

**DAWSON COUNTY BOARD OF COMMISSIONERS  
VOTING SESSION AGENDA - THURSDAY, MAY 07, 2015  
DAWSON COUNTY GOVERNMENT CENTER ASSEMBLY ROOM  
6:00 PM**

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**A. ROLL CALL**

**B. OPENING PRESENTATION**

None

**C. INVOCATION**

**D. PLEDGE OF ALLEGIANCE**

**E. ANNOUNCEMENTS**

**F. APPROVAL OF MINUTES**

[Minutes](#) of the Voting Session held on April 14, 2015

**G. APPROVAL OF AGENDA**

**H. PUBLIC COMMENT (3 minute limit/person 15 minutes maximum)**

**I. ALCOHOL LICENSE**

**J. ZONING**

**K. PUBLIC HEARING**

1. Ordinance to amend the rules and regulations applicable to employees of the Dawson County Board of Commissioners known as the Dawson County Board of Commissioners Employee Handbook (*2nd of 2 hearings. 1st hearing was held on April 14, 2015*)

**L. UNFINISHED BUSINESS**

**M. NEW BUSINESS**

1. Revision of Application for Parade and Assembly - *4-H Rabies Clinic (Date Change)*
2. Approval of Applications for Parade and Assembly - *Cinco-De-Run-O; GA Super Sprint Triathlon; Bootlegger Marathon; and Bootlegger Triathlon*
3. Approval of the 2015 Bullet Proof Vest (BVP) Grant
4. Approval of Bid #249-15 RFP Inmate Telephone Systems for Dawson County Sheriff's Office
5. Approval to move forward with public hearings on May 21, 2015 and June 4, 2015 for the Dawson County Soil Erosion and Sedimentation Control Ordinance Update
6. Approval to move forward with public hearings on May 21, 2015 and June 4, 2015 for the Dawson County Stormwater Management Ordinance

- [7.](#) Approval of the Memorandum of Agreement (MOA) with the Atlanta Regional Commission (ARC)
- [8.](#) Approval of the Trauma Course Funding for Emergency Services Personnel
- [9.](#) Approval to move forward with public hearings on May 21, 2015 and June 4, 2015 for the Ordinance to Amend the Compensation of the Chairman and Commissioners

**N. ADJOURNMENT**

**O. PUBLIC COMMENT**

**Backup material for agenda item:**

Minutes of the Voting Session held on April 14, 2015

**DAWSON COUNTY BOARD OF COMMISSIONERS**  
**VOTING SESSION MINUTES – APRIL 14, 2015**  
**DAWSON COUNTY GOVERNMENT CENTER ASSEMBLY ROOM**  
**25 JUSTICE WAY, DAWSONVILLE**  
**6:00PM**

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**ROLL CALL:** Those present were Chairman Berg; Commissioner Fausett, District 1; Commissioner Swafford, District 2; Commissioner Hamby, District 3; Commissioner Nix, District 4; County Manager Campbell; County Attorney Homans; County Clerk Yarbrough and interested citizens of Dawson County.

**OPENING PRESENTATION:**

Service Appreciation Award for Dave Hinderliter presented by Chairman Berg

**INVOCATION:** Chairman Berg

**PLEDGE OF ALLEGIANCE:** Chairman Berg

**ANNOUNCEMENTS:**

None

**APPROVAL OF MINUTES:**

Motion passed 3-1 to approve the minutes from the Voting Session held on April 2, 2015. Nix/Swafford- Commissioner Hamby abstained

**APPROVAL OF THE AGENDA:**

Motion passed unanimously to approve the agenda as written. Swafford/Fausett

**PUBLIC COMMENT:**

None

**ALCOHOL LICENSE HEARING:**

None

**ZONING:**

None

**PUBLIC HEARING:**

*Illicit Discharge and Illegal Connection Ordinance (2nd of 2 hearings. First hearing was held on April 2, 2015)*

Chairman Berg asked if there was anyone present who wished to be heard on the matter of the Illicit Discharge and Illegal Connection Ordinance, and hearing none, closed the hearing.

Motion passed unanimously to approve the Illicit Discharge and Illegal Connection Ordinance. Nix/Hamby

Ordinance to amend the rules and regulations applicable to employees of the Dawson County Board of Commissioners known as the Dawson County Board of Commissioners Employee Handbook (1st of 2 hearings. Next hearing will be held on May 7, 2015)

Chairman Berg asked if there was anyone present who wished to be heard on the matter of the ordinance to amend the rules and regulations applicable to employees of the Dawson County Board of Commissioners known as the Dawson County Board of Commissioners Employee Handbook, and hearing none, closed the hearing.

**UNFINISHED BUSINESS:**

None

**NEW BUSINESS:**

Approval of the Georgia Forestry Commission Cooperative Lease Agreement and Memorandum of Understanding

Motion passed unanimously to approve the Georgia Forestry Commission Cooperative Lease Agreement and Memorandum of Understanding in its final version. Swafford/Nix

**ADJOURNMENT:**

**PUBLIC COMMENT:**

None

APPROVE:

ATTEST:

\_\_\_\_\_  
Mike Berg, Chairman

\_\_\_\_\_  
Danielle Yarbrough, County Clerk

**Backup material for agenda item:**

1. Ordinance to amend the rules and regulations applicable to employees of the Dawson County Board of Commissioners known as the Dawson County Board of Commissioners Employee Handbook (*2nd of 2 hearings. 1st hearing was held on April 14, 2015*)

# DAWSON COUNTY GOVERNMENT



## Employee Handbook

Prepared by: Dawson County Human Resources  
25 Justice Way  
Dawsonville, GA 30534

Revised: March 19, 2015

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DRAFT

## WELCOME TO DAWSON COUNTY

This handbook has been prepared to provide you with an overview of Dawson County's policies, benefits, and rules and provides important information about the County, as well as guidelines for your employment experience with us in an effort to foster a safe and healthy work environment. This Handbook highlights County policies, procedures, practices, and benefits and is intended to provide general information about the policies, procedures, benefits, and regulations governing employees of the County and is not intended to be an express or implied contract. The guidelines presented in this handbook are not intended to supplant sound management, judgment, and discretion.

It is not possible to anticipate every situation that may arise in the workplace or to provide information that answers every possible question. In addition, circumstances will undoubtedly require that policies, practices, and benefits described in this handbook change from time to time. Accordingly, the County may supplement, rescind, or revise any provision of this handbook from time to time, as it deems necessary, or appropriate.

No business is free from day-to-day problems, but we believe these personnel policies, procedures, and practices will help resolve problems. All employees must work together to make the County a viable, healthy, and fiscally sound organization to provide a satisfactory working environment that promotes genuine concern and respect for all employees and citizens. If any statement in this handbook is not clear to you, then please contact the Human Resources Department for clarification.

This Handbook is not intended to and does not create an employment contract between Dawson County and its employees. Your employment is for no specific period of time, and this Handbook does not limit your right or Dawson County's right to terminate your employment at any time for any reason or no reason. The employment at will relationship exists for all employees, unless otherwise specified by state law.

For a more detailed understanding, please visit the County intranet site located at <https://mail.dawsonCounty.org/intranet> and review the applicable procedure or policy in question.

This handbook supersedes any and all prior policies, procedures, and handbooks of the County.

## **RULES AND REGULATIONS**

### **SECTION I: RULES**

#### **PURPOSE**

These rules are set forth to ensure that employees of Dawson County are treated equitably and to ensure that the citizens of the County benefit from the work of a productive and competent staff. Any violation of these rules may subject the employee to discipline up to and including termination in accordance with the provisions of these rules and regulations, federal and state law, and County ordinances. The following rules shall be known as general rules and shall apply to each and every employee of Dawson County, Georgia.

#### **APPLICABILITY**

This Employee Handbook is intended to apply to employees of Dawson County other than employees of elected constitutional officers and other offices under the direction of officers other than the county manager authorized by law. The broad application of this Handbook will ensure that all employees of Dawson County are treated equally. Moreover, the provisions contained in this Handbook establish uniform procedures for handling employment situations that facilitate efficiency and productivity.

#### **ADMINISTRATION**

This Employee Handbook shall be administered by and under the direction of the County Manager. However, powers and duties designated to the County Manager in this Handbook may be delegated by the County Manager to Department Directors, who may further delegate such authority to subordinates.

If, at any time during the operation of this Employee Handbook, the position of County Manager is vacant, the Human Resources Director or any interim official designated by the Dawson County Board of Commissioners will be responsible for administration of the Employee Handbook until the County Manager position is filled by the Board of Commissioners.

#### **DEPARTMENTAL OPERATING RULES AND REGULATIONS**

Departmental Operating Rules and Regulations (sometimes referred to as “Standard Operating Procedures” or “SOPs”), not in conflict with this Handbook, may be established and used by any Department Director. All such Departmental Operating Rules and Regulations and subsequent amendments thereto adopted pursuant to this Section shall be submitted to the County Manager for

maintenance in the County Manager's office. The Board of Commissioners has no involvement with the creation, administration, or enforcement of any Departmental Operating Rules and Regulations established by any Elected Official. In the event that a conflict arises between an employee's conduct or performance required by Departmental Operating Rules and Regulations and the conduct or performance required by this Policy Manual, then the rule or regulation requiring the higher standard of conduct or performance shall control.

## **PUBLICATION**

Rules and regulations enacted by the Board of Commissioners of Dawson County shall be published, and a copy made available to employees through the use of the County's intranet. Each Department Head shall ensure every employee has access to a computer to view the County intranet site.

## **AMENDMENTS TO RULES AND REGULATIONS**

These rules and regulations may be amended from time to time. Amendments will be communicated to employees in a timely fashion preferably within ten (10) Business Days of the change.

## **STANDARDS OF CONDUCT**

These rules are standards of conduct and are not all-inclusive. These rules and regulations are merely a guideline. The level of discipline used, such as reprimand, Suspension or termination, will be determined by the frequency and/or severity of the violation and other circumstances and the employee's work history with the County. The disciplinary action taken is subject to discretion to grant a lesser penalty or clemency for any particular case or violation. Such action does not imply cancellation of a rule, but is recognition of an unusual or particular circumstance. Egregious acts of misconduct justify termination even if no progressive discipline has been previously applied. The County's Progressive Discipline Policy is set forth within Rule 3.1.4.



## **RULE 1: NONDISCRIMINATION**

### **1.1: NONDISCRIMINATION STATEMENT**

No discrimination shall be exercised, threatened or promised against or in favor of any eligible Applicant or employee due to age, color, disability, marital status, national origin, race, religion, sex, disability, genetic information, pregnancy, childbirth or related medical conditions, uniformed service status, or any other legally protected category. Dawson County's personnel programs shall, at all times, be conducted in accordance with the Civil Rights Act (42 U.S.C. Sec. 2000 et seq.). Additionally, Dawson County intends to comply with the Americans with Disabilities Act (42 U.S.C. Sec. 12101 et seq.).

Dawson County will not discriminate against qualified individuals on the basis of a disability in consideration of any terms and conditions of employment or in admission and access to programs, services, and activities. The County may provide reasonable accommodation to enable an otherwise qualified employee to perform the essential requirements of his/her job. Discrimination based on a disability should be reported to the Human Resources Director.

### **1.2: WORKPLACE ENVIRONMENT**

Dawson County is committed to ensuring that all employees enjoy a work environment free from intimidation, harassment, and violence. These issues are discussed in more detail below. If you have any concerns regarding your workplace environment, report those concerns to the Human Resources Director.

### **1.3: EQUAL EMPLOYMENT OPPORTUNITY AND HARASSMENT**

#### **1.3.1: EQUAL EMPLOYMENT OPPORTUNITY POLICY**

Dawson County is an equal opportunity employer. It is the policy of Dawson County to provide an equal employment opportunity to qualified persons without regard to race, color, religion, sex, national origin, age, disability, genetic information, uniformed service status, pregnancy, childbirth, or related medical conditions or any other legally protected category. This policy relates to all phases of employment, including, but not limited to, recruitment, placement, Promotion, transfer, reduction in force, separation, training, compensation, and benefits. All decisions regarding hiring, placement, Promotion, transfer, Demotion, termination, or any other term or condition of employment will be based upon the qualification and performance of the employee or prospective employee.

In addition, Dawson County will not discriminate against any qualified employee or Applicant on the basis of a physical or mental disability. Dawson County will strive to provide reasonable accommodations to assist disabled individuals to perform essential job functions, as long as the accommodation does not cause the County undue hardship.

If you have any concerns regarding Dawson County's equal employment opportunity policies, report those concerns to the Human Resources Director. Please refer to Rule 1.3.4 for procedures for reporting harassment, discrimination or other unlawful treatment.

### 1.3.2: DEFINITION OF HARRASSMENT, DISCRIMINATION AND/OR IMPROPER CONDUCT

Harassment, discrimination and/or improper conduct consists of misconduct that includes unwelcome conduct, whether verbal, physical, or visual, that is based upon a person's protected status, such as sex, color, race, religion, national origin, age, disability genetic information, uniformed service status, pregnancy, childbirth, or related medical conditions or any other protected group status as provided for by law. The County will not tolerate conduct that impacts tangible job benefits, that interferes unreasonably with an individual's work performance, or that creates an intimidating, hostile, or offensive working environment.

All employees, Supervisors, and Elected Officials/Department Directors are subject to the terms and provisions of this Rule, and are to avoid any behavior or conduct that could be interpreted as discriminatory or sexual harassment as set forth below. All employees, Supervisors, and Elected Officials/Department Directors have a responsibility to inform an individual whenever the individual's behavior is unwelcome, offensive, in poor taste, or inappropriate and to report harassment as set forth herein.

### 1.3.3 DISCRIMINATORY HARRASSMENT

It is Dawson County's policy to maintain a working environment free of any and all harassment, including harassment based on a person's race, color, national origin, religion, sex/gender, disability, age, veteran status, citizenship, sexual orientation, genetic information, uniformed service status, pregnancy, childbirth, or related medical conditions or other protected group status. To assist in preventing or eliminating any such unwelcome harassment, Dawson County will not tolerate any form of harassment or unlawful discrimination by or against its employees, Supervisors, and Elected Officials/Department Directors.

All employees, Supervisors, and Elected Officials/Department Directors are expected to avoid any behavior or conduct that could reasonably be interpreted as harassment. Any form of harassment related to an individual's race, color, national origin, religion, sex/gender, disability, age, veteran status, citizenship, sexual orientation, genetic information, uniformed service status, pregnancy, childbirth, or related medical conditions or other protected group status, is a violation of this Regulation and will be treated as a disciplinary matter. For purposes of this regulation, the term "discriminatory harassment" shall be construed consistent with applicable law and may include, but is not limited to, any of the following:

- (i) Offensive remarks, comments, jokes or slurs pertaining to an individual's race, color, national origin, religion, sex/gender, disability, age, veteran status, citizenship, sexual orientation, or genetic information, uniformed service status,

pregnancy, childbirth, or related medical conditions other protected group status;

- (ii) Offensive pictures, drawings, posters, photographs, reading materials, computer monitors, or other tangible items, or communications including e-mail, that are reasonably offensive or that reasonably exploit an individual's race, color, national origin, religion, sex/gender, disability, age, veteran status, citizenship, sexual orientation, genetic information, uniformed service status, pregnancy, childbirth, or related medical conditions or other protected group status;
- (iii) Threatening reprisals based on an employee's race, color, national origin, religion, sex/gender, disability, age, veteran status, citizenship, sexual orientation, genetic information, uniformed service status, pregnancy, childbirth, or related medical conditions or other protected group status; or
- (iv) Conduct that has the purpose or effect of unreasonably interfering with an individual's work performance and/or conduct that creates an intimidating, hostile or offensive working environment.

#### 1.3.4: SEXUAL HARASSMENT

Sexual harassment is a form of harassment and will be treated in accordance with the express terms of this rule. Sexual harassment is unwelcome conduct of a sexual nature when:

- (i) Submission to such conduct is made, either explicitly or implicitly, a term or condition of employment;
- (ii) Submission to or rejection of such conduct is used, either in part or in full, as the basis for employment decisions; or
- (iii) The conduct has the purpose or the effect of unreasonably interfering with the individual's job performance or when such conduct creates an intimidating, hostile, or offensive working environment.

For purposes of this Rule, the term "sexual harassment" shall be construed consistent with applicable law and may include, but is not limited to, any of the following:

- (i) Sexual assaults, including rape and molestation, or attempts or threats to commit such acts;
- (ii) Unwanted intentional physical contact of a sexual or suggestive nature, such as touching, pinching, patting, grabbing, kissing, brushing, or poking of another person's body regardless of the gender of the individuals involved;
- (iii) Offensive sexual remarks, sexual advances or requests for sexual favors regardless of the gender of the individuals involved;
- (iv) Threatening reprisals for an employee's refusal to respond to requests for sexual

favors;

- (v) Disciplining or retaliating against any individual in any way because he or she has resisted, reported or complained about sexual harassment;
- (vi) Preferential treatment, or the promise of preferential treatment, for engaging in sexual conduct;
- (vii) Offensive pictures, drawings, posters, reading materials, calendars, photographs or other physical objects, or communications, including e-mail, that are sexually suggestive, sexually demeaning or pornographic;
- (viii) Any conduct of a sexual nature that has the purpose or effect of unreasonably interfering with an individual's work performance and/or conduct that creates an intimidating, hostile or offensive working environment; or
- (ix) Suggesting or inferring to any employee, Supervisor, Elected Official/Department Director (or Applicant for any such position) that his or her employment, advancement, or treatment will be affected in any way by entering into (or refusing to enter into) any form of personal or sexual relationship.

#### 1.3.5: COMPLAINT PROCEDURE

All employees are responsible for helping to ensure that Dawson County avoids any form of unlawful treatment. If you feel that you have experienced, witnessed or have been notified of harassment, discrimination or unlawful treatment (by a reliable source), then you should notify immediately (preferably within 24 hours) the Department Head and/or Human Resources Department. The County forbids retaliation against anyone who has made a complaint.

- (i) Investigation will be as timely and as confidential as possible.

Incidents reported by anyone pursuant to this Rule will be handled in a timely manner, and as confidentially as possible. Due to the nature of the investigation process, however, Dawson County cannot guarantee confidentiality. Information reported by any individual pursuant to this Rule will not be unnecessarily released to third parties or to any person not involved in the investigation or involved in the conduct forming the basis of the complaint. Upon conclusion of the investigation, any such information will only be released to the extent required by law. No person involved in the investigation shall discuss the complaint or investigation with any person outside of the investigation process. This provision is intended to protect the confidentiality of anyone who files a complaint, to encourage the reporting of all incidents of harassment, and to ensure the fair treatment of all parties involved.

- (ii) Investigation by duly appointed agent.

Upon receiving a complaint of harassment pursuant to this policy, Dawson County will conduct an investigation into the allegations. The investigation will be conducted by the Human Resources Director, unless an alternate arrangement has

been made with the applicable Department Director. If the complaint involves an individual in the Human Resources Department, the investigation shall be conducted by the County Manager or his/her designee.

(iii) Intent and purpose of the investigation.

The intent of the investigation is to obtain further information about the events or conduct complained of, to enable the person(s) named in the complaint to tell his or her side of the story, to determine whether harassment has in fact occurred, and to develop an appropriate resolution. Anyone making a complaint pursuant to this Rule may be asked to put his or her complaint in writing. The person to whom the complaint is made, or the person or persons investigating the complaint, may take notes and may request the complainant to sign those notes. All employees, Supervisors, and Elected Officials/Department Directors are expected to fully cooperate with any investigation of a complaint of harassment. Failure to cooperate will be justification for disciplinary action, up to and including termination.

(iv) No reprisal against Complainant.

No individual will be retaliated against for reporting a violation of this Rule or for cooperating with an investigation of a complaint of harassment. However, intentional or malicious false accusations of misconduct could have a serious effect on an individual who has been falsely accused. Individuals falsely accusing another of misconduct will be disciplined based on the extent of the false accusation, up to and including termination.

(v) Notification of belief that investigation is not being handled properly.

If, at any time, anyone feels that his or her complaint is not being handled properly, he or she should immediately contact the Human Resources Director, the County Manager, or the applicable Department Director.

The County recognizes that intentional or malicious false accusations of misconduct can have a serious effect on innocent men and women. Individuals falsely accusing another of misconduct will be disciplined in accordance with the nature and extent of his/her false accusation. The County encourages any employee to raise questions he/she may have regarding misconduct or this policy, with his/her immediate Supervisor, a higher-level manager, or the Human Resources Department.

## **RULE 2: MANAGEMENT/ADMINISTRATIVE PROCEDURES**

### **2.1: CHANNEL OF COMMUNICATION**

The chain of command (Supervisor, Department Head, County Manager or Elected Official) must have the opportunity to resolve any employee concerns or disputes. If the employee is not satisfied with the results by following the chain of command, the employee may present his or her concern

to the County Manager or appropriate Elected Official. At any point when following the chain of command, the employee, Supervisor, or Department Head may call upon the County Manager/Elected Official to assist in mediation of the problem. In the Fire and EMS Departments, due to an established internal chain of command, only an officer with the rank of Captain or above is permitted to call on the County Manager to assist in conflict resolution.

## ***2.2: PURCHASING***

No employee may buy or charge any goods or services or any amount to the account of Dawson County unless they follow the procedures established through the County Purchasing regulations established by the Board of Commissioners. Normally, a purchase order must be issued prior to purchase. An exception can be made under genuine emergency conditions, and then such purchase must be confirmed as soon as possible with a proper purchase order. In addition, under no circumstances shall any employee buy or charge any goods or services or any amount to the account of Dawson County for personal use. (The County's procurement ordinance and related policies are available at [www.dawsoncounty.org](http://www.dawsoncounty.org))

## ***2.3: TIME-SWAPPING/SHIFT-SWAPPING***

Dawson County does not allow time or shift swapping between employees unless all shift Supervisors involved previously authorize the swap. Shift swapping is the practice of trading work shifts. Time or shift swaps without authorization are grounds for disciplinary action.

## ***2.4: PAYROLL RECORDS***

Falsifying payroll records to show an individual is present when he/she is/was not present is grounds for disciplinary action up to and including termination.

## ***2.5: OTHER EMPLOYMENT***

No employee may engage in any paid employment or outside business, or in the conduct of a profession, during the hours for which the employee is employed to work for the County or outside of work hours that interferes with the efficient performance of his/her duties and/or presents a conflict of interest while employed by Dawson County. If outside employment creates a conflict of interest, the employee will be expected to resign one of the positions. It is the responsibility of the employee to provide evidence from the secondary employer that he/she is covered under the secondary employer's workers' compensation policy or that such insurance is not required under Georgia law. Furthermore, secondary employers may be required to provide certificates of insurance demonstrating sufficient general liability coverage in addition to Georgia workers' compensation coverage when applicable. The employee must also obtain approval of the appointing authority, or designee, before accepting outside employment. (See Exhibit C). Any approved outside employment must be reported in writing to the Human Resources Director prior to commencing any outside employment.

## **2.6: WORKERS' COMPENSATION**

Any employee who sustains an on-the-job injury must, at the time of the injury or as soon as possible thereafter, notify his/her Supervisor. The Supervisor shall immediately file the WC-1/First Report of Injury with the Human Resources Department. If the injury necessitates the employee's absence from work, the employee may elect to take the first 7 Working Days as sick Leave or personal Leave, and if the employee so elects, then the employee shall sign documents evidencing such election. If the nature of the injury necessitates an absence longer than seven (7) calendar days, the County's workers' compensation insurance carrier shall determine if the employee is eligible for further compensation. Eligible employees will receive workers' compensation benefits. A fraudulent claim is grounds for disciplinary action up to and including termination.

For more information on the County's workers' compensation Leave program, please refer to Regulation 3.3.5.

## **2.7: VOTING RIGHTS**

No employee shall be given or refused employment, suspended or discharged because of his/her vote or failure to vote in any primary or election. Employees are encouraged to exercise their individual right to vote. Federal regulations now provide for advance voting during the week prior to each election, and employees are encouraged to take advantage of advance voting so that the County is not overburdened with absences on Election Day. Employees may contact the Elections Department regarding the location of polls for purposes of advance voting.

Each employee may, upon at least twenty-four hours prior notice to his/her Supervisor, take necessary time off from employment without loss of pay to vote in any municipal, county, state, or federal primary or election for which the employee is qualified and registered to vote. Such time off to vote shall not exceed one (1) hour. Any time off taken to vote pursuant to this Section must be approved by the applicable Supervisor and will not be charged against the employee's Personal Leave.

## **RULE 3. WORK STANDARDS AND DISCIPLINE**

### **3.1: WORK STANDARDS**

These rules and regulations are designed to express work standards, or what Dawson County expects from each employee. In brief, your County Government depends on you to do your best and to be on the job regularly. Your employer and fellow employees expect you to be responsive and to cooperate with others in a spirit of teamwork.

Violation of established work standards, depending on frequency and severity, may result in such disciplinary actions as reprimand, Suspension, Demotion and/or termination. Work standards violations requiring Supervisor intervention and possible disciplinary action include, but are not limited to:

### 3.1.1: PERFORMANCE

Performance is defined as unsatisfactory job performance resulting in inefficiency or ineffectiveness; unsatisfactory work practices or procedures; lack of cooperation with directives from Supervisors; negligence in carrying out duties; disregard for safety and security rules of the Department; and job abandonment.

### 3.1.2: ATTENDANCE

Excessive absenteeism and/or tardiness including but not limited to partial days absences; failure to keep Supervisor properly informed concerning absences or tardiness; unauthorized time swapping and/or shift swapping; falsifying of attendance or time records.

### 3.1.3: PERSONAL CONDUCT

In general, conduct that interferes with the operations of Dawson County, brings discredit to Dawson County, or is deemed inappropriate by Supervisors, co-workers, or the public is not tolerated. Examples of conduct that is not permitted, and will subject the individual involved to disciplinary action, up to and including immediate termination, include, but are not limited to:

- (a) Insubordination or uncooperative attitude, including, but not limited to, disrespect to a Supervisor, a higher ranking employee or official, co-worker, or the public, and failure to follow the lawful orders of a Supervisor;
- (b) Failure to do work at an acceptable level of competence;
- (c) Excessive tardiness, excessive absenteeism, unexcused absences, and absences when the employee does not have accrued Personal Leave or Sick Leave to accommodate the absence;
- (d) Conviction of a felony or a crime involving moral turpitude, if the conduct leading to such conviction is job related and the disciplinary action is consistent with business necessity;
- (e) Theft, abuse or misuse of County property or vehicles, violation of traffic laws while driving a County vehicle, failure to report damage or destruction of County property to a Supervisor, loaning property or equipment of the County without permission or proper authority;
- (f) Willfully giving false statements to Supervisors, officials, or the public;
- (g) Violation of County ordinances, administrative regulations, provisions of this Handbook, or Departmental rules;
- (h) Consumption or distribution or possession of alcoholic beverages or illegal



drugs or abuse of prescription drugs or over-the-counter medication in a manner that violates the Dawson County Drug and Alcohol Free Workplace policies;

- (i) Acts during duty hours which are incompatible with public service;
- (j) Use of profane or abusive language or discourteous treatment of the public or other employees;
- (k) Consumption of alcoholic beverages or use of illegal, prescription, or over-the-counter drugs outside work hours in such a manner as to adversely affect attendance or job performance;
- (l) Falsification or destruction of official records or documents, or use of official position for personal benefit, profit, or advantage;
- (m) When duly and properly called as a witness before any County board, appeals board, state or federal judicial or administrative tribunal, and when before such tribunal, failing to answer truthfully any question concerning performance of official duties with the County;
- (n) Failure to report an occupational injury or accident during the shift on which it occurred;
- (o) Absence due to incarceration;
- (p) Use of any form of physical abuse of the public, Supervisors, or other employees, or making threats to the public, Supervisors, or other employees;
- (q) Violating any lawful official regulation or order or failing to obey any proper directive made and given by a superior officer;
- (r) Disgraceful or dishonest conduct;
- (s) Careless or negligent with the monies or other property of the County;
- (t) Failure to pay or make reasonable provisions for future payment of debt to such an extent that such failure is detrimental to the work relationship;
- (u) Use or threatening of use, or attempt at use of personal or political influence to secure employment benefits, including but not limited to, Promotion, Leave of Absence, transfer, change of pay rate, or character of work;
- (v) Taking for personal use from any person any fee, gift, or other valuable thing in the course of work or in connection with it, when such gift or other such valuable thing is given in the hope or expectation of receiving a favor or better treatment than that afforded other persons based upon the Code of

Ethics for Government Service. See O.C.G.A. § 45-10-1;

- (w) Violating established security procedures during the Examination process or obtaining information, through unauthorized or illegal means, which provides an unfair advantage on the Examination;
- (x) Failure to acquire a valid license, registration, or certification when such license, registration, or certification is required and specified in the specifications for the class to which the position occupied by the employee is classified;
- (y) Wasted time, inefficiency, and/or loitering during working hours;
- (z) Violation of any provisions of the Code of Ethics for Government Service, this Handbook, or the applicable Departmental SOP;
- (aa) Release of confidential information learned as a result of employee's position without specific approval of the applicable Department Director, Constitutional Officer or the County Manager;
- (bb) Lending money or borrowing money from another County employee who makes a practice of loaning money and charging interest to employees; and/or
- (cc) Babysitting or keeping children in the employee's assigned work area.

#### 3.1.4: PROGRESSIVE DISCIPLINE

Whenever possible, Department Directors should provide employees with an opportunity to correct problematic behavior or poor performance. All Supervisors are encouraged to follow specific steps of progressive discipline. However, depending upon the nature of the employee's misconduct, poor performance, and/or length of employment, the use of progressive discipline shall be discretionary. Thus, while this Rule sets forth available mechanisms for discipline, certain steps may be skipped in a disciplinary process depending upon the nature of the employee's misconduct, poor performance, working test period status and/or length of employment. To the extent that progressive discipline is being utilized, when an employee engages in different types of misconduct or poor performance, each incident can provoke increased discipline, even if the incidents of misconduct or poor performance are in different areas or unrelated to other previous incidents. The mechanisms for progressive discipline may include, but are not limited to, verbal reprimand, written reprimand, Suspension without pay, Demotion, and Dismissal. While there are five steps identified in this Rule, this Rule should not be construed to require five incidents of misconduct or poor performance prior to Dismissal being an appropriate disciplinary sanction. Moreover, other forms of discipline not detailed in this Rule may be utilized in the discretion of the applicable Supervisor. All disciplinary actions shall be reduced to writing and forwarded to the Human

Resources Director for maintenance in the employee's personnel file. All such disciplinary actions shall remain in the employee's personnel file.

### *Verbal Reprimand*

A verbal reprimand is an oral Notice of a policy violation, mistake, inefficiency, misconduct, poor performance, or other factors that may adversely influence an employee's ability to carry out his/her duties and responsibilities. Any Supervisor may verbally reprimand a subordinate employee at any time. Verbal reprimands may affect the employee's employment status, particularly if corrective action is not taken by the employee. All verbal reprimands should be documented in the employee's personnel file and shall be signed by the Human Resources Director to acknowledge receipt.

### *Written Reprimand*

A written reprimand is a written Notice of a policy violation, mistake, inefficiency, misconduct, poor performance, or other factors that may adversely influence an employee's ability to carry out duties and responsibilities. Any Supervisor may reprimand in writing a subordinate employee at any time. Written reprimands are required to be shown and explained to the employee who will acknowledge receipt of same by his/her signature. If the employee refuses to sign, the same shall be noted. If the employee feels the written reprimand to be unjust, he/she must so state in writing giving the reasons, which must be done within five calendar days. An original copy of the reprimand, with the employee's response, if any, must be forwarded to the Human Resources Director to be placed in the employee's personnel file. The Human Resources Director will sign the written reprimand to acknowledge receipt. A written reprimand may be presented on a form adopted by the applicable Department or available from the Human Resources Department, or the written reprimand may be in letter or memo form.

### *Suspension Without Pay*

The County Manager, a Department Director, or his/her respective designee, as applicable, may, by written Notice to the employee, suspend an employee without pay. Any such Notice of Suspension must be forwarded to the Human Resources Director to be placed in the employee's personnel file. The Human Resources Director will sign the Suspension Notice to acknowledge receipt. An employee who is suspended for any reason may not utilize Personal Leave so as to be compensated during the Suspension without pay period.

An employee may be suspended in the following manner:

- (a) Disciplinary Suspension

In an attempt to correct unacceptable behavior and/or work performance issues, an employee may be suspended for a specified period of time without pay. All such disciplinary Suspensions for a specified period of time shall be stated in hours, rather than days or shifts. The total period of any Suspension without pay for disciplinary purposes shall not exceed 120 hours.

An employee in the position of exempt status may be suspended without pay in increments of the equivalent of one or more full days imposed in good faith for violation of workplace rules. Non-Exempt employees may be suspended without pay in consecutive full or partial day increments.

(b) Suspension Pending a Court Decision

An employee shall be suspended indefinitely without pay at the discretion of the County Manager or the applicable Department Director, or his/her respective designee, when awaiting trial on criminal charges, the nature of which would impede or undermine the employee's ability to satisfactorily perform his/her job. The employee will be given the opportunity to demonstrate that the criminal charges should not subject him/her to Suspension from employment with the County. Thereafter, the County will make a determination on whether said Suspension is job related and consistent with business necessity.

In the alternative, if the employee's actions and/or the criminal charges are such that it is not in the best interest of the County for the employee to remain in the County workforce, the County Manager or the applicable Department Director, or his/her respective designee, as applicable, may elect to terminate the employee upon Notice of the criminal charges or at any time thereafter. The employee will be given the opportunity to demonstrate that the criminal charges should not subject him/her to Dismissal from employment with the County. Thereafter, the County will make a determination on whether said Dismissal is job related and consistent with business necessity.

If the County does not elect to terminate the employee during the pendency of criminal charges, upon receipt of Notice from the employee that the criminal matter has been resolved by Dismissal, plea, or trial, the County Manager or the applicable Department Director, or his/her respective designee, shall make a determination as to whether the employee shall be reinstated and whether any such reinstatement shall be with or without loss of pay. If an employee is fully exonerated of all criminal charges, the employee shall be reinstated without loss of pay, privileges, benefits, or status retroactive to the date of Suspension.

(c) Suspension Pending Drug/Alcohol Testing

An employee shall be suspended without pay immediately upon being required to submit to a reasonable suspicion drug or alcohol test. The total period of any Suspension without pay shall be for an indefinite period of time, which shall conclude upon completion and receipt of the drug or alcohol test and any applicable confirmation tests.

An employee who initially tests positive for drugs or alcohol pursuant to any other type of drug or alcohol testing (such as workers' compensation testing, return to duty testing, post-accident testing, and/or random testing) shall be immediately suspended without pay pending any applicable confirmation of the positive test results. The period of Suspension shall be for an indefinite period of time, which period shall end upon completion and receipt of any applicable confirmation tests.

### *Suspension During Investigation/Paid Administrative Leave*

A Suspension during an investigation is referred to as Administrative Leave. Designation of such an absence from the workplace as "Administrative Leave" is to prevent any possible stigma against an employee during a period of Administrative Leave.

### *Demotion*

The County Manager or the applicable Department Director or his/her respective designee may by written Notice to the employee, demote an employee for disciplinary purposes. When an employee is demoted to a lower Grade, the employee's salary will decrease by that percentage difference between the minimum salary for his/her former position and the minimum salary applicable to his/her new position. Employees will be subject to a working test period upon Demotion. All Demotions must be approved in writing by the County Manager.

### *Dismissals*

An employee may be dismissed or terminated from employment with Dawson County for disciplinary purposes.

Immediate Dismissal, in the absence of progressive discipline, may be necessary in certain circumstances. The following list includes some, but not all, offenses that may be grounds for immediate Dismissal:

- (a) Theft;
- (b) Falsification of documentation and/or other acts of dishonesty;
- (c) Fighting or other physical violence or threats of violence;
- (d) Wrongful or negligent destruction of Dawson County property;

- (e) Conviction of a felony or other offense that, in the opinion of the County, conflicts with and/or undermines the employee's performance of his/her job duties. The employee will be given the opportunity to demonstrate that the conviction should not exclude him/her from employment with the County. Thereafter, the County will make a determination on whether said termination is job related and consistent with business necessity;
- (f) Possession of firearms, Weapons, or explosives on Dawson County property without the express consent of the County Manager, or as otherwise allowable pursuant to applicable law(s);
- (g) Use, possession, sale, or testing positive for alcohol or illegal drugs on Dawson County property or while on duty, and/or failure to submit to testing for same;
- (h) Use, possession, sale, or testing positive for prescription or over-the-counter drugs that lead an employee to be unfit for duty;
- (i) Falsification of an employment application or other information for the purposes of obtaining employment or any benefits from Dawson County;
- (j) Violation of safety rules that endanger lives or safety and/or any conduct that endangers lives or safety;
- (k) Violation of the Dawson County's anti-harassment, non-discrimination, and/or internet use policies;
- (l) Unreported or unauthorized absences of three consecutive Working Days;
- (m) Unauthorized and repeated tardiness; and
- (n) Gross insubordination.

3.1.5: APPEARANCE

All personnel are expected to present the highest professional standards of personal hygiene and appearance while performing their duties and while representing Dawson County in an official capacity. The provisions of this policy are applicable to all Dawson County employees, including temporary and contracted employees. (See Exhibit G)

**3.2: ATTITUDE AND BEHAVIOR**

County employees must conduct themselves in a courteous and professional manner. Employees

shall not use inflammatory, provocative or profane language, sexual slurs, racial slurs, and shall not demonstrate an unresponsive attitude or be disrespectful to the public or fellow employees.

### ***3.3: INSUBORDINATION***

Insubordination includes but is not limited to failure to follow rules, policies, ordinances, professional practices, and willful failure to follow directives by Supervisors or management. Any employee who manifests resistance - verbal, physical or otherwise - towards a Department Head or Supervisor shall be subject to immediate Suspension and/or discharge.

### ***3.4: DRUG AND ALCOHOLFREE WORK PLACE***

#### ***STATEMENT OF POLICY***

Dawson County is committed to maintaining a work environment free from the adverse impact of employee drug and alcohol abuse. Employee drug and alcohol abuse constitutes a direct threat to the lives and property of the employees and citizens of the County and to the public health, safety, and welfare of all persons in the County.

Dawson County does not and will not tolerate any employee's possession, sale, distribution, consumption or presence in the body of alcoholic beverages or illegal drugs while on County property and/or on County business at any time.

This Rule is intended to comply with federal regulations and state laws that mandate pre-employment, reasonable suspicion, random, and post-accident testing of certain positions of employment, and to further the objective of protecting the persons and property of the County's employees, citizens and the general public. This Rule will be strictly enforced against all employees. To the extent that this Rule and any results from a fitness for duty test conflict, the most strenuous provision favoring a drug and alcohol free workplace shall govern.

#### ***DRUG AND ALCOHOL USE PROHIBITED FOR ALL EMPLOYEES***

This Rule applies to all employees. This Rule applies to off-site lunch periods or breaks when an employee is scheduled to return to work, as well as to County Premises. Visitors, vendors, and contractors are governed by this Rule to the extent they are on County Premises or in County vehicles and will not be permitted to conduct business if found to be in violation of this Rule.

#### ***DRUG AND ALCOHOL USE PROHIBITED ON COUNTY PREMISES***

Substance and alcohol use by Dawson County employees during assigned working hours on County Premises, or otherwise while on County business is prohibited. This shall include the use of illegal substances, the abuse of prescription medications and over-the-counter medications, and the use of or abuse of alcohol.

As used herein, "County Premises" includes all property, facilities, land, platforms, buildings, structures, fixtures, installations, parking lots, and vehicles, whether leased or used by Dawson County government or its officials, managers, Supervisors, employees, or other agents. This definition also includes locations other than County headquarters and offices, including all other locations of County-sponsored recreational, social, or educational events, and any place where a

Dawson County employee is located while traveling to or from such location in the course and scope of his duties on behalf of the County, including an employee's own vehicle when the employee is using it on County business, or when the vehicle is parked on County property. This definition shall not be interpreted to imply that the County assumes or accepts responsibility for any wrongful, tortious, negligent or criminal acts of any person whom it employs when such person is not acting pursuant to a County Supervisor's instruction in furtherance of the County's business, nor shall it constitute a waiver of any immunity which Dawson County or its officials or employees might have under federal, state or local laws or ordinances.

### *IMPAIRMENT*

Drug and alcohol abuse on or off County Premises is entirely inconsistent with fitness for duty and as such shall constitute an impairment. Dawson County prohibits employees from being at work, on County Premises, operating County equipment, or operating any other equipment or vehicles on County business while impaired due to any illegal drug(s), legally obtained drug(s), or alcohol.

### *PROHIBITED SUBSTANCES*

(a) Illegal Drugs or controlled substances

- (i) "Illegal drug(s) or controlled substance(s)" means any drug or substances the law prohibits individuals from manufacturing, dispensing, using, consuming, possessing, distributing, purchasing, selling, or otherwise transferring, including, without limitation, all drugs listed as controlled substances under Title 16 of the Official Code of Georgia. This definition encompasses any measurable amount of any drugs or controlled substances such as amphetamines, cannabinoids, cocaine, phencyclidine (PCP), methadone, methaqualone, opiates, barbiturates, benzodiazepines, propoxyphene or other drugs made unlawful under federal or state laws, or a metabolite of any such substances, "look-alikes," "designer drugs" having the same or similar psychotropic effects, unauthorized alcoholic beverages, marijuana, hallucinogens (whether natural or synthetic), inhalants, unauthorized prescription drugs, or authorized drugs which are not prescribed for a verifiable medical condition and/or are not used in strict accordance with this Rule and with the prescribing physician's instructions, or any other substances that are mood-altering, mind or consciousness-affecting, or which are likely to have an effect upon a person's perceptions, sensations, thought processes, self-awareness, emotions, or other mental or physiological or psychological reactions or behavior. It also includes urinaid or other substances, natural or synthetic, of a similar nature or purpose designated or used to alter a urine specimen or to conceal illicit chemical substances or their metabolites in an initial screening test.
- (ii) Dawson County prohibits employees from manufacturing, dispensing, using, consuming, possessing, distributing, purchasing, selling or otherwise transferring any illegal drug(s) or controlled substance(s) while on the job, on call, on County Premises, while operating County equipment or vehicles, or while operating any



- other equipment or vehicle while on County business.
- (iii) An employee is impaired due to the influence of illegal drug(s) or controlled substance(s) if such employee's drug test results indicate the presence of an illegal drug or controlled substance in an amount that constitutes a positive test under accepted scientific standards.

(b) Legally Obtained Drugs

- (i) A "legally obtained drug" includes prescription drugs and over-the-counter drugs. A "prescription drug" means any substance that is attainable only by lawful prescription from a physician. "Over-the-counter" medication includes any substance that does not require a prescription, but which has the capacity to affect a person physically, mentally, or emotionally or which could otherwise affect a person's ability to perform.
- (ii) Employees must not be on the job, on call, on County Premises, operating County equipment or vehicles, or operating any other equipment or vehicle while on County business while impaired due to any drug, legal or illegal, that renders the employee unfit for duty. An employee is "unfit for duty" if, in the County's opinion, the employee's use of legally obtained drugs jeopardizes his or her ability to work safely and efficiently. An employee who is using legally obtained drugs must notify his or her immediate Supervisor of any and all symptoms and probable adverse side effects that may render him or her unfit for duty. An employee's failure to so notify the County constitutes grounds for disciplinary action, up to and including, termination. If any employee's medically required use of legally obtained drugs renders the employee unfit for duty and, in the opinion of the County, a temporary alternative job assignment is not available, the employee will be considered unfit for duty.
- (iii) Employees using legally obtained drugs while on the job shall do so in strict accordance with physician and/or manufacturer's directions. It is the employee's responsibility to notify the prescribing physician of the duties required by the employee's position and to ensure that the physician approves the use of the prescription medication while the employee is performing his or her duties.
- (iv) The abuse and/or inappropriate use of legally obtained drugs while on the job, on call, on County Premises, while operating County equipment or vehicles, or while operating any other equipment or vehicle while on County business shall be prohibited and is a disciplinary matter. Job performance or attendance deficiencies resulting from abuse and/or inappropriate use shall be cause for disciplinary action.

(c) Alcohol

- (i) "Alcohol" includes any beverage or substance containing alcohol manufactured for the primary purpose of personal consumption. Dawson County prohibits employees from using, consuming, possessing, distributing, purchasing, selling, or otherwise transferring alcoholic beverages on the job, on call, on County premises, while operating County equipment or vehicles, or while operating any other equipment or vehicles while on County business.
- (ii) No employee shall use alcohol while on the job, on call, on County Premises, while

operating County equipment or vehicle, or while operating any other equipment or vehicle while on County business. In addition, no employee shall use alcohol within four hours of reporting for duty. Violation of these provisions is prohibited and subjects the employee to discipline, up to and including termination.

- (iii) Dawson County also prohibits employees from being on the job, on call, on County Premises or operating County equipment or vehicles, or operating any other equipment or vehicles on County business while under the influence of alcohol. An employee is “under the influence of alcohol” if, based upon the employees’ speech statements, behavior, conduct, appearance, or odor, the County reasonably believes the employee is under the influence of alcohol in a manner that is adversely affecting the employee’s behavior. An employee is also under the influence if an evidential breath test indicates a result of 0.02 percent or higher. An employee is further considered under the influence of alcohol if he has been arrested for operating under the influence of alcohol any County equipment or vehicles, or any other equipment or vehicles while on County business.

#### *WHEN TESTING IS REQUIRED*

- (a) Pre-Employment/Post-Offer Testing

All Applicants for positions of employment with Dawson County, will be tested for drugs after a conditional offer of employment has been extended. Drug tests must also be performed on all seasonal and shift employees in Safety Sensitive or CDL positions returning to employment with the County after six months of absence from employment. No such Applicant/new hire or such seasonal or shift employee shall report to duty or be allowed to report to duty until the results of the drug test are obtained. Any such Applicant/new hire or seasonal or shift employee described above who refuses a pre-employment/post-offer drug test(s) or who tests positive, shall not be extended a final offer of employment and will not be considered for any subsequent employment for a period of at least two years. The Applicant will, however, be afforded the opportunity to contest the test results as set forth in this Rule.

- (b) Random Testing

All employees who are required to hold a commercial driver’s license (hereinafter referred to as “CDL” or “CDL positions”) and employees in Safety Sensitive Positions shall be subject to random testing as follows:

- (i) Tests will be ordered on a random, unannounced basis from the pool of identified CDL and Safety Sensitive employees.
- (ii) A random selection method and test rates as adopted by the Human Resources Director will be used to select employees, thereby allowing each employee an equal chance of being tested each month. Random selection test rates are subject to change as determined by the Human Resource Director.

- (iii) An employee's name will remain in the pool after being selected so that every employee will have an equal chance of being tested each time selections are made. Therefore, it is possible that any CDL or Safety Sensitive employee, who is randomly selected for testing, may be randomly selected again during the same year.

(c) After-Care Testing

Persons in CDL and Safety Sensitive Positions returning to work from an approved treatment program for drug or alcohol abuse may be subject to unannounced testing at the discretion of the Department Director for a period of six months following the employee's return to work.

(d) Return to Duty Testing

All employees in Safety Sensitive or CDL positions who are absent from work for more than thirty days, for any reason, shall be tested for drugs immediately upon returning to work and before performing any job duties.

(e) Position Testing

Employees who are transferred, reclassified, promoted, or demoted from a non-CDL/non-Safety Sensitive Position into a CDL or Safety Sensitive Position will be tested for drugs before performing any job duties in the new position.

(f) Reasonable Suspicion

All employees will be subject to testing when there is reasonable suspicion that the employee has used drugs or misused alcohol in violation of this Rule. Any employee who is required to take a reasonable suspicion test will be immediately suspended without pay pending the results of the test and confirmation of the results, if applicable.

- (i) Any Supervisor who has received training in the signs and symptoms of drug and alcohol use and impairment may require an employee to undergo a reasonable suspicion test(s) for drugs or alcohol. A reasonable suspicion test may be required based upon, but not limited to the following:
  - (1) the personal observation of the employee's job performance, appearance, behavior, speech, or odor by the trained individual creating a reasonable suspicion that the employee has used drugs or alcohol in violation of this Rule;
  - (2) personal observation of the employee by another individual who has fully disclosed the observation to the trained Supervisor;
  - (3) observation of the employee by a nurse or physician engaged in the treatment or evaluation of a work related injury who has disclosed such observations to the County; or
  - (4) information from a law enforcement agency received by the County.

Additionally, any untrained Supervisor may require a reasonable suspicion test(s) for drugs or alcohol when a trained Supervisor or the Human Resources Director has reviewed the underlying facts and agrees that reasonable suspicion exists to require a test.

- (ii) Specific and objective facts indicating that an employee's drug or alcohol use may have caused or have been a contributing factor to an on-duty Motor Vehicle accident will give rise to a reasonable suspicion test(s) for drugs or alcohol. The following facts, if present, may independently or collectively, depending upon the circumstances, give rise to reasonable suspicion:
  - (1) The appearance, behavior, speech or odor of the employee immediately prior to or after the accident;
  - (2) The employee left the scene or attempted to leave the accident scene without legal authority or permission to do so, or failed to report the accident to the appropriate individual or otherwise attempted to keep appropriate persons from learning about the accident or the extent of the accident;
  - (3) The employee acted contrary to a safety rule, established safety practice or otherwise engaged in demonstrably unsafe behavior for which there is no reasonable explanation;
  - (4) The employee was arrested or received a traffic citation;
  - (5) The employee or any other person received medical attention as a result of the accident; and
  - (6) The employee has been involved, as a contributing factor, in a pattern of repetitive on-duty accidents whether or not they involved actual or potential injury.

Notwithstanding the foregoing factors indicating reasonable suspicion of drug or alcohol use due to involvement in an on-duty Motor Vehicle accident, it is the policy of the County to administer drug and alcohol tests to any and all employees involved in any of the accidents described in paragraph (g) below.

- (iii) Specific and objective facts indicating that an employee's drug or alcohol use may have caused or been a contributing factor to an on-duty accident involving the use of heavy machinery will give rise to a reasonable suspicion test(s) for drugs or alcohol. The following facts, if present, may independently or collectively, depending on the circumstances, give rise to reasonable suspicion:
  - (1) the appearance, behavior, speech or odor of the employee immediately prior to, or after, the accident;
  - (2) the employee left the accident scene or attempted to leave the accident scene without legal authority or authorization to do so, or failed to report the accident to the appropriate individual or otherwise

- attempted to keep appropriate persons from learning about the accident or the extent of the accident;
- (3) the employee acted contrary to a safety rule, established safety practices or otherwise engaged in demonstrably unsafe behavior without a reasonable explanation;
  - (4) the employee or any other person received medical attention as a result of the accident; and
  - (5) the employee has been involved as a contributing factor in a pattern of on-duty accidents whether or not they involved actual or potential injury.

Notwithstanding the foregoing factors indicating reasonable suspicion of drug or alcohol use due to involvement in an on-duty accident involving the use of heavy machinery, it is the policy of the County to administer drug and alcohol tests to any and all employees involved in any of the accidents described in paragraph (g) below.

(g) Post-Accident Testing

Alcohol and drug test(s) should be completed within eight hours of an accident resulting in any of the events described below. This testing is to be performed in addition to any drug or alcohol test(s) ordered by law enforcement authorities. It is the responsibility of the immediate Supervisor to ensure the involved employee or individual reports immediately for testing. Failure to do so can result in disciplinary action taken against the Supervisor and/or employee up to and including immediate termination.

Drug and alcohol testing must be performed within policy guidelines when any employee, while operating a County vehicle, transit vehicle or heavy machinery is involved in an accident that results in: (1) a fatality; or (2) a citation issued to the employee; or (3) an injured person requiring immediate medical treatment away from the scene; or (4) damage to County or personal property; or (5) damage to a vehicle to the extent that it is towed away.

(h) Post-Workplace Injury Testing

Alcohol and drug tests should be completed within eight hours of any workplace injury. The involved employee must report immediately for testing, or be subject to immediate termination.

*PERSONS SUBJECT TO TESTING*

(a) CDL Employees

Employees who are required to possess a CDL license as a job requirement are subject to all testing provisions of this Rule, including, but not limited to, pre-employment, post-accident, reasonable suspicion, random testing, position testing, return to duty and follow-

up testing. CDL employees will be tested based on procedures in compliance with the U.S. Department of Transportation's Transportation Workplace Drug and Alcohol Testing Programs regulations set forth in 49 CFR Part 40 ("DOT Guidelines").

(b) Safety Sensitive Employees

Safety Sensitive employees occupy positions where a lapse of judgment or impaired physical/mental ability in performing any essential job function could reasonably result in a significant threat of harm to the employee, fellow employees, citizens, inmates, or others. Safety Sensitive Positions include, but are not limited to, those which, as a part of the essential job functions, require: operation of a County vehicle two (2) or more times during a normally scheduled workweek of that position; the performance of law enforcement duties as a POST-certified law enforcement officer; possession of a firearm; providing emergency medical, rescue, or fire suppression services; interacting with incarcerated persons or persons on probation for drug charges; direct involvement in the enforcement of drug laws; direct involvement, access to, handling of or testing of illegal drugs that have been seized, confiscated by or taken into custody by law enforcement; the performance of duties essential to drug interdiction; primarily operating motorized equipment, heavy machinery or heavy equipment or the maintenance of Motor Vehicles, motorized equipment, heavy machinery or heavy equipment and are not otherwise designated as a CDL position subject to DOT Guidelines; or the performance of duties which directly affect public health or safety.

Safety Sensitive employees are subject to all testing provisions of this Rule, including, but not limited to, pre-employment, post-accident, reasonable suspicion, random, position testing, return to duty and follow-up testing. Safety Sensitive employees will be tested based upon procedures in compliance with DOT Guidelines.

(c) All Employees

Employees are subject to certain provisions of this Rule including, post-accident, reasonable suspicion, and position testing. Employees not holding a CDL or Safety Sensitive Position shall be drug tested via non-DOT drug testing guidelines.

(d) Job Applicants

All Applicants are subject to pre-employment testing after a conditional offer of employment has been extended.

(e) Employees in Offices of Elected Officials

Employees in the offices of Elected Officials are subject to the testing provisions contained in this Rule, unless the Elected Official has adopted a more stringent drug and alcohol workplace policy specific to his or her Department.

## *PROCEDURES FOR TESTING*

- (a) Whenever a drug or alcohol test(s) is to be performed under this Rule, the Department Director or his/her designee shall be notified of the circumstances necessitating the test(s) as soon as possible.
- (b) Alcohol screening will be conducted using a federally approved evidential breath-testing device or the use of a swab/saliva test performed by an approved independent medical facility.
- (c) All drug tests, regardless of the purpose for the test, shall be performed as a Panel 5 test for the following five drugs or classes of drugs: (1) Marijuana metabolites; (2) Cocaine metabolites; (3) Amphetamines; (4) Opiate metabolites; and (5) Phencyclidine (PCP).
- (d) All drug tests shall be administered and accounted for by an approved laboratory and/or medical facility that is operating in compliance with the U. S. Department of Health and Human Services (DHHS). Testing will involve an initial screening test(s) and confirmation of positive tests by gas chromatography/mass spectrometry (GC/MS) analysis. Tests will be certified, to the fullest extent possible under the circumstances, by a laboratory approved by the DHHS.
- (e) All positive test results for drugs will be interpreted by a physician approved by the County as a medical review officer (“MRO”) before the results are reported to the County. Prior to notifying the County, the MRO will make reasonable efforts to contact the employee for the purpose of allowing the employee to offer an alternative medical explanation for the positive test result. If the MRO is able to contact the Applicant or employee and determines there is a legitimate medical explanation for the positive test, the result will be communicated as negative to the County. The MRO’s inability to contact the Applicant or employee before providing test results to the County will not void the test results or make the test results unusable in any subsequent disciplinary action. An Applicant or employee who fails to respond to an inquiry by the MRO within forty-eight hours of such inquiry shall have waived his/her opportunity to offer an alternative medical explanation for the positive test result or to request confirmation testing. Because the employee is present for interpretation of an alcohol test, the procedure concerning prior notification by the MRO is not applicable.
- (f) Upon notification by the MRO of a confirmed positive result for drugs, the employee may request, within five calendar days of such notification, that the remaining portion of his/her specimen undergo a second confirmation test at his/her expense at a DHHS laboratory of his/her choice. If the test conducted by the laboratory selected by the employee is negative for the presence of drugs, a third test

may be made at the County's sole expense at a separate DHHS facility of its own choosing. The results of the third facility will be determinative. If the results from the third facility are negative, all prior positive tests will be disregarded and shall not be the basis for any disciplinary or adverse action. This option of a confirmation test is contingent upon there being enough of the specimen remaining to allow for a confirmation test.

- (g) The County will make reasonable efforts to notify the employee in writing of a positive drug test within five days from the date it receives the test results. Because the results of a breath alcohol test are immediately available, this provision will not apply to alcohol tests conducted in such a manner.
- (h) Any employee ordered to be tested based upon reasonable suspicion, shall be immediately removed from duty, escorted to the testing facility, and taken home (unless other suitable arrangements have been made to transport the employee). Under no circumstances will the employee be allowed to drive himself or herself home. The employee shall be suspended without pay pending the results of the test and any confirmation tests, if applicable. If the positive test is explained or negated by the MRO and/or subsequent confirmation testing, the employee shall be reinstated with back pay and the Suspension without pay will be expunged from the employee's personnel file.
- (i) In the event that it is not reasonable under the circumstances to conduct an alcohol test based on a breath test, the County reserves the right to test for the presence of drugs or alcohol by a blood test analysis. If this procedure is used, the County will make reasonable efforts to notify the employee of the results within ten days after the results are received. A MRO will not be used when a blood test for alcohol is conducted.

#### *CONSENT FOR TESTING*

Prior to date of hire, all employees and job Applicants will be provided a consent form consenting to any and all frequency of drug and/or alcohol test(s) set forth in this Rule and permitting the release of test results to the employer and/or the medical review officials. Signed consent forms are kept on file by the Human Resources Department and are enforceable for the duration of employment.

Any employee subject to drug and alcohol testing under this Rule who refuses to submit to a drug and alcohol test as required herein shall be subject to termination. Employees who refuse to be escorted or fail to appear at the designated collection site to take the test when so directed or as required by this Rule shall also be subject to termination.

Refusal can include an inability to provide a sufficient urine specimen, breath or saliva sample without a valid medical explanation, as well as a verbal declaration, obstructive



behavior, or physical absence resulting in the inability to conduct the test.

### *ARRESTS/INDICTMENTS/CONVICTIONS FOR DRUG OR ALCOHOL RELATED OFFENSES*

An employee must report his/her arrest, indictment and/or conviction for violation of a criminal drug statute (including any drug or alcohol offenses under local, state or federal law, including but not limited to any drug or alcohol offenses enumerated in the Official Code of Georgia Annotated) whether the violation occurs in or outside the workplace or on or off duty, to his/her immediate Supervisor or Department Director. An employee must report such an arrest, indictment or conviction as soon as possible, but in no event later than 72 hours after such arrest, indictment and/or conviction. The term “conviction” as used in this Policy means a plea of guilty or a finding of guilt (including a plea of nolo contendere and regardless of treatment as a first offender under Georgia law), imposition of a sentence, or both, by any judicial body charged with a responsibility to determine violations of the federal or state criminal drug statutes. The County will make a determination at that time whether the arrest, indictment and/or conviction causes a temporary or permanent disqualification from holding that position, or constitutes grounds for disciplinary action up to and including termination.

An employee who violates this Policy may be subject to disciplinary action, up to and including immediate termination of employment.

### *SEARCHES*

All County-issued equipment, property and facilities, including but not limited to, desks, lockers, and vehicles (collectively “Materials”) are subject to inspection at any time and for any reason. No employee shall have any privacy interest whatsoever in any County-issued Materials. No personal property may be searched unless the owner of the property has consented or a search is otherwise legally permissible. If an individual is asked to submit to a search, and refuses, that individual will be considered insubordinate and will be subject to discipline, up to and including, termination.

If a search uncovers evidence of employee wrong doing, illegal activity, or employee violations of County rules or policies, the evidence may be used to support disciplinary actions up to, and including, termination. In cases involving suspected illegal activities, the evidence may be turned over to the proper legal authorities.

### *CONFIDENTIALITY*

All reports of test results for drug and alcohol, searches, or any employee referral to, or participation in an assistance program or treatment program for addictive disorders, will be maintained in strict confidence. Any person authorized to have access to such confidential information, who, without authorization, discloses it to another person shall have engaged in gross misconduct and be subject to severe disciplinary action, up to and including, termination. The confidentiality of such information shall not apply to any use by or communication to the Dawson County attorneys, or where the information is relevant to the

County's defense in an administrative or civil action. Such information may also be disclosed to the extent required by any federal, state or local law, statute, ordinance or regulation.

### *DISCIPLINE*

(a) Immediate Suspension

An employee who tests positive for drugs or alcohol shall immediately be relieved from duty, placed on Suspension without pay, and sent home pending disciplinary action. If the positive test is explained or negated by the MRO and/or subsequent confirmation testing, the employee shall be reinstated with back pay and the Suspension without pay will be expunged from the employee's personnel file.

(b) Disciplinary Action

An employee who violates any provision of this Rule is subject to discipline, up to and including termination. If terminated, the employee will not be eligible for rehire.

(c) Immediate Termination

The following reasons shall be presumed to result in immediate termination of an employee:

- (i) Manufacturing, dispensing, using, consuming, possessing, distributing, purchasing, or selling, or otherwise transferring an illegal drug(s) or controlled substance(s) while on the job, on call, on County Premises, while operating County equipment or vehicles, or while operating any other equipment or vehicles on County business.
- (ii) Operating County motorized equipment while unfit for duty due to the use of drugs and/or alcohol.
- (iii) Conviction for violation of any drug law.
- (iv) Refusing to consent to or to take a drug or alcohol test pursuant to this Rule.
- (v) Failure to appear at the designated collection site to take a drug or alcohol test when so directed or as required by this Rule.
- (vi) A confirmed positive test for drugs or alcohol.

### *3.5: SAFE WORK PRACTICES*

Standard safety procedures as established by the County, State, Federal (OSHA) and/or various departments shall be adhered to at all times. Violation of safety regulations such as performing work in an unsafe manner or failure to use required safety equipment is grounds for discipline or

termination. Anything creating a threat to employees, co-workers or the general public is grounds for discipline or termination.

### ***3.6: SEAT BELT POLICY***

The use of seat belts is required by the driver and passengers in all County vehicles equipped with seat belts while said vehicle is in motion on roads and highways. It is also required that seat belts be used for off-road vehicles such as tractors, road graders, and heavy equipment, or any piece of County equipment equipped with a seatbelt. Noncompliance will result in disciplinary action. (See Exhibit E)

### ***3.7: VIOLENCE AND WEAPONS***

The County believes in maintaining a safe and healthy workplace, in part by promoting open, friendly, and supportive working relationships among all employees. Violence or threats of violence have no place in the workplace. Violence is not an effective solution to any problem. Neither threats of violence nor fighting will be tolerated. Employees are strictly prohibited from bringing any Weapons, including knives, pistols, rifles, stun guns, mace, etc., to the worksite or office in the course and scope of their employment with the County. A person with a valid Weapons-carry license, as the terms “Weapon” and “Weapons-Carry License” are defined in O.C.G.A. § 16-11-125.1(5) and (6), may carry a Weapon into a County building or portion of a building when the building or portion thereof is open for business except if ingress to the building or portion of the building is restricted or screened by security personnel. Knives required for job duties or personal pocket knives with blades of less than three inches are acceptable.

The paragraph above shall have no application to County elected or appointed officials, constitutional officers and their respective employees, and any other County officer or agent for whom an exemption is authorized by law.

Employees are expected to immediately report to their Supervisor any violation of this policy. Any employee found threatening another employee, fighting, and/or carrying Weapons to the worksite will be subject to disciplinary action, up to and including termination.

## ***RULE 4: ETHICAL AND BEHAVIORAL EXPECTATIONS***

### ***4.1: CODE OF ETHICS FOR PUBLIC SERVICE***

It is the policy of the Dawson County Board of Commissioners to uphold, promote, and demand the highest standards of ethics from all of its employees. County employees shall conduct themselves in accordance with the Code of Ethics for Government Service (O.C.G.A. § 45-10-1):

There is established for and within the state and for and in all governments therein a code of ethics for government service which shall read as follows:

--CODE OF ETHICS FOR GOVERNMENT SERVICE--

Any person in government service should:

I. Put loyalty to the highest moral principles and to country above loyalty to persons, party, or government department.

II. Uphold the Constitution, laws, and legal regulations of the United States and the State of Georgia and of all governments therein and never be a party to their evasion.

III. Give a full day's labor for a full day's pay and give to the performance of his duties his earnest effort and best thought.

IV. Seek to find and employ more efficient and economical ways of getting tasks accomplished.

V. Never discriminate unfairly by the dispensing of special favors or privileges to anyone, whether for remuneration or not, and never accept, for himself or his family, favors or benefits under circumstances which might be construed by reasonable persons as influencing the performance of his governmental duties.

VI. Make no private promises of any kind binding upon the duties of office, since a government employee has no private word which can be binding on public duty.

VII. Engage in no business with the government, either directly or indirectly, which is inconsistent with the conscientious performance of his governmental duties.

VIII. Never use any information coming to him confidentially in the performance of governmental duties as a means for making private profit.

IX. Expose corruption wherever discovered.

X. Uphold these principles, ever conscious that public office is a public trust.

#### **4.2 TOBACCO USE**

Consistent with the public health concerns addressed by the adoption of the Georgia Smokefree Air Act of 2005, the County's policy is to provide tobacco-free environments for our employees, customers, and the general public. Tobacco use of any kind is prohibited inside our office, inside any County vehicle, and on our worksites.

Employees are also responsible to inform all those working on our job sites of this tobacco-free policy, and report to their Supervisor any violation of this policy.

#### **4.3: USE OF COUNTY-OWNED EQUIPMENT OR MANPOWER**

No employee shall take any County-owned vehicle, County supplies or equipment or County-paid manpower for personal use. Employees shall only use supplies or equipment in the manner authorized by the Department Head. Emergency use is authorized in the cases of sickness or injury. Emergency use is to be reported as soon as possible. See also Exhibit E-Dawson County Vehicle Policy.

#### ***4.4: CRIMINAL CHARGES AGAINST AN EMPLOYEE***

Employees must notify their immediate Supervisor of any arrests or convictions within three Business Days of the incident.

An employee shall be suspended indefinitely without pay at the discretion of the County Manager or the applicable Department Director, or his/her respective designee, when awaiting trial on criminal charges, the nature of which would impede or undermine the employee's ability to satisfactorily perform his/her job. The employee will be given the opportunity to demonstrate that the criminal charges should not subject him/her to Suspension from employment with the County. Thereafter, the County will make a determination on whether said Suspension is job related and consistent with business necessity.

In the alternative, if the employee's actions and/or the criminal charges are such that it is not in the best interest of the County for the employee to remain in the County workforce, the County Manager or the applicable Department Director, or his/her respective designee, as applicable, may elect to terminate the employee upon Notice of the criminal charges or at any time thereafter. The employee will be given the opportunity to demonstrate that the criminal charges should not subject him/her to Dismissal from employment with the County. Thereafter, the County will make a determination on whether said Dismissal is job related and consistent with business necessity.

If the County does not elect to terminate the employee during the pendency of criminal charges, upon receipt of Notice from the employee that the criminal matter has been resolved by Dismissal, plea, or trial, the County Manager or the applicable Department Director, or his/her respective designee, shall make a determination as to whether the employee shall be reinstated and whether any such reinstatement shall be with or without loss of pay. If an employee is fully exonerated of all criminal charges, the employee shall be reinstated without loss of pay, privileges, benefits, or status retroactive to the date of Suspension.

A conviction of a felony or a crime of moral turpitude may be grounds for Dismissal.

#### ***4.5: DISCLOSURE OF INFORMATION***

County employees, by reason of their position, may at times have protected confidential or privileged information. Employees are prohibited from releasing such information without specific approval of their Department Head or the County Manager.

Protected confidential information includes, but is not limited to, the following: matters of a technical nature, such as computer software, product sources, product research and designs; and matters of a business nature, such as customer lists, customer contact information, associate

information, on-site program and support materials, candidate and recruit lists and information, personnel information, placement information, pricing lists, training programs, contracts, sales reports, sales, financial and marketing data, systems, forms, methods, procedures, and analyses, and any other proprietary information, whether communicated orally or in documentary, computerized or other tangible form, concerning the County's or its customers' operations and business.

Employees should ensure that any materials containing confidential or proprietary information are filed and/or securely stored before leaving work areas each day. During the Workday, employees should not leave any sensitive information lying openly visible or unguarded.

Dawson County is a public entity and is subject to the Georgia Open Records Act. Therefore, any request for information should be forwarded to the employee's Elected Official or the Dawson County Clerk for appropriate handling. The employee should not release any information but refer such requests as stated herein.

If you have any questions about this policy, consult your Supervisor or the County Manager.

#### **4.6: POLITICAL ACTIVITY RULE**

Employees of the County are encouraged to exercise their right to vote, but no employee shall make use of County time or equipment to aid a political candidate, party or cause; or use a County position to influence, coerce or intimidate any person in the interest of a political candidate, party, or cause.

##### **4.6.1: SEEKING ELECTIVE OFFICE**

Any County employee seeking elective office within Dawson County shall, upon declaring candidacy, which is defined as the day the employee files documents with the County Registrar seeking such office, either resign or submit a request in writing to the County Manager or appropriate Elected Official for a Leave of absence without pay from the date of his/her announcement through the duration of the campaign or the announcement of election results.

If elected to office, the employee shall be separated from the County the day after the election upon the written request and approval of the County Manager, Board of Commissioners, or appropriate Elected Official. Nothing in this section shall prevent an employee from fully exercising those rights to participate in political activities granted by the laws of the State of Georgia or the laws of the United States of America.

##### **4.6.2: PARTICIPATION IN LOCAL POLITICAL CAMPAIGNS**

An employee may not:

- Be involved in any political activity which would constitute a conflict of interest, i.e. using an employee's title or affiliation with the County in

any way including County property, equipment or time; including participation in any aspect of any local political campaign on behalf of or in opposition to any candidate for office within Dawson County, including municipal and/or County government offices; or

- Knowingly solicit, accept, or receive political contributions from any person to be used in support of or opposition to any candidate for election within Dawson County including municipal and/or County government offices; or
- Use, or promise to use, directly or indirectly, any official authority or influence, whether possessed or anticipated, to secure or attempt to secure for any person, a job or other advantage for the purpose of influencing the vote or political action of any person.

No employee shall be hired, promoted, favored, or discriminated against with respect to employment because of his/her political opinions or affiliations.

Employees may engage in the political process. However, an employee violating this section shall be subject to Dismissal.

#### ***4.7: SOLICITATION OF CONTRIBUTIONS***

Fundraisers:

Employees are prohibited from soliciting funds for any purpose from the public or from other County employees while on duty or during work hours, except such charitable causes as are approved in advance by the County Manager or authorized Elected Official.

All employees are prohibited from soliciting funds from the public at any time while wearing a County uniform except such causes specifically approved in advance by the County Manager, Board of Commissioners, or authorized Elected Official.

Employees of the County should not solicit anything of value from any person or organization with those which the County has a current or potential business relationship.

Employees of the County should not accept any item of value from any party in exchange for or in connection with a business transaction between the County and that other party.

If you are faced with and are unsure how to handle a situation that you believe has the potential to violate this code of ethical conduct, notify your Supervisor or the County Manager. Violations of this code may lead to disciplinary action, up to and including termination.

For the safety, convenience, and protection of all employees, the County prohibits external solicitation and distribution of non-County materials on County property or at County job sites at all times.

#### ***4.8: SURRENDER OF PROPERTY***

If an employee is suspended or discharged, he/she shall return to his/her Department Head, all items of equipment including uniforms owned by the County. The County reserves the right to seek reimbursement for equipment that is returned in damaged condition or that is not returned upon an employee's separation.

#### ***4.9: REWARDS OR GIFTS***

No employee shall accept any gift, favor or reward other than a regular salary as provided for by law for any service rendered as an employee of Dawson County, unless the gift is of incidental value and not given in response to a solicitation and not in exchange for a business purpose. Gifts to entire Departments or work groups may be received upon approval of the County Manager or authorized Elected Official.

#### ***4.10: LENDING OR BORROWING MONEY***

No employee shall lend money or borrow money from another County employee who makes a practice of loaning money and charging interest to employees.

#### ***4.11: FALSIFYING RECORDS***

No employee shall in any way falsify County records. Such records include, but are not limited to, payroll, purchasing, payment approval, receiving or inventory records. Falsifying records may result in Dismissal.

#### ***4.12: PERSONAL ENTERPRISE ON COUNTY TIME***

County employees are strictly prohibited from pursuing outside business activity on County time. Secondary income sources, such as mass mailing services, etc., are not to interfere with primary business hours. Government time or property is not to be used for personal gain of any kind, in order to avoid any appearance of impropriety.

## **SECTION II: REGULATIONS**

### **REGULATION I: EMPLOYMENT**

#### **PURPOSE**

The purpose of establishing the following employment practices is to assure fair treatment of Applicants and employees without regard to race, color, religion, sex, national origin, age, disability, genetic information, uniformed service status, political beliefs, pregnancy, childbirth, or



related medical conditions or any other legally protected category.

All employees of the County, regardless of their classification or position, are employed on an at-will basis, which means that each employee's employment is terminable at the will of the employee or the County at any time, with or without cause and with or without Notice. No officer, agent, representative, or employee of the County has any authority to enter into any agreement with any employee or Applicant for employment on other than an at-will basis. Furthermore, nothing contained in the policies, procedures, handbooks, manuals, job descriptions, application for employment, or any other document of the County shall in any way create an express or implied contract of employment or an employment relationship on other than an at-will basis.

### **1.1: RECRUITMENT**

Recruitment of candidates for hire by Dawson County shall be planned to meet the immediate and long range needs of the County. The County Manager and Department Head will use information such as turnover, budgeted positions, and future Departmental needs. Recruitment efforts shall be directed to ensure that all segments of the public and staff have the opportunity to apply and be considered for positions.

#### **1.1.1: FILLING VACANCIES**

All vacancies will be filled according to the policies set forth in this Regulation, regardless of whether the vacant position exists as a result of a newly created position or whether an existing position has been vacated. Newly created positions must have approval by the Board of Commissioners prior to commencement of recruitment efforts when funding of said position was not approved in any previous or existing budget. Vacancies may be filled by Promotion, transfer, reinstatement, probationary Appointment or temporary Appointment. The County Manager/Department Head shall use various methods of publicity and media to provide Notice of vacancies to as many qualified persons as possible and to assure obtaining qualified Applicants. Vacancies shall be announced publicly for a minimum of 14 calendar days. Job Vacancy Notices shall be posted on the Human Resources bulletin board in Dawson County and sent to all Departments in the County.

#### **1.1.2: MINIMUM QUALIFICATIONS**

All positions shall be open only to persons who meet such minimum requirements as are listed on the Job Description. Such requirements may include, but are not limited to, the following: experience, education, training, skills, and other qualifications that are desired or normally required to perform the duties and any responsibilities. The County Manager or his/her designee will review all applications to ensure that the Applicants meet Minimum Qualifications.

Applicants who fail to meet Minimum Qualifications may be denied the opportunity to proceed further in the hiring process and will otherwise be ineligible for consideration.

### 1.1.3: APPOINTMENTS

The County recognizes two types of Appointment procedures that apply to initial Appointments and to Promotions and transfers into a vacant position; internal competitive and open competitive Appointment procedures. Employees who report directly to the County Commission or are appointed by the County Manager may, but are not required to, engage in a competitive recruitment process.

#### 1.1.3.1: INTERNAL COMPETITIVE

It will be the County's policy and preference to promote and transfer from within whenever possible. If a satisfactory pool of qualified Applicants is available internally, then the internal competitive process will be followed and only current employees will be eligible for consideration. Announcements of such vacancies shall be made within the involved Department or on a countywide basis depending upon the nature of the Vacancy.

#### 1.1.3.2: OPEN COMPETITIVE

Open competitive Appointment procedures are the normal practice of the County. When a Vacancy occurs, the Vacancy will be announced publicly in accord with Section 1.1.6. The County will fill the Vacancy by selecting the best qualified Applicant using appropriate screening methods as determined by the County Manager/Department Head.

### 1.1.4: RECLASSIFICATION

Appointment of a current employee to a new position, for which a Vacancy is not created by reclassifying the incumbent, may be authorized by the County Manager as a direct Appointment.

### 1.1.5: PROMOTION

A Vacancy in a higher position in the Classification Plan may be filled as far as practical by Promotion from a lower class. Each candidate must meet the minimum requirements for the position.

### 1.1.6: TRANSFER

A Vacancy may be filled by the transfer of an employee from another comparable

position subject to internal competitive procedures. A transfer of an employee from one Department to another Department shall have the acknowledgment of both appointing authorities concerned and the County Manager.

#### 1.1.7: PUBLIC ANNOUNCEMENTS OF JOB VACANCIES

Public announcements of vacancies shall specify the job title, general duties to be performed, minimum and/or necessary qualifications, final date on which applications will be received, a statement that Dawson County is an Equal Opportunity Employer, and that applications are subject to public disclosure under the Georgia Open Records Law.

#### 1.1.8: APPLICATIONS

Applications must be completed in full and are available on the County website, intranet and at the Dawson County Government Center Human Resources Department located at 25 Justice Way, Suite 2233, Dawsonville, GA 30534.

##### 1.1.8.1: FORMS

Applications shall be made on the form prescribed by the Human Resources Department or the County Manager and may be supplemented by a resume. The Human Resources Director shall be custodian of all applications. Applications shall be completed in full and will require information covering training, experience, education and other job-related information. Any data required for equal opportunity purposes or other legal purposes shall be obtained on documents to be kept separately from the application form. Applications shall be signed by the Applicant attesting to the truth of all statements contained in the application form. Untruths, misrepresentations, or material omissions made by an Applicant on his/her application shall be grounds for rejection of the application, or if the Applicant has been hired prior to the County learning of the discrepancy, it shall be grounds for termination. Any Applicant found to have submitted an application containing untruths, misrepresentations, or material omissions shall be unqualified from consideration for employment with Dawson County. Incomplete applications may be returned to the Applicant with a Notice to complete and return to the appropriate Department (by mail or in person) on or before the established closing date. The County shall have no obligation, however, to detect an incomplete application and notify an Applicant prior to the Vacancy being filled. Incomplete applications may be completed or revised and re-submitted, however, there is no guarantee that the Vacancy will remain open during such process.

##### 1.1.8.2: DENIAL

No individual shall be denied the right to file an application for employment for any open position. Certain classified positions may be regarded as open for continuous recruitment of qualified Applicants, while other positions may be classified as closed until such time as there is an announced Vacancy.

### 1.1.8.3: SECURITY CLEARANCE

Employment in areas such as Public Safety and Finance and Parks and Recreation where the public has a compelling interest in the security of property and life may require a more detailed background check. Applicants for these positions may be asked to supply additional personal information beyond the County's standard background check that would not be needed in other areas of employment.

### 1.1.8.4: ACTIVE STATUS

Applications will be active for a period of not more than six (6) months with the exception of Public Safety applications. Public Safety applications will remain active for a period of twelve (12) months from the date of receipt and/or completion of any Examination requirement(s).

### 1.1.8.5: DISQUALIFICATION

The Human Resources Director or a designated representative may reject any application or refuse to examine an application or, upon Examination may disqualify an Applicant when it has been determined that:

- The application was not received on or before the closing date established for receiving application.
- The application was not filed on the prescribed form.
- The Applicant does not possess one or more of the requirements as specified in the job classification or public announcement.
- The Applicant does not reply to, or return, a telephone inquiry within two days.
- The Applicant falsified statements, practiced deception or did not complete pertinent information on the application form.
- The Applicant is physically or mentally unable to perform the duties of the position as may be determined by a physician.
- The Applicant has been convicted of a criminal offense involving the manufacture, distribution, trafficking, or sale of a controlled substance, dangerous drug, or marijuana. Such Applicant shall be given the opportunity to demonstrate that the conviction should not exclude him/her from consideration for the position he/she seeks with the County. Thereafter, the County will make a determination on whether exclusion of the application is job-related and consistent with business necessity.

- The Applicant has been convicted of a crime involving a violent crime such as assault with a deadly Weapon, aggravated assault, or murder. Such Applicants shall be automatically rejected. Such Applicant shall be given the opportunity to demonstrate that the conviction should not exclude him/her from consideration for the position he/she seeks with the County. Thereafter the County will make a determination on whether exclusion of the application is job related and consistent with business necessity.
- Applicants convicted of any other crime will be considered on a case-by-case basis.
- The Applicant has used (or attempted to use) political pressure, gratuity, bribery, or any other consideration of value to secure an advantage in the Examination for employment.
- The Applicant fails to comply with County drug and alcohol policies.
- The Applicant was unable to successfully pass a pre-employment drug screening and/or background check or does not have an acceptable Motor Vehicle Record and would be required to use County vehicles. See Motor Vehicle Policy.
- The Applicant is not eligible for employment in the United States.
- The Applicant was previously employed by Dawson County and was dismissed for cause, resigned not in good standing, resigned in lieu of termination, or is otherwise not currently eligible for re-employment.

#### 1.1.9: INVESTIGATION OF CANDIDATE'S HISTORY

The Human Resources Director or his/her designee may investigate an Applicant's employment, training, educational, criminal, credit and driver's history to verify the statements contained in the application. Any employee appointed through fraud by misrepresentation or withholding of any information contained in the job application is subject to discharge from County service. An employee dismissed for such fraud shall be ineligible for re-hire by County.

##### 1.1.9.1 INTERVIEWS

Upon initial review and removal of Applicants from consideration that are rejected in accordance with the standards set forth above, the Human Resources Director shall make available the remaining applications to the applicable Department Director for further consideration, which may include conducting personal

interviews with those remaining Applicants. The Human Resources Director or his/her designee will assist the applicable Department Director to the extent requested in the interview and selection process.

#### 1.1.10: EXAMINATIONS, VERIFICATION OF REFERENCES AND OTHER REQUIREMENTS

The County Manager may use or approve any job-related selection methods that will maximize reliability and objectivity. The selection procedures shall measure education and/or experience, structured oral Examinations, and physical fitness.

Examinations shall be practical in nature, rated impartially and constructed to reveal the candidate's capacity for the particular class or position, his/her background, related knowledge, skills, and abilities.

The Human Resources Director or the Department Director shall verify the references and past employment of at least the top candidate prior to making any job offer unless a legitimate reason can be provided to the County Manager regarding why such reference verification is unnecessary.

##### *Eligibility Verification Requirements:*

Pursuant to O.C.G.A. § 13-10-90, *et seq.*, the County must verify employment eligibility of all newly hired employees. These employees must complete Form I-9 and provide legal documentation of citizenship and/or work status as set forth on the form. Within three Business Days of hire, the County's Human Resources Department electronically verifies accuracy of the employee's social security number and other documentation through the U.S. Department of Homeland Security verification system. The employee will be promptly notified of a non-confirmation of their information and will be provided a referral letter. Once notified, the employee has ten Business Days to notify the County of his/her decision regarding whether to contest the finding. If the employee does not provide such Notice or chooses not to contest the tentative non-confirmation, the County may immediately terminate such employee. If the employee chooses to contest the tentative non-confirmation, it is the employee's responsibility to visit the Social Security Administration Office or Department of Human Services (as applicable) within eight federal government Business Days to discuss and begin to resolve the discrepancy. The County may not terminate, suspend, delay training, withhold pay, lower pay or take any other adverse action against the employee based on the employee's decision to contest the tentative non-confirmation or while his or her case is still pending with the Social Security Administration or Department of Human Services. On the tenth federal government Business Day after the date of the referral letter, the County may make a second inquiry to the Social Security Administration or Department of Human Services (as applicable) database for an updated case status. If the database shows a final non-confirmation or that the employee failed to report to the Social Security Administration or Department of

Human Services (as applicable) within the required time, this will result in immediate termination. If any portion of this process as set forth changes pursuant to Georgia or federal law, the processes and guidelines of such law will govern.

## ***1.2: EMPLOYMENT STATUS***

### **1.2.1: WORKING TEST PERIOD**

A working test Appointment is an initial Appointment to a position with the County contingent upon the satisfactory completion of the working test period, which consists of the first six months, unless otherwise specified.

### **1.2.2: REGULAR STATUS**

An employee given a working status Appointment becomes a regular status employee and given official Appointment upon satisfactory completion of the working test period.

### **1.2.3: TEMPORARY STATUS**

A temporary Appointment is an initial Appointment by the County Manager to a position for a designated period of time not to exceed six (6) months.

### **1.2.4: TIME LIMITED STATUS**

A time-limited Appointment is an initial Appointment by the County Manager to a position established for special programs or projects normally anticipated as being longer than six (6) months but not regular and continuing in nature.

### **1.2.5: ACTING CAPACITY STATUS**

An employee may serve in an acting capacity if appointed by the County Manager only in a position that has been approved by the BOC via the position control listing and is vacant or temporarily unmanned. Such Appointment shall normally not exceed ninety (90) days unless specifically stated otherwise.

## ***1.3: WORKING TEST AND REGULAR STATUS***

The working test period shall be considered an integral part of the selection process. All employees appointed, transferred or promoted to a position in the County's service shall be required to satisfactorily complete the working test period prior to achieving regular status and the Department Director shall notify the HR Director of satisfactory completion of working test period.

### 1.3.1: DURATION

The first six (6) months of service in a position to which an employee has been appointed shall be defined as the working test period. If the working test employee's performance has not been adequately proficient and the Department Head or designee believes that it could be upgraded during an extension of the probationary period, the Department Head or designee may request an extended working test period of not more than six (6) months.

### 1.3.2: EXTENSIONS

The working test period may be extended in accord with Section 1.3.1 with the recommendation of the Department Head and the Human Resources Director with the approval of the County Manager or authorized Elected Official. Working test period extensions shall be considered only when extenuating circumstances exist or it is believed that an employee deserves the additional working test period for purposes of improvement.

### 1.3.3: RIGHTS

Working test employees are not covered by progressive discipline or due process procedures. However, Supervisors are to apprise employees of their status during the working test period.

### 1.3.4: ACTIVE WORK STATUS

Only time in active work status shall be counted toward completion of the working test period. An employee in working test status who is absent on Leave without pay, on workers' compensation or disability Leave, shall be required to complete the amount of time on the job specified for the class to which he/she is appointed.

### 1.3.5: DEMOTION

A reduction of a regular or working test employee to a position of a lower class is a Demotion. A lower class means a job classification having a lower maximum salary than the job classification in which the individual is presently employed. A Demotion may be made for cause or may be made on a voluntary or involuntary basis, provided the employee meets the qualifications for the position to which he/she is being demoted.

In the event of a Demotion, the Department Head must give written notification to



the employee(s) being demoted of the action being taken and the reason for the Demotion.

An employee who is reclassified by Demotion shall have his/her salary reduced at the discretion of the Department Head. The new reduced rate of pay may not exceed the maximum pay for the employee's new job classification.

#### 1.3.5.1: DEMOTION FOR CAUSE

A regular or working test employee may be demoted because of unfitness to perform assigned duties, negligence or inefficiency in performing duties, or for misconduct, insubordination or other justifiable cause.

#### 1.3.5.2: VOLUNTARY DEMOTION

If, for personal or other reasons, a regular or working test employee prefers to be assigned to a position of a lower class, the Department Head may make such a voluntary Demotion. The employee must indicate his/her knowledge and approval of the Demotion by his/her signature in the explanation block of the Personnel Action Form.

#### 1.3.6 TRANSFER/PROMOTION DURING WORKING TEST PERIOD

A transferred or promoted employee shall be subject to a working test period for the first six months in the new position. If it is determined that the employee is unsuitable for the position, the Department Director may return the employee to the position previously occupied if it is vacant. If not vacant, the Department Director may attempt to place the employee in a comparable position for which the employee meets the requirements. If such placement is not feasible, the employee may be placed in Layoff status and may be considered for placement when a suitable position becomes available. This action can be taken without the employee's right of appeal to the Board of Commissioners.

#### 1.3.7: SEPARATION DURING WORKING TEST

At any time during a working test period, an employee may be separated from his/her position under the system without the right of appeal or hearing.

### **1.4: SEPARATION**

An employee may be separated from the service of Dawson County by any of the following methods:

#### 1.4.1: RESIGNATION

An employee shall submit to his/her Supervisor written Notice of Resignation at least fourteen (14) calendar days in advance of the date of Resignation. Immediately upon receipt of such Notice of Resignation, the Supervisor shall forward the same to the Department Head or designee and then to Human Resources. Failure to comply with this regulation shall be entered on the service record of the employee and may result in a denial of re-employment.

#### 1.4.2: ABANDONMENT OF JOB

An employee shall be considered to have abandoned his/her position when any of the following occur: (1) an employee is absent without Notice to the Department Director or his/her designee for three or more consecutive Working Days; (2) an employee is absent for three or more consecutive Working Days after providing Notice, but without having any available Leave time; or (3) an employee is absent for three or more consecutive Working Days without receiving approval for the absences. An employee may not be deemed to have abandoned his/her position if the employee has provided Notice to the Department Director and the employee demonstrates a serious medical condition supported by medical documentation to the satisfaction of the County. Such status of non-abandonment, however, could change at any time in the discretion of the County depending on the length of the absence from the position and other circumstances.

For purposes of this paragraph, a “Working Day” is defined as the regular hours for County employees. The employee shall be deemed to have abandoned his/her position and to have resigned as of the end of the third Working Day. The Human Resources Director should be notified immediately of any employee who has resigned as a result of abandonment of the position.

#### 1.4.3: LAYOFF/REDUCTION IN FORCE

Lay-off is defined as a reduction in force that may result in the separation of employee(s) due to abolishment of a position, a shortage of funds or work, a need to increase efficiency, or a material change in the duties or organizational unit of the Department. No lay-offs shall be made for the purpose of dismissing an employee for incompetence, misconduct, or for other reasons, except as included in this Regulation. The lay-off does not reflect discredit upon the service of the employee. A lay-off can be recommended by the Board of Commissioners, the County Manager, and/or the Human Resources Director. Any lay-off must be approved by the County Manager prior to becoming effective.

##### 1.4.3.1: REASONS FOR LAYOFF/REDUCTION FORCE

The County reserves the right to have a reduction in force due to:

- A. Economic reasons- shortage of funds, materials or work;
- B. Abolishment of a position;
- C. Material changes in the duties of a job or the organization; and/or
- D. Any other related reason that does not reflect dissatisfaction with the employee.

#### 1.4.3.2: ORDER OF LAYOFF

Prior to the lay-off, the affected Department Director shall make recommendations to the County Manager who shall consider job performance, work records, employee evaluation ratings, and length of service in determining which employees shall be laid-off. If it is found that two or more persons in the Department in which the lay-off is to be made have equal job performance, records, and/or ratings as determined by review of employee records and evaluation ratings, the order of lay-off shall be based upon seniority. No Full-time Employee shall be laid-off while another person is employed on a temporary or part-time basis in a position within the same Job Description if the employee is willing to accept the temporary or part-time work. In evaluating employees for purposes of a lay-off, care should be taken to accurately evaluate all employees. An employee shall not be laid-off based on race, color, creed, religion, sex, national origin, age, political affiliation, disability, or any other category protected by federal and/or state law.

#### 1.4.3.3: SPECIAL CASES

Should a Department Director determine that the retention of a certain employee is essential to the effective operation of the Department because of the fact that such employee possesses special skills or abilities, and should the Department Director wish to retain such employee in preference to another with a higher rating or seniority, then the Department Director shall submit a written request to the County Manager. Such notification shall set forth in detail the specific skills and abilities possessed by the employee and the reasons why such employee is essential to the effective operation of the Department. With the approval of the County Manager, the individual may be retained to the detriment of the higher ranking employee.

#### 1.4.3.4: NOTICE OF LAYOFF TO EMPLOYEES

Employees to be laid-off shall be notified in writing by the Department Head at least fourteen (14) calendar days prior to the effective date of the Layoff. As an alternative, the employee may be laid-off without Notice of 14 days if at least 14 days of separation pay is provided.

#### 1.4.3.5: DEMOTION IN LIEU OF LAYOFF

Prior to lay-off and in an effort to avoid separation of employment, the County

Manager may direct Lateral Transfers or Demotions as necessary to place employees into positions for which they are qualified rather than lay them off. Lateral Transfers or Demotions in accordance with this Regulation will be effective unless the employee elects in writing to be laid off. Written Notice of said election from the employee must be received by the County Manager within three calendar days after the employee has received Notice of a Lateral Transfer or Demotion.

#### 1.4.4: DISABILITY

Dawson County will comply with the requirements of the American Disabilities Act (ADA).

If an employee suffers from a condition or physical or mental disability that prevents him/her from performing the essential functions of the position or is otherwise unfit for duty such that the employee cannot perform the essential functions of the position, even with reasonable accommodation or in the absence of an available reasonable accommodation, the employee is subject to Dismissal for inability to perform the job.

#### 1.4.5: LOSS OF REQUIRED CERTIFICATION OR LICENSE

Any employee who is unable to do his/her job adequately because of the loss of a necessary license or other requirement may be suspended without pay until such license or required certification is obtained. An employee is responsible to maintain necessary certification(s). The license or certification should be acquired within a reasonable length of time as stated by the Department Head or the employee will be dismissed. In lieu of Suspension, an employee may be eligible for a non-disciplinary Demotion to a lower class position if such position is available within the Department and if the employee is qualified to perform the work. Such Demotions will be accompanied by a salary reduction. The County Manager must approve exceptions to this provision.

#### 1.4.6: RETIREMENT

The retirement of an employee shall consist of the voluntary separation of an employee who has met the requirements under the provisions of the applicable pension plan.

#### 1.4.7: DEATH

Separation shall be effective as of the date of the death of the employee. All compensation due to such employee as of the effective date of separation shall be paid to the beneficiary of the employee; the surviving spouse of such employee or to the estate of such employee as may be determined by law or by the applicable executed documents in the personnel folder of such employee.

## 1.5: TERMINATION

Following consultation with Human Resources and once the recommendation to terminate an employee is made, the Department Head shall prepare all separation documents. These documents must be completed and signed by the Department Head preferably no later than the effective date of the termination or as soon as possible thereafter. It is the Department Head's responsibility to keep an inventory on all equipment issued to the employee and request the return of these items upon termination.

### 1.5.1: PRE-TERMINATION HEARING PROCEDURES:

The Department shall perform the following functions before issuing a Notice of Termination:

- a) determine the precise reason for termination;
- b) review previous documentation of warnings and employee counseling relevant to the reason for termination;
- c) review the case with the County Manager when appropriate.

If termination remains appropriate after such review, then a pre-termination meeting attended by the Department Director, HR Director and employee shall proceed as follows:

Pre-Termination Meeting:

- A. Advise employee that the County intends to terminate him/her and offer the employee an opportunity to respond to the reasons for Dismissal prior to being discharged.
- B. Consider employee's response.
- C. If appropriate, proceed with termination; if not, proceed with warning, Suspension, or other disciplinary action.
- D. Advise employee of appeal rights.

NOTE: The above-mentioned procedure is also used if an employee is suspended without pay.

### 1.5.2: PROCEDURES FOR JOB ABANDONMENT

An employee who is absent from work for three (3) consecutive working days without notifying their immediate Supervisor or Department Head, will be considered as having voluntarily abandoned his/her job. The following procedure shall be utilized in all cases of job abandonment:

- (i) The Department Director will review the case with the Director of Human Resources and, when appropriate, the County Manager.
- (ii) The Department Director will send a letter advising the employee that he or she will be deemed to have voluntarily abandoned his/her job unless a response is received from him/her within five (5) Working Days after sending the letter.
- (iii) If the employee responds, the Department Director will provide the employee the opportunity to respond and provide a justification for the unexcused and unreported absences.
- (iv) If no response is received within five (5) days after the initial letter, the Department Director will provide the employee with separation paperwork advising the employee that he/she has been deemed to have voluntarily resigned his/her position with Dawson County.

### 1.5.3: RECOMMENDATION OF RE-EMPLOYMENT

In every instance other than death or retirement, upon the separation of a regular employee from a position, the Department Head shall specify on the Personnel Action Form or an attachment whether the employee's performance has been sufficiently satisfactory for him/her to be considered for re-employment. An answer of "no" disqualifies the employee from further Appointments under the system provided it is supported by the reasons for such an answer. The employee has the right to appeal the disqualification, as provided in Regulation 7 of these rules.

### 1.6: EMPLOYMENT OF RELATIVES (NEPOTISM)

Employees who are family members are prohibited from working in the same chain of command to avoid family members supervising other family members or members of the same family reporting to the same Supervisor. This ensures effective supervision, internal discipline, security, safety, and positive morale in the workplace and avoids the potential for problems of favoritism, conflicts in loyalty, discrimination, and appearances of impropriety or conflict of interest.

When two family members work in the same chain of command, one of the members must seek a position to transfer out of the same reporting chain of command. Chain of command is interpreted as direct supervision or the Supervisor who completed the Performance Appraisal of the individual.

Family members include an employee's parent, child (natural, adopted, or legal

guardianship), spouse, domestic partners, brother, sister, grandparent, grandchildren and step-relationships within the preceding categories.

Human Resources shall investigate reports of nepotism and take appropriate action. Employees are required to disclose changes in their personal situations which may be covered by this procedure. Furthermore, Supervisors or managers may inquire about the family relationship between employees to determine the appropriateness of the working relationship under this policy.

The County Manager shall have the right to waive the provision of this nepotism section if rare and critical skills are required for both positions.

## REGULATION 2: PAY PRACTICES

### 2.1: ATTENDANCE

Each employee is important to the overall success of our operation. When you are absent, someone else must do the job. Consequently, employees are expected to report to work on time at the scheduled start of the Workday. Reporting to work on time means that you are ready to start work, not just arriving at work, at the scheduled starting time.

The County depends on its employees to be at work at the times and locations scheduled. Excessive absenteeism and/or tardiness will lead to disciplinary action, up to and including termination. The determination of excessive absenteeism will be made at the discretion of the County and in view of documented policies. Absence from work for **three consecutive working days** without properly notifying your Supervisor will be considered a voluntary Resignation. After two days absence, the employee may be required to provide documentation from a physician to support an injury or illness related absence, and to ensure that the employee may safely return to work.

If expected to be absent from the job for an approved reason (e.g., paid time off or a Leave of absence), notify your Supervisor of the upcoming absence as far in advance as possible. If you unexpectedly need to be absent from or late to work, you must notify your Supervisor prior to the start of the scheduled Workday and provide the reason for the absence or tardiness. If the Supervisor is not available, you must contact the County's main office prior to the start of the scheduled Workday. Leave a number where you may be reached so that the Supervisor can return the call. Failure to properly contact your Supervisor will result in an unexcused absence for disciplinary purposes. An attendance record is a part of the overall performance rating. Attendance may be included during the review and may be considered for other disciplinary action up to and including termination.

Where possible, medical and dental appointments should be scheduled around assigned work hours; otherwise, they may be considered absences without pay. If unable to schedule an appointment before or after a shift, you are required to talk to the Supervisor to make special arrangements.

### 2.1.1: WARNING AND REVIEW

It is the right of the employee to utilize accrued sick time. However when the Supervisor is of the opinion occurring absences and tardiness is affecting service, production, or the morale of others, disciplinary action may be taken.

An employee whose punctuality or absenteeism is considered unacceptable should be counseled and advised in a corrective interview that continued absenteeism and/or tardiness will result in further discipline up to and including termination.

The determination of the amount of absenteeism constituting an attendance problem is dependent upon the circumstances and judgment of the Department Head.

### 2.3: ATTENDANCE RECORDS

Each Supervisor shall be responsible for monitoring and reporting the attendance of all employees in his/her work section. Attendance records shall be reported to the Department Head's office and updated on a regular basis.

### 2.4: FLEX TIME

Dawson County recognizes the need to balance time between work and home and to assist employees with their time management. Flex time or a work schedule that is adjusted on a day to day basis is allowed at the discretion of the Supervisor and Department Head. If time is flexed to include an entire day, the Department Head must approve the adjusted schedule.

### 2.5: WORKING FROM HOME

Dawson County employees as a general rule may not work from home unless there are extenuating circumstances such as inclement weather, emergency etc. Permission to work from home requires Department Head approval and if approved, permission is given only for the immediate need and not on a continuing basis.

## REGULATION 3: LEAVE TIME REGULATIONS

### 3.1: HOLIDAYS

The County usually observes the following holidays:

- New Year's Day
- Martin Luther King Day
- Presidents Day



- Memorial Day
- Independence Day
- Labor Day
- Veterans Day
- Thanksgiving and the day after Thanksgiving
- Christmas Eve and Christmas Day
- One floating holiday taken at the employee's discretion with the Supervisors' approval

The holiday schedule is subject to approval by the Board of Commissioners and is reviewed annually.

**3.1.1: ELIGIBILITY**

In order to qualify for holiday pay, employees are required to work the day before and the day after a holiday unless the employee is off on approved personal or sick Leave. Holidays that occur during approved personal or sick Leave shall not be charged against personal or sick Leave. Holidays that occur while the employee is on medical Leave, workers' compensation or personal Leave of more than 30 calendar days are not paid as holidays.

A Full-time Employee who is required to work or called in to work shall receive payment for the eight (8) hours of holiday pay, plus the regular rate of pay for hours actually worked. Holiday hours are not considered time worked for overtime purposes.

Part-time and Temporary Employees are not eligible for paid holidays.

**3.2: PERSONAL LEAVE**

The purpose of personal Leave is to provide paid time away from work for vacation, doctor or dental appointments, family sickness, hazardous weather conditions, and other events that may occur during an employee's scheduled work day.

All Full-time Employees are entitled to accrue personal Leave. Part-time and/or Temporary Employees are not eligible for personal Leave.

Department and division units may establish a more restrictive policy regarding usage of personal Leave time due to operating necessities.

Employees shall accrue personal Leave upon completion of each biweekly pay period. Full-time Employees will accrue personal Leave as follows:

<b>Months of Service</b>	<b>80 Hour Employee</b>	<b>Per Pay Period</b>	<b>84 Hour Employee</b>	<b>Per Pay Period</b>	<b>96 Hour Employee</b>	<b>Per Pay Period</b>
<b>0 – 24</b>	<b>80</b>	<b>3.08</b>	<b>84</b>	<b>3.23</b>	<b>96</b>	<b>3.69</b>
<b>25 – 60</b>	<b>100</b>	<b>3.85</b>	<b>105</b>	<b>4.04</b>	<b>120</b>	<b>4.62</b>

<b>61 - 120</b>	<b>140</b>	<b>5.38</b>	<b>147</b>	<b>5.65</b>	<b>168</b>	<b>6.46</b>
<b>120+</b>	<b>160</b>	<b>6.15</b>	<b>168</b>	<b>6.46</b>	<b>192</b>	<b>7.38</b>

### 3.2.1: REQUEST FOR PERSONAL LEAVE

A request for Leave shall be submitted to an employee’s immediate Supervisor via completing the Leave Request Form or by a Department Head approved method. Leave may be taken only after an employee has completed six months of full-time service and received approval by their Supervisor. (See Exhibit A)

### 3.2.2: SICK LEAVE

An employee may use accrued sick Leave in the event of personal illness, serious illness of a spouse, dependent child, or parent who has a serious health condition and is in need of continuous short-term care. The employee shall report an illness prior to his/her scheduled work time. If not possible, he/she must report the tardiness or absence within thirty (30) minutes after the time he/she is scheduled to have reported to work; otherwise, the absence, or tardiness, will be without excuse and unpaid. Department and division units may establish a more restrictive policy due to operating necessities.

Full-time Employees will accrue sick Leave as follows:

<b>Months of Service</b>	<b>80 Hour Employee</b>	<b>Per Pay Period</b>	<b>84 Hour Employee</b>	<b>Per Pay Period</b>	<b>96 Hour Employee</b>	<b>Per Pay Period</b>
<b>0 – 60</b>	<b>40</b>	<b>1.54</b>	<b>42</b>	<b>1.62</b>	<b>48</b>	<b>1.85</b>
<b>61+</b>	<b>50</b>	<b>1.92</b>	<b>53</b>	<b>2.04</b>	<b>60</b>	<b>2.31</b>

### 3.2.3: CERTIFICATION BY PHYSICIAN

A medical certificate signed by a licensed physician may be required by Department Heads to substantiate a request for sick Leave for any period of absence consisting of three (3) or more consecutive Workdays or shifts, to support a request for sick Leave during a period when the employee is on a personal Leave/vacation, on Leave of any duration, or if absence from duty recurs frequently or habitually, provided the employee has been notified or warned that a certificate will be required.

### 3.2.4: MAXIMUM ALLOWABLE PERSONAL AND SICK LEAVE ACCUMULATION

Personal Leave is to be used within the calendar year of accumulation by December 31 with a maximum carryover of 80, 84, or 96 hours as appropriate for the number of work hours per pay period. Department Heads can recommend to the County Manager additional carryover for their employees with unusual

circumstances that keep them from taking their annual personal Leave.

Unused sick Leave can be accrued and banked with a maximum of 1,000 hours.

#### 3.2.5: PAYMENT OF UNUSED PERSONAL AND SICK LEAVE

Upon separation, an employee who provides a minimum of two (2) weeks of Notice will receive payment for all accrued personal Leave time. In addition, if the employee has been employed for a minimum of five (5) consecutive years, payment for accrued sick time will be made.

Employees who are terminated will not receive payments for unused sick or personal Leave regardless of tenure, unless approved by the County Manager.

#### 3.2.6: MINIMUM PERIODS OF PERSONAL AND SICK LEAVE TIME

Personal Leave Time (sick or personal) may be taken for periods of not less than one (1) hour and is subject to administrative review.

#### 3.2.7: EMERGENCIES WHILE OUT ON PERSONAL LEAVE

Employees on personal Leave are subject to recall in cases of County emergency.

#### 3.2.8: PERSONAL LEAVE/NO REINSTATEMENT

The County does not reinstate sick or personal Leave for employees being re-hired. Accrual rate will begin upon re-hire date, not original hire date.

#### 3.2.9: PERSONAL LEAVE TRANSFER

##### 3.2.9.1: DESCRIPTION

Participation in the Leave transfer program is strictly voluntary. Any Full-time County Employee may donate personal Leave time directly to any other Full-time County Employee who has a personal or family medical emergency and who has exhausted his/her available Leave time. A personal Leave recipient may receive a maximum of 160 hours of donated personal Leave at any one time for each personal/family medical emergency. However, any unused donated Leave must be returned to the Leave donor(s) when the personal/family medical emergency ends.

##### 3.2.9.2: LEAVE RECIPIENT

A potential Leave recipient's Department Head must determine that a Full-time

Employee's absence from work without available paid personal Leave because of a personal/family medical emergency will be at least 24 hours. An employee may receive donated personal Leave when it has been determined that the need is a personal/family medical emergency situation. In addition, it is the Department Head's responsibility to verify with the Human Resources Department that the recipient has exhausted their accrued personal Leave time and that the donor has an appropriate amount of Leave time available to accommodate the requested transfer hours without exceeding the limitation stated. The Department Head reserves the right to limit the amount of Leave transferred to an employee if the transfer presents a hardship to the Department or affects the Department's ability to perform their duties.

#### 3.2.9.3 LIMITATIONS ON LEAVE DONATIONS

In any given year, an employee may donate not more than 40 hours of accrued of personal Leave during that year.

### ***3.3: LEAVE OF ABSENCE WITH PAY***

#### **3.3.1: STANDARD APPROVAL PROCEDURE**

Any Leave of absence must be approved by the Department Head and Human Resources and is subject to final approval by the County Manager or authorized Elected Official.

#### **3.3.2: MILITARY LEAVE**

An employee who is a member of the National Guard and Reserves, an organized military reserve of the United States, or any employee who is otherwise engaged in the performance of military duty, will be allowed Leaves of Absence with pay not to exceed thirty Working Days during any calendar year to attend training camps upon presentation of orders pursuant to such training. Such Leaves shall not be charged to Personal Leave and may be intermittent in nature.

In addition, any employee who is called up to active duty in any branch of the military service of the United States will be allowed Leaves of Absence and maintenance of rights and benefits consistent with state and federal law upon presentation of orders pursuant to such active duty.

All Military Leave time shall be counted towards all seniority rights and towards eligibility of FMLA Leave.

Dawson County shall comply with the applicable State of Georgia law and federal law for public employees concerning Military Leave. Employee must comply with the same laws when he or she seeks to return to work following military service.

An employee who has engaged in military service must, in order to be entitled to the reemployment rights set forth in federal and state law, submit an application for reemployment according to the following schedule:

1. *If service is less than 30 days (or for the purpose of taking an Examination to determine fitness for service) – the employee must report for reemployment at the beginning of the first full regularly scheduled working period on the first calendar day following completion of service and the expiration of eight hours after a time for safe transportation back to the employee’s residence.*
2. *If service is for 31 days or more but less than 181 days – the employee must submit an application for reemployment with Human Resources no later than fourteen days following the completion of service.*
3. *If service is over 180 days – the employee must submit an application for reemployment with Human Resources no later than ninety days following the completion of service.*
4. *If the employee is hospitalized or convalescing from a service-connected injury – the employee must submit an application for reemployment with Human Resources no later than two years following completion of service.*

An employee reinstated after military service lasting ninety-one days or more will be promptly reemployed in the following order of priority:

- (i) In the job the employee would have held had he or she remained continuously employed, or a position of equivalent seniority, status, and pay so long as the person is qualified for the job, or can become qualified after reasonable efforts by the County to qualify the person; or
- (ii) If the employee cannot become qualified for the position in (i), in the employee's pre-service position so long as he or she is qualified for the job or could become qualified after reasonable efforts by the County; or
- (iii) If the employee cannot become qualified for the position in either (i) or (ii), in any other position, which is the nearest approximation of (i) for which the employee is qualified.

### 3.3.3: JURY DUTY

An employee called for jury duty or subpoenaed as a witness will be excused from work upon presentation of a court Notice to his/her immediate Supervisor. The employee will be paid his/her normal pay provided he/she submits evidence of the amount received from the court. The combination of jury duty pay and actual

hours worked is not to exceed forty (40) hours per week in the case where an employee chooses to catch up on work after hours unless authorized by the Supervisor or Department Head. The jury duty stipend is not deducted from the employee's pay (See O.C.G.A. 15-12-1 *et seq.*).

#### 3.3.4: FUNERAL LEAVE

Funeral Leave of up to 24 paid hours will be granted for an employee absent from work as a result of the death of a spouse, parent or guardian, child, brother, sister, stepmother or father, stepchild, stepsister or brother, grandparent or other relative living in the employee's household. A maximum of 8 hours of paid funeral Leave will be granted to an employee absent from work as a result of the death of another Immediate Family member listed in the County's nepotism section to include in-laws. If possible, an employee should notify their Supervisor of a life threatening illness in the family.

#### 3.3.5: WORKERS' COMPENSATION

An employee who is temporarily disabled because of injury or illness sustained during the course and scope of his/her duties is is generally covered by the Georgia Workers' Compensation Act. An employee receiving workers' compensation income benefits may use personal or sick Leave to supplement the workers' compensation benefits. Under Georgia Law, employees are required to select a treating physician from the employer's posted Panel of Physicians for medical treatment relating to his/her on-the-job injury. The name, address and phone number for each panel physician is available to each employee and is posted on official County bulletin boards.

#### 3.3.6: DISABILITIES (NOT COVERED BY WORKERS' COMPENSATION)

An employee who becomes disabled shall be allowed to use accrued Leave accumulations. After all Leave has been exhausted, further extension of Leave without pay must be specifically authorized by the Department Head after consultation with the County Manager.

#### 3.3.7: MATERNITY LEAVE

Maternity Leave is afforded to employees pursuant to, and governed by, the provisions of the Family and Medical Leave Act ("FMLA") and those provisions set forth in the following Section. Maternity Leave shall be granted to employees upon written request filed by the employee at least ten regularly scheduled Working Days prior to the effective date (unless emergency conditions prohibit the filing of such prior Notice, in which case, it shall be filed as soon as possible). Time for

beginning Maternity Leave shall be when the employee, with the approval of her doctor, deems she is no longer able to carry out the duties and responsibilities of her position. Time for termination of Maternity Leave shall be governed by the FMLA when applicable time provided thereunder has elapsed.

An employee on Maternity Leave must utilize any available Paid Leave during any period of Maternity Leave to run concurrent with the FMLA Leave. Upon expiration of any paid Leave, the remainder of FMLA Leave, if any, shall be unpaid.

### 3.3.8: REQUEST FOR LEAVE TO OBSERVE RELIGIOUS HOLIDAYS

An employee, upon request to the applicable Department Director at least seven days in advance shall be given priority consideration for Leave from work for observance of religious holidays not already provided for as a holiday. Any paid Leave for such religious holiday observance shall be charged to accrued Personal Leave as available to the employee at the time of the holiday observance. A request by an employee for time away from work to observe religious holidays shall not be denied, unless the duties performed by the employee are urgently required and the employee, in the judgment of the applicable Department Director, is the only person available who can perform the duties. However, a request by an employee for time away from work to observe a religious holiday may be denied if the employee does not have enough accrued Personal Leave to accommodate the Leave request or an undue hardship would in fact result from granting such request.

## 3.4: LEAVE OF ABSENCE WITHOUT PAY

### 3.4.1: STANDARD APPROVAL PROCEDURE

All Leaves of absence without pay must be recommended by the Department Head and is subject to final approval by the County Manager or authorized Elected Official.

### 3.4.2: FAMILY AND MEDICAL LEAVE

#### (a) Statement of Policy

Pursuant to the Family and Medical Leave Act (“FMLA”), 29 U.S.C. § 2601, *et seq.*, employees may be eligible to take up to twelve weeks (or up to twenty-six weeks of Military Caregiver Leave to care for a covered servicemember with a serious injury or illness) of unpaid Leave during any twelve month period for one or more of the following:

- (i) The birth, adoption or placement of a child;
- (ii) The serious medical condition of a parent, spouse, or child;
- (iii) A serious health condition that makes the employee unable to perform the essential functions of his or her job to include qualified injuries or illnesses that existed prior to military active duty and were aggravated by service while on active duty in the Armed Forces;
- (iv) Qualifying Exigency Leave is available to eligible employees who are family members of a covered military member to take FMLA Leave to address the most common issues that arise when a covered military member is on covered active duty or called to covered active duty; or
- (v) Military Caregiver Leave is available to eligible employees (defined as the spouse, son, daughter, parent, or next of kin of an injured or ill servicemember or veteran) to care for the covered servicemember. Eligible employees are entitled to twenty-six work weeks of Leave during a single twelve month period to care for a covered servicemember with a serious injury or illness.

(b) Rolling Twelve Month Period

For purposes of this Section, a “twelve-month period” means a rolling twelve months measured backward from the date the employee uses any FMLA Leave. If the policies set forth in this Handbook conflict or come into conflict with the FMLA as it presently exists or is amended from time to time, the provisions contained in the FMLA shall control.

(c) Eligibility

Eligible employees as defined by the FMLA shall be entitled to Leave, provided such Leave is within the conditions and limitations provided in the FMLA.

(d) Request for Leave

It shall be the responsibility of the employee to ensure that the appropriate forms required by the Human Resources Director are timely submitted to the Human Resources Director or his/her designee in order to request Leave pursuant to the FMLA. Failure to submit an application and required supporting documentation for Leave pursuant to the FMLA within a reasonable period of time prior to the requested effective date of the Leave, when the reason for the Leave is foreseeable, may constitute grounds for denial of the request. Upon receipt of a request for Leave and a completed medical certificate pursuant to the FMLA, the Human Resources Director shall respond in writing with approval or denial of the Leave within three Working Days. An approval should specify the terms and conditions of the Leave. If a request is denied in whole or in part, the response of the Human



Resources Director will specify the reasons for the denial and shall include a Notice of the right to appeal consistent with this Section.

(e) Concurrent Utilization of Paid Leave

An employee requesting Leave pursuant to the FMLA is required to utilize all accrued Personal Leave available as part of the twelve week (or twenty-six workweeks to care for an injured or ill servicemember over a twelve month period) Leave period. If the available paid Leave for the employee is less than twelve working weeks, the additional weeks of Leave necessary to obtain the twelve work weeks of Leave available under the FMLA shall be provided without compensation. In any event, any combination of Personal Leave, and/or unpaid Family and Medical Leave shall not exceed twelve weeks. However, Family and Medical Leave to care for an injured or ill servicemember shall not exceed twenty-six weeks over a twelve month period. Personal Leave must be used concurrently with FMLA Leave. FMLA requests will be retroactively dated to the beginning of the current Personal Leave in the event that the paid Leave is commenced prior to the request for FMLA Leave.

(f) Concurrent Workers' Compensation and FMLA Leave

An employee qualifying for Workers' Compensation Leave must run any requested FMLA Leave concurrently with that of all concurrent and/or intermittent Workers' Compensation Leave.

(g) Intermittent Leave or Reduced Schedule Leave

Leave for childbirth, adoption, or foster care may not be taken intermittently or on a reduced schedule. Leave for a serious health condition of a qualifying family member (parent, spouse, child) or of the employee may not be taken on an intermittent basis or on a reduced Leave schedule unless medically necessary. The taking of any Leave intermittently or on a reduced schedule basis shall reduce the total amount of FMLA Leave that has been approved for the eligible employee according to the actual hours of Leave taken. For example, if an eligible employee takes ten hours of Leave intermittently over twenty Business Days, the employee's bank of available FMLA Leave will be reduced only by ten hours and not by twenty days.

If an eligible employee requests intermittent or reduced schedule Leave that is foreseeable based on planned medical treatment, the Human Resources Director may require the employee to transfer temporarily to an available equivalent position for which the employee is qualified that better accommodates recurring periods of absence.

(h) Spouses Employed by Same Employer

In any occasion in which a husband and wife are eligible for Leave under the FMLA

and are both employed by Dawson County, the aggregate number of work weeks of Leave to which both may be entitled may be limited to twelve work weeks during any twelve month rolling period, in the case where Leave is taken for childbirth, adoption, foster care, or to care for a sick parent (as “parent” is defined at 29 C.F.R. § 825.122(c)).

In any occasion in which a husband and wife are eligible for Leave under the FMLA and are both employed by Dawson County, the aggregate number of work weeks of Leave to which both may be entitled will be limited to twenty-six work weeks during any twelve month rolling period, in the case where Leave is taken to care for a covered injured or ill servicemember.

(i) Foreseeable Leave

In any case in which the necessity for Leave under the FMLA is foreseeable, the employee shall provide the Human Resources Director with written application for the requested Leave and certification no less than thirty days before the date the Leave is to begin, with the exception of Maternity Leave which will be granted to employees upon written request filed by the employee at least ten regularly scheduled Working Days prior to the effective date (unless emergency conditions prohibit the filing of such prior Notice, in which case, it shall be filed as soon as possible).

In a case where the necessity for Leave is based on planned medical treatment, the employee shall make a reasonable effort to schedule the treatment so as not to disrupt unduly the operations of the employer, subject to the approval of the health care provider and shall provide the Human Resources Director with at least thirty days Notice before the date the Leave is to begin, except that if the date of the treatment requires Leave to begin in less than thirty days, the employee shall provide such Notice as is practicable.

(j) Certification of Serious Health Conditions

An eligible employee who requests Leave for a serious health condition of the employee or a qualifying family member shall submit certification from an appropriate health care provider to the Human Resources Director when requesting Leave.

Certification shall be sufficient if it states:

- (i) the date on which the serious health condition commenced;
- (ii) the probable duration of the treatment or condition;
- (iii) the appropriate medical facts within the health care provider’s knowledge; and

- (iv) the estimated amount of time the employee needs to care for the qualifying family member or a statement of the extent to which the employee is unable to perform the essential functions of the employee's position.

(k) Certification of Serious Health Conditions-intermittent Leave

An eligible employee who requests intermittent Leave for a serious health condition of the employee or a qualifying family member shall submit certification from an appropriate health care provider to the Human Resources Director when requesting Leave.

Certification shall be sufficient if it states:

- (i) If an employee requests Leave on an intermittent or reduced schedule basis for planned medical treatment of the employee's or a covered family member's serious health condition, information sufficient to establish the medical necessity for such intermittent or reduced schedule Leave and an estimate of the dates and duration of such treatments and any periods of recovery;
- (ii) If an employee requests Leave on an intermittent or reduced schedule basis for the employee's serious health condition, including pregnancy, that may result in unforeseeable episodes of incapacity, information sufficient to establish the medical necessity for such intermittent or reduced schedule Leave and an estimate of the frequency and duration of the episodes of incapacity; and
- (iii) If an employee requests Leave on an intermittent or reduced schedule basis to care for a covered family member with a serious health condition, a statement that such Leave is medically necessary to care for the family member, as described in 29 C.F.R. §§ 825.124 and 825.203(b), which can include assisting in the family member's recovery, and an estimate of the frequency and duration of the required Leave.

(l) Certification of Qualifying Exigency for Military Family Leave

Dawson County requires certification of the qualifying exigency for Military Family Leave. The employee must respond to such a request within fifteen days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of Leave. This certification will be provided using the United States Department of Labor Certification of Qualifying Exigency for Military Family Leave.

(m) Certification for Serious Injury or Illness of Covered Servicemember for Military Family Leave

Dawson County requires certification for the serious injury or illness of a covered servicemember. The employee must respond to such a request within fifteen days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of Leave. This certification will be provided using the United States Department of Labor Certification for Serious Injury or Illness of Covered Servicemember.

(n) Accruals and Benefits during FMLA Leave

An employee on unpaid FMLA Leave shall not be entitled to the accrual of any seniority or employment benefits during the period of unpaid FMLA Leave, including but not limited to, the accrual of Personal Leave. The employee, while on paid FMLA Leave, is entitled to accrue Personal Leave during the periods of paid FMLA Leave. For the purposes of pension or retirement plans, any period of FMLA Leave will be treated as Continuous Service for the purposes of vesting and eligibility to participate.

FMLA time will not be counted as part of an employee's working test period, but will be added to the remaining working test period, extending the ending date of the working test period.

During any period of Leave, Dawson County will maintain any health insurance provided by Dawson County to the employee for the duration of the Leave at the level and under the conditions coverage would have been provided if the employee had continued in employment continuously for the duration of such Leave. If, however, the employee fails to return from Leave after the period of Leave to which the employee is entitled has expired and the employee fails to return for a reason other than the continuation, recurrence, or on-set of a serious health condition or other conditions beyond the control of the employee, Dawson County may recover the premium(s) that the County may have paid for maintaining coverage for the employee during the period of Leave. If the employee is unable to return to work because of the continuation, recurrence, or on-set of a serious health condition, the Human Resources Director may require that the employee provide a certification of such circumstance.

During any period of Leave, Dawson County will continue to make available to the employee coverage for health insurance for dependents and other supplemental insurance, provided however, that the employee pays all premiums owed on a monthly basis. Failure to pay such premiums on a timely basis each month will result in coverage for health insurance for dependents and supplemental insurance being terminated. Employees will be required to execute a form with the Human Resources Department identifying the premiums for which the employee is responsible prior to the commencement of the Leave.

None of the above and foregoing limits the accrual of seniority or Personal Leave time for those on Workers' Compensation Leave that runs concurrently with FMLA Leave.

(o) Appeals of Denials

In the event that the Human Resources Director denies in whole or in part a request for Leave pursuant to the FMLA, an employee has the right to appeal that decision consistent with the following procedures.

Any such appeal from an employee must be filed within three Working Days following receipt of the denial decision from the Human Resources Director. The written Notice of appeal shall include the request for the Leave and all supporting documentation provided to the Human Resources Director. The appeal shall be filed with the County Manager who has the authority to amend or reverse the decision of the Human Resources Director. Failure of the employee to appeal within three Working Days shall result in forfeiture of any further right of appeal of a denial.

The County Manager shall review the record of the appeal and shall, within five Working Days, issue a final determination. The decision of the County Manager, as applicable, shall be final.

(p) Return to Duty from FMLA Leave

As a condition for return to duty, the employee may be required to provide certification from the employee's health care provider that the employee is able to resume work. Upon expiration of the period of Leave pursuant to the FMLA, the employee shall be returned to his/her former position or a position of equal Grade and pay, provided that the employee has complied with the terms of the Leave and reported for return of duty at the appropriate time. While the employee shall be restored to a position of employment without loss of employment benefits accrued prior to the date on which the Leave commenced, the employee shall have no greater rights than those in effect prior to the commencement of the Leave.

### ***3.5: OTHER CONSIDERATIONS REGARDING ABSENCE WITHOUT PAY***

#### **3.5.1: FAILURE TO RETURN TO WORK AT THE EXPIRATION OF APPROVED LEAVE WITHOUT PAY**

Failure of an employee to return to work at the expiration of approved Leave shall be considered absent, without Leave, constituting grounds for disciplinary action up to and including Dismissal.

#### **3.5.2: RETURN TO WORK BEFORE THE EXPIRATION OF APPROVED LEAVE WITHOUT PAY**

An employee granted a Leave of absence that wishes to return to work before the Leave period has expired shall be required to notify his/her immediate Supervisor.

Upon approval of the Department Head, the employee shall be permitted to return to work.

### 3.5.3: PERSONAL LEAVE DURING APPROVED LEAVE WITHOUT PAY

An employee will not earn sick or personal Leave during the time that the employee is on Leave without pay.

### 3.5.4: WORKING ELSEWHERE DURING APPROVED LEAVE

An employee, while on an authorized Leave-of-absence without pay may not seek part-time or full-time employment elsewhere without the prior approval of the employee's Department Head.

### 3.5.5: CONTINUATION OF HEALTH BENEFIT COVERAGE DURING APPROVED LEAVE WITHOUT PAY

An employee on personal Leave (not FMLA) for more than one month is required to pay the employee COBRA contribution rate in order to continue health benefits.

### 3.5.6: PAY INCREASES DURING APPROVED LEAVE WITHOUT PAY

Pay increases scheduled during the Leave time will be held until the employee returns to work.

## 3.6: ADMINISTRATIVE LEAVE

### 3.6.1: PAID ADMINISTRATIVE LEAVE

A Department Director or the County Manager, or their respective designee, with notification to the Human Resources Department, may place an employee on Paid Administrative Leave when an employee is being investigated by Dawson County for possible misconduct or by a law enforcement agency for possible violation of a criminal law or in any instance where it is considered to be in the interest of Dawson County and/or the employee.

The purposes of Administrative Leave are to provide an investigatory opportunity and/or to relieve the employee of his/her duties when it is deemed in the best interest of the County and the employee. Designation of the Leave as "Paid Administrative Leave" is to prevent any possible stigma against an employee during a period of Administrative Leave. Notice of the conclusion of the Administrative Leave period shall be provided in writing to the employee by the applicable Supervisory official with copies of the written Notice provided to the Human Resources Director. Upon

conclusion of the Administrative Leave period, and provided that no disciplinary action is taken as a result of the Administrative Leave period, the employee's personnel file shall be documented to reflect that the investigation concluded favorably for the employee.

### **3.7: HAZARDOUS WEATHER**

#### **3.7.1: LEAVE OPTIONS DURING HAZARDOUS WEATHER**

If hazardous weather conditions make it unduly hazardous for an employee to report to his/her place of work or the employee arrives late or leaves early, the Department Head and/or Supervisor will discuss with the employee which of the following actions will be selected:

1. Making up the time lost from work at a time scheduled by the Department Head;
2. Using accrued personal Leave;
3. Allow the employee to work from home if applicable.

NOTE: When unable to report to work due to weather conditions, employees shall notify their Supervisor as soon as possible.

#### **3.7.2: CRITICAL POSITIONS DURING HAZARDOUS WEATHER**

Certain positions require mandatory coverage because they provide a critical County service such as Fire, EMS, Public Works, and other designated Departments and individuals. The Department Head may wish to provide transportation to assure proper staffing of services.

### **3.8 HAZARDOUS WEATHER PROCESS**

During times of hazardous or inclement weather, the County Manager will contact the Director of Public Works and the Director of EMA to determine road conditions. If the County Manager determines the office is to be closed for inclement weather, the County Manager will contact his direct reports by phone and the direct reports will contact their direct reports etc. throughout the chain of command. The County Manager will make the determination.

### **REGULATION 4: POSITION LEVEL CLASSIFICATION PLAN OVERVIEW**

A job classification or position level is used to determine the County's pay structure which is administered through the County's budget process. Every position is assigned a salary level and

salary range that is based on the position description written and submitted by the Department Head. Key factors in the evaluation process involve but are not limited to:

1. Required job knowledge and education level;
2. Level of responsibility, accountability and authority;
3. Degree of supervision required and exercised and level of independence expected;
4. Character of work performed;
5. Type and amount of training required; and
6. Level of experience for proper performance.

#### ***4.1: REVISIONS TO CLASSIFICATION PLAN***

Revisions to the Classification Plan may be made by the Board of Commissioners to reflect new or changed conditions or work practices within the classified service.

#### ***4.2: DEPARTMENTAL RESPONSIBILITY***

Department Heads are responsible for submitting to the County Manager or designee new job descriptions for all affected positions each time a section or division is substantially reorganized or major changes in duties or responsibilities occur for any job. The Human Resources Department shall be responsible for maintaining an official copy of the all position descriptions.

### **REGULATION 5: COMPENSATION OVERVIEW**

The Compensation Plan for Dawson County is at the sole discretion of the Board of Commissioners.

#### ***5.1: AMENDMENTS***

The Board may amend the proposed Compensation Plan in any way deemed appropriate and shall formally approve the plan. The Compensation Plan shall take effect following final approval by the Board. Any subsequent change in the Compensation Plan shall be submitted to the Board for review and approval.

#### ***5.2: PROMOTION***

Promotion is the advancement of an employee from a job within one class to a job in another class having a higher salary range.

#### ***5.3: DEMOTION***



An employee who is reclassified by Demotion shall have his/her salary reduced. Exceptions to this provision must be approved by the County Manager or authorized Elected Official.

#### **5.4: TRANSFERS**

A transfer is a reassignment of a regular employee to another comparable job within the service of Dawson County. The employee to be transferred must meet the Minimum Qualifications of the position transferring into. The job to which the transfer is made may be within the same class as the job currently held by the employee, or it may be of a different class, provided the salary Grades are the same. Transfers may be interdepartmental or intradepartmental and must be approved by the Department Head(s) and the County Manager or designee.

An employee transferred in accordance with the provisions of these rules shall be placed on working test status. In the case of transfers to positions in a higher class, this will be deemed a Promotion and as such the new position must be posted internally.

#### **5.5: RE-APPOINTMENT**

An employee who is re-appointed may have his/her salary placed at any step of the range applicable to the job to which he/she is appointed, provided that it is not a higher step than that at which he/she was paid at the time of his/her termination.

#### **5.6: ACTING CAPACITY AND TEMPORARY PAY**

At times, an employee may be required by the Department Head to fill a temporarily vacated position due to termination, temporary disability, or Leave of absence. If the position to be filled is of a higher Grade and is anticipated to last longer than two weeks, the employee is entitled to a salary increase as long as the employee is filling the position.

##### **5.6.1: ACTING CAPACITY**

The employee working in an acting capacity shall be expected to fully perform all the normally assigned duties of the position on a temporary basis until the incumbent returns to their assigned position or a full-time replacement is appointed.

##### **5.6.2: TEMPORARY VACANCY**

A temporarily vacant position is an authorized position in the current year budget that has been temporarily vacated due to termination, disability, or Leave of absence, and is required to be staffed by a Full-time Employee.

### 5.6.3: DURATION OF TEMPORARY ASSIGNMENT

An employee required to temporarily perform in a higher-level job classification and perform the actual duties normally assigned to the duly authorized vacant position for a period of 14 consecutive Working Days or more, will receive a temporary pay increase.

### 5.6.4: AUTHORIZATION

A Personnel Action Form shall be completed and approved by the Department Head or authorized Elected Official on any employee placed in an acting capacity; and the same procedure shall be followed upon the discontinuation of the employee's functioning in this status. The employee serving in an acting capacity will be provided a copy of the Personnel Action Form authorizing the additional pay.

### 5.6.5: APPEAL PROCEDURE

An employee who believes he/she is serving in an acting capacity and should be receiving additional compensation shall notify in writing his/her immediate Supervisor. If not satisfied with the decision of the Supervisor, the employee shall appeal the decision by the following chain of command up to and including appealing to the County Manager.

## **5.7: SALARY REDUCTION**

All salary reductions shall correspond with the approved salary table.

## **5.8: APPROVAL OF ACTIONS AFFECTING COMPENSATION**

The Board of Commissioners shall have, through the budgetary procedures, final authority in all matters concerning the Compensation Plan. The County Manager has authority over individual salaries and operates within the parameters of the BOC approved Compensation Plan.

## **5.9: COMPENSATION FOR OVERTIME HOURS WORKED**

- (a) Classification as Exempt or Non-Exempt

All employees will be classified as either “exempt” or “non-exempt” according to the Fair Labor Standards Act (“FLSA”) and its governing regulations. These classifications are established by the County based upon the prevailing law and the actual duties and compensation earned by each employee. The County is not required to compensate employees who are exempt under the FLSA for overtime work. In contrast, the County is obligated to compensate employees who are deemed non-exempt under the FLSA for overtime work and does so according to the FLSA and the policies set forth herein. It is the expressed intent of Dawson County to strictly comply with the FLSA with regard to overtime payment.

(b) Approval and Recording of Overtime Hours Worked

All overtime work performed must have prior approval of the Department Director. In addition, all overtime hours worked must be recorded by the employee during the pay period in which the employee performed the work. No employee should be subjected to being requested by a Supervisor to work overtime without allowing the employee to record and receive compensation for overtime hours worked. If any employee has concerns about the overtime compensation practices occurring in his/her Department, the employee should immediately advise the Human Resources Director or the County Manager.

(c) Rate of Overtime Compensation

Non-exempt employees who perform overtime work shall be paid in wages at the rate of one and one-half times their regular rate of pay.

(d) Computation of Hours Worked for Overtime Compensation Purposes

The computation of hours worked for purposes of reaching the maximum hour threshold to trigger the entitlement to overtime compensation shall include all hours actually worked. Paid Personal Leave, other paid Leave, holiday Leave and other types of Leave shall not be included.

(e) Overtime for Part-Time, Non-Exempt Employees

Part-time, non-exempt employees who work more than their normal work schedule, but less than the FLSA maximum hours for the appropriate work cycle, will be paid at straight time. When hours worked exceed FLSA maximums for the appropriate work cycle, Part-time Employees will be paid overtime at time and one-half of the regular hourly rate. Part-time Employees are not authorized to perform any work in excess of their normal work scheduled in the absence of written approval by the County Manager.

## **5.10 MAXIMUM WORK HOURS**

The following sets forth the maximum work hours for purposes of computing overtime.

Employees are not entitled to overtime compensation until the maximum work hours in the applicable work period have been exceeded.

**LAW ENFORCEMENT EMPLOYEES**

Hours worked in excess of 171 hours in a twenty-eight day work period;

**EMERGENCY MEDICAL SERVICES EMPLOYEES**

Hours worked in excess of 40 hours per week;

**FIRE SERVICES EMPLOYEES**

Hours worked in excess of 53 hours per week;

**OTHER EMPLOYEES**

Hours worked in excess of 40 hours in a seven-day work period.

**5.11: OVERTIME LIMITS**

Overtime work shall be limited to meet operational needs of an emergency nature. Department Heads and Supervisors shall have the responsibilities of administering overtime policies and controlling excessive overtime. All overtime must be approved by Department Heads prior to an employee actually working overtime. Supervisors shall be held responsible for overtime abuses by employees, and, if necessary, recommend proper disciplinary action.

**5.12: ATTENDANCE RECORD KEEPING**

Department Heads/Supervisors shall be responsible for accurate record keeping of time and attendance. Individual time sheets shall be maintained in each Department (as required by FLSA) with totals from time sheets transferred to payroll time sheets and forwarded to payroll.

**5.13: PART-TIME EMPLOYEES**

Employees who average less than 30 hours per week shall not qualify for employee benefits and the advantages of the personnel system.

**REGULATION 6: EMPLOYEE RELATIONS**

The purpose of this section is to provide an orderly procedure for processing grievance claims of regular employees. The objective of this procedure is to reach a firm and equitable decision in a timely manner. The employee, Department Head and/or Supervisor should make an effort to resolve any grievance informally before initiating this formal procedure.

## **6.1: GRIEVANCE CLAIM**

A grievance is a claim initiated by an employee alleging: a) inequitable application of disciplinary procedures; b) erroneous or inconsistent application of County Rules and Regulations; c) employment status or productivity which has been adversely affected by unfair treatment; and/or d) unsafe or unhealthy working conditions exist.

The following areas are NOT grievable:

- a. Issues which are pending or which have been concluded by other administrative or judicial procedures;
- b. Management's rights to assign work and/or establish work processes;
- c. Disciplinary actions that do not result in a Dismissal, Demotion or salary reduction;
- d. Budget allocations and expenditures and organizational structure, including the persons or number of persons assigned to particular jobs or units;
- e. The content or rating of a Performance Evaluation;
- f. The selection of an individual by the Department Director, or County Manager to fill a position through Appointment, Promotion, or transfer, except when the employee can show adverse effect because of unlawful discrimination;
- g. Any matter which is not within the jurisdiction or control of the County;
- h. Internal security practices established by the County Manager and/or Board of Commissioners; and
- i. Decisions, practices, resolutions or policies made or passed by the Board of Commissioners or County Manager.

## **6.2: GRIEVANCE AND APPEALS**

An employee shall complete the following:

### **6.2.1: GRIEVANCE STATEMENT**

Submit a grievance statement within five Working Days from the date that the grievable action or violation occurs to the Supervisor and Department Head in writing stating the specific claim and the specific relief desired.

### **6.2.2: INFORMAL GRIEVANCE RESOLUTION**

Request an informal grievance resolution. Informal means dialogue between

employee and management should be used in an attempt to resolve the grievance in a timely fashion.

#### 6.2.3: FORMAL GRIEVANCE PROCEDURE

If the grievance is unresolved informally, the employee may request a formal grievance review.

#### 6.2.4: FORMAL GRIEVANCE PROCEDURE TIMING

The following procedure is intended to define maximum time limits. Grievances should be handled expeditiously as time and circumstances permit.

The time limit at any step set forth in this Regulation may be extended by the County Manager or mutually agreed to by all parties involved. A grievance not advanced to the higher step within the time limit provided shall be deemed permanently withdrawn, and as having been settled on the basis of the decision most recently given. Failure on the part of the County's representative to answer within the time limit set forth in any step may entitle the employee to proceed to the next step.

##### 6.2.4.1: DEPARTMENT LEVEL

- a. Written grievance statement received by Department Head from the employee.
- b. Within 20 calendar days the Department Head will provide a written response to the employee filing the grievance.

##### 6.2.4.2: GENERAL MANAGEMENT LEVEL

- a. An employee may file a request for review by the County Manager or authorized Elected Official if the employee is not satisfied with the Department Head's decision. Appeal to the County Manager or authorized Elected Official and must be filed within 15 calendar days from the Department Head's written decision.
- b. Within 20 calendar days the County Manager or authorized Elected Official will acknowledge receipt of the request for grievance review and shall either schedule a meeting to review the facts or respond to the grievance in writing, at his/her discretion. If a meeting to review the facts is held, then a written response to the grievance review shall issue thereafter. Decisions of the County Manager or authorized Elected Official are final.

## REGULATION 7: DEPARTMENT POLICY

## **7.1: PERSONNEL RECORDS**

### **7.1.1: PUBLIC INSPECTION**

All personnel records of employees covered under these rules and regulations and all other records and materials relating to the administration of the personnel system shall be considered the confidential property of Dawson County. Information obtained in the course of official duties shall not be released by any employee other than those with this responsibility as part of official duties. All requests for personnel information must be processed through the Open Records Officer or designee. The release of personnel records is governed under the Georgia Open Records Act (O.C.G.A. 50-18-70):

Within three (3) work days after the request is received, the Open Records Officer will determine if the requested information can be released;

Verbal requests are acceptable for any employee to see his/her own file with three (3) work days advance notice;

A written request is required for all others who wish to review any personnel records or files;

Requests by anyone other than the employee must be for specific information. General review of one or a number of files is not permissible under the Georgia Open Records Act;

Charges for information from the County's personnel files are as follows: Hourly rate equal to that of the lowest paid qualified individual to assemble material (minus the first fifteen minutes) and up to 10 cents per copy for requested information.

Items not subject to the Georgia Open Records Act (O.C.G.A. 50-18-72(2)-7) include but are not limited to medical records, similar files or related information and third party evaluations.

NOTE: For further information regarding the accessibility of personnel records, refer to the Georgia Open Records Act (O.C.G.A. 50-18-70).

## **7.2 DESTRUCTION OF RECORDS**

In agreement with state retention schedule, employee records shall be kept for no less than three (3) years after termination of employment. Such records may be kept in their original form or in any other duplicate form, which the Human Resources Director deems appropriate. All other records, including correspondence, applications and Examinations may be destroyed after three (3) years. The records are governed by Georgia Records Act (O.C.G.A. 50-18-90) (85)-(503).

## **7.3: APPLICATION RELEASE**

The following explains policies and procedures for release of resumes and applications for employment to the newspaper or other interested citizens:

#### 7.3.1: INFORMATION TO BE RELEASED

In accordance with state law, applications, resumes, or the name of candidates who are Applicants in an employment search for a position with Dawson County may be released within three (3) days after the request has been received from the media or interested citizen.

#### 7.3.2: INFORMATION REQUIRED TO BE WITHHELD

Evaluations of candidates, or recommendations, or any reference material may not be subject to disclosure under the Georgia Open Records Act (OCGA Sec. 50-18-70 et seq.). Such information shall be confidential.

### ***7.4: TERMINATED EMPLOYEE REFERENCE AND RELEASE OF INFORMATION POLICY***

#### 7.4.1: TERMINATED EMPLOYEE REFERENCE POLICY

Previous employees of the County separated due to Resignation, termination, Layoff, or any other form of separation have the right under privacy laws to expect that we will not release to prospective employers, the general public, or the media, any information other than:

- Years of service;
- Job title and duties; and
- Confirmation of an employee's final pay rate.

NOTE: In certain instances, the County may be required to disclose information regarding an employee who has engaged in criminal activity.

#### 7.4.2: TERMINATED EMPLOYEE REFERENCE POLICY RATIONALE

While the State of Georgia has a strong policy of open government, there is a corresponding policy protecting the rights of the individual's personal privacy. This policy is intended to address this issue in a fair and balanced manner. Further, under tort law, invasion of privacy standards protects the right of a person to be free from unwarranted publicity or the unwarranted exploitation of personality in publicizing private affairs with which the public has no legitimate concern. Georgia State Code (O.C.G.A. 50-18-72(a)(2)) protects medical records and similar files from disclosure, which would be considered an invasion of personal privacy. It argues that the report amounts to a personnel file which is similar to a medical file, which is specifically exempt under the act.



### 7.4.3: RECOMMENDATION OF RE-EMPLOYMENT

In every instance other than death or retirement, upon the separation of a regular employee from a position, the Department Head shall specify on the Personnel Action Form or an attachment thereto whether or not the employee's performance has been sufficiently satisfactory for him/her to be considered for re-employment. An answer of "no" disqualifies the employee from further Appointments under the County provided it is supported by the reasons for such an answer. The employee has the right to appeal the disqualification, as provided under these rules. Eligibility for re-hire will be determined by the Director of Human Resources.

### 7.5: ADMINISTRATIVE INQUIRY AND REVIEW

Records consisting of material obtained in an investigation related to the Suspension, firing, or investigation of a complaint against a public official or employee are confidential. These records, materials and reports are not to be released until ten (10) Business Days after the investigation has been terminated and the final report has been provided to the County Manager or authorized Elected Official. Such information is only to be released from the County Manager's or authorized Elected Official's office. As with the release of other sensitive personnel information, the Georgia Open Records Law must be balanced with tort privacy laws.

### 7.6: OFFICIAL BULLETIN BOARDS

The Human Resources Director will designate and control official County bulletin boards with each Department. The boards are to be used only for official notification purposes such as workers' compensation doctors, job-posting Notices, benefits information, and similar employee notifications.

## REGULATION 8: INFORMATION TECHNOLOGY

### 8.1: ACCEPTABLE USE

The Dawson County IT Department's intentions for publishing Acceptable Use Procedures are not to impose restrictions that are contrary to Dawson County Government's established culture of openness, trust and integrity. The Dawson County IT Department is committed to protecting Dawson County Government's employees, partners and the County from illegal or damaging actions by individuals, knowingly or unknowingly.

Internet/intranet/extranet-related systems, including, but not limited to computer equipment, software, operating systems, storage media, network accounts providing electronic mail, World Wide Web browsing, and File Transfer Protocol, are the property of Dawson County

Government. These systems are to be used for business purposes in serving the interests of the County and of our citizens and Elected Officials in the course of normal operations. Please review Dawson County policies for further details. (See Appendix D)

Effective security is a team effort involving the participation and support of every Dawson County Government employee and affiliate who deals with information and/or information systems. It is the responsibility of every computer user to know these guidelines and to conduct activities accordingly.

The purpose of this policy is to outline the acceptable use of computer equipment at Dawson County Government. These rules are in place to protect the employee and Dawson County Government. Inappropriate use exposes Dawson County Government to risks including virus attacks, compromise of network systems and services, and legal issues.

This policy applies to employees, contractors, consultants, temporaries, and other workers at Dawson County Government, including all personnel affiliated with third parties. This policy applies to all equipment that is owned or leased by Dawson County Government.

## ***8.2: GENERAL USE AND OWNERSHIP***

1. While Dawson County Government's IT Department desires to provide a reasonable level of privacy, users should be aware that the data created on the County system remains the property of Dawson County Government. The confidentiality of information stored on any network device belonging to Dawson County Government cannot be guaranteed because the County's network must be protected.
2. Employees are responsible for exercising good judgment regarding the reasonableness of personal use. If there is any uncertainty, employees should consult their Supervisor or manager.
3. The Dawson County IT Department recommends that any information that users consider sensitive or vulnerable be encrypted or password protected.
4. For security and network maintenance purposes, authorized individuals within Dawson County Government may monitor equipment, systems and network traffic at any time, per Dawson County IT Department's Audit Policy.
5. Dawson County Government may audit networks and systems on a periodic basis to ensure compliance with this policy.

## ***8.3: SECURITY AND PROPRIETARY INFORMATION***

1. The user interface for information contained on internet/intranet/extranet-related systems should be classified as either confidential or not confidential as defined by County confidentiality guidelines. Examples of confidential information include, but are not limited to,: County private, County strategies, County sensitive, trade secrets, citizen lists, and research data. Employees should take all necessary steps to prevent unauthorized access to this information.

2. Keep passwords secure and do not share accounts. Authorized users are responsible for the security of their passwords and accounts. System level passwords should be changed quarterly and user level passwords should be changed every six months.
3. All PCs, laptops and workstations should be secured with a password-protected screensaver with the automatic activation feature set at 10 minutes or less or by logging-off when the host will be unattended.
4. Use encryption or password protection of information.
5. Information contained on portable computers is especially vulnerable, so special care should be exercised.
6. All hosts used by the employee that are connected to the Dawson County Government internet/intranet/extranet, whether owned by the employee or Dawson County Government, shall be continually executing approved virus-scanning software with a current virus database unless overridden by Departmental or group policy.
7. Employees must use extreme caution when opening e-mail attachments received from unknown senders, which may contain viruses, e-mail bombs, Trojan horse code, or other damaging contents.

#### **8.4: UNACCEPTABLE USE**

The following activities are, in general, prohibited. Employees may be exempted from these restrictions during the course of legitimate job responsibilities (e.g., systems administration staff may have a need to disable the network access of a host if that host is disrupting production services). Under no circumstances is an employee of Dawson County Government authorized to engage in any activity that is illegal under local, state, federal or international law while utilizing Dawson County Government-owned resources.

The activities below are not exhaustive, but attempt to provide a framework for activities that fall into the category of unacceptable use.

##### **8.4.1: SYSTEM AND NETWORK ACTIVITIES**

The following activities are strictly prohibited with no exceptions:

1. Violations of the rights of any person or company protected by copyright, trade secret, patent or other intellectual property, or similar laws or regulations including, but not limited to, the installation or distribution of "pirated" or other software products that are not appropriately licensed for use by Dawson County Government.
2. Unauthorized copying of copyrighted material including, but not limited to, digitization and distribution of photographs from magazines, books or other copyrighted sources, copyrighted music, and the installation of any copyrighted software for which Dawson County Government or the end user does not have an active license.
3. Exporting software, technical information, encryption software or technology in violation of international or regional export control laws is illegal. The appropriate management should be consulted prior to export of any material that is in question.
4. Introduction of malicious programs into the network or server (e.g., viruses, worms, Trojan horses, e-mail bombs, etc.).

5. Revealing your account password to others or allowing use of your account by others. This includes family and other household members when work is being done at home.
6. Using a Dawson County Government computing asset to actively engage in procuring or transmitting material that is in violation of sexual harassment or hostile workplace laws.
7. Making fraudulent offers of products, items, or services originating from any Dawson County account.
8. Making statements about warranty, express or implied, unless it is a part of normal job duties.
9. Effecting security breaches or disruptions of network communication. Security breaches include, but are not limited to, accessing data of which the employee is not an intended recipient or logging into a server or account that the employee is not expressly authorized to access, unless these duties are within the scope of regular duties. For purposes of this section, "disruption" includes, but is not limited to, network sniffing, pinged floods, packet spoofing, denial of service, and forged routing information for malicious purposes.
10. Port scanning or security scanning unless prior notification to Dawson County IT Department.
11. Executing any form of network monitoring that will intercept data not intended for the employee's host, unless this activity is a part of the employee's normal job/duty.
12. Circumventing user authentication or security of any host, network or account.
13. Interfering with or denying service to any user other than the employee's host (for example, denial of service attack).
14. Using any program/script/command or sending messages of any kind with the intent to interfere with or disable a user's terminal session via any means locally or via the internet/intranet/extranet.
15. Accessing, viewing, or possession of illicit or pornographic material.

#### 8.4.2: EMAIL AND COMMUNICATIONS ACTIVITIES

1. Sending unsolicited email messages including "junk mail" or other advertising material to individuals who did not specifically request such material (email spam).
2. Any form of harassment via email, telephone or paging, whether through language, frequency, or size of messages.
3. Unauthorized use or forging email header information.
4. Solicitation of email for any other email address, other than that of the poster's account, with the intent to harass or to collect replies.
5. Creating or forwarding "chain letters", "Ponzi" or other "pyramid" schemes of any type.
6. Use of unsolicited email originating from within Dawson County Government's networks of other internet/intranet/extranet service providers on behalf of, or to advertise, any service hosted by Dawson County Government or connected via Dawson County Government's network.
7. Posting the same or similar non-business-related messages to large numbers of Usenet newsgroups (newsgroup spam).
8. Global emails may only be sent after obtaining the approval of the Department Head/Director

## ***8.5: PERSONAL COMMUNICATION DEVICES and VOICEMAILPOLICY***

This document describes Information Technology Department security's requirements for personal communication devices and voicemail for Dawson County Government.

This policy applies to any use of personal communication devices and Dawson County Government voicemail issued by Dawson County Government or used for Dawson County Government business.

### **8.5.1: ISSUING POLICY**

Personal Communication Devices (PCDs) will be issued only to Dawson County Government personnel with duties that require immediate and frequent contact when away from normal work locations. For the purpose of this policy, PCDs are defined to include handheld wireless devices, cellular telephones, laptop wireless cards and pagers. Effective distribution of the various technological devices must be limited to persons for whom the productivity gained is appropriate in relation to the costs incurred.

Handheld wireless devices may be issued for operational efficiency to Dawson County Government personnel who need to conduct immediate, critical Dawson County Government business. These individuals generally are at the executive and management level. In addition to verbal contact, it is necessary that they have the capability to review and have documented responses to critical issues.

Hands-free enabling devices may be issued to authorized Dawson County Government personnel who have received approval. Care must be taken to avoid being recorded when pairing adapters.

### **8.5.2: VOICEMAIL**

Voicemail boxes may be issued to Dawson County Government personnel who require a method for others to leave messages when not available. Voicemail boxes must be protected by a PIN that must never be the same as the last four digits of the telephone number of the voicemail box.

## ***8.6: LOSS AND THEFT***

Files containing confidential or sensitive data may not be stored in PCDs unless protected by approved encryption and/or password. Confidential or sensitive data shall never be stored on a personal PCD. Charges for repair due to misuse of equipment or misuse of services may be the responsibility of the employee as determined on a case-by-case basis. The cost of any item

beyond the standard authorized equipment is also the responsibility of the employee. Lost or stolen equipment must immediately be reported.

### ***8.7: PERSONAL USE***

PCDs and voicemail are issued for Dawson County Government business. Personal use should be limited to minimal and incidental use.

### ***8.8: PCD SAFETY***

Conducting telephone calls or utilizing PCDs (Personal Communication Devices) while driving can be a safety hazard. If employees must use a PCD while driving, Dawson County Government encourages the use of hands-free enabling devices.

### ***8.9: GUIDELINES ON ANTI-VIRUS PROCESS***

Recommended processes to prevent virus problems:

Always run the current Dawson County Government standard, supported anti-virus software that is available from the Dawson County IT Department. Download and run the current version; download and install anti-virus software updates when available.

NEVER open any files or macros attached to an email from an unknown, suspicious or untrustworthy source. Delete these attachments immediately, then "double delete" by emptying your Trash.

Delete spam, chain, and other junk email without forwarding,

Never download files from unknown or suspicious sources.

Avoid sharing equipment and saved information with read/write access unless there is absolutely a business requirement to do so.

Always scan external devices (e.g., CD, DVD, memory stick) from an unknown source for viruses before using it.

Back-up critical data and system configurations on a regular basis and store the data in a safe place.

If the anti-virus software is disabled for any reason, such as during some software installations, do not run any applications that could transfer a virus, e.g., email or file sharing.

New viruses are discovered almost every day. Periodically check with the Dawson County IT Department and this recommended processes list for updates.

## **Section II: Miscellaneous**

### ***1.1 PARKING***

Parking spaces are not reserved for any employee.

### ***1.2 OFFICE ASSIGNMENT***

Offices vs. cubicles or other areas to work are assigned at the discretion of the Department Head. Therefore, the need for an office will supersede seniority and or rank.

DRAFT

### **SECTION III. Definitions**

Applicant – Any person who has filed an application in accordance with the provisions of the Employee Handbook.

Appointment – The act of placing an employee in an Authorized Position.

Business Day – The eight hours the County Administration offices are officially opened for business.

Classification Plan – The official or approved system of grouping positions into Classification Descriptions that are further grouped into appropriate Grades approximately equal in difficulty, responsibility, training, and experience requirements. The Classification Plan is based upon a categorical designation of Classification Descriptions that contain appropriate Classification Titles, essential functions, descriptions of duties and responsibilities, types of work performed, Minimum Qualifications, performance aptitudes, and ADA compliance factors for a certain category of Positions.

Compensation Plan – The system of assigning jobs to Classification Descriptions and to an appropriate pay Grade based on the similarities of positions.

Continuous Service – Continuous Service is employment that is uninterrupted, except for authorized Leaves of Absence or Suspension.

County – Dawson County, Georgia

County Manager – The chief administrative employee of the Dawson County Board of Commissioners.

Demotion – Demotion means a change in the rank of an employee from a position in one Grade to a position in another Grade having a lower minimum starting salary.

Department – a major administrative division of County government whose employees report to a Department Director.

Department Director or Department Head– The top administrative official in each major administrative division.

Dismissal – The termination of an employee.

Elected Official – A County official duly elected by the citizens of Dawson County and presently serving in office.

Examination – Methods used to determine eligibility of Applicants for employment. Examinations may include but shall not be limited to written, oral, physical, medical, or performance tests, rating of training, and/or experience.



Executive Employees – the County Manager and all employees who report directly to the County Manager.

Full-time Employee – An employee who works in a position that is budgeted for twelve months of the year, scheduled to work thirty or more hours per week regularly throughout the year.

Grade – All positions in a group which are sufficiently similar as to authority, kind or subject matter of work, level of difficulty, and duties and responsibilities with the same minimum requirements of training, experience or skill, and such other characteristics that warrant the same range of compensation for each position in the group.

Human Resources Director – The official designated by the County Manager as the representative in charge of the personnel system of Dawson County.

Immediate Family – An employee's spouse, children, mother, father, brothers, sisters, half-brothers, half-sisters, aunts, uncles, grandparents, grandchildren, mother-in-law, father-in-law, brothers-in-law, sisters-in-law, sons-in-law, daughters-in-law, step-parents and step-children.

Lateral Transfer – A Lateral Transfer is when an employee is moved from one position with a certain Classification Title to a different position within the same Grade, but with a different Classification Title, either within or outside the employee's Department.

Layoff – The separation of an employee or employees from County employment for specified reasons unrelated to the employee's performance.

Leave – Any of a number of ways in which an employee is permitted to take time off from work. Leave may be granted with or without pay.

Minimum Qualifications – Those minimum requirements as to education and experience that qualify an Applicant to be considered for Appointment as an employee with the County. Additional requirements such as licenses, certificates, and others may also be indicated where necessary.

Motor Vehicle – Every self-propelled device in, upon, or by which any person or property is or may be transported or drawn upon a highway, excepting devices used exclusively upon stationary rails or tracks and electric personal assistive mobility devices (EPAMD).

Notice – Such publicity as may be deemed necessary to assure reasonable Notice to those concerned.

Part-time Employee – An employee who works in a position that is budgeted for twelve months of the year, but who works less than thirty hours per week.

Performance Appraisal or Performance Evaluation – A method of evaluating each employee on a periodic basis as to performance on the job.

Promotion – A change in rank of an employee from a position in one Grade to a position of another

Grade having a higher minimum salary.

Resignation – The termination of an employee at his/her request.

Safety Sensitive Position – Part of the essential job functions require: the operation of a County vehicle two or more times during a normally scheduled workweek for that position; performance of law enforcement duties as a POST-certified law enforcement officer; possession of a firearm; providing emergency medical, rescue, or fire suppression services; interacting with incarcerated persons; performing duties essential to drug interdiction; performing duties related to the operation of heavy machinery; or performing duties which directly affect public health or safety.

Supervisor – An individual who is authorized by the County to take tangible employment actions against subordinate employees, i.e., to effect a significant change in employment status, such as hiring, firing, failing to promote, reassignment with significantly different responsibilities, or a decision causing a significant change in benefits.

Suspension – A forced Leave of Absence without pay.

Temporary Employee – An employee who works in a position that is temporary for purposes of a special project or other work of a temporary nature. The temporary position period is established according to the special project or special circumstances requiring work of a temporary nature. The temporary position is not budgeted for twelve months of the year and does not recur regularly from year to year.

Vacancy – A position duly created and still existent, but not occupied by an employee.

Weapon – a “knife or handgun” which is further defined as follows. A “knife” means a cutting instrument designed for the purpose of offense and defense consisting of a blade that is greater than five inches in length which is fastened to a handle”. A “handgun” means a firearm of any description, loaded or unloaded, from which any shot, bullet, or other missile can be discharged by an action of an explosive where the length of the barrel, not including any revolving, detachable, or magazine breech, does not exceed 12 inches; provided, however, that the term “handgun” shall not include a gun which discharges a single shot of .46 centimeters or less in diameter.

Workday or Working Day – A Workday or Working Day is defined as eight hours for County employees; twelve hours for Law Enforcement sworn officers who work a twelve hour shift; and twenty-four hours for Fire Department employees who work a twenty-four hour shift.

**EXHIBIT A - Leave Request Form**



**LEAVE REQUEST**

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

I \_\_\_\_\_ request time off.  
 (Employee Name)

List exact dates away from work: \_\_\_\_\_  
 \_\_\_\_\_

Time off will be:    Vacation\_\_\_\_\_      Compensatory\_\_\_\_\_

                                 Personal\_\_\_\_\_      Sick\_\_\_\_\_

Approval by: \_\_\_\_\_      \_\_\_\_\_  
                          Shift Supervisor      Date

Approval by: \_\_\_\_\_      \_\_\_\_\_  
                          Department Head      Date

## EXHIBIT B - TIMESHEET

### DAWSON COUNTY GOVERNMENT • EMPLOYEE ATTENDANCE RECORD

Name: \_\_\_\_\_ Payroll# \_\_\_\_\_

Dept: \_\_\_\_\_ FLSA Status Code: Exempt / Non-Exempt (Circle One)

Pay Period Begins: \_\_\_\_\_ Time Workday Ends: \_\_\_\_\_

Day	Mo./Date	Hrs. Paid	Time In	Time Out	Time In	Time Out	Comments
SAT							
SUN							
MON							
TUES							
WED							
THUR							
FRI							
Sub-Total							
SAT							
SUN							
MON							
TUES							
WED							
THUR							
FRI							
Sub-Total							
<b>Total</b>							

**Recap of Pay Period Hours**

Regular Hours to be paid \_\_\_\_\_

OT Hours at straight time rate \_\_\_\_\_

OT Hours at premium time rate \_\_\_\_\_

Sign \_\_\_\_\_ Date \_\_\_\_\_

Employee Signature \_\_\_\_\_

Supervisor Signature \_\_\_\_\_ Date \_\_\_\_\_

FOR OFFICE USE ONLY			
REGULAR SALARY	\$	_____	/HR _____
HRS	\$	_____	/HR _____
HRS	\$	_____	/HR _____
			<b>TOTAL</b> _____

**EXHIBIT C - REQUEST FOR OUTSIDE EMPLOYMENT**

**DAWSON COUNTY, GEORGIA  
STATEMENT OF OUTSIDE EMPLOYMENT**

No employee may engage in any paid employment or outside business that interferes with the efficient performance of his/her duties and/or presents a conflict of interest while employed by Dawson County. If outside employment creates a conflict of interest, the employee will be expected to resign one of the positions. It is the responsibility of the employee to provide evidence from the second employer that he/she is covered under the employer's workers' compensation policy or that such insurance is not required under Georgia law. The employee must also obtain approval of the County Department Head/Director before accepting outside employment.

EMPLOYEE NAME: \_\_\_\_\_ DEPT: \_\_\_\_\_

Does the employee engage in any paid employment or outside business? \_\_\_\_\_

If yes, the employing business is \_\_\_\_\_  
(enter SELF if you are self-employed)

The duties of this employment involve \_\_\_\_\_  
\_\_\_\_\_

Hours of outside employment: \_\_\_\_\_  
(days of week and hours worked)

I certify that the outside employment being requested does not create a conflict of interest with my responsibilities with Dawson County and is consistent with all applicable County rules and regulations.

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

**APPROVAL:**

\_\_\_\_\_  
Department Head/Director

\_\_\_\_\_  
Date

## EXHIBIT D – SOCIAL MEDIA POLICY

### **Purpose and Intent:**

The purpose and intent of this policy is to establish guidelines for employees who engage in social media activity as defined herein. This policy is not intended to prohibit any employee's personal expression in general through social media activity in particular; however, because such activity can adversely affect the efficiency and effectiveness of Dawson County operations, as well as undermine public trust and confidence, a certain amount of regulation is necessary and appropriate. This policy therefore attempts to strike a reasonable balance between the employees' interest in engaging in social media activity and Dawson County's interest in preventing unnecessary disruption to or interference with its operations and relationship to the public it serves.

### **Definitions:**

1. For purposes of this policy, the term, "social media" is defined as the online technologies through which employees and other individuals engage in "social media activity" as defined below. In most cases, the term refers to internet-based websites such as MySpace®, Facebook®, Twitter®, LinkedIn®, Google+®, YouTube®, Tumblr®, and Blogger®. Online social media technologies covered by this policy also include, but are not limited to, such applications as web logs/blogs/video logs/vlogs, message boards, podcasts, and wikis.
2. For purposes of this policy, the term, "social media activity" is defined as the act of sharing information or otherwise communicating through social media, including, but not limited to, the posting, uploading, reviewing, downloading, and/or forwarding of text, audio recordings, video recordings, photographs/images, symbols, or hyperlinks.

### **Scope of Policy:**

1. This policy applies to all employees of Dawson County without regard to whether their social media is conducted in or outside the workplace, while on or off-duty, or anonymously or through the use of pseudonyms.
2. This policy applies to all employees of Dawson County without regard to job title, position or rank; however, with the approval of the Sheriff's Office and any other Department or affiliated agency of Dawson County having special or unique concerns pertaining to its employees' social media activity may adopt and implement more restrictive SOP's or other internal rules narrowly designed to address such concerns.

### **Prohibitions on Social Media:**

1. All employees of Dawson County should remain mindful that, as public servants, they are generally held to higher standards than the general public with regard to their on-duty and off-duty conduct, professionalism, and ethics. As a result, certain social media activity that may be tolerated or even acceptable in the private sector may nevertheless constitute a violation of this policy.

2. Each employee of Dawson County who engages in social media activity must take personal responsibility for ensuring that such activity is consistent with all policies of Dawson County, including, but not limited to, those pertaining to making false or misleading statements, promoting or endorsing violence or illegal activity, promoting or endorsing the abuse of alcohol or drugs, disparaging individuals or groups based on race, ethnicity, national origin, gender, sexual orientation, religion, disability, or other characteristics protected by law, or otherwise engaging in conduct unbecoming an employee of Dawson County, bringing discredit to Dawson County, or interfering with or detrimental to the mission or function of Dawson County.
3. Employees must refrain from engaging in any social media activity which disqualifies them from performing, or in any way reasonably calls into question their ability to objectively perform, any essential function of their jobs. Examples of such functions include, but are not limited to, testifying, making hiring or Promotion decisions or recommendations, conducting Performance Evaluations, and determining eligibility for County programs.
4. While any employee, at his/her discretion, may engage in social media activity with any other employee(s) consistent with the prohibitions, limitations and restrictions, and guidelines of this policy, no employee may be required or otherwise compelled to engage in such activity with another employee.
5. No employee, whether for purpose of engaging in social media activity or otherwise, may disclose or otherwise reveal any privileged or confidential information of the County, any other current or former employee of the County, or any Applicant for employment with the County.

**Limitations and Restrictions on Social Media Activity:**

1. Employees are strongly discouraged from disclosing or otherwise revealing their status as employees of Dawson County through social media and, except as otherwise authorized in advance by the County Manager, are strictly prohibited from directly or indirectly representing themselves to be speaking on behalf of the County. Similarly, in the absence of prior approval, employees' social media activity should not reveal or depict the County's adopted logos, seals, symbols, uniforms, patches, badges, or similar items identified with the County.
2. Except as otherwise authorized in advance by the County Manager, if an employee's status as an employee of Dawson County is disclosed, revealed, or otherwise made apparent in connection with his/her social media activity, his/her social media activity must include a prominently displayed disclaimer to the effect that the activity reflects only the employee's personal views or opinions and not those of the County; provided, however, that no disclaimer will shield an employee from the imposition of appropriate corrective and/or disciplinary action for social media activity which otherwise violates this policy. Employees should recognize that social media activity is generally more likely to violate this policy and other policies of the County if their status as County employees is disclosed or revealed in connection therewith.
3. Except as otherwise authorized in advance by the County Manager, no employee may utilize County computers or equipment for purposes of engaging in social media activity.

4. Except as otherwise authorized in advance by the County Manager, no employee, whether for purposes of engaging in social media activity or otherwise, may post or upload any information, audio recordings, photographs/images, etc. from County computers or equipment.
5. To preserve the continuity of the County's message, ensure accuracy, and avoid unnecessary confusion on the community, except as otherwise authorized in advance by the County Manager, employees should refrain from engaging in any social media activity that purports or serves to announce or explain details of the County programs, projects, activities, initiatives, or events.
6. Exceptions to the above-stated limitations and restrictions may be authorized by the County Manager; provided, however, that any request for such an exception represents a promise by the employee that, if approved, the disclosure of information, photographs, audio, video, etc. via social media activity will be fully consistent with the letter and spirit of this and all other policies of the County, and internal policies or rules adopted by his/her Department Director, as well as any laws pertaining to copyrights, trademarks, trade secrets, patents, and privacy and reputational rights.
7. The County reserves the right to require any employee to remove immediately any posted or uploaded text, audio recordings, video recordings, photographs/images, etc. (even if previously approved) if such posted material constitutes a violation of this policy or other County policies.

**Application to Other Policies:**

All personnel policies of the County relating to employee conduct apply equally to conduct that occurs through social media. This includes, but is not limited to, policies related to discrimination, harassment, retaliation, workplace violence, conflicts of interest, and political activity. Any conflicts or inconsistencies between this policy and any one or more other policies shall be resolved by the County Manager.

**Duty to Report:**

All employees have an ongoing duty to report any violations of this policy by any other employee. The County considers this duty to report to be a critical component of its efforts to enforce this policy, and thereby ensure the safety, well-being, morale, and efficiency of its employees, preserve its reputation and goodwill in the community, and avoid or minimize unnecessary disruptions to or interference with its operations and service to the public.

**No Expectation of Privacy in Social Media Activity:**

1. Dawson County employees should be aware that social media activity is not secure or private, even if active steps are taken to restrict access. Once information has been posted or exchanged via social media, it is generally trackable, traceable, and accessible indefinitely. For this reason, and consistent with the with the County's current Internet Policy, employees should have no expectation of privacy in any social media activity conducted in the workplace and/or on-duty or in any social media activity which otherwise directly or indirectly relates to or affects the County, any of its Departments, or its employees.



2. The County reserves the right to inspect or monitor any social media activity engaged in by its employees using County-owned computers or other electronic equipment or devices. In addition, employees may be required to provide access to any social media websites or other applications in which they participate upon a determination by the County that there is a reasonable suspicion to believe that such access will reveal evidence of a violation of this policy or any other County policy.

**Corrective and/or Disciplinary Action; Other Potential Consequences:**

1. Employees engaging in social media activity in violation of this policy will be held accountable, and corrective and/or disciplinary action, up to and including termination of employment may be taken in accordance with the County's disciplinary policies and procedures.
2. If an employee is sued in part due to his/her social media activity under circumstances where the County would ordinarily provide a defense and/or indemnify the employee, the County reserves the right to withhold or withdraw such defense or indemnification in the event any such activity is found to violate this policy or any other policy of the County.

**Interpretation and Application:**

1. Nothing in this policy is intended to or will be applied in a manner that violates any employee's constitutional rights, including rights to freedom of speech, expression, and association, or federal or state rights to engage in any statutorily-protected activity.
2. Any employee unsure about the application of this policy to any particular social media activity should seek guidance from their Department Head before engaging in such activity.
3. This policy is intended for internal use of Dawson County only and should not be construed as establishing a higher duty or standard of care for purposes of any third party civil claims against the County and/or its employees. A violation of this policy by an employee provides only a basis for corrective action against such employee by the County.

## EXHIBIT E – DAWSON COUNTY VEHICLE POLICY

### Dawson County County Vehicle Policy

#### **Policy Statement:**

The use of a County vehicle is a privilege. Dawson County expects employees who drive vehicles to act responsibly and use necessary discretion in the operation of the vehicle. Violation of any policy may lead to vehicle usage being reviewed/terminated.

The Dawson County Board of Commissioners, through the budget process, provides cars to County Departments. Dawson County will provide vehicles to employees whose responsibilities require that they have a vehicle for uses related to their job. Each Department Director will be responsible for justifying the use of each vehicle.

Dawson County vehicles are one of the most visible representations of the government to the public. Employees who operate these vehicles should always keep in mind that operation of this vehicle directly reflects on Dawson County itself. Dawson County citizens have an expectation that County vehicles will be used to conduct “official County business” and to provide timely services.

Unless a vehicle is exempt by state law, the County logo must be displayed on the front doors of all County vehicles. Exceptions include some vehicles used by the Dawson County Sheriff’s Office, District Attorney’s office and all of the court functions.

#### **Vehicle Usage:**

- Each employee assigned a vehicle shall exercise good judgment in utilizing it and shall not drive or use the vehicle so as to cause unfavorable comment, or reflect discredit upon the County.
- Only authorized individuals are allowed to operate County vehicles.
- County vehicles are to be used for official business only. County employees and other authorized individuals are allowed to ride in a County vehicle. County employees may use a County vehicle to transport family members to work-related seminars and training. Under no other circumstances shall a non Dawson County employee or unauthorized person be transported in a County vehicle unless the employee has obtained an insurance rider from their own insurer and filed it with the Dawson County Human Resources Department.

With the insurance rider in place, employees may only transport non Dawson County employees to:

- Schools
- Day Care

- Medical/dental appointment within Dawson County or their County of residence

In the event of an accident with injuries to the non County employee passengers, the private insurance rider would provide coverage. Insurance riders are to be obtained at the expense of each employee and from the insurer of his or her own choosing.

- County vehicles may be used during non-duty periods for transportation within and outside the County to attend activities for County business.
- Unattended vehicles must be locked at all times.
- Under no circumstances shall an employee of Dawson County consume alcohol or be under the influence of alcohol or medication that may impair their driving ability while operating a County vehicle.
- Alcoholic beverages may not be transported in County vehicles.
- Department Directors may require additional restrictions as necessary.

### **Safety and Maintenance:**

- Each employee assigned a vehicle will be required to operate that vehicle in accordance with all laws of Dawson County and the State of Georgia.
- Employees are required to ensure that normal preventative maintenance measures are taken. Such maintenance includes:
  - Interior and exterior cleaning
  - Maintaining water, fuel, oil and tire pressure at prescribed levels
- All scheduled repairs, maintenance, and service must be performed by an authorized service provider.
- One incident of a preventable accident may result in revocation of driving privileges, Suspension without pay or termination.
- All employees and passengers are required to wear safety belts while operating/riding in County vehicles.
- Smoking is not allowed in any County vehicles.
- All accidents must to be reported to the appropriate Department Director and, in the case of accidents involving damage to other vehicles or property, must be investigated by the Georgia State Patrol.
- All drivers will have their license checked annually by the Department Director.

### **Additional Requirements for Take-home Vehicles**

#### **Background:**

In Departments that report directly to the Dawson County Manager, there are approximately 14 take-home vehicles in use by County employees. That number excludes all vehicles assigned as take-home to the Dawson County Sheriff's Office, District Attorney's office and all of the court functions.

**Policy Statement:**

The use of a take-home vehicle is a privilege. Dawson County expects employees who have take-home vehicles to act responsibly and use necessary discretion in the operation of the vehicle. Violation of any policy may lead to vehicle usage being reviewed/terminated. Dawson County will provide take-home vehicles to employees whose responsibilities require that they respond on an on-call basis and/or regularly need to respond to emergency calls directly related to their job. Each Department Director will be responsible for justifying each take-home vehicle.

**“Take-Home” Usage:**

- Employees living within 30 miles of Dawsonville will be permitted to drive their assigned take-home vehicles to and from work. Employees living outside 30 miles from Dawsonville will leave their assigned vehicle at the Dawson County facility closest to their home. Travel of more than 30 miles needs to be approved on a case-by-case basis by each Department Director.
- Personal use of take-home vehicles should be limited. From time to time, it may be necessary to conduct personal business in a County vehicle. Such usage should be minimal and appropriate. Appropriate stops include:
  - Laundry
  - Bank
  - Convenience store
  - Medical/dental appointment within Dawson County or their County of residence
  - Incidental stops where driving to obtain a personal vehicle would result in extra and unnecessary expenditure of fuel
- Take-home vehicles may be used during non-duty periods for transportation within and outside the County to attend activities for County business.
- Department Directors may require additional restrictions as necessary

**Elected Officials:**

Employees who work directly for Elected Officials may have different standards for take-home vehicles.

Agreements between employees and the County existing prior to the adoption of this policy will remain in full force as long as the employee complies with all other requirements of this policy.

## EXHIBIT F – DAWSON COUNTY RETURN TO WORK POLICY

### Dawson County Return to Work Policy

It is the policy of Dawson County to provide our employees who incur an injury or illness on the job with the best possible recovery program. A key component of this program is to establish processes and procedures for returning the employee to work at the earliest date medically possible. This document describes the County's procedures for returning an employee to work who has been injured on the job.

When determined appropriate, the County will make a reasonable good faith effort to provide temporary work tasks or hours tailored to the abilities of employees who are injured on the job. We ask employees to perform only those job functions that their doctor has agreed can be safely performed during the recovery process. All alternative and modified job assignments will be structured to meet the capacities and therapy needs of the injured employee. This work is often referred to as "light duty" or "modified" work. Such assignments are temporary in nature and are monitored by the Supervisor. Job restrictions, as defined by treating physicians, are strictly adhered to.

#### **Definition of Modified Work:**

The County defines "modified work" as temporary assignments within an employee's abilities, knowledge and skills. These positions are developed using the employee's abilities/restrictions as determined by the employee's treating physician. They may also include responsibilities and tasks taken from the employee's regular job, when the employee cannot perform full duties or work a full day.

#### **Communication Regarding Return to Work:**

The employee shall inform the physician of the County's Return to Work program. An employee is required to provide a doctor's release to duty form to his/her immediate Supervisor upon returning to work or within 24 hours, whichever is sooner. Additionally, all ill or injured workers must complete an accident report form (including all necessary paperwork). The Human Resources Department will forward the accident report form to our adjusting company. The Human Resources Department will communicate with the medical provider regarding any work restrictions.

## **Roles/Responsibilities:**

### Human Resources Department

- ❖ Establish clear, consistent Return to Work policies and procedures.
- ❖ Provide employees with orientation/training in the County's Return to Work program.
- ❖ Ensure that County Return to Work policies and procedures are uniformly followed.
- ❖ Maintain close communication with the injured employee throughout the healing process.
- ❖ Report all workers compensation claims to our adjusting company in a timely manner.
- ❖ Follow up with medical providers and employees regarding prescribed therapy and recovery process
- ❖ Ensure job restrictions are fully adhered to.
- ❖ Work closely with our adjusting company to ensure all benefits are paid timely.

### Immediate Supervisor

- ❖ Report job injuries to Human Resources Department within 24 hours of knowledge of injury.
- ❖ Understand and adhere to the County's Injury Reporting Procedure and Return to Work policy.
- ❖ Ensure that employees released to modified work are working within the job restrictions.
- ❖ Ensure that employees receive a thorough return to work orientation and that they understand the County's return to work policy and procedures.
- ❖ Report any absences related to the work injury to the Human Resources Department.
- ❖ Maintain close communication with the injured employee throughout the healing process.

### Injured Employee

- ❖ Report all injuries, no matter how slight, immediately to your immediate Supervisor.
- ❖ Inform your medical provider of the County's Return to Work policy
- ❖ Return to work following medical treatment and report to your immediate Supervisor.
- ❖ Provide your Supervisor with the Return to Work form from your doctor.
- ❖ If it's not medically possible to return to work, report to your Supervisor via phone immediately following your medical evaluation.
- ❖ Report to work in your temporary or modified job assignment following a temporary modified job offer by the County.
- ❖ Follow your medical provider's recommendations with respect to established work restrictions, limitations, therapies and physical capacities.
- ❖ Return to your normal work assignment as soon as your medical provider deems it is safe.

## **Monitoring the Return to Work Program**

Modified and alternative jobs and work hours are temporary in duration, and subject to regular re-evaluation. The treating physician on the next scheduled medical appointment will reevaluate the modified work release. Upon receiving additional information, the County will reevaluate its ability to provide temporary, modified work and to increase or decrease the assigned tasks, based on the restrictions outlined by the physician.

**Rate of Pay During Modified/Alternative Work Period:**

Any employee who returns to work at a modified or alternative job or at less than their normal work hour schedule will be paid at the employee’s regular rate.

DRAFT

## EXHIBIT G – DAWSON COUNTY APPEARANCE POLICY

### Dawson County Appearance Policy

**Purpose:** The Purpose of this policy is to establish the standards of acceptable grooming and appearance. All personnel are expected to present the highest professional standards of personal hygiene and appearance while performing their duties and while representing Dawson County in an official capacity. The provisions of this policy are applicable to all Dawson County employees, including temporary and contracted employees.

**Procedure:**

- a. It is the responsibility of all Supervisors to ensure through personal observation and daily inspections that employees comply with all uniform, appearance, and grooming requirements of the County. Employees who report to work dressed or groomed inappropriately, may be prevented from working until such employee returns to work well groomed and wearing proper attire.
- b. For the purpose of this policy, all employees will be classified into one of three groups, defined below
  1. Internal – Employees who conduct a majority of their official duties inside a normal office setting
  2. External – Employees who conduct a majority of their official duties outside of a normal office setting
  3. Uniform – Employees who are employed inside the Emergency Services Department, or any other Department that is assigned a specific uniform to be worn during work hours.

**General Grooming and Appearance Standards for All Personnel:**

- a. All personnel are expected to present the highest professional standards of personal hygiene and appearance while performing their duties and while representing the County in an official capacity.
- b. All employees will exhibit an appearance that confirms our professionalism for our customers, partners, coworkers, and citizens
- c. This policy strives to provide a healthy balance between professionalism, comfort and self-expressions



- d. This policy does not inhibit or discourage the practice of any cultural custom or religion.

**Internal Employee Standards:** Internal employees will conform to the following standards of clothing attire unless otherwise authorized by their Department Head for a specific purpose.

Prohibited clothing items include, but are not limited to: jeans, sweat pants or jogging pants, shorts, t-shirts, tank-tops, cropped (above the waist) tops, sweatshirts, shirts or tops that contain obscene printed material, flip-flops or sneakers and any shirt that is not tucked in

**Female Employees:** Business casual attire for female employees is defined as dresses, skirts, blouses, blazers, dress pants, cotton twill trousers, traditional denim skirts, jumpers or dresses, knit polo shirts, cotton shells, knit shirts with collar (button front), cotton long sleeve shirts, cotton turtlenecks, gathered skirts, casual knit dresses, tailored trousers, appropriate hosiery, rubber, crepe or leather-soled shoes and dress sandals. Footwear must blend with the total business and professional image presented.

- a. Prohibited clothing items will include, but are not limited to: jeans, sweatpants or jogging pants, leggings, spandex pants, stretch pants or tight stirrup pants, shorts, cut-offs, tank-tops or camisoles, cropped (above the waist) tops, see-through voile or chiffon blouses, miniskirts, low cut front or back dresses or tops, strapless dresses or blouses, halter tops, shirts or tops that contain obscene printed material, or sneakers. If dress sandals are worn, the employee must ensure that their feet are properly groomed and the toe nails must be trimmed and neat.
- b. Shoes may be flat or medium height heel (pumps). Excessive decorative attachments or athletic, casual sandals or tennis type shoes are unacceptable
- c. Skirt/dress length will be consistent with the conservative image.

**External Employee Standards:** – External employees will conform to the following standards of clothing attire unless otherwise authorized by their Department Head for a specific purpose.

- a. While working outside or in adverse conditions, safety should be the number one priority.
- b. All employees serving in this capacity should be as neat and business like as working conditions permit. Minor repairs shall be made to reattach a button, sew a small tear or fasten a hem.

- c. Prohibited clothing items will include, but are not limited to: cut-offs, leggings, spandex pants, mini-skirts, stretch pants or tight stirrup pants, tank tops, cropped tops, tops with “spaghetti straps”, low cut front or back tops, halter tops, shirts or tops that contain obscene printed material, flip-flops or casual sandals.

**Uniformed Employees:** Uniformed employees will conform to the following standards of clothing attire unless otherwise authorized by their Department Head for a specific purpose.

- a. Will wear the designated agency issued uniform components and equipment items when reporting for duty, while on duty, and during any authorized special assignments. When in uniform, care shall be taken that all items fit well, are neat, clean, pressed, in good condition and are properly worn.
- b. While in uniform, employees shall not mix items of civilian clothing as an outer garment, unless specifically authorized by this directive.
- c. All uniform components and items of equipment must conform to County approved specifications as established by the County Manager and as prescribed in this policy. No alterations to any item will be made in such a manner that the item does not conform to approved specifications.
- d. Personnel are responsible for the general care and maintenance of uniforms and equipment.
  - 1. The uniform is to be kept well pressed, clean, and free of spots and dirt.
  - 2. Minor repairs shall be made to reattach a button, sew a small tear, or fasten a hem.
  - 3. All leather and authorized metal items shall be clean and polished.
  - 4. Headgear will not be altered, such as by bending the hat brim or in any way creasing or altering the hat’s manufactured shape.
  - 5. Uniform and equipment replacement required due to fair wear and tear, damage, or change in wearer’s size will be accomplished in accordance with prescribed procedures.

6. Uniforms and equipment turned-in upon an employee's termination of employment will be in the same condition as when issued, except for normal wear and tear and will be dry-cleaned.
7. Badges shall be displayed on the standard uniform at all times.
8. Only authorized hats are allowed.

### **Grooming Standards:**

- a. **Hair:** Hair must be kept clean and neat. Hair must not contain an excessive amount of grooming aids. Hair styles shall be in accordance with the professional image of Dawson County. Extreme styles are not permitted.
- b. **Facial Hair:** When worn, facial hair will be kept trimmed and neat in appearance. Facial hair must be in accordance with the professional image of Dawson County. Extreme styles are not permitted.
- c. **Sideburns:** When worn, sideburns must be neatly trimmed and tapered in the same manner as the haircut.
- d. **Wigs and Hairpieces:** Wigs and hairpieces must conform to the same standards required for natural hair.
- e. **Facial Cosmetics:** If worn, facial cosmetics are to be subdued and worn with discretion and in good taste to present an overall professional appearance. Any deviation of the above must be authorized by the employee's Department Head.
- f. **Fingernails and Toenails:** Fingernails and toenails shall be kept clean. Fingernails and toenails should not be excessive in length and if polished should be suitable for a business environment.
- g. **Jewelry and Accessories** should be worn in a tasteful manner at all times to reflect the professional image of Dawson County.
- h. **Sunglasses:** Sunglasses are permitted for wear during daylight hours and outside of buildings unless the employee has a prescription from a doctor requiring that sunglasses be worn under other circumstances.
- i. **Visible Body Piercings:** Piercings, unless in the ears, are prohibited, while on duty by any Dawson County employee.
- j. **Tattoos:** Tattoos are only allowed to be exposed on External and Uniformed employees and then are only allowed to be visible on the arms. This not to prohibit employees from having unexposed tattoos or office staff from having a small

exposed tattoo on the ankle or foot area. Tattoos must be kept to the professional grooming standards of the County.

- k. **Fragrances:** Care should be given not to wear excessive amounts of perfume/cologne that may be offensive to customers and/or coworkers.

**Exceptions:** From time to time, the County Manager may allow employees to “dress down” for special occasions.

DRAFT

**Backup material for agenda item:**

1. Revision of Application for Parade and Assembly - *4-H Rabies Clinic (Date Change)*



# DAWSON COUNTY BOARD OF COMMISSIONERS AGENDA REQUEST

All items requiring action by the Commissioners must be presented first at a work session. The following information should be provided for each item.

No item will be considered for a work session until the Department has received authorization on the item by the County Manager.

Form must be submitted to the County Clerk 10 days prior to the meeting date.

Department: Planning & Development

Presenter: Rachel Burton

Submitted By: Rachel Burton

Date Submitted: 4/30/2015

Item of Business/Agenda Title: Parade & Assembly Permit: 4-H Rabies Clinic rescheduled for May 16, 2015 due to inclement weather on April 25, 2015

**Attach an Executive Summary fully describing all elements of the item of business.  (Attached)**

### THE ITEM IS FOR:

**Work Session presentation only**  
(no action needed)

OR  **Commission Action Needed.**

Is there a deadline on this item? If so, Explain: Approval of rescheduling Parade & Assembly Permit for 4-H Rabies Clinic

Purpose of Request: Approval of rescheduled Parade & Assembly Permit

Department Recommendation: Director Burton recommends approval of the permit.

If the action involves a Resolution, Ordinance, Contract, Agreement, etc. has it been reviewed by the County Attorney?

Yes Explanation/ Additional Information:

No

If funding is involved, are funds approved within the current budget? **If Yes, Finance Authorization is Required Below.**

Yes Explanation/ Additional Information:

No

Amount Requested:

Amount Budgeted:

Fund Name and Account Number:

Administration Staff Authorization

Dept. Head Authorization:

Rachel Burton

Date: 4/30/2015

Finance Dept. Authorization:

N/A

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

County Manager Authorization: \_\_\_\_\_

Work Session Date: 5/7/2015

Comments: \_\_\_\_\_

**Backup material for agenda item:**

2. Approval of Applications for Parade and Assembly - *Cinco-De-Run-O; GA Super Sprint Triathlon; Bootlegger Marathon; and Bootlegger Triathlon*



# DAWSON COUNTY BOARD OF COMMISSIONERS AGENDA REQUEST

All items requiring action by the Commissioners must be presented first at a work session. The following information should be provided for each item.

No item will be considered for a work session until the Department has received authorization on the item by the County Manager.

Form must be submitted to the County Clerk 10 days prior to the meeting date.

Department: Planning & Development

Presenter: Rachel Burton & Lowell Starr

Submitted By: Rachel Burton

Date Submitted: 4/10/2015

Item of Business/Agenda Title: Special Event Permit: Cinco-De-Run-O, N. GA Super Sprint Triathlon, Bootlegger Marathon, & Bootlegger Triathlon

**Attach an Executive Summary fully describing all elements of the item of business.  (Attached)**

### THE ITEM IS FOR:

**Work Session presentation only**  
(no action needed)

OR  **Commission Action Needed.**

Is there a deadline on this item? If so, Explain: Event dates are as follows in the same order as listed above: 5/2/2015, 5/17/15, 6/6/15 and 9/13/15

Purpose of Request: Approval of Special Event Permits

Department Recommendation: Director Burton recommends approval of the permits. Required insurance certificates will be submitted prior to or upon permit release.

If the action involves a Resolution, Ordinance, Contract, Agreement, etc. has it been reviewed by the County Attorney?

Yes Explanation/ Additional Information:

No

If funding is involved, are funds approved within the current budget? **If Yes, Finance Authorization is Required Below.**

Yes Explanation/ Additional Information:

No

Amount Requested:

Amount Budgeted:

Fund Name and Account Number:

### Administration Staff Authorization

Dept. Head Authorization: Rachel Burton

Date: 4/14/2015

Finance Dept. Authorization: N/A

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

County Manager Authorization: \_\_\_\_\_

Work Session Date: 4/23/2015

Comments: \_\_\_\_\_



\$250.00 PAR 8805

HEAD NOD ON 4/23/15

ADJL FRP  
RATIFICATION  
ON 5/7/15



Dawson County  
Planning & Development  
25 Justice Way, Suite 2322  
Dawsonville, GA 30534  
(706) 344-3500

Permit for  
Parades, Public Assemblies,  
Demonstrations, and Rallies  
In Public Places

Date Received: 3/27/15

**Applicant answers all questions on pages 1-4; attach separate sheet(s) if necessary.**

**Application must be received a minimum of 30 days prior to event and must be complete and legible.**

- PARADE
- RALLY
- PUBLIC DEMONSTRATION
- PUBLIC ASSEMBLY
- ROAD CLOSING
- ~~OTHER~~ <sup>RACE</sup>

1. Name of Event: CINCO-DE-RUN-O

2. Location of Event: CITY HALL TMP# D04-020-001

3. Date(s) of Event: 5-2-15

Time of Event: Start: 8:00 (a.m./p.m.) End: 10:00 (a.m./p.m.)

4. Provide information listed below for the **main contact person** responsible for the organization of this event:

Name: <u>LOWELL STARR</u>	Title: <u>EVNT MNG.</u>
Organization: <u>FIVE STAR (KIWANIS CLUB)</u>	Telephone #: <u>770-633-5511</u>
Email Address: <u>LSTARR3@MINDSPRING.COM</u>	Cell Phone #:
Address: <u>59 Hwy 9 South</u>	City: <u>DAWSONVILLE</u> State: <u>GA</u> Zip Code: <u>30534</u>

5. Provide information listed below for any key personnel involved in coordinating this event. Also, provide information listed below on each officer of the club, organization, corporation or partnership requesting this event. Attach a separate sheet if necessary.

Name:	Title:
Organization:	Telephone #:
Address:	City: State: Zip Code:

Name:	Title:
Organization:	Telephone #:
Address:	City: State: Zip Code:

Name:	Title:
Organization:	Telephone #:
Address:	City: State: Zip Code:

Name:	Title:
Organization:	Telephone #:
Address:	City: State: Zip Code:

6. Expected number of participants: 200
7. Physical description of materials to be distributed: N/A
8. How do participants expect to interact with public? ROAD RACE
9. Route of event: (attach a detailed map of the route) SEE ATTACHED

9.a. Number and type of units in parade: N/A

9.b. Size of the parade: N/A

10. Will any part of this Event take place **within** the City Limits of Dawsonville? yes

If YES, do you have a permit for the event from the City? NO Date Issued: \_\_\_\_\_ \* Attach Copy

11. Do you anticipate any unusual problems concerning either police protection or traffic congestion as a consequence of the event? \_\_\_\_\_ Yes  No If YES, please explain in detail: N GA TR1 (5/11, 12, 13, 14)

BOOTLEGGER MARCHES (2012, 13, 14), BOOTLEGGER TR1 (2011, 12, 13, 14) TOUGH AS NAILS (3/14)

12. List all prior parades or public assemblies, demonstrations or rallies in a public place within Dawson County for which you obtained a permit: (Also include dates – attach separate sheet, if necessary). \_\_\_\_\_

**Details:** Please outline what your event will involve: (number of people / life safety issues / vendors / cooking / tents / rides / handicap parking / egress) – attach separate sheet if necessary.

ROAD RACE 11<sup>TH</sup> ANNUAL

**Route or Lay Out:** (attach a detailed site plan)

SEE ATTACHED

What participation, if any, do you expect from **Dawson County Emergency Services**? NONE

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What participation, if any, do you expect from the **Dawson County Sheriff Department**? TRAFFIC CONTROL

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**Insurance Requirements:**

In compliance with Ordinance Section VII (C), an applicant for a permit shall obtain liability insurance from an insurer licensed in the State of Georgia for the parade, public assembly, demonstration or rally in a public place, if one or more of the following criteria exists:

1. The use, participation, exhibition, or showing of live animals;
2. The use, participation, exhibition, or showing of automobiles of any size or description, motorcycles, tractors, bicycles, or similar conveyances;
3. The use of a stage, platform, bleachers, or grandstands that will be erected for the event;
4. The use of inflatable apparatus used for jumping, bouncing, or similar activities;
5. The use of roller coasters, bungee jumping, or similar activities; or
6. Vendors or concessions.

Does your parade, non-spontaneous private assembly, demonstration, or rally in a public place meet any of the criteria above?  Yes  No If yes, which one(s)? \_\_\_\_\_

Any applicant required to provide insurance shall provide Dawson County with a copy of the Certificate of Insurance from an insurer authorized and **licensed by the State of Georgia**. Dawson County shall be added as an additional named insured for the event on the Certificate of Insurance by the carrier. The minimum policy limits shall be **\$1,000,000.00 per incident** and **\$2,000,000.00 aggregate** for the entire event. All costs for insurance and naming Dawson County as an additional named insured shall be borne solely by the applicant. Such insurance shall protect Dawson County from any and all claims for damages to property and/or bodily injury or death.

Is the Certificate of Liability Insurance attached?  Yes  No  Not applicable to this event

Additional information/comments about liability insurance: \_\_\_\_\_

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Additional information/comments about this application: \_\_\_\_\_

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**APPLICANT'S SIGNATURE FOR THE PERMIT APPLICATION; RELEASE & WAIVER OF LIABILITY;  
AND AGREEMENT FOR FINANCIAL RESPONSIBILITY.**

**APPLICATION:**

OATH: I hereby swear and affirm that the information provided with this application for parade, public assembly, demonstration, or rally is true and correct to the best of my knowledge. In addition, I agree to abide by all regulations of the ordinance and to advise all participants of the conditions of the permit.

**RELEASE & WAIVER OF LIABILITY:**

The permit holder shall indemnify and hold Dawson County harmless from any claim, demand, or cause of action that may arise from activities associated with the event. I acknowledge that I understand this Release, and I hereby agree for myself and on behalf of the Applicant to indemnify and hold harmless Dawson County, Georgia and its agents, officers, and employees, individually and jointly, from and against any claim for injury (including, but not limited to, personal injury and property damage), loss, inconvenience, or damage suffered or sustained by any individual, including but not limited to, business owners, patrons, participants of the parade, public assembly, demonstration, or rally, and spectators participating in and/or occurring during the event, unless the claim for injury is caused by intentional misconduct of an individual, agent, officer, or employee of Dawson County.

**AGREEMENT FOR FINANCIAL RESPONSIBILITY:**

The undersigned agrees to be solely responsible for cleaning affected areas littered during the activity, providing sufficient parking and storage areas for motor vehicles, providing temporary toilet facilities, and providing other similar special and extraordinary items deemed necessary for the permitted activity by Dawson County to keep the area of the event safe and sanitary. However, Dawson County shall not require individuals, organizations, or groups of persons to provide personnel for normal governmental functions such as traffic control, police protection, or other activities or expenses associated with the maintenance of public order. If additional requirements are placed upon an applicant and if such requirements are not met, then Dawson County may revoke the issued permit and/or deny any subsequent permit requested by the applicant. Dawson County shall be entitled to recover from the applicant any sum expended by Dawson County for extraordinary expenses not provided by the applicant. The additional expense may include, but not be limited to, Dawson County utilizing off-duty personnel or providing equipment or resources from other areas of the county to supplement equipment or resources already present.

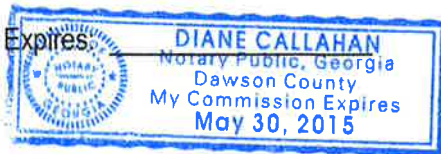
LOWELL STARR  
Applicant's Printed Name

Sworn to and subscribed before me  
this 27 day of March 2015.

Lael Starr  
Applicant's Signature

Diane Callahan  
Notary Public, State of Georgia

My Commission Expires:



**Note to Applicant: Once your permit is processed, Planning & Development will notify you of the meeting dates for the Board of Commissioner's work session and voting session. You are required to attend both meetings.**



Dawson County  
Planning & Development  
25 Justice Way, Suite 2322  
(706) 344-3500

Permit for  
Parades, Public Assemblies,  
Demonstrations, and Rallies  
In Public Places  
**(EMERGENCY SERVICES)**

**EMERGENCY SERVICES: Please complete this sheet and return it to Dawson County Planning and Development. (Please attach additional sheet, if necessary.)**

Name of Event: CINCO DE RUN-O Date(s) of Event: 5-2-15

Any anticipated problems with proposed route? \_\_\_\_\_

\_\_\_\_\_

Any anticipated problems with the designated location for participants to assemble? \_\_\_\_\_

\_\_\_\_\_

How many personnel will be required for this event? \_\_\_\_\_

\_\_\_\_\_

Estimated cost for personnel: \_\_\_\_\_

\_\_\_\_\_

Number and type of vehicles required: \_\_\_\_\_

\_\_\_\_\_

Type of procedures or equipment needed for the health and safety needs of the participants and the viewing public: \_\_\_\_\_

\_\_\_\_\_

Estimated cost for equipment: \_\_\_\_\_

\_\_\_\_\_

Additional comments/concerns: \_\_\_\_\_

\_\_\_\_\_

Emergency Services: APPROVED:  YES  NO (Please also sign off on page 8 of application.)  
By: [Signature] Date: 3-23-15



**Dawson County  
Planning & Development**  
25 Justice Way, Suite 2322  
Dawsonville, GA 30534  
(706) 344-3500

**Permit for  
Parades, Public Assemblies,  
Demonstrations, and Rallies  
In Public Places**  
**(SHERIFF DEPARTMENT)**

**SHERIFF DEPARTMENT: Please complete this sheet and return it to Dawson County Planning and Development. (Please attach additional sheet, if necessary.)**

Name of Event: CINCO-DE-RUN-0 Date(s) of Event: 5-2-15

Any anticipated problems with proposed route? None

Any anticipated problems with the designated location for participants to assemble? none

How many officers will be required for this event? 12

Estimated cost for officers: \$600.00

Number of vehicles required: 12

Type of procedures and equipment needed for the health and safety needs of the participants and the viewing public: Must obtain a letter from Ga. DOT for approval to close Hwy 9 north for the event.

Estimated cost for equipment: \$120.00

Additional comments/concerns/recommendations: Proper signage must be in place to warn vehicle traffic of the event. All detour signage must meet and conform to the most current edition of the Manual on Uniform Traffic Control Devices.

Sheriff Department: APPROVED:  YES  NO (Please also sign off on page 8 of application.)

By: [Signature]

Date: 3/24/15



**Dawson County  
Planning & Development**  
25 Justice Way, Suite 2322  
Dawsonville, GA 30534  
(706) 344-3500

**Permit for  
Parades, Public Assemblies,  
Demonstrations, and Rallies  
In Public Places**  
*(Marshal / Public Works / Environmental  
Health / Parks & Recreation)*

**PLEASE PROVIDE COMMENTS AND APPROVALS BELOW (Attach additional sheet if necessary)  
(Please also sign off on page 8 of the application.)**

**MARSHAL:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**APPROVED:**  YES  NO **By:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**PUBLIC WORKS:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**APPROVED:**  YES  NO **By:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**ENVIRONMENTAL HEALTH:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**APPROVED:**  YES  NO **By:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**PARKS & RECREATION:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**APPROVED:**  YES  NO **By:** \_\_\_\_\_ **Date:** \_\_\_\_\_



**Dawson County  
Planning & Development**  
25 Justice Way, Suite 2322  
Dawsonville, GA 30534  
(706) 344-3500

**Permit for  
Parades, Public Assemblies,  
Demonstrations, and Rallies  
In Public Places**  
  
**(APPROVALS)**

**Office Use Only:**

If applicable to the event, the following departments have reviewed and approved this event:

Department	Printed Name	Signature for Approval	Date
Sheriff Dept.	Billy Carlisle	<i>[Signature]</i>	3/24/15
Emergency Services	Tim Satterfield	<i>[Signature]</i>	3-23-15
Marshal's Office			
Public Works Dept.			
Environmental Health			
Parks and Recreation			
State Park Office			
Georgia Dept. of Transportation			

Dawson County Board of Commissioners:

Work Session Date: 4/23/2015

Voting Session Date: 5/7/2015

Approved:

Attest:

\_\_\_\_\_  
Mike Berg, Chairman  
Dawson County Board of Commissioners

\_\_\_\_\_  
Danielle Yarbrough, County Clerk

cc: (as applicable)

Applicant  
County Attorney  
Sheriff Dept.  
Emergency Services

Marshal Dept.  
Environmental Health  
Public Works  
Parks and Recreation

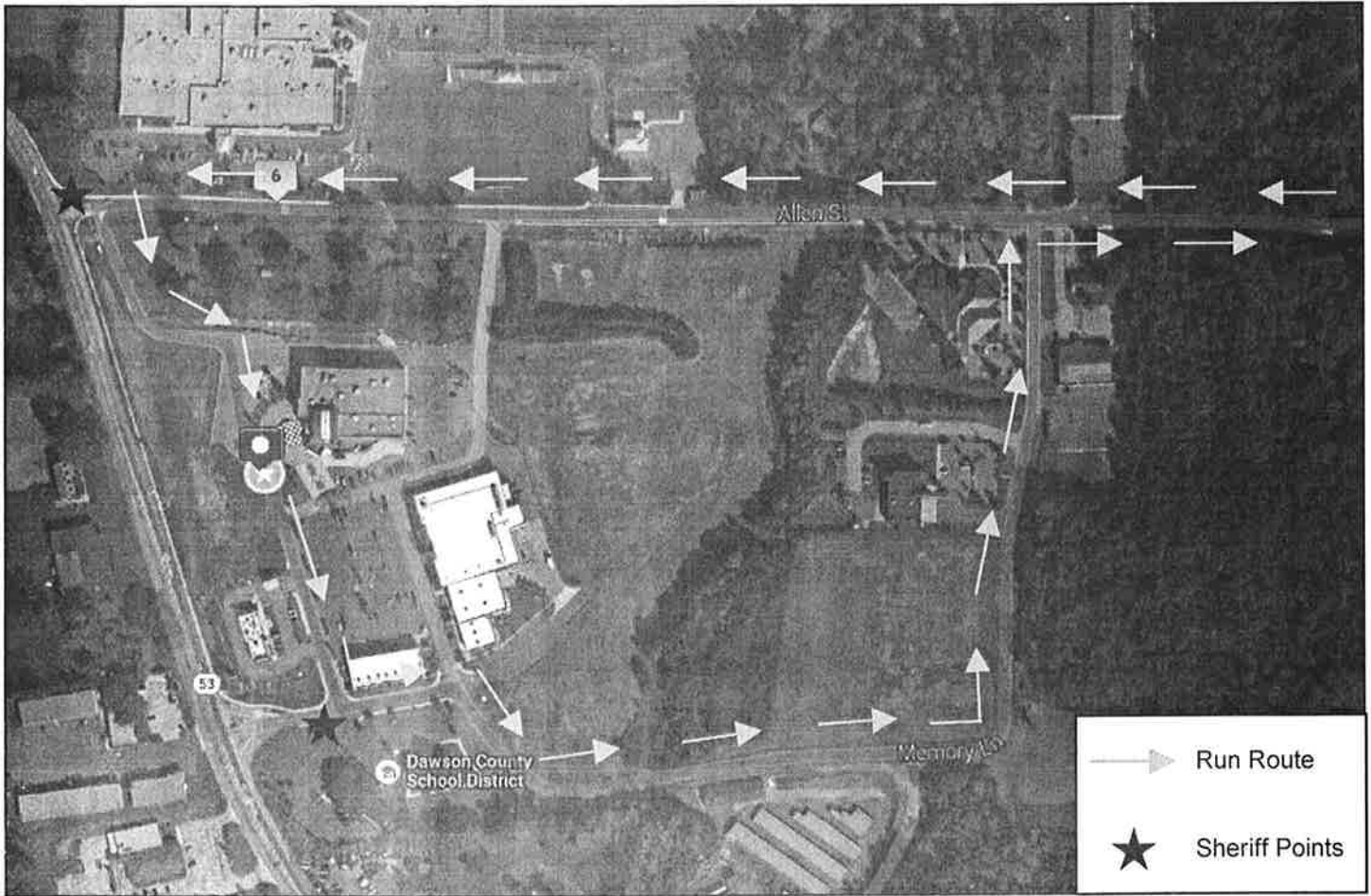
GA DOT (Brent Cook)  
GA State Parks



PERMIT # PAR 8605

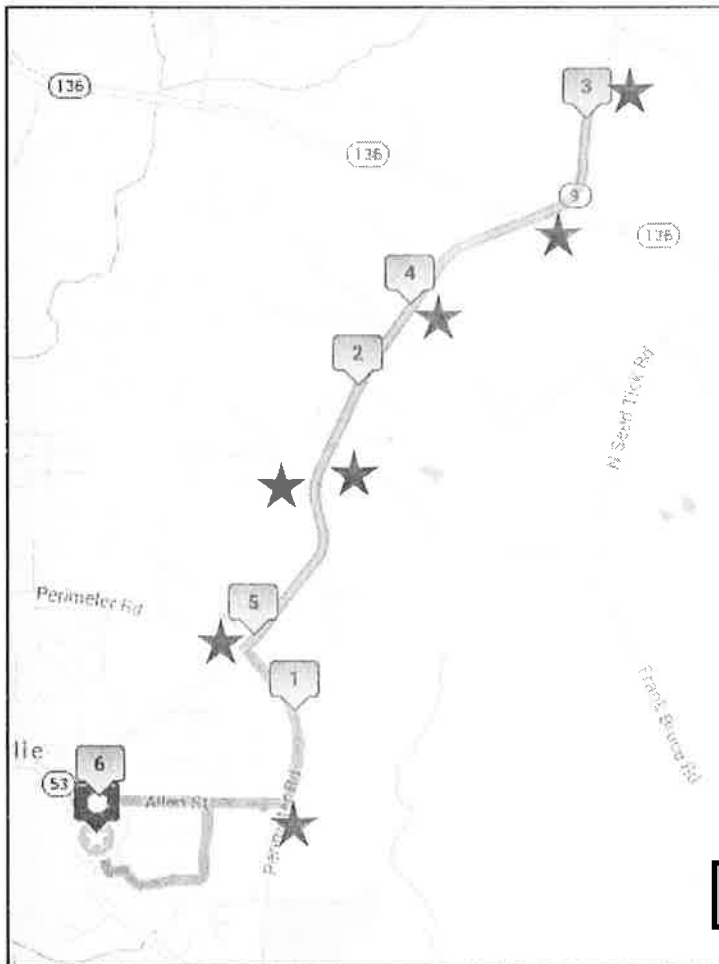
DATE ISSUED: \_\_\_\_\_



# Cinco De Run-O 5K/10K — Traffic Plan



 Run Route  
 Sheriff Points



## Written Route

1. Participants will start in front of city hall
2. Run through parking lot and exit/turn Left onto Memory Lane
3. Right on Allen St
4. Left on Perimeter Rd
5. Right on GA-9 (using North bound lane only)
6. 5K Participants will turn around just North of Bruce Rd
7. 10K Participants will continue North past GA-136 & turn around just South of Herman Rice Rd (I think that's the name)
8. Runners will return using the North bound lane of GA-9 (the same lane they went out in)
9. Left on Perimeter
10. Right on Allen St
11. Left into City Hall (using entrance closest to GA-53)

## Closed Roads, Lanes & Cones

1. Memory Lane...closed for beginning of race
2. Allen St...closed for duration of race
3. Perimeter Rd...closed from Allen to GA-9
4. North bound Lane of GA-9 from Perimeter Rd to just South of Herman Rice Rd

\*\*All closed lanes will be coned off



- 6. Expected number of participants: 150
- 7. Physical description of materials to be distributed: N/A
- 8. How do participants expect to interact with public? N/A
- 9. Route of event: (attach a detailed map of the route) SEE ATTACHED

- 9.a. Number and type of units in parade: N/A
- 9.b. Size of the parade: N/A

10. Will any part of this Event take place **within** the City Limits of Dawsonville? yes  
 If YES, do you have a permit for the event from the City? NO Date Issued: \_\_\_\_\_ \* Attach Copy

11. Do you anticipate any unusual problems concerning either police protection or traffic congestion as a consequence of the event? \_\_\_\_\_ Yes  No If YES, please explain in detail: \_\_\_\_\_

12. List all prior parades or public assemblies, demonstrations or rallies in a public place within Dawson County for which you obtained a permit: (Also include dates – attach separate sheet, if necessary). \_\_\_\_\_

**Details:** Please outline what your event will involve: (number of people / life safety issues / vendors / cooking / tents / rides / handicap parking / egress) – *attach separate sheet if necessary.*

ANNUAL TRIATHLON MOSTLY IN THE PARK

**Route or Lay Out:** (attach a detailed site plan)

SEE ATTACHED

What participation, if any, do you expect from **Dawson County Emergency Services**? NONE

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What participation, if any, do you expect from the **Dawson County Sheriff Department**? TRAFFIC CONTROL

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**Insurance Requirements:**

In compliance with Ordinance Section VII (C), an applicant for a permit shall obtain liability insurance from an insurer licensed in the State of Georgia for the parade, public assembly, demonstration or rally in a public place, if one or more of the following criteria exists:

1. The use, participation, exhibition, or showing of live animals;
2. The use, participation, exhibition, or showing of automobiles of any size or description, motorcycles, tractors, bicycles, or similar conveyances;
3. The use of a stage, platform, bleachers, or grandstands that will be erected for the event;
4. The use of inflatable apparatus used for jumping, bouncing, or similar activities;
5. The use of roller coasters, bungee jumping, or similar activities; or
6. Vendors or concessions.

Does your parade, ~~non~~-spontaneous private assembly, demonstration, or rally in a public place meet any of the criteria above?  Yes  No If yes, which one(s)? BIKES

Any applicant required to provide insurance shall provide Dawson County with a copy of the Certificate of Insurance from an insurer authorized and **licensed by the State of Georgia**. Dawson County shall be added as an additional named insured for the event on the Certificate of Insurance by the carrier. The minimum policy limits shall be **\$1,000,000.00 per incident** and **\$2,000,000.00 aggregate** for the entire event. All costs for insurance and naming Dawson County as an additional named insured shall be borne solely by the applicant. Such insurance shall protect Dawson County from any and all claims for damages to property and/or bodily injury or death.

Is the Certificate of Liability Insurance attached?  Yes  No  Not applicable to this event

Additional information/comments about liability insurance: \_\_\_\_\_

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Additional information/comments about this application: \_\_\_\_\_

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**APPLICANT'S SIGNATURE FOR THE PERMIT APPLICATION; RELEASE & WAIVER OF LIABILITY;  
AND AGREEMENT FOR FINANCIAL RESPONSIBILITY.**

**APPLICATION:**

OATH: I hereby swear and affirm that the information provided with this application for parade, public assembly, demonstration, or rally is true and correct to the best of my knowledge. In addition, I agree to abide by all regulations of the ordinance and to advise all participants of the conditions of the permit.

**RELEASE & WAIVER OF LIABILITY:**

The permit holder shall indemnify and hold Dawson County harmless from any claim, demand, or cause of action that may arise from activities associated with the event. I acknowledge that I understand this Release, and I hereby agree for myself and on behalf of the Applicant to indemnify and hold harmless Dawson County, Georgia and its agents, officers, and employees, individually and jointly, from and against any claim for injury (including, but not limited to, personal injury and property damage), loss, inconvenience, or damage suffered or sustained by any individual, including but not limited to, business owners, patrons, participants of the parade, public assembly, demonstration, or rally, and spectators participating in and/or occurring during the event, unless the claim for injury is caused by intentional misconduct of an individual, agent, officer, or employee of Dawson County.

**AGREEMENT FOR FINANCIAL RESPONSIBILITY:**

The undersigned agrees to be solely responsible for cleaning affected areas littered during the activity, providing sufficient parking and storage areas for motor vehicles, providing temporary toilet facilities, and providing other similar special and extraordinary items deemed necessary for the permitted activity by Dawson County to keep the area of the event safe and sanitary. However, Dawson County shall not require individuals, organizations, or groups of persons to provide personnel for normal governmental functions such as traffic control, police protection, or other activities or expenses associated with the maintenance of public order. If additional requirements are placed upon an applicant and if such requirements are not met, then Dawson County may revoke the issued permit and/or deny any subsequent permit requested by the applicant. Dawson County shall be entitled to recover from the applicant any sum expended by Dawson County for extraordinary expenses not provided by the applicant. The additional expense may include, but not be limited to, Dawson County utilizing off-duty personnel or providing equipment or resources from other areas of the county to supplement equipment or resources already present.

LOWELL STARR  
Applicant's Printed Name

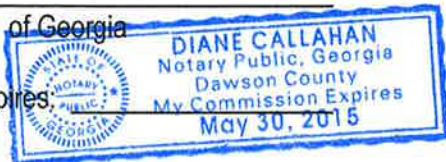
Sworn to and subscribed before me  
this 27 day of March 2015.

Lowell Starr  
Applicant's Signature

Diane Callahan

Notary Public, State of Georgia

My Commission Expires



**Note to Applicant: Once your permit is processed, Planning & Development will notify you of the meeting dates for the Board of Commissioner's work session and voting session. You are required to attend both meetings.**



Dawson County  
Planning & Development  
25 Justice Way, Suite 2322  
(706) 344-3500

Permit for  
Parades, Public Assemblies,  
Demonstrations, and Rallies  
In Public Places  
**(EMERGENCY SERVICES)**

**EMERGENCY SERVICES:** Please complete this sheet and return it to Dawson County Planning and Development. *(Please attach additional sheet, if necessary.)*

Name of Event: ~~BOAT RACE~~ NORTH GEORGIA SUPER SPRINT Date(s) of Event: 5-17-15

Any anticipated problems with proposed route? \_\_\_\_\_

\_\_\_\_\_

Any anticipated problems with the designated location for participants to assemble? \_\_\_\_\_

\_\_\_\_\_

How many personnel will be required for this event? \_\_\_\_\_

\_\_\_\_\_

Estimated cost for personnel: \_\_\_\_\_

\_\_\_\_\_

Number and type of vehicles required: \_\_\_\_\_

\_\_\_\_\_

Type of procedures or equipment needed for the health and safety needs of the participants and the viewing public: \_\_\_\_\_


\_\_\_\_\_

Estimated cost for equipment: \_\_\_\_\_

\_\_\_\_\_

Additional comments/concerns: \_\_\_\_\_

\_\_\_\_\_

Emergency Services: APPROVED:  YES  NO *(Please also sign off on page 8 of application.)*  
By:  Date: 3-23-15



**Dawson County  
Planning & Development**  
25 Justice Way, Suite 2322  
Dawsonville, GA 30534  
(706) 344-3500

**Permit for  
Parades, Public Assemblies,  
Demonstrations, and Rallies  
In Public Places**  
**(SHERIFF DEPARTMENT)**

**SHERIFF DEPARTMENT: Please complete this sheet and return it to Dawson County Planning and Development. (Please attach additional sheet, if necessary.)**

Name of Event: NORTH GEORGIA SUPER SPRINT TRI Date(s) of Event: 5-17-15

Any anticipated problems with proposed route? none

Any anticipated problems with the designated location for participants to assemble? none

How many officers will be required for this event? 4

Estimated cost for officers: \$550.00

Number of vehicles required: 4

Type of procedures and equipment needed for the health and safety needs of the participants and the viewing public: Proper signage must be in place to warn vehicle traffic of the event. All signage must meet the most current edition of the Uniform Traffic Control devices.

Estimated cost for equipment: \$100.00

Additional comments/concerns/recommendations: \_\_\_\_\_

Sheriff Department: APPROVED:  YES  NO (Please also sign off on page 8 of application.)

By: [Signature] Date: 3/24/15



Dawson County  
Planning & Development  
25 Justice Way, Suite 2322  
Dawsonville, GA 30534  
(706) 344-3500

Permit for  
Parades, Public Assemblies,  
Demonstrations, and Rallies  
In Public Places  
*(Marshal / Public Works / Environmental  
Health / Parks & Recreation)*

**PLEASE PROVIDE COMMENTS AND APPROVALS BELOW (Attach additional sheet if necessary)  
(Please also sign off on page 8 of the application.)**

MARSHAL: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

APPROVED:  YES  NO By: \_\_\_\_\_ Date: \_\_\_\_\_

PUBLIC WORKS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

APPROVED:  YES  NO By: \_\_\_\_\_ Date: \_\_\_\_\_

ENVIRONMENTAL HEALTH: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

APPROVED:  YES  NO By: \_\_\_\_\_ Date: \_\_\_\_\_

PARKS & RECREATION: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

APPROVED:  YES  NO By: *Leslie Heasler* Date: *04-13-15*





**Dawson County  
Planning & Development**  
25 Justice Way, Suite 2322  
Dawsonville, GA 30534  
(706) 344-3500

**Permit for  
Parades, Public Assemblies,  
Demonstrations, and Rallies  
In Public Places**  
**(APPROVALS)**

**Office Use Only:**

If applicable to the event, the following departments have reviewed and approved this event:

Department	Printed Name	Signature for Approval	Date
Sheriff Dept.	Billy Carlisle	<i>[Signature]</i>	3/24/15
Emergency Services	Tim Satterfield	<i>[Signature]</i>	3-23-15
Marshal's Office			
Public Works Dept.			
Environmental Health			
Parks and Recreation	Jessie Hens	<i>[Signature]</i>	05-17-15
State Park Office			
Georgia Dept. of Transportation			

Dawson County Board of Commissioners:

Work Session Date: 4/23/15

Voting Session Date: 5/7/2015

Approved:

Attest:

\_\_\_\_\_  
Mike Berg, Chairman  
Dawson County Board of Commissioners

\_\_\_\_\_  
Danielle Yarbrough, County Clerk

cc: (as applicable)

Applicant  
County Attorney  
Sheriff Dept.  
Emergency Services

Marshal Dept.  
Environmental Health  
Public Works  
Parks and Recreation

GA DOT (Brent Cook)  
GA State Parks

PERMIT # PAP 8806

DATE ISSUED: \_\_\_\_\_

# North Georgia Super Sprint Traffic Plan for Bike Route

## Route

1. Riders will Exit Veterans Park and Turn Right, traveling South on GA-9
2. Riders will turn Right on Perimeter Rd
3. Riders will turn Right on Shoal Creek Rd
4. Riders will turn Right on GA-136
5. Riders will turn Right on GA-9
6. Riders will turn Right into Veterans Park

## Volunteer Points

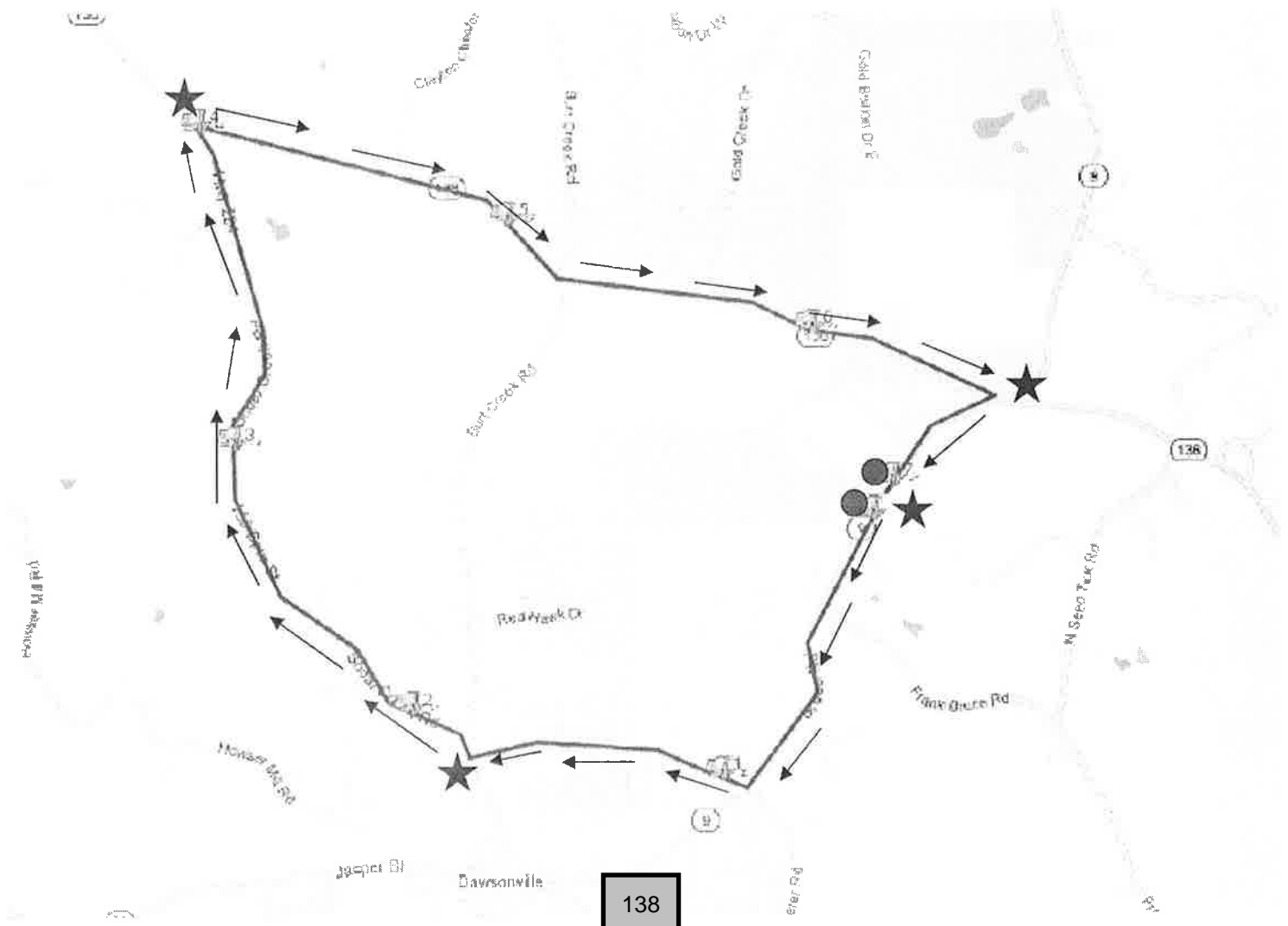
1. Perimeter Rd & GA-9
2. Shoal Creek & Burt Creek

## Notes

1. Ride will be done as a time trial...no pack riding
2. Riders will follow rules of the road

## Sheriff Points

1. GA-9 @ park exit (Dawson County)
2. Corner of GA-9 & GA-136 (Dawson County)
3. Corner of Perimeter Rd & Shoal Creek
4. Corner of Shoal Creek & GA-136





Dawson County  
Planning & Development  
25 Justice Way, Suite 2322  
Dawsonville, GA 30534  
(706) 344-3500

Permit for  
Parades, Public Assemblies,  
Demonstrations, and Rallies  
In Public Places

Date Received: 3/27/15

Applicant answers all questions on pages 1-4; attach separate sheet(s) if necessary.

Application must be received a minimum of 30 days prior to event and must be complete and legible.

- PARADE     RALLY     PUBLIC DEMONSTRATION     PUBLIC ASSEMBLY     ROAD CLOSING     OTHER

1. Name of Event: BOOTLEGGERS MARATHON
2. Location of Event: CITY HALL / HALL OF FAME      TMP # 04-020-201
3. Date(s) of Event: 6-6-15  
 Time of Event: Start: 5:30 (a.m.) / p.m.    End: 2:00 a.m. (p.m.)
4. Provide information listed below for the **main contact person** responsible for the organization of this event:

Name: <u>LOWELL STARR</u>	Title: <u>EVENT MNG.</u>
Organization: <u>FIVE STAR NTP</u>	Telephone #: <u>770-633-5511</u>
Email Address: <u>LOWELL@FIVESTARNTP.COM</u>	Cell Phone #:
Address: <u>59 HWY 9 SOUTH</u>	City: <u>DAWSONVILLE</u> State: <u>GA</u> Zip Code: <u>30534</u>

5. Provide information listed below for any **key personnel** involved in coordinating this event. Also, provide information listed below on each officer of the club, organization, corporation or partnership requesting this event. Attach a separate sheet if necessary.

Name:	Title:
Organization:	Telephone #:
Address:	City:                      State:                      Zip Code:

Name:	Title:
Organization:	Telephone #:
Address:	City:                      State:                      Zip Code:

Name:	Title:
Organization:	Telephone #:
Address:	City:                      State:                      Zip Code:

Name:	Title:
Organization:	Telephone #:
Address:	City:                      State:                      Zip Code:

6. Expected number of participants: 400
7. Physical description of materials to be distributed: N/A
8. How do participants expect to interact with public? RACE
9. Route of event: (attach a detailed map of the route) SEE ATTACHED

- 9.a. Number and type of units in parade: N/A
- 9.b. Size of the parade: N/A

10. Will any part of this Event take place **within** the City Limits of Dawsonville? YES  
 If YES, do you have a permit for the event from the City? \_\_\_\_\_ Date Issued: \_\_\_\_\_ \* Attach Copy

11. Do you anticipate any unusual problems concerning either police protection or traffic congestion as a consequence of the event? Yes  No  If YES, please explain in detail: BOOTLEGGER MARATHON JUNE (2014, 13, 12, 11)

N:GA SUPER SRWT (MAY 2011, 12, 13, 14), BOOTLEGGER TRI (9/11, 12, 13, 14), TOUGH AS NAILS 3/2014

12. List all prior parades or public assemblies, demonstrations or rallies in a public place within Dawson County for which you obtained a permit: (Also include dates – attach separate sheet, if necessary). \_\_\_\_\_

**Details:** Please outline what your event will involve: (number of people / life safety issues / vendors / cooking / tents / rides / handicap parking / egress) – attach separate sheet if necessary.

MARATHON, 1/2 MARATHON, 5K FOOT RACE 4<sup>th</sup> ANNUAL EVENT

**Route or Lay Out:** (attach a detailed site plan)

SEE ATTACHED

What participation, if any, do you expect from **Dawson County Emergency Services**? NONE

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What participation, if any, do you expect from the **Dawson County Sheriff Department**? TRAFFIC CONTROL

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**Insurance Requirements:**

In compliance with Ordinance Section VII (C), an applicant for a permit shall obtain liability insurance from an insurer licensed in the State of Georgia for the parade, public assembly, demonstration or rally in a public place, if one or more of the following criteria exists:

1. The use, participation, exhibition, or showing of live animals;
2. The use, participation, exhibition, or showing of automobiles of any size or description, motorcycles, tractors, bicycles, or similar conveyances;
3. The use of a stage, platform, bleachers, or grandstands that will be erected for the event;
4. The use of inflatable apparatus used for jumping, bouncing, or similar activities;
5. The use of roller coasters, bungee jumping, or similar activities; or
6. Vendors or concessions.

Does your parade, non-spontaneous private assembly, demonstration, or rally in a public place meet any of the criteria above?  Yes  No If yes, which one(s)? \_\_\_\_\_

Any applicant required to provide insurance shall provide Dawson County with a copy of the Certificate of Insurance from an insurer authorized and **licensed by the State of Georgia**. Dawson County shall be added as an additional named insured for the event on the Certificate of Insurance by the carrier. The minimum policy limits shall be **\$1,000,000.00 per incident** and **\$2,000,000.00 aggregate** for the entire event. All costs for insurance and naming Dawson County as an additional named insured shall be borne solely by the applicant. Such insurance shall protect Dawson County from any and all claims for damages to property and/or bodily injury or death.

Is the Certificate of Liability Insurance attached?  Yes  No  Not applicable to this event

Additional information/comments about liability insurance: \_\_\_\_\_

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Additional information/comments about this application: \_\_\_\_\_

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**APPLICANT'S SIGNATURE FOR THE PERMIT APPLICATION; RELEASE & WAIVER OF LIABILITY;  
AND AGREEMENT FOR FINANCIAL RESPONSIBILITY.**

**APPLICATION:**

OATH: I hereby swear and affirm that the information provided with this application for parade, public assembly, demonstration, or rally is true and correct to the best of my knowledge. In addition, I agree to abide by all regulations of the ordinance and to advise all participants of the conditions of the permit.

**RELEASE & WAIVER OF LIABILITY:**

The permit holder shall indemnify and hold Dawson County harmless from any claim, demand, or cause of action that may arise from activities associated with the event. I acknowledge that I understand this Release, and I hereby agree for myself and on behalf of the Applicant to indemnify and hold harmless Dawson County, Georgia and its agents, officers, and employees, individually and jointly, from and against any claim for injury (including, but not limited to, personal injury and property damage), loss, inconvenience, or damage suffered or sustained by any individual, including but not limited to, business owners, patrons, participants of the parade, public assembly, demonstration, or rally, and spectators participating in and/or occurring during the event, unless the claim for injury is caused by intentional misconduct of an individual, agent, officer, or employee of Dawson County.

**AGREEMENT FOR FINANCIAL RESPONSIBILITY:**

The undersigned agrees to be solely responsible for cleaning affected areas littered during the activity, providing sufficient parking and storage areas for motor vehicles, providing temporary toilet facilities, and providing other similar special and extraordinary items deemed necessary for the permitted activity by Dawson County to keep the area of the event safe and sanitary. However, Dawson County shall not require individuals, organizations, or groups of persons to provide personnel for normal governmental functions such as traffic control, police protection, or other activities or expenses associated with the maintenance of public order. If additional requirements are placed upon an applicant and if such requirements are not met, then Dawson County may revoke the issued permit and/or deny any subsequent permit requested by the applicant. Dawson County shall be entitled to recover from the applicant any sum expended by Dawson County for extraordinary expenses not provided by the applicant. The additional expense may include, but not be limited to, Dawson County utilizing off-duty personnel or providing equipment or resources from other areas of the county to supplement equipment or resources already present.

*Lowell STARR*

Applicant's Printed Name

Sworn to and subscribed before me  
this 27 day of March 2015.

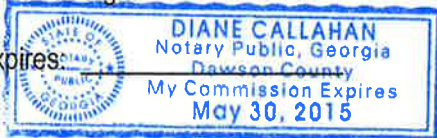
*Lowell Starr*

Applicant's Signature

*Diane Callahan*

Notary Public, State of Georgia

My Commission Expires:



**Note to Applicant: Once your permit is processed, Planning & Development will notify you of the meeting dates for the Board of Commissioner's work session and voting session. You are required to attend both meetings.**



**Dawson County  
Planning & Development**  
25 Justice Way, Suite 2322  
(706) 344-3500

**Permit for  
Parades, Public Assemblies,  
Demonstrations, and Rallies  
In Public Places**  
**(EMERGENCY SERVICES)**

**EMERGENCY SERVICES: Please complete this sheet and return it to Dawson County Planning and Development. (Please attach additional sheet, if necessary.)**

Name of Event: BOOTLEGGER MARATHON Date(s) of Event: 6-6-15

Any anticipated problems with proposed route? \_\_\_\_\_

Any anticipated problems with the designated location for participants to assemble? \_\_\_\_\_

How many personnel will be required for this event? \_\_\_\_\_

Estimated cost for personnel: \_\_\_\_\_

Number and type of vehicles required: \_\_\_\_\_

Type of procedures or equipment needed for the health and safety needs of the participants and the viewing public: \_\_\_\_\_

Estimated cost for equipment: \_\_\_\_\_

Additional comments/concerns: \_\_\_\_\_

Emergency Services: APPROVED:  YES  NO (Please also sign off on page 8 of application.)

By: [Signature] Date: 3-23-15



Dawson County  
Planning & Development  
25 Justice Way, Suite 2322  
Dawsonville, GA 30534  
(706) 344-3500

Permit for  
Parades, Public Assemblies,  
Demonstrations, and Rallies  
In Public Places  
**(SHERIFF DEPARTMENT)**

**SHERIFF DEPARTMENT: Please complete this sheet and return it to Dawson County Planning and Development. (Please attach additional sheet, if necessary.)**

Name of Event: BOOTLEGGER MARATHON Date(s) of Event: 6-6-15

Any anticipated problems with proposed route? None

Any anticipated problems with the designated location for participants to assemble? None

How many officers will be required for this event? 17

Estimated cost for officers: \$3,000.00

Number of vehicles required: 17

Type of procedures and equipment needed for the health and safety needs of the participants and the viewing public: Proper detour signs and barricades must be in place to warn vehicle traffic of the event, and to protect those participating in the event. All signage must meet the most current edition of the manual on Uniform Traffic Control.

Estimated cost for equipment: \$600.00

Additional comments/concerns/recommendations: \_\_\_\_\_

Sheriff Department: APPROVED:  YES  NO (Please also sign off on page 8 of application.)

By: Bill Cobb Date: 3/24/15





**Dawson County  
Planning & Development**  
25 Justice Way, Suite 2322  
Dawsonville, GA 30534  
(706) 344-3500

**Permit for  
Parades, Public Assemblies,  
Demonstrations, and Rallies  
In Public Places**  
*(Marshal / Public Works / Environmental  
Health / Parks & Recreation)*

**PLEASE PROVIDE COMMENTS AND APPROVALS BELOW (Attach additional sheet if necessary)  
(Please also sign off on page 8 of the application.)**

**MARSHAL:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

APPROVED:  YES  NO By: \_\_\_\_\_ Date: \_\_\_\_\_

**PUBLIC WORKS:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

APPROVED:  YES  NO By: \_\_\_\_\_ Date: \_\_\_\_\_

**ENVIRONMENTAL HEALTH:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

APPROVED:  YES  NO By: \_\_\_\_\_ Date: \_\_\_\_\_

**PARKS & RECREATION:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

APPROVED:  YES  NO By: \_\_\_\_\_ Date: \_\_\_\_\_



**Dawson County  
Planning & Development**  
25 Justice Way, Suite 2322  
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**Permit for  
Parades, Public Assemblies,  
Demonstrations, and Rallies  
In Public Places**  
**(APPROVALS)**

**Office Use Only:**

If applicable to the event, the following departments have reviewed and approved this event:

Department	Printed Name	Signature for Approval	Date
Sheriff Dept.	<i>Bill Calab</i>	<i>Bill Calab</i>	<i>3/24/15</i>
Emergency Services	<i>Tim Satterfield</i>	<i>Tim Satterfield</i>	<i>3-23-15</i>
Marshal's Office			
Public Works Dept.			
Environmental Health			
Parks and Recreation			
State Park Office			
Georgia Dept. of Transportation			

Dawson County Board of Commissioners:

Work Session Date: *4/23/2015*

Voting Session Date: *5/7/2015*

Approved:

Attest:

\_\_\_\_\_  
Mike Berg, Chairman  
Dawson County Board of Commissioners

\_\_\_\_\_  
Danielle Yarbrough, County Clerk

cc: (as applicable)

Applicant  
County Attorney  
Sheriff Dept.  
Emergency Services

Marshal Dept.  
Environmental Health  
Public Works  
Parks and Recreation

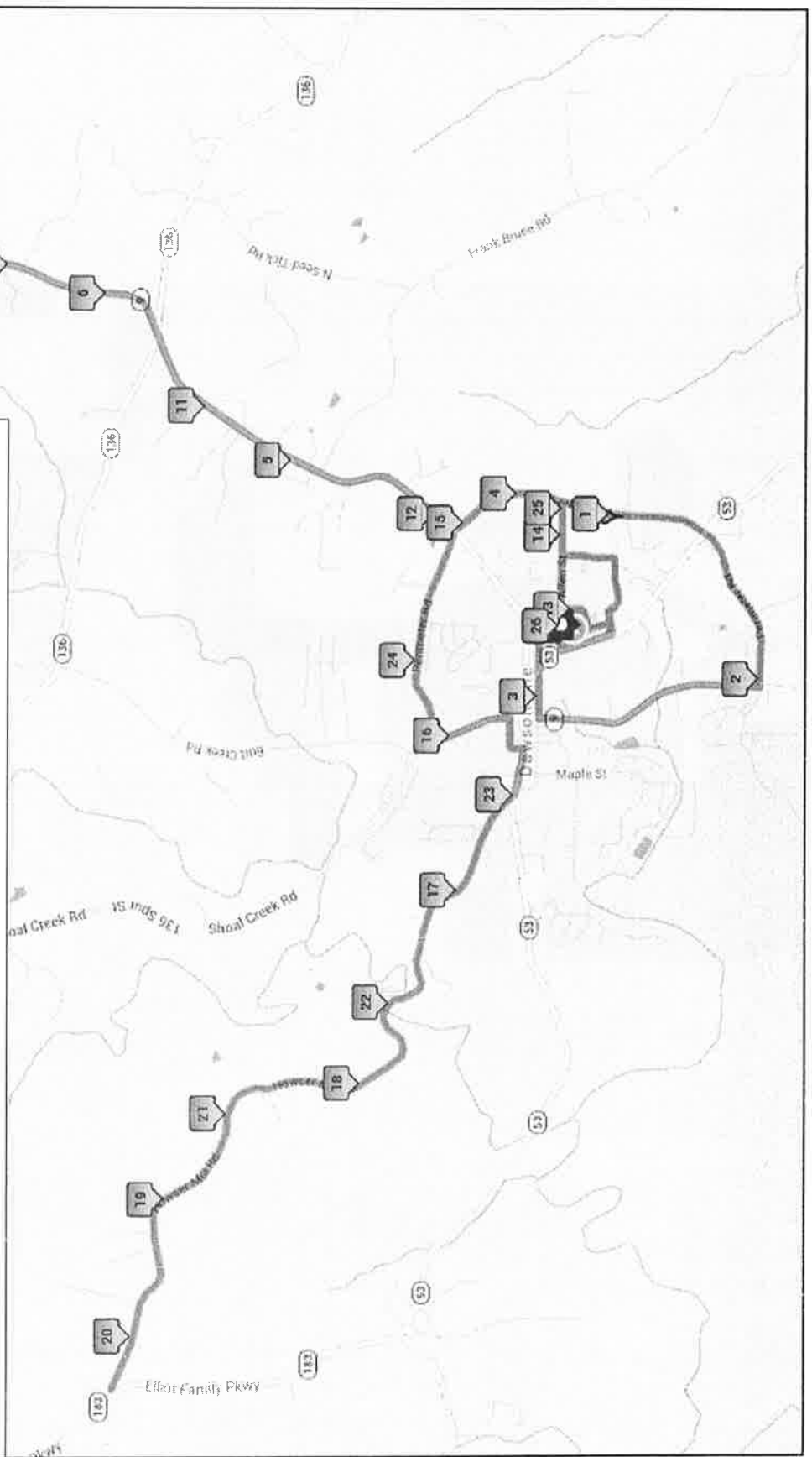
GA DOT (Brent Cook)  
GA State Parks

PERMIT # \_\_\_\_\_

DATE ISSUED: \_\_\_\_\_

### Written Route

1. Participants will start in the Dawsonville City Hall Parking Lot
2. Exit & turn Left onto Memory Lane
3. Right on Allen St
4. Right on Perimeter Rd (South bound lane)
5. Right on GA-9 (North bound lane)
6. Right on Academy
7. Through middle school
8. Left on Allen
9. Left on Perimeter
10. Right on GA-9 (North bound lane)
11. Right on Castleberry (East bound lane)
12. Turn around approximately 1 mile after turn and return to the Finish Line
13. At finish area...Marathon will continue on North side of city hall building exiting onto Allen St.
14. Left on Allen St
15. Left on the SIDEWALK of GA-53
16. Left on Memory Ln...following sidewalk
17. Follow Memory Ln to Allen St
18. Right on Allen
19. Right on Perimeter (using South bound lane ONLY)
20. Turn around and stay in same lane just before Rand Way.
21. Left on Shoal Creek...ON SIDEWALK
22. Right on Tucker Ave
23. Left on last street
24. Right on GA-53, using 4' run lane
25. Move onto sidewalk at Maple St
26. Right on Houser Mill Rd
27. Follow Houser Mill Rd to GA-183 then turn around and return along same route to finish line



**Event Schedule**

- 5:30 am... Check in Opens
- 6:30 am... Race Starts
- 1:30 pm... Course Closes

Point	1st Runner	Clear time
Memory Lane	6:32 am	6:40 am *1 <sup>st</sup> lap 2:00 pm *2 <sup>nd</sup> lap
Perimeter Rd & GA 53	6:38 am	6:50 am
Perimeter Rd & GA 9 (South)	6:42 am	7:02 am
GA 9 (South of Downtown)	6:48 am	7:18 am
GA 53 & Academy	6:48 am	7:18 am
Perimeter & GA 9 (North)	6:54 am	1:48 pm
GA 9 & GA 136	7:00 am	9:30 am
GA 9 & Castleberry	7:45 am	8:40 am
Allen St & Perimeter Rd	7:04 am	1:20 pm
Shoal Creek & Perimeter Rd	8:05 am	1:00 pm
GA-53	8:10 am	12:45 pm
Houser Mill & GA-183	8:30 am	11:50 am
Finish Line	7:22 am	1:30 pm

**Officer Locations (Dawson County)**

1. Memory Ln @ Food Lion Exit
2. Allen St @ Memory Ln
3. Perimeter & Allen
4. Perimeter & GA-53 (2)
5. Perimeter & Apartments
6. Perimeter & GA-9 South (2)
7. GA-9 & Apartments
8. GA-9 & Academy
9. Academy & GA-53
10. Perimeter & GA-9 North
11. GA-9 & Goswick Dr
12. GA-9 & Frank Bruce
13. GA-9 & Jacquelyn Dr
14. GA-9 & Veterans Park
15. GA-9 & Park Ave
16. GA-9 & GA-136 (2)
17. Roaming GA-9
18. Shoal Creek & Perimeter
19. Houser Mill & GA-183
20. GA-53

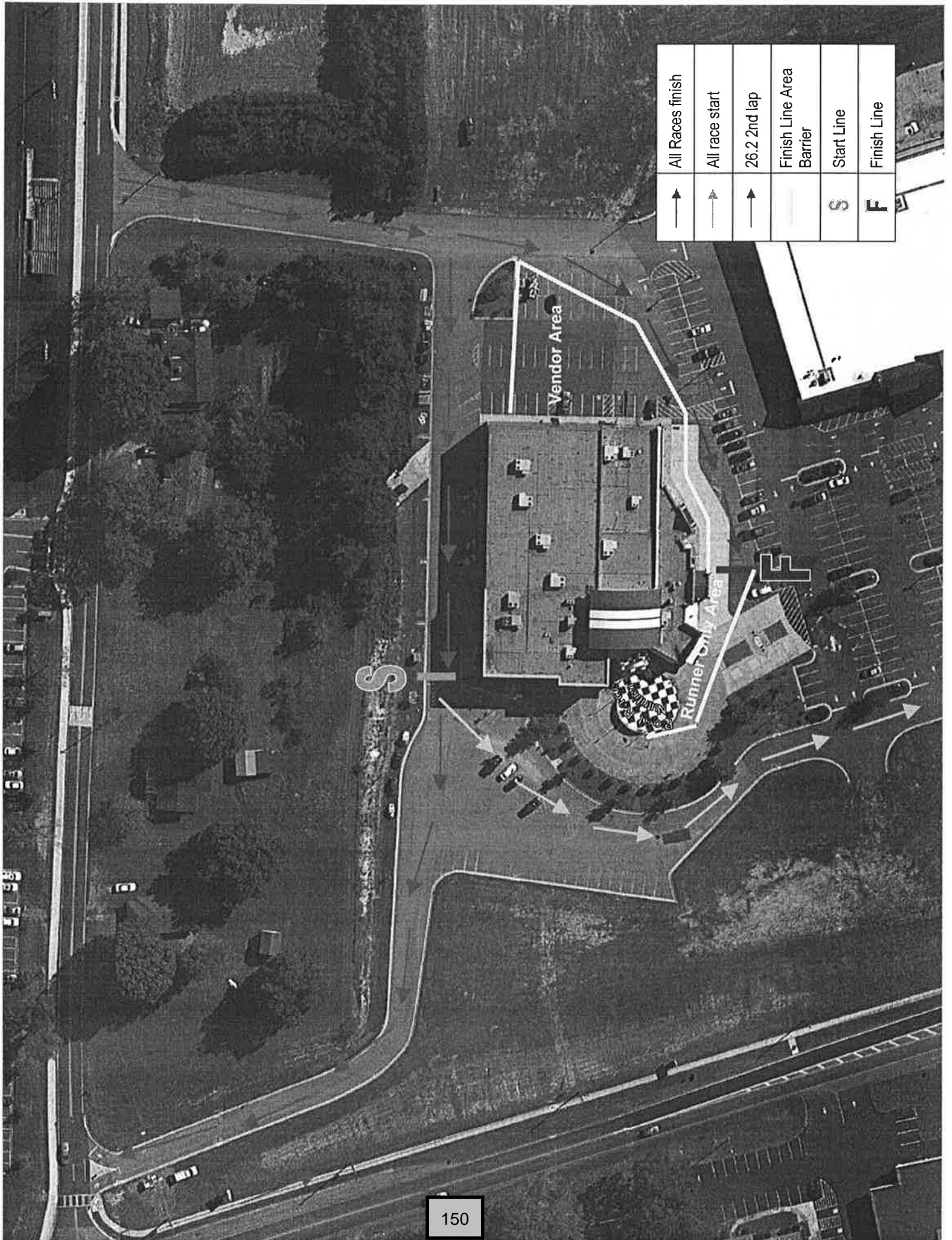
**Officer Locations (Lumpkin County)**

1. GA-9 & Castleberry Bridge Rd
2. Castleberry Bridge Rd & Morgan Ln
3. Castleberry Bridge Rd & Lawrence Rd
4. Castleberry Bridge Roaming

Road	Plan	Detour
Allen St	Close from GA 53 to Perimeter	GA 9 to GA 53
Perimeter Rd	South bound lane closed...Coned off	GA 9 to GA 53
GA 9 (South of Downtown)	North bound lane closed	Perimeter Rd to GA 53
GA 9 (North of Downtown)	North bound lane closed	GA 53 to GA 400 North to GA 136 or GA 60 then South GA 53 to GA 183 to GA
Academy	Closed	Perimeter Rd to GA 9 or GA 53
Castleberry	East bound lane closed...Coned off	Officers control 1 way traffic
Jacquelyn Dr (North <u>or</u> South)	Access to GA-9 closed	Other end
Houser Mill Rd	Closed to through traffic	None...Local traffic only

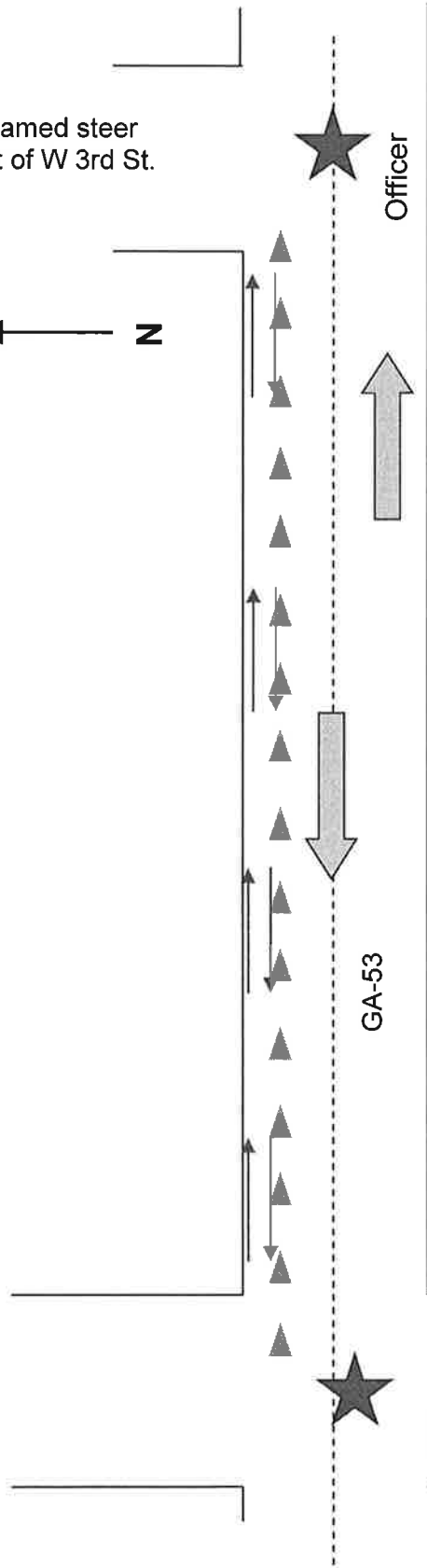


↑	26.2 2nd lap
↑	All Races Finish
↑	All race start
↑	4 miler finish
S	Start Line
F	Finish Line



↑	All Races finish
↑	All race start
↑	26.2 2nd lap
—	Finish Line Area Barrier
S	Start Line
F	Finish Line

Un-named steer  
West of W 3rd St.



Run Route	Vehicle Traffic
↑	↑

- There is a substantial shoulder on the East bound side, allowing traffic to utilize it for additional space.
- The distance is approximately 500 ft.
- The speed limit is 25 mph in this section of downtown Dawsonville.

Officer

Maple Street



Dawson County  
Planning & Development  
25 Justice Way, Suite 2322  
Dawsonville, GA 30534  
(706) 344-3500

Permit for  
Parades, Public Assemblies,  
Demonstrations, and Rallies  
In Public Places

Date Received: 3/27/15

**Applicant answers all questions on pages 1-4; attach separate sheet(s) if necessary.**

**Application must be received a minimum of 30 days prior to event and must be complete and legible.**

- PARADE    RALLY    PUBLIC DEMONSTRATION    PUBLIC ASSEMBLY    ROAD CLOSING    OTHER

1. Name of Event: BOOTLEGGERS TRIATHLON
2. Location of Event: VETERAN'S PARK                      TMP # 091.095
3. Date(s) of Event: 9-13-15
- Time of Event: Start: 8:00 (a.m.) p.m.    End: 10:30 (a.m.) p.m.
4. Provide information listed below for the **main contact person** responsible for the organization of this event:

Name: <u>LOWELL STARR</u>	Title: <u>EVENT MNG</u>
Organization: <u>FIVE STAR NTP</u>	Telephone #: <u>770-633-5511</u>
Email Address: <u>LOWELL@FIVESTARNTP.COM</u>	Cell Phone #:
Address: <u>59 Hwy 9 South</u> City: <u>DAWSONVILLE</u> State: <u>GA</u> Zip Code: <u>30534</u>	

5. Provide information listed below for any **key personnel involved in coordinating this event**. Also, provide information listed below on each officer of the club, organization, corporation or partnership requesting this event. Attach a separate sheet if necessary.

Name:	Title:
Organization:	Telephone #:
Address:    City:    State:                      Zip Code:	

Name:	Title:
Organization:	Telephone #:
Address:    City:    State:                      Zip Code:	

Name:	Title:
Organization:	Telephone #:
Address:    City:    State:                      Zip Code:	

Name:	Title:
Organization:	Telephone #:
Address:    City:    State:                      Zip Code:	



- 6. Expected number of participants: 250
- 7. Physical description of materials to be distributed: N/A
- 8. How do participants expect to interact with public? ROAD RACE
- 9. Route of event: (attach a detailed map of the route) SEE ATTACHED

- 9.a. Number and type of units in parade: N/A
- 9.b. Size of the parade: N/A

10. Will any part of this Event take place **within** the City Limits of Dawsonville? ~~YES~~ NO  
 If YES, do you have a permit for the event from the City? \_\_\_\_\_ Date Issued: \_\_\_\_\_ \* Attach Copy

11. Do you anticipate any unusual problems concerning either police protection or traffic congestion as a consequence of the event? \_\_\_\_\_ Yes X No If YES, please explain in detail: \_\_\_\_\_

12. List all prior parades or public assemblies, demonstrations or rallies in a public place within Dawson County for which you obtained a permit: (Also include dates – attach separate sheet, if necessary). \_\_\_\_\_

**Details:** Please outline what your event will involve: (number of people / life safety issues / vendors / cooking / tents / rides / handicap parking / egress) – *attach separate sheet if necessary.*

TRATHLOJ MOSTLY IN VETERANS PARK, ADULT BIKES ONLY  
WILL COME OUT

**Route or Lay Out:** (attach a detailed site plan)

SEE ATTACHED

What participation, if any, do you expect from **Dawson County Emergency Services**? NONE

What participation, if any, do you expect from the **Dawson County Sheriff Department**? TRAFFIC CONTROL

**Insurance Requirements:**

In compliance with Ordinance Section VII (C), an applicant for a permit shall obtain liability insurance from an insurer licensed in the State of Georgia for the parade, public assembly, demonstration or rally in a public place, if one or more of the following criteria exists:

1. The use, participation, exhibition, or showing of live animals;
2. The use, participation, exhibition, or showing of automobiles of any size or description, motorcycles, tractors, bicycles, or similar conveyances;
3. The use of a stage, platform, bleachers, or grandstands that will be erected for the event;
4. The use of inflatable apparatus used for jumping, bouncing, or similar activities;
5. The use of roller coasters, bungee jumping, or similar activities; or
6. Vendors or concessions.

Does your parade, ~~non~~-spontaneous private assembly, demonstration, or rally in a public place meet any of the criteria above?  Yes  No If yes, which one(s)? BIKES

Any applicant required to provide insurance shall provide Dawson County with a copy of the Certificate of Insurance from an insurer authorized and **licensed by the State of Georgia**. Dawson County shall be added as an additional named insured for the event on the Certificate of Insurance by the carrier. The minimum policy limits shall be **\$1,000,000.00 per incident** and **\$2,000,000.00 aggregate** for the entire event. All costs for insurance and naming Dawson County as an additional named insured shall be borne solely by the applicant. Such insurance shall protect Dawson County from any and all claims for damages to property and/or bodily injury or death.

Is the Certificate of Liability Insurance attached?  Yes  No  Not applicable to this event

Additional information/comments about liability insurance: \_\_\_\_\_

Additional information/comments about this application: \_\_\_\_\_

**APPLICANT'S SIGNATURE FOR THE PERMIT APPLICATION; RELEASE & WAIVER OF LIABILITY;  
AND AGREEMENT FOR FINANCIAL RESPONSIBILITY.**

**APPLICATION:**

OATH: I hereby swear and affirm that the information provided with this application for parade, public assembly, demonstration, or rally is true and correct to the best of my knowledge. In addition, I agree to abide by all regulations of the ordinance and to advise all participants of the conditions of the permit.

**RELEASE & WAIVER OF LIABILITY:**

The permit holder shall indemnify and hold Dawson County harmless from any claim, demand, or cause of action that may arise from activities associated with the event. I acknowledge that I understand this Release, and I hereby agree for myself and on behalf of the Applicant to indemnify and hold harmless Dawson County, Georgia and its agents, officers, and employees, individually and jointly, from and against any claim for injury (including, but not limited to, personal injury and property damage), loss, inconvenience, or damage suffered or sustained by any individual, including but not limited to, business owners, patrons, participants of the parade, public assembly, demonstration, or rally, and spectators participating in and/or occurring during the event, unless the claim for injury is caused by intentional misconduct of an individual, agent, officer, or employee of Dawson County.

**AGREEMENT FOR FINANCIAL RESPONSIBILITY:**

The undersigned agrees to be solely responsible for cleaning affected areas littered during the activity, providing sufficient parking and storage areas for motor vehicles, providing temporary toilet facilities, and providing other similar special and extraordinary items deemed necessary for the permitted activity by Dawson County to keep the area of the event safe and sanitary. However, Dawson County shall not require individuals, organizations, or groups of persons to provide personnel for normal governmental functions such as traffic control, police protection, or other activities or expenses associated with the maintenance of public order. If additional requirements are placed upon an applicant and if such requirements are not met, then Dawson County may revoke the issued permit and/or deny any subsequent permit requested by the applicant. Dawson County shall be entitled to recover from the applicant any sum expended by Dawson County for extraordinary expenses not provided by the applicant. The additional expense may include, but not be limited to, Dawson County utilizing off-duty personnel or providing equipment or resources from other areas of the county to supplement equipment or resources already present.

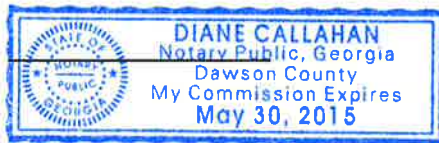
LOWELL STARR  
Applicant's Printed Name

Sworn to and subscribed before me  
this 27th day of March 2015.

Lowell Starr  
Applicant's Signature

Diane Callahan  
Notary Public, State of Georgia

My Commission Expires:



**Note to Applicant: Once your permit is processed, Planning & Development will notify you of the meeting dates for the Board of Commissioner's work session and voting session. You are required to attend both meetings.**



Dawson County  
Planning & Development  
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Permit for  
Parades, Public Assemblies,  
Demonstrations, and Rallies  
In Public Places  
**(EMERGENCY SERVICES)**

**EMERGENCY SERVICES: Please complete this sheet and return it to Dawson County Planning and Development. (Please attach additional sheet, if necessary.)**

Name of Event: BOOTLEGGERS TRIATHLON Date(s) of Event: 9-13-15

Any anticipated problems with proposed route? \_\_\_\_\_

Any anticipated problems with the designated location for participants to assemble? \_\_\_\_\_

How many personnel will be required for this event? \_\_\_\_\_

Estimated cost for personnel: \_\_\_\_\_

Number and type of vehicles required: \_\_\_\_\_

Type of procedures or equipment needed for the health and safety needs of the participants and the viewing public: \_\_\_\_\_

Estimated cost for equipment: \_\_\_\_\_

Additional comments/concerns: \_\_\_\_\_

Emergency Services: APPROVED:  YES  NO (Please also sign off on page 8 of application.)

By: [Signature] Date: 3-23-15



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In Public Places  
**(SHERIFF DEPARTMENT)**

**SHERIFF DEPARTMENT: Please complete this sheet and return it to Dawson County Planning and Development. (Please attach additional sheet, if necessary.)**

Name of Event: BOOTLEGGER TRI Date(s) of Event: 9-13-15

Any anticipated problems with proposed route? None

Any anticipated problems with the designated location for participants to assemble? None

How many officers will be required for this event? 2

Estimated cost for officers: 4300.00

Number of vehicles required: 2

Type of procedures and equipment needed for the health and safety needs of the participants and the viewing public: \_\_\_\_\_

Estimated cost for equipment: \_\_\_\_\_

Additional comments/concerns/recommendations: Officers will handle the entrance of Veterans Park on Hwy 9 north. Bikes will follow the Uniform rules of the road once they exit Veterans Park.

Sheriff Department: APPROVED:  YES  NO (Please also sign off on page 8 of application.)

By: Bill Galit Date: 3/24/15



**Dawson County  
Planning & Development**  
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**Permit for  
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Demonstrations, and Rallies  
In Public Places**  
*(Marshal / Public Works / Environmental  
Health / Parks & Recreation)*

**PLEASE PROVIDE COMMENTS AND APPROVALS BELOW (Attach additional sheet if necessary)  
(Please also sign off on page 8 of the application.)**

**MARSHAL:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

APPROVED:  YES  NO By: \_\_\_\_\_ Date: \_\_\_\_\_

**PUBLIC WORKS:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

APPROVED:  YES  NO By: \_\_\_\_\_ Date: \_\_\_\_\_

**ENVIRONMENTAL HEALTH:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

APPROVED:  YES  NO By: \_\_\_\_\_ Date: \_\_\_\_\_

**PARKS & RECREATION:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

APPROVED:  YES  NO By: *Leslie Heuse* Date: *04-13-15*



**Dawson County  
Planning & Development**  
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(706) 344-3500

**Permit for  
Parades, Public Assemblies,  
Demonstrations, and Rallies  
In Public Places**  
**(APPROVALS)**

**Office Use Only:**

If applicable to the event, the following departments have reviewed and approved this event:

Department	Printed Name	Signature for Approval	Date
Sheriff Dept.	<i>Billy Carlise</i>	<i>Billy Carlise</i>	<i>3/24/15</i>
Emergency Services	<i>Tim Satterfield</i>	<i>Tim Satterfield</i>	<i>3-23-15</i>
Marshal's Office			
Public Works Dept.			
Environmental Health			
Parks and Recreation	<i>Lisa Hensa</i>	<i>Lisa Hensa</i>	<i>04-13-15</i>
State Park Office			
Georgia Dept. of Transportation			

Dawson County Board of Commissioners:

Work Session Date: 4/23/15

Voting Session Date: 5/7/2015

Approved:

Attest:

\_\_\_\_\_  
Mike Berg, Chairman  
Dawson County Board of Commissioners

\_\_\_\_\_  
Danielle Yarbrough, County Clerk

cc: (as applicable)

Applicant  
County Attorney  
Sheriff Dept.  
Emergency Services

Marshal Dept.  
Environmental Health  
Public Works  
Parks and Recreation

GA DOT (Brent Cook)  
GA State Parks

PERMIT # \_\_\_\_\_

DATE ISSUED: \_\_\_\_\_

**Backup material for agenda item:**

3. Approval of the 2015 Bullet Proof Vest (BVP) Grant





# DAWSON COUNTY BOARD OF COMMISSIONERS AGENDA REQUEST

All items requiring action by the Commissioners must be presented first at a work session. The following information should be provided for each item.

No item will be considered for a work session until the Department has received authorization on the item by the County Manager.

Form must be submitted to the County Clerk 10 days prior to the meeting date.

Department: Sheriff's Office

Presenter: Sheriff Billy Carlisle

Submitted By: Sandra Evans

Date Submitted: 04/14/15

Item of Business/Agenda Title: 2015 Bullet Proof Vest (BVP) Grant

**Attach an Executive Summary fully describing all elements of the item of business.**  (Attached)

### THE ITEM IS FOR:

Work Session presentation only  
(no action needed)

OR  Commission Action Needed.

Is there a deadline on this item? If so, Explain: May 13, 2015

Purpose of Request: This grant is utilized to purchase bullet-proof vest for deputies. The grant requires a 50% match.

Department Recommendation: Recommend approval

If the action involves a Resolution, Ordinance, Contract, Agreement, etc. has it been reviewed by the County Attorney?

Yes Explanation/ Additional Information:

No

If funding is involved, are funds approved within the current budget? If Yes, Finance Authorization is Required Below.

Yes Explanation/ Additional Information: This is to continue the BVP grant for FY 2015.

No

Amount Requested: \$1000.00

Amount Budgeted: \$2,000

Fund Name and Account Number: 250-00-3392-XXXXXX-015

Administration Staff Authorization

Dept. Head Authorization: Billy Carlisle Date: 4/14/15

Finance Dept. Authorization: Dena Bosten Date: 4-14-15

County Manager Authorization: Cindy Stimpert Work Session Date: 4/15/2015

Comments: \_\_\_\_\_



**1. Registration**

- 1.1 [Agency Information](#)
- 1.2 [Agency Contacts](#)

**2. Application**

- 2.1 [Application Profile](#)
- 2.2 [Manage Application](#)
- 2.3 [Review Application](#)
- 2.4 [Submit Application](#)
- 2.5 [Mandatory Wear Policy](#)

**3. Payment**

- 3.1 [Bank Information](#)
- 3.2 [Print Bank Form](#)
- 3.3 [Manage Receipts](#)
- 3.4 [Payment Request](#)
- 3.5 [Payment History](#)

**4. Status**

- 4.1 [Current Status](#)
- 4.2 [LEA Status](#)
- 4.3 [Application History](#)

**5. Personal Information**

- 5.1 [User Profile](#)
- 5.2 [Change Password](#)



BVP HELP DESK  
(Toll-Free 1-877-758-3787)

Section Application > Submit Application > Submit Application for Funding for BVP Approval

OMB #1121-0235  
(Expires: 10/31/2016)

**PLEASE NOTE:** Applications for funding may be submitted for the purchase of any armor that meets the established NIJ ballistic or stab standards ordered **on or after April 1, 2015**. Once the open application period closes, funding levels will be established and all applicants will be notified.

**Application Profile**

Participant	DAWSON COUNTY
Fiscal Year	2015
Number of Agencies Applied	1
Total Number of Officers for Application	67
Number of Officers on Approved Sub-Applications	67
Unspent BVP Funds Remaining	\$2,436.70
Unspent BVP Funds Obligated for Vest Purchases	\$1,000.00

**Sub-Application Profile**

Fiscal Year	2015
Vest Replacement Cycle	5
Number of Officers	67
Zylon Replacement	0
Emergency Replacement Needs	0
Stolen or Damaged Officer Turnover	7

**Submit Application for Funding for BVP Approval**

Name	Quantity	Application for Funding Extended Cost	Tax, S&H*	Total Cost
DAWSON COUNTY	5	\$1,750.00	\$35.00	\$1,785.00
Grand Totals	5	\$1,750.00	\$35.00	\$1,785.00
<b>Requested BVP Portion of Total Cost, up to:</b>				<b>\$892.50</b>

\* Total Taxes, Shipping and Handling Cost for each Application

Submit Application for BVP Approval

**Paperwork Reduction Act Notice**

Under the Paperwork Reduction Act, a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. We try to create forms and instructions that are accurate, can be easily understood, and which impose the least possible burden on you to provide us with information. The estimated average time for all components of a jurisdiction to complete and file this Application for Funding form is two hours. If you have comments regarding the accuracy of this estimate, or suggestions for making this form simpler, you may use the Suggestions e-mail option on this BVP web site, or you may write to the BVP, c/o Bureau of Justice Assistance, 810 Seventh Street NW, Washington, DC, 20531.

**Backup material for agenda item:**

4. Approval of Bid #249-15 RFP Inmate Telephone Systems for Dawson County Sheriff's Office



# DAWSON COUNTY BOARD OF COMMISSIONERS AGENDA REQUEST

All items requiring action by the Commissioners must be presented first at a work session. The following information should be provided for each item.

No item will be considered for a work session until the Department has received authorization on the item by the County Manager.

Form must be submitted to the County Clerk 10 days prior to the meeting date.

Department: Purchasing on behalf of Dawson County Sheriff's Office      Presenter: Maj. Jeff Johnson

Submitted By: Davida Simpson, Purchasing Director      Date Submitted: April 14, 2015

Item of Business/Agenda Title: Presentation of Bid #249-15 RFP Inmate Telephone Systems for Dawson County Sheriff's Office

**Attach an Executive Summary fully describing all elements of the item of business.  (Attached)**

### THE ITEM IS FOR:

**Work Session presentation only**      OR       **Commission Action Needed.**  
(no action needed)

Is there a deadline on this item? If so, Explain: May 28, 2015 is the 90 day deadline for BOC action

Purpose of Request: Execute a contract with vendor for telephone systems for the inmate population at DCSO

Department Recommendation: Approve contract with ICSolutions, Option A as submitted

If the action involves a Resolution, Ordinance, Contract, Agreement, etc. has it been reviewed by the County Attorney?

Yes      Explanation/ Additional Information: Contract to be executed. Standard contract was written by County Attorney but not specifically reviewed in this instance. Only changes to contract were the insertion of vendor and bid information.  
 No

If funding is involved, are funds approved within the current budget? **If Yes, Finance Authorization is Required Below.**

Yes      Explanation/ Additional Information:

No

Amount Requested: \$0.00 – All revenue

Amount Budgeted: FY2015 Budgeted Revenue \$35,000

Fund Name and Account Number: 211-00-3326-XXXXXX-000

#### Administration Staff Authorization

Dept. Head Authorization: \_\_\_\_\_ Date: \_\_\_\_\_

Finance Dept. Authorization: Dena Bosten      Date: 04-14-2015

County Manager Authorization: CINDY CAMPBELL      Work Session Date: 04/23/2015

Comments: Bids can be found at [www.dawsoncounty.org](http://www.dawsoncounty.org)> Bids & RFPs> Bids Under Evaluation. Exhibit B is vendor's price proposal.



**DAWSON COUNTY BOARD OF COMMISSIONERS**  
**EXECUTIVE SUMMARY**

**SUBJECT:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

- RECOMMENDATION**
- POLICY DISCUSSION**
- STATUS REPORT**
- OTHER**

**BUDGET INFORMATION:**

**ANNUAL-** \_\_\_\_\_

**CAPITAL-** \_\_\_\_\_

**COMMISSION ACTION REQUESTED ON:** \_\_\_\_\_

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**PURPOSE:**

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**HISTORY:**

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**FACTS AND ISSUES:**

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**OPTIONS:**

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**RECOMMENDED SAMPLE MOTION:**

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**DEPARTMENT:**

Prepared by: \_\_\_\_\_

Director \_\_\_\_\_



# INMATE TELEPHONE SYSTEMS FOR DCSSO #249-15 RFP

Work Session 167 – April 23, 2015

# Overview

- One of the functions of the Sheriff is to provide a means of communication for individuals in his custody.
- Current contract has expired
  - ▣ \$60,000 signing bonus
  - ▣ 26% commission rate
- All funds currently accounted for in the Inmate Welfare Fund
  - ▣ Inmate Welfare Fund: This fund is used to account for funds collected from sale of goods and services to inmates. These monies are legally restricted for the benefit of detainees in the County Jail.



# Scope of Work

- Telephones:
  - 25 inmate telephones, 2 booking telephones, 1 ADA phone and 1 lobby payphone
- Kiosks:
  - Lobby and booking for users to put money on inmate account
- Software:
  - Online portal accessible from any computer, unlimited user licenses, user friendly and customizable programming and reports, investigative tools, software updates and upgrades as applicable, all recordings stored on vendor servers
- Ongoing training for staff:
  - Option of on site training, online tutorials, webinars or combination thereof, all at no charge
- Local and long distance services
- Voicemail services for inmates (new option not currently offered)
- 24/7 Customer Service for staff, inmates and family/friends

# Acquisition Strategy – Methodology

- Advertised in Legal Organ
- Posted on County Website
- Posted on GLGA Marketplace
- Posted on Georgia Procurement Registry
- Notification through GA Sheriff's Association Vendor list
- Notification through County's Facebook and Twitter accounts
- Notification through Chamber of Commerce
- Mandatory pre-bid meeting held February 6, 2015
- 7 vendors attended
- 6 bids received

# Evaluation Process

## □ Evaluation Committee:

Maj. Jeff Johnson, DCSO, Detention Center	Lt. David Lingerfelt, DCSO, Detention
Lt. Anne Martin, DCSO, Detention	David Simpson, Purchasing Director (Facilitator)

## □ Items considered:

Company Experience & Staff Backgrounds	Methodology & Approach to Scope of Work
Price Proposal	Schedule for Implementation
Financial Stability & Business Litigation	References

# Price Proposals

Vendor	Collect Call % to Vendor	Annual Signing Bonus	Implementation	Warranty
AmTel	46.20%	\$10,000 Pin Debit Credits only	60 days	N/A
ICSolutions - OPTION A	50%	\$20,000/ year for 5 years	45 days from NTP	Full warranty
ICSolutions - OPTION B	60%	\$10,000/year for 5 years	45 days from NTP	Full warranty
ICSolutions - OPTION C	75%	-	45 days from NTP	Full warranty
Infinity Networks, Inc. - OPTION A	52%	\$10,000 Pin Debit Credits only	Based on scope of work	Term of contract
Infinity Networks, Inc. - OPTION B	97%*	-	Based on scope of work	Term of contract
Lattice Inc.	67%	\$20,000	45 days from NTP	Support & Replacement for life of contract
Pay Tel Communications Inc	53%	\$10,000/ contract year	45 days from NTP	Service & Technology for life of contract and renewals
Securus - OPTION A (Incumbent)	65%	\$10,000 One time payment		Term of contract
Securus - OPTION B (Incumbent)	70%	\$20,000/year for 3 years		Term of contract

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# Evaluation Committee Results

Company	Points Allowed	AMTEL /ATN Inc.	ICSolutions	Infinity Networks	Lattice	PayTel Comm	Securus Tech (Incumbent)
<b>Company Experience &amp; Staff Backgrounds</b>	20	17	20	17	19	18.333	15.666
<b>Methodology &amp; Approach to Scope of Work</b>	25	19	23	16.666	20.333	21.333	16.666
<b>Price Proposal</b>	25	16	23	12.666	19.333	19.666	14.666
<b>Schedule</b>	10	11	10	8.333	8.333	8.333	9.333
<b>References</b>	10	6	10	6.666	7.333	9.333	8.666
<b>Financial Stability &amp; Business Litigation</b>	10	8	9	10	10	10	8.333
<b>Total Points</b>	100	75.67	95.33	71.33	84.33	87	73.333

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Red highlight denotes interview

# ICSolutions Fee Schedule

- Postal (Flat) Rates:
  - 18¢/minute for anywhere in USA
  - 50¢/minute for International calls
- **Option A – 50% Commission and \$100,000\***
- Option B – 60% Commission and \$50,000\*
- Option C – 75% Commission
- Voicemail Rates:
  - \$1.00 charge for each voicemail/50¢ commission on each

# Department Comments

- ❑ ICSolutions is a branch of Keefe (KCN), our current commissary provider
- ❑ Vendor has good history with providing direct inmate telephone services to local jails and state prison systems in GA and across the USA
- ❑ Calling rates are more straightforward than other providers
- ❑ Fees to inmates and families are less than most providers
- ❑ KCN representative has office at DCSO making it a smooth change over to ICS
- ❑ Integration with KCN Commissary and Banking Systems (Inmate Accounts)
- ❑ KCN reported a 9.5% increase in commissions in commissary commissions if we brought in ICSolutions
- ❑ Higher signing bonus will pay 175 unfunded mandates from the State (LiveