task Order. Arcadis will leverage its expertise and knowledge in the water sector to provide technical services for FCWS.

## Background

The purpose of this Task Order is to monitor, test, and analyze methane, groundwater, and surface water for post-closure care requirements at two solid waste disposal facilities located within FCWS: First Manassas Mile Road Southside Sanitary Landfill also known as Southside Landfill (Permit No. 056-014D(SL)) and First Manassas Mile Road Northside Construction and Demolition (C&D) Landfill also known as Northside Landfill (Permit No. 056-015D(L)). The project team understands that the Northside and Southside Landfills have received closure certification by the Georgia Environmental Protection Division (EPD) and no longer accept waste for disposal.

The project team understands that the Northside Landfill is currently in detection monitoring and the Southside Landfill is currently in assessment monitoring in accordance with a Corrective Action Plan (CAP) approved by the EPD in December of 2002 with minor modifications in 2012.

As noted within the Oasis' Solid Waste Understanding and Approach Section prepared for Arcadis as a part of the proposal effort, Oasis observed inconsistencies between the scope of work defined in the FCWS Request for Proposal (RFP) and the most recent Semi-Annual Groundwater and Surface Water Monitoring Reports completed by Jacobs Engineering Group, Inc. (Jacobs) for the Southside and Northside Landfills available through GEOS.

Observed inconsistencies included parameters sampled and analyzed for in groundwater and surface water during semi-annual monitoring events. Additionally, groundwater sample collection methods differ between the landfills approved Groundwater Monitoring Plan and sample collection methods used by Jacob's during the latest semi-annual monitoring events.

The scope provided within this proposal and its' associated costs are based on events as performed by Jacobs detailed in the most recently submitted Semi-Annual Groundwater and Surface Water Monitoring Reports available for the Southside and Northside Landfills through GEOS.

## Project Team

The key members of our project team are listed below. Arcadis will utilize Oasis to perform the landfill monitoring services. Arcadis shall submit subcontractors to FCWS for approval prior to initiating any activities.

1. Aaron Capelouto, PE (Arcadis) – Project Manager
2. Michael Diaz, PE, MS (Arcadis) – Account Lead
3. Ashley Butterfield (Oasis), PG – Project Geologist
4. J. Robin (Robbie) Blanton, PE – Senior Vice President

## Scope of Work

The project team will deliver this Task Order through the completion of the tasks described in the sections below.

### Task 1: Project Management Services

Project Management will involve coordinating and oversight of the execution of the proposed tasks, tracking task budgets and schedules, as well as reviewing and ensuring the quality of the deliverables. Arcadis will charge its PM-related services to Task 01 on the fee table which can be found as Exhibit B in this proposal.

The following deliverables and services will be prepared:

1. Project Scope and Budget Setup
2. Client and Internal Kick-off Meeting
3. Arcadis will hold bi-weekly progress meetings. An Agenda will be provided for each meeting one (1) business day prior to the meeting. Arcadis will provide minutes within seven (7) calendar days of the meeting.
4. Monthly Invoicing
5. Project Closeout

### Task 2: Landfill Monitoring Services

The Project Team will assist FCWS with environmental compliance services for the Northside and Southside Landfills. Oasis will conduct two semi-annual groundwater and surface water monitoring events and four quarterly methane monitoring and landfill inspection events for the Northside and Southside Landfills. A detailed description of the scope of services is outlined below.

#### Task 2.1 Groundwater & Surface Water

Oasis will complete the semi-annual groundwater monitoring activities for both landfills during the third quarter of 2021 (August or September) and the 1<sup>st</sup> quarter of 2022 (January). Sampling and reporting activities will be completed at the below described groundwater networks:

- The **Northside Landfill** groundwater monitoring network consists of seven groundwater wells.
- The **Southside Landfill** groundwater monitoring network consists of 29 groundwater monitoring wells and four piezometer wells, which are used for water level gauging purposes only.

Prior to sampling, Oasis will measure static water levels in the 36 groundwater monitoring wells and four piezometers at both landfills. The measurements will be made to the nearest one-hundredth of a foot from the top

of well casing using an electronic water level meter. The electronic water level meter will be properly decontaminated between well locations. The water levels will be measured within the same 24-hour period, as required. The water levels will then be used to calculate well and purge volumes for each well to be sampled.

For the wells designated for sampling and analysis, Oasis will purge each well with manual hand bailing techniques, or with the use of a peristaltic pump (or equivalent) capable of low-flow sampling. Purging will be accomplished with either Multiple Volume Purge or low-flow purging procedures, as applicable. The following field parameters will be measured and recorded using a water quality instrument:

- pH
- Specific Conductivity
- Water Temperature
- Dissolved Oxygen (DO)
- Oxidation Reduction Potential (ORP)
- Turbidity

Groundwater monitoring wells will be purged until a minimum of three well volumes have been removed, and collected water quality parameters stabilize for at least three consecutive readings; water within the well is completely evacuated (purged dry) and left to recharge; or five well volumes are removed. Oasis will perform groundwater purging and sampling in accordance with the EPA Region 4 Science and Ecosystem Support Division (SESD) Operating Procedure for Groundwater Sampling. Per the procedure, stabilization occurs when, for at least three consecutive measurements, the pH remains constant within 0.1 Standard Units, specific conductivity varies no more than 5%, and the turbidity has either stabilized or is below 10 Nephelometric Turbidity Units (NTUs), as required. In addition, Oasis will record DO readings within 0.2 mg/L or a 10% change in saturation, when possible, to ensure further purge adequacy.

Due to the nature of manual bailing techniques, it is likely that turbidity readings will not demonstrate stability of 10 NTUs or less for three consecutive readings. In lieu of sampling metals from a well with elevated turbidity readings, groundwater may be sampled for metals within 24 hours of the initial purging process once turbidity levels have reached an acceptable range of 10 NTUs or less.

When possible, Oasis will elect to complete groundwater purging using low-flow techniques.

Once stabilization is achieved, Oasis will collect a sample from each well for the designated parameters as outlined below:

- The groundwater samples collected from the seven monitoring wells at the **Northside Landfill** during the January and July Detection Monitoring Events will be analyzed for Appendix I Volatile Organic Compounds (VOCs) and metals and the Appendix II parameter Dichlorodifluoromethane (DCDFM). In addition, methane readings (% volume and Lower Explosive Limit (LEL)) and oxygen (% volume) will be measured in each well with the use of a properly calibrated landfill gas analyzer.
- Groundwater samples collected from 22 of the 29 monitoring wells at the **Southside Landfill** during the January Detection Monitoring Event will be analyzed for Appendix I VOCs and the Appendix II parameter DCDFM. 14 monitoring wells/piezometers will be measured for water level only.
- Groundwater samples collected from 22 of the 29 monitoring wells at the **Southside Landfill** during the July Assessment Monitoring Event will be analyzed for Appendix I VOCs and metals and the Appendix II parameters DCDFM and chloride. Groundwater samples collected from 7 monitoring wells will be analyzed for Appendix I VOCs and DCDFM. Four piezometers will be measured for water level only.

As a part of field quality assurance/quality control (QA/QC) during each semi-annual event, one duplicate sample will be collected at each landfill, one trip blank will be analyzed for VOCs for each sample cooler containing VOC samples and one field blank will be collected per landfill.

Collected samples will be labeled, packed on ice, and transported to accredited laboratory Analytical Environmental Services (AES) located in Atlanta, GA. Proper chain of custody (COC) procedures will be followed throughout sample collection and handling.

Laboratory detection limits will not exceed the Maximum Contaminant Levels (MCLs) recognized by the Solid Waste Management Program of EPD.

### Surface Water

Oasis will complete the semi-annual surface water monitoring activities for both landfills during the third quarter of 2021 (August or September) and the 1<sup>st</sup> quarter of 2022 (January). Sampling and reporting activities will be completed at the below described surface water networks:

- The **Northside Landfill** surface water monitoring network consists of two surface water sampling locations.
- The **Southside Landfill** surface water monitoring network consists of seven surface water sampling locations.

Oasis will conduct surface water sampling at each landfill on a semi-annual basis during semi-annual groundwater sampling activities. Surface water sampling will be conducted in general accordance with the EPA Region 4 SESD Operating Procedure for Surface Water Sampling (SESDPROC – 201-R4).

Parameters including pH, specific conductance, temperature, turbidity, and dissolved oxygen will be measured in the field with a water quality instrument at the time of sampling.

Oasis will collect a sample from each surface water location for the designated parameters as outlined below:

- The two surface water samples collected at the **Northside Landfill** during both Detection Monitoring Events in January and July will be analyzed for chemical oxygen demand (COD), total cyanide, chloride, total organic carbon (TOC), and Georgia Table 1 metals (arsenic, barium, cadmium, chromium, lead, mercury, nickel, selenium, silver, and zinc).
- Three of the seven surface water sample locations will be sampled at the **Southside Landfill** during both the January Detection Monitoring Event and July Assessment Monitoring Event and will be analyzed for COD, TOC, chloride, total cyanide, Georgia Table 1 metals (arsenic, barium, cadmium, chromium, lead, mercury, nickel, selenium, silver, and zinc.) Three of the seven surface water sample locations will be sampled for Appendix I VOCs and one surface water location will be sampled for Appendix I VOCs and Appendix II VOC, DCDFM.

As a part of field quality control, one trip blank for each sample cooler containing samples to be analyzed for VOCs will be analyzed.

Collected samples will be labeled, packed on ice, and transported to accredited laboratory AES located in Atlanta, GA. Proper COC procedures will be followed throughout sample collection and handling.

### Task 2.2 Methane Monitoring

Oasis will conduct quarterly methane monitoring at the **Northside and Southside Landfills** in compliance with each facility's EPD-approved methane monitoring plan and in accordance with EPD's *Methane Monitoring at Solid Waste Disposal Facilities, 2015*, as well as EPD's Rules of Solid Waste Management. Monitoring will be conducted during the 3<sup>rd</sup> and 4<sup>th</sup> quarters of 2021 and the 1<sup>st</sup> and 2<sup>nd</sup> quarters of 2022.

The proposed scope of work includes:

- The **Northside Landfill** EPD-approved methane monitoring network consists of 10 permanent compliance monitoring wells, five barhole punch compliance locations, five facility on-site structures, and one surface-scan location.
- The **Southside Landfill** EPD-approved methane monitoring network consists of 12 permanent compliance monitoring wells.

Oasis will collect methane and O<sub>2</sub> concentrations from wells, barhole punch locations, and structures using an **Elkins Earthworks, LLC (Elkins) Landfill Gas Analyzer** that is calibrated annually by the manufacturer, and prior to each monitoring event. Oasis will conduct methane monitoring between noon and 6:00 p.m., and when relative humidity is between 10% and 90%, as required. Barhole punch samples will be collected at designated locations for the **Northside Landfill**, properly sealed at the surface, and left to equilibrate for a minimum of 30 minutes prior to monitoring. Peak methane concentrations will be recorded at each location.

If a compliance monitoring location is found to be out of compliance due to a methane concentration exceeding the lower explosive limit (LEL), Oasis will notify a designated FCWS representative. If applicable, Oasis will perform delineation by installing appropriate barhole punch sample locations for sampling in order to demonstrate whether or not off-site migration of methane is occurring.

Oasis will prepare a Quarterly Methane Monitoring Report for each landfill, which will include the required SWM-19 form, the Elkins Gas Analyzer manufacturer's calibration certification, a current signed and sealed potentiometric surface map for the facility, and a summary of observations and work conducted for the facility. Quarterly Reports will be signed and certified by a Georgia Registered Professional Geologist or Engineer.

In addition, Oasis will also provide the County with updated historical methane detections for each event for inclusion in the County's GIS system. This data will be provided in Excel format.

### Task 2.3 Landfill Inspections

Oasis will perform Post-Closure Landfill Inspections during the 4<sup>th</sup> quarter of 2021 and the 2<sup>nd</sup> quarter of 2022. Oasis will complete the following activities as a part of the quarterly inspections:

- An inspection of the groundwater and methane monitoring network wells for deficiencies.
- Inspection of general site conditions
- Inspection of landfill cap/cover
- Inspection of landfill gas (LFG) remediation systems
- Deficiencies and/or necessary repairs noted during the inspection will be relayed to FCWS in a summary letter report and submitted under separate cover.

### Table 2.4 Preliminary Work & On-Call Contingency

As a part of the Task Order preparation, Oasis performed an extensive preliminary file review of the landfills from files provided by FCWS as well as at EPD offices in order to evaluate the sampling procedures and protocols in

place. Oasis additionally participated in a site visit to both the Northside and Southside landfills as a part of the preliminary work performed to prepare the Task Order.

Oasis will perform the following on-call services as needed at the request of FCWS as a part of the on-call contingency portion of this Task Order:

- Responding to the Georgia EPD concerning monitoring and reporting, Notice of Deficiencies (NODs); and or Notice of Violations (NOVs);
- Design and submittal of corrective action plans and/or amendments;
- Design and submittal of methane remediation plans;
- Modifications to design of methane extraction systems to increase efficiency or enhance extraction;
- Providing cost-benefit analysis of potential permit modifications;
- Reviewing monitoring plans for inefficiencies;
- Preparing design and operation plan minor modifications;
- Replacing groundwater and methane monitoring wells
- Surveying
- Assisting county staff with revisions to current transfer station operations and site development plans; and,
- Other related services, as needed.

## Schedule

The project team will begin work under this TO when authorized by the FCWS. Table 1 below indicates a proposed sampling schedule.

**Table 1. Proposed Sampling Schedule**

Northside and Southside Landfills Event	Date
2 <sup>nd</sup> Semi-Annual Groundwater and Surface Water Monitoring Event	August or September 2021
3 <sup>rd</sup> Quarter Methane Monitoring Event	August 2021
4 <sup>th</sup> Quarter Methane Monitoring Event	October 2021
4 <sup>th</sup> Quarter Landfill Inspection	October 2021
1 <sup>st</sup> Semi-Annual Groundwater and Surface Water Monitoring Event	January 2022
1 <sup>st</sup> Quarter Methane Monitoring Event	January 2022
2 <sup>nd</sup> Quarter Methane Monitoring Event	April 2022
2 <sup>nd</sup> Quarter Landfill Inspection	April 2022

## Deliverables

The project team will provide FCWS deliverables for the groundwater/surface water monitoring reports, methane monitoring reports, and landfill inspection reports based on the above schedule.

The project team will submit a Draft Semi-Annual Report for each landfill to FCWS within 60 days, and to GAEPD using GEOS, the GAEPD online system, generally within 90 days after the monitoring event is completed. Current and historical data will be provided to FCWS in a format compatible with Geographical Information System (GIS) for the county's review and evaluation. County will provide review and approval of final reports requiring submission to EPD within 10 days of receipt from the project team.

Quarterly Methane Monitoring Reports will be sent in draft form to FCWS within 7 days of on-site monitoring activities unless an exceedance is observed, in which case the Report will be issued in draft form to FCWS within 2 days of on-site monitoring activities. Once FCWS approves the prepared draft Quarterly Methane Monitoring Report, Oasis will submit the Report to GAEPD using GEOS, the GAEPD online system, within 14 or 7 days of on-site monitoring activities, as appropriate. Current and historical data will be provided to FCWS in a format compatible with GIS for the county's review and evaluation. County will be responsible for importing the historical methane detection files into the County's GIS System.

Deficiencies and/or necessary repairs noted during Landfill Inspections will be relayed to FCWS in a summary letter report and submitted under separate cover within 14 days of field activities.

An electronic copy of each prepared report will be provided to FCWS and will additionally be stored in an electronic document library accessible by FCWS.

## **Budget**

Compensation for the work in this Task Order will be based upon a time and materials basis using the proposed hourly rates defined in the table presented within the Contract 1867-P Water System Engineer of Record. This TO will have a not to exceed project budget of \$78,019.40. Arcadis personnel will track and communicate with the FCWS any changes in scope, schedule, or budget if needed as a part of the project's monthly status report. Refer to EXHIBIT B for Engineering Fee breakdown.

## **Assumptions**

1. County shall be responsible for all hazardous materials at the Site (known or unknown), which shall include any hazardous materials existing on the Site as of the Effective Date of the Agreement, whether or not detected by Oasis or otherwise, and any hazardous materials brought to the Site by any party other than Oasis, anyone employed by them or anyone for whose acts Oasis may be liable, including, at County's sole cost and expense: (i) for the proper handling, storage, collection, containment, removal, transportation, and disposal from the Site of all such hazardous materials. County's obligation shall include obligations with respect to a release or discovery of hazardous materials by Oasis or its Subcontractors that have been or are brought to the foregoing areas by third parties other than Oasis, a Subcontractor, anyone employed by them, or anyone for whose acts Oasis or any Subcontractor may be liable. This assumption remains unchanged from the assumption Jacobs had in their Task Order for a similar scope of services.

2. Any on-call services performed under Task 2.4 will be given written approval from FCWS before proceeding with the work.
3. Correspondence to EPD will originate from Oasis with Arcadis staff copied (Michael Diaz and Aaron Capelouto).

If you have any questions about this Task Order, please do not hesitate to contact me (850-879-8910, Aaron.Capelouto@arcadis.com). Thank you for this opportunity and we look forward to working with you and the FCWS team on this project.

Sincerely,

*Aaron Capelouto*

Aaron Capelouto, PE, MIB  
Project Manager  
Arcadis U.S., Inc.

CC. Michael Diaz, PE, MS – Account Lead  
J. Robin (Robbie) Blanton, PE – Senior Vice President  
Ashley Butterfield, PG – Project Geologist

## **Exhibits**

Exhibit A – Oasis Proposal

Exhibit B – Engineering Fee Breakdown

Exhibit C – Oasis Fee Breakdown



July 21, 2021

Michael Diaz – AVP, Area Manager  
Arcadis  
2839 Paces Ferry Rd. SE, Suite 900  
Atlanta, GA 30339

Subject: **Task Order FC-22-01 Fiscal Year 2022 Landfill Compliance Monitoring**  
First Manassas Mile Road Southside Sanitary Landfill (Permit No. 056-014D(SL))  
& First Manassas Mile Road Northside C&D Landfill (Permit No. 056-015D(L))  
Fayette County, Georgia

Dear Mr. Diaz:

Oasis Consulting Services (Oasis) respectfully submits this Task Order FC-22-01: Fayette County Landfill Monitoring to provide groundwater, surface water, and methane monitoring services as a part of post-closure care requirements for the Northside and Southside Landfills located in Fayette County.

Please feel free to contact us if you have any questions or comments regarding this Task Order. We can be reached at (678) 739-2400 or by electronic mail at [abutterfield@oasis-cs.com](mailto:abutterfield@oasis-cs.com) or [rblanton@oasis-cs.com](mailto:rblanton@oasis-cs.com).

Sincerely,  
**Oasis Consulting Services**

A handwritten signature in blue ink that reads "Ashley Butterfield". The signature is written in a cursive, flowing style.

Ashley Butterfield, P.G.  
Project Geologist

J. Robin (Robbie) Blanton, P.E.  
Senior Vice President

## 1 BACKGROUND

The purpose of this Task Order is to monitor, test, and analyze methane, groundwater, and surface water for post-closure care requirements at two solid waste disposal facilities located within Fayette County: First Manassas Mile Road Southside Sanitary Landfill also known as Southside Landfill (Permit No. 056-014D(SL)) and First Manassas Mile Road Northside Construction and Demolition (C&D) Landfill also known as Northside Landfill (Permit No. 056-015D(L)). Oasis understands that the Northside and Southside Landfills have received closure certification by the Georgia Environmental Protection Division (GAEPD) and no longer accept waste for disposal. Oasis understands that the Northside Landfill is currently in detection monitoring and the Southside Landfill is currently in assessment monitoring in accordance with a Corrective Action Plan (CAP) approved by the Georgia Environmental Protection Division (EPD) in December of 2002 with minor modifications in 2012.

As noted within the Oasis' Solid Waste Understanding and Approach Section prepared for Arcadis as a part of the proposal effort, Oasis observed inconsistencies between the scope of work defined in the Fayette County Request for Proposal (RFP) and the most recent Semi-Annual Groundwater and Surface Water Monitoring Reports completed by Jacobs Engineering Group, Inc. (Jacobs) for the Southside and Northside Landfills available through GEOS.

Observed inconsistencies included parameters sampled and analyzed for in groundwater and surface water during semi-annual monitoring events. Additionally, groundwater sample collection methods differ between the landfills approved Groundwater Monitoring Plan and sample collection methods used by Jacob's during the latest semi-annual monitoring events.

The scope provided within this proposal and its' associated costs are based on events as performed by Jacobs detailed in the most recently submitted Semi-Annual Groundwater and Surface Water Monitoring Reports available for the Southside and Northside Landfills through GEOS.

## 2 SCOPE OF SERVICES

Oasis will assist Fayette County with environmental compliance services for the Northside and Southside Landfills. Oasis will conduct two semi-annual groundwater and surface water monitoring events as well as two semi-annual landfill inspection events and four quarterly methane monitoring events for the Northside and Southside Landfills. A detailed description of the scope of services is outlined below.

### 2.1 Groundwater

Oasis will complete the semi-annual groundwater monitoring activities for both landfills during the third quarter of 2021 (August or September) and the 1<sup>st</sup> quarter of 2022 (January). Sampling and reporting activities will be completed at the below described groundwater networks:

- The **Northside Landfill** groundwater monitoring network consists of seven groundwater wells.
- The **Southside Landfill** groundwater monitoring network consists of 29 groundwater monitoring wells and four piezometer wells, which are used for water level gauging purposes only.

Prior to sampling, Oasis will measure static water levels in the 36 groundwater monitoring wells and four piezometers at both landfills. The measurements will be made to the nearest one-hundredth of a foot from the top of well casing using an electronic water level meter. The electronic water level meter will be properly decontaminated between well locations. The water levels will be measured within the same 24-hour period, as required. The water levels will then be used to calculate well and purge volumes for each well to be sampled.

For the wells designated for sampling and analysis, Oasis will purge each well with manual hand bailing techniques, or with the use of a peristaltic pump (or equivalent) capable of low-flow sampling. Purging will be accomplished with either Multiple Volume Purge or low-flow purging procedures, as applicable. The following field parameters will be measured and recorded using a

water quality instrument:

- pH
- Specific Conductivity
- Water Temperature
- Dissolved Oxygen (DO)
- Oxidation Reduction Potential (ORP)
- Turbidity

Groundwater monitoring wells will be purged until a minimum of three well volumes have been removed, and collected water quality parameters stabilize for at least three consecutive readings; water within the well is completely evacuated (purged dry) and left to recharge; or five well volumes are removed. Oasis will perform groundwater purging and sampling in accordance with the EPA Region 4 Science and Ecosystem Support Division (SESD) Operating Procedure for Groundwater Sampling. Per the procedure, stabilization occurs when, for at least three consecutive measurements, the pH remains constant within 0.1 Standard Units, specific conductivity varies no more than 5%, and the turbidity has either stabilized or is below 10 Nephelometric Turbidity Units (NTUs), as required. In addition, Oasis will record DO readings within 0.2 mg/L or a 10% change in saturation, when possible, to ensure further purge adequacy.

Due to the nature of manual bailing techniques, it is likely that turbidity readings will not demonstrate stability of 10 NTUs or less for three consecutive readings. In lieu of sampling metals from a well with elevated turbidity readings, groundwater may be sampled for metals within 24 hours of the initial purging process once turbidity levels have reached an acceptable range of 10 NTUs or less.

When possible, Oasis will elect to complete groundwater purging using low-flow techniques.

Once stabilization is achieved, Oasis will collect a sample from each well for the designated parameters as outlined below:

- The groundwater samples collected from the seven monitoring wells at the **Northside Landfill** during the January and July Detection Monitoring Events will be analyzed for Appendix I Volatile Organic Compounds (VOCs) and metals and the Appendix II parameter Dichlorodifluoromethane (DCDFM). In addition, methane readings (% volume and Lower Explosive Limit (LEL)) and oxygen (% volume) will be measured in each well with the use of a properly calibrated landfill gas analyzer.
- Groundwater samples collected from 22 of the 29 monitoring wells at the **Southside Landfill** during the January Detection Monitoring Event will be analyzed for Appendix I VOCs and the Appendix II parameter DCDFM. 14 monitoring wells/piezometers will be measured for water level only.
- Groundwater samples collected from 22 of the 29 monitoring wells at the **Southside Landfill** during the July Assessment Monitoring Event will be analyzed for Appendix I VOCs and metals and the Appendix II parameters DCDFM and chloride. Groundwater samples collected from 7 monitoring wells will be analyzed for Appendix I VOCs and DCDFM. Four piezometers will be measured for water level only.

As a part of field quality assurance/quality control (QA/QC) during each semi-annual event, one duplicate sample will be collected at each landfill, one trip blank will be analyzed for VOCs for each sample cooler containing VOC samples and one field blank will be collected per landfill.

Collected samples will be labeled, packed on ice, and transported to accredited laboratory Pace Analytical (Pace) located in Peachtree Corners, GA. Proper chain of custody (COC) procedures will be followed throughout sample collection and handling.

Laboratory detection limits will not exceed the Maximum Contaminant Levels (MCLs) recognized by the Solid Waste Management Program of GAEPD.

### **Report Preparation**

Following semi-annual field sampling activities and initial evaluation and verification of laboratory analytical data, Oasis will prepare a Semi-Annual Groundwater Detection or Assessment Event Report, as applicable, for each Landfill. The Reports will include, but will not be limited to, the following:

- A Certification Statement including ground water quality results not in compliance with GAEPD rules, indicating a statistically significant increase and exceeding the groundwater protection standards (GWPS). The Certification Statement will be sealed and signed by a Georgia Registered Professional Geologist or Engineer.
- Essential background information regarding the facility, including a description of the facility's approved groundwater monitoring network.
- Documentation of field sampling activities performed at the facility including sampling procedures, quality assurance/quality control measures, and sample handling and analytical procedures.
- A discussion of findings from the groundwater sampling, laboratory analytical reports and data evaluation that will include the comparison of reported analytical data to applicable GWPS.
- A presentation of measured groundwater elevation data, as well as, the required calculation of average groundwater seepage velocity using a potentiometric surface map that is generated from the Surfer<sup>®</sup> mapping computer software.
- A statistical evaluation will be conducted in accordance with the requirement of GAEPD Solid Waste Management Rule 391-3-4.14 and the technical standards described in *Statistical Analysis of Ground-Water Monitoring Data at RCRA Facilities, Unified Guidance* (U.S. EPA, 2009). The statistical evaluation will be conducted using Starpoint ChemPoint<sup>®</sup> and ChemStat<sup>®</sup> software. The data will be evaluated using the Kruskal-Wallis Analysis of Variance (ANOVA) test to determine if concentrations of detected constituents are indicative of a statistically significant increase (SSI) when compared to background

concentrations at the facility, unless a different statistical evaluation test is deemed necessary.

- A summary of findings, conclusions, and recommendations, including a Corrective Action Status Update, will be included, as necessary.
- Tables summarizing detections of parameters compared to the established GWPS.
- Figures showing the facility location and surrounding topographic features, surface water bodies, groundwater, methane and surface water monitoring locations and potentiometric surface map with groundwater gradients and interpreted flow direction.
- Field data sheets, laboratory analytical reports, statistical evaluation documentation, and time-plot graphs will be included as appendices.

## 2.2 Surface Water

Oasis will complete the semi-annual surface water monitoring activities for both landfills during the third quarter of 2021 (August or September) and the 1<sup>st</sup> quarter of 2022 (January). Sampling and reporting activities will be completed at the below described surface water networks:

- The **Northside Landfill** surface water monitoring network consists of two surface water sampling locations.
- The **Southside Landfill** surface water monitoring network consists of seven surface water sampling locations.

Oasis will conduct surface water sampling at each landfill on a semi-annual basis during semi-annual groundwater sampling activities. Surface water sampling will be conducted in general accordance with the EPA Region 4 SESD Operating Procedure for Surface Water Sampling (SESDPROC – 201-R4).

Parameters including pH, specific conductance, temperature, turbidity, and dissolved oxygen will

be measured in the field with a water quality instrument at the time of sampling.

Oasis will collect a sample from each surface water location for the designated parameters as outlined below:

- The two surface water samples collected at the **Northside Landfill** during both Detection Monitoring Events in January and July will be analyzed for chemical oxygen demand (COD), total cyanide, chloride, total organic carbon (TOC), and Georgia Table 1 metals (arsenic, barium, cadmium, chromium, lead, mercury, nickel, selenium, silver, and zinc).
- Three of the seven surface water sample locations will be sampled at the **Southside Landfill** during both the January Detection Monitoring Event and July Assessment Monitoring Event and will be analyzed for COD, TOC, chloride, total cyanide, Georgia Table 1 metals (arsenic, barium, cadmium, chromium, lead, mercury, nickel, selenium, silver, and zinc.) Three of the seven surface water sample locations will be sampled for Appendix I VOCs and one surface water location will be sampled for Appendix I VOCs and Appendix II VOC, DCDFM.

As a part of field quality control, one trip blank for each sample cooler containing samples to be analyzed for VOCs will be analyzed.

Collected samples will be labeled, packed on ice, and transported to accredited laboratory Pace located in Peachtree Corners, GA. Proper COC procedures will be followed throughout sample collection and handling.

### **Report Preparation**

Following semi-annual field sampling activities and initial evaluation and verification of laboratory analytical data, Oasis will prepare a Semi-Annual Surface Water Report which will be included in the Semi-Annual Groundwater Detection or Assessment Event Report for each landfill. Each Report will include, but will not be limited to, the following:

- Essential background information regarding the facility, including a description of the approved surface water monitoring network at the facility.
- Documentation of field sampling activities performed at the facility, including sampling procedure, quality assurance/quality control measures, and sample handling and analytical procedures.
- A discussion of findings from the surface water sampling, laboratory analytical reports and data evaluation that will include the comparison of reported analytical data to established in-stream water quality standards (ISWQS).
- Tables summarizing detections of parameters as compared to the established ISWQS.
- Figures depicting the facility that show locations of approved surface water monitoring locations.
- Field data sheets and laboratory analytical reports will be included as appendices.

### 2.3 Methane Monitoring

Oasis will conduct quarterly methane monitoring at the **Northside and Southside Landfills** in compliance with each facility's GAEPD-approved methane monitoring plan and in accordance with GAEPD's *Methane Monitoring at Solid Waste Disposal Facilities, 2015*, as well as GAEPD's Rules of Solid Waste Management. Methane Monitoring will be conducted during the 3<sup>rd</sup> and 4<sup>th</sup> quarters of 2021 and the 1<sup>st</sup> and 2<sup>nd</sup> quarters of 2022.

The proposed scope of work includes:

- The **Northside Landfill** GAEPD-approved methane monitoring network consists of 10 permanent compliance monitoring wells, five barhole punch compliance locations, five facility on-site structures, and one surface-scan location.
- The **Southside Landfill** GAEPD-approved methane monitoring network consists of 12 permanent compliance monitoring wells.

Oasis will collect methane and O<sub>2</sub> concentrations from wells, barhole punch locations, and structures using an **Elkins Earthworks, LLC (Elkins) Landfill Gas Analyzer** that is calibrated annually by the manufacturer, and prior to each monitoring event. Oasis will conduct methane monitoring between noon and 6:00 p.m., and when relative humidity is between 10% and 90%, as required. Barhole punch samples will be collected at designated locations for the **Northside Landfill**, properly sealed at the surface, and left to equilibrate for a minimum of 30 minutes prior to monitoring. Peak methane concentrations will be recorded at each location.

If a compliance monitoring location is found to be out of compliance due to a methane concentration exceeding the lower explosive limit (LEL), Oasis will notify a designated Fayette County representative. If applicable, Oasis will perform delineation by installing appropriate barhole punch sample locations for sampling in order to demonstrate whether or not off-site migration of methane is occurring.

Oasis will prepare a Quarterly Methane Monitoring Report for each landfill, which will include the required SWM-19 form, the Elkins Gas Analyzer manufacturer's calibration certification, a current signed and sealed potentiometric surface map for the facility, and a summary of observations and work conducted for the facility. Quarterly Reports will be signed and certified by a Georgia Registered Professional Geologist or Engineer.

In addition, Oasis will also provide the County with updated historical methane detections for each event for inclusion in the County's GIS system. This data will be provided in Excel format.

## **2.4 Landfill Inspections**

Oasis will perform Post-Closure semi-annual Landfill Inspections during the 4<sup>th</sup> quarter of 2021 and the 2<sup>nd</sup> quarter of 2022. Oasis will complete the following activities as a part of the semi-annual inspections:

- An inspection of the groundwater and methane monitoring network wells for deficiencies.

- Inspection of general site conditions
- Inspection of landfill cap/cover
- Inspection of landfill gas (LFG) remediation systems
- Deficiencies and/or necessary repairs noted during the inspection will be relayed to Fayette County in a summary letter report and submitted under separate cover.

## **2.5 Preliminary Work & On-Call Contingency**

As a part of the Task Order preparation, Oasis performed an extensive preliminary file review of the landfills from files provided by Fayette County as well as at GAEPD offices in order to evaluate the sampling procedures and protocols in place. Oasis additionally participated in a site visit to both the Northside and Southside landfills as a part of the preliminary work performed to prepare the Task Order.

Oasis will perform the following on-call services as needed at the request of Fayette County as a part of the on-call contingency portion of this Task Order:

- Responding to the Georgia EPD concerning monitoring and reporting, Notice of Deficiencies (NODs); and or Notice of Violations (NOVs);
- Design and submittal of corrective action plans and/or amendments;
- Design and submittal of methane remediation plans;
- Modifications to design of methane extraction systems to increase efficiency or enhance extraction;
- Providing cost-benefit analysis of potential permit modifications;
- Reviewing monitoring plans for inefficiencies;
- Preparing design and operation plan minor modifications;
- Replacing groundwater and methane monitoring wells
- Surveying
- Assisting county staff with revisions to current transfer station operations and site development plans; and,
- Other related services, as needed.

### **3 ASSUMPTIONS**

County shall be responsible for all hazardous materials at the Site (known or unknown), which shall include any hazardous materials existing on the Site as of the Effective Date of the Agreement, whether or not detected by Oasis or otherwise, and any hazardous materials brought to the Site by any party other than Oasis, anyone employed by them or anyone for whose acts Oasis may be liable, including, at County's sole cost and expense: (i) for the proper handling, storage, collection, containment, removal, transportation, and disposal from the Site of all such hazardous materials. County's obligation shall include obligations with respect to a release or discovery of hazardous materials by Oasis or its Subcontractors that have been or are brought to the foregoing areas by third parties other than Oasis, a Subcontractor, anyone employed by them, or anyone for whose acts Oasis or any Subcontractor may be liable.

#### 4 SCHEDULE

Oasis will provide landfill sampling for the semi-annual groundwater/surface water monitoring reports and Landfill Inspections and quarterly methane monitoring reports as outlined in the tentative schedule provided below.

<b>Northside and Southside Landfills Event</b>	<b>Date</b>
2 <sup>nd</sup> Semi-Annual Groundwater and Surface Water Monitoring Event	August or September 2021*
3 <sup>rd</sup> Quarter Methane Monitoring Event	July 2021
4 <sup>th</sup> Quarter Methane Monitoring Event	October 2021
4 <sup>th</sup> Quarter Landfill Inspection	October 2021
1 <sup>st</sup> Semi-Annual Groundwater and Surface Water Monitoring Event	January 2022
1 <sup>st</sup> Quarter Methane Monitoring Event	January 2022
2 <sup>nd</sup> Quarter Methane Monitoring Event	April 2022
2 <sup>nd</sup> Quarter Landfill Inspection	April 2022

\* Pending approval of Task Order FC-22-01

## 5 DELIVERABLES

Oasis will provide Fayette County deliverables for the groundwater/surface water monitoring reports, methane monitoring reports, and landfill inspection reports based on the above schedule.

Oasis will submit a Draft Semi-Annual Report for each landfill to Fayette County within 60 days, and to GAEPD using GEOS, the GAEPD online system, generally within 90 days after the monitoring event is completed. Current and historical data will be provided to Fayette County in a format compatible with Geographical Information System (GIS) for the county's review and evaluation. County will provide review and approval of final reports requiring submission to EPD within 10 days of receipt from Oasis.

Quarterly Methane Monitoring Reports will be sent in draft form to Fayette County within 7 days of on-site monitoring activities unless an exceedance is observed, in which case the Report will be issued in draft form to Fayette County within 2 days of on-site monitoring activities. Once Fayette County approves the prepared draft Quarterly Methane Monitoring Report, Oasis will submit the Report to GAEPD using GEOS, the GAEPD online system, within 14 or 7 days of on-site monitoring activities, as appropriate. Current and historical data will be provided to Fayette County in a format compatible with GIS for the county's review and evaluation. County will be responsible for importing the historical methane detection files into the County's GIS System.

Deficiencies and/or necessary repairs noted during Landfill Inspections will be relayed to Fayette County in a summary letter report and submitted under separate cover within 14 days of field activities.

An electronic copy of each prepared report will be provided to Fayette County and will additionally be stored in an electronic document library accessible by Fayette County.

## **6 COMPENSATION**

Compensation for the work in this task order will be based upon a time and expense basis, not to exceed the amount of \$73,739.40. Compensation is based upon the previously agreed rates associated with Arcadis' Engineer of Record for Water System contract with Fayette County.

FCWS - TO FY22-03 Fiscal Year 2022 Landfill Compliance Monitoring

Discipline	Project Management							
Role	Account Lead	PM	Project Assistant					
Staff Proposed	Michael Diaz	Aaron Capelouto	Lois Dickson					
Labor Category	Principal Engineer / SME	Project Engineer	Project Assistant					
Labor Rate	\$210.00	\$138.00	\$82.00	ARCADIS Subtotals		Subcontractor Subtotals		
Total Role Hours	2	25	5			Oasis Consulting Services - Landfill Compliance Monitoring		
Total Hours (discipline)	32							
Total Role Cost	\$420	\$3,450	\$410	Total Hours	Total Labor Cost	Total Hours	Total Labor Cost	Subtotal
Total Labor Cost (by Discipline)	\$4,280			32	\$4,280	0	\$73,739	\$4,280
<b>TASK 1 Project Management Services</b>								
1.01 Project Management and Task Order Development		20		20	\$2,760			\$2,760.00
1.02 Project Monthly Invoicing	1	4	4	9	\$1,090			\$1,090.00
1.03 Project Closeout	1	1	1	3	\$430			\$430.00
Sub-total Task Hours	2	25	5	32	\$4,280	—	\$ —	\$4,280.00
<b>TASK 2 Landfill Monitoring Services</b>								
2.01 Groundwater & Surface Water				0	\$0		\$ 52,289.40	\$52,289.40
2.02 Methane Monitoring				0	\$0		\$ 7,520.00	\$7,520.00
2.03 Landfill Inspections				0	\$0		\$ 2,330.00	\$2,330.00
2.04 Preliminary Work & On-Call Contingency				0	\$0		\$ 11,600.00	\$11,600.00
Sub-total Task Hours	—	—	—	0	\$0	—	\$ 44,865.20	\$73,739.40
<b>Budgetary Expenses (Other Direct Costs)</b>					\$0			
<b>Total Labor Cost</b>				32	\$4,280	0	\$44,865.20	\$78,019.40
<b>TOTAL</b>					\$4,280		\$44,865.20	<b>\$78,019.40</b>

Scope assumptions defined in the proposal.

FY 2022 1st Semi-Annual GW & SW Monitoring Southside Landfill					
Laboratory Analysis	Unit Rate	Units	Qualifier	20% Markup	Total
<b>Groundwater</b>					
App. I VOCs	\$ 50.00	22	samples	\$ 220.00	\$ 1,320.00
App. I Metals	\$ 50.00	0	samples	\$ -	\$ -
Chloride	\$ 15.00	0	samples	\$ -	\$ -
DCDFM	\$ -	19	samples	\$ -	\$ -
<b>Surface Water</b>					
App. I VOCs	\$ 50.00	4	samples	\$ 40.00	\$ 240.00
DCDFM	\$ -	1	samples	\$ -	\$ -
SW Metals	\$ 45.00	3	samples	\$ 27.00	\$ 162.00
Total Cyanide	\$ 18.00	3	samples	\$ 10.80	\$ 64.80
Chloride	\$ 15.00	3	samples	\$ 9.00	\$ 54.00
COD	\$ 15.00	3	samples	\$ 9.00	\$ 54.00
TOC	\$ 20.00	3	samples	\$ 12.00	\$ 72.00
<b>Lab Subtotal</b>					\$ 1,966.80
<b>Field Work</b>					
<i>Preliminary Work</i>					
Staff Geologist/Engineer	\$ 85.00	4	hours	NA	\$ 340.00
<b>Groundwater</b>					
<i>Personnel</i>					
Staff Geologist/Engineer	\$ 85.00	50	hours	NA	\$ 4,250.00
<i>Equipment</i>					
Water Level Indicator	\$ 52.50	2	units	21.00	\$ 126.00
Turbidity Meter	\$ 66.94	1	units	13.39	\$ 80.33
GW Quality Meter	\$ 210.38	1	units	42.08	\$ 252.45
Pump	\$ 294.00	2	units	117.60	\$ 705.60
ATV	\$ 250	1	units	NA	\$ 250
<i>Expenses</i>					
Bailers, Gloves, etc.	\$ 100.00	3	units	NA	\$ 300.00
Vehicle	\$ 25	12	cars		\$ 300.00
<b>Surface Water</b>					
<i>Personnel</i>					
Staff Geologist/Engineer	\$ 85.00	4	hours	NA	\$ 340.00
<i>Equipment</i>					
Turbidity Meter	\$ 66.94	1	units	13.39	\$ 80.33
GW Quality Meter	\$ 210.38	1	units	42.08	\$ 252.45
<b>Field Work Subtotal</b>					\$ 7,277.15
<b>Report Preparation</b>					
<i>Personnel</i>					
Staff Geologist/Engineer	\$ 85.00	45	hours	NA	\$ 3,825.00
Professional Geologist/Engineer	\$ 120.00	8	hours	NA	\$ 960.00
CADD Operator	\$ 80.00	4	hours	NA	\$ 320.00
Admin.	\$ 45.00	2	hours	NA	\$ 90.00
<b>Report Prep. Subtotal</b>					\$ 5,195.00
<b>1 Event Total</b>					\$ 14,438.95

FY 2022 2nd Semi-Annual GW & SW Monitoring Southside Landfill					
Laboratory Analysis	Unit Rate	Units	Qualifier	20% Markup	Total
<b>Groundwater</b>					
App. I VOCs	\$ 50.00	32	samples	\$ 320.00	\$ 1,920.00
App. I Metals	\$ 50.00	24	samples	\$ 240.00	\$ 1,440.00
Chloride	\$ 15.00	22	samples	\$ 66.00	\$ 396.00
DCDFM	\$ -	29	samples	\$ -	\$ -
<b>Surface Water</b>					
App. I VOCs	\$ 50.00	4	samples	\$ 40.00	\$ 240.00
DCDFM	\$ -	1	samples	\$ -	\$ -
SW Metals	\$ 45.00	3	samples	\$ 27.00	\$ 162.00
Total Cyanide	\$ 18.00	3	samples	\$ 10.80	\$ 64.80
Chloride	\$ 15.00	3	samples	\$ 9.00	\$ 54.00
COD	\$ 15.00	3	samples	\$ 9.00	\$ 54.00
TOC	\$ 20.00	3	samples	\$ 12.00	\$ 72.00
<b>Lab Subtotal</b>					\$ 4,402.80
<b>Field Work</b>					
<i>Preliminary Work</i>					
Staff Geologist/Engineer	\$ 85.00	4	hours	NA	\$ 340.00
<b>Groundwater</b>					
<i>Personnel</i>					
Staff Geologist/Engineer	\$ 85.00	60	hours	NA	\$ 5,100.00
<i>Equipment</i>					
Water Level Indicator	\$ 52.50	2	units	21.00	\$ 126.00
Turbidity Meter	\$ 66.94	1	units	13.39	\$ 80.33
GW Quality Meter	\$ 210.38	1	units	42.08	\$ 252.45
Pump	\$ 294.00	2	units	117.60	\$ 705.60
ATV	\$ 250	1	units	NA	\$ 250
<i>Expenses</i>					
Bailers, Gloves, etc.	\$ 100.00	3	units	NA	\$ 300.00
Vehicle	\$ 25	12	cars		\$ 300.00
<b>Surface Water</b>					
<i>Personnel</i>					
Staff Geologist/Engineer	\$ 85.00	4	hours	NA	\$ 340.00
<i>Equipment</i>					
Turbidity Meter	\$ 66.94	1	units	13.39	\$ 80.33
GW Quality Meter	\$ 210.38	1	units	42.08	\$ 252.45
<b>Field Work Subtotal</b>					\$ 8,127.15
<b>Report Preparation</b>					
<i>Personnel</i>					
Staff Geologist/Engineer	\$ 85.00	58	hours	NA	\$ 4,930.00
Professional Geologist/Engineer	\$ 120.00	8	hours	NA	\$ 960.00
CADD Operator	\$ 80.00	4	hours	NA	\$ 320.00
Admin.	\$ 45.00	2	hours	NA	\$ 90.00
<b>Report Prep. Subtotal</b>					\$ 6,300.00
<b>1 Event Total</b>					\$ 18,829.95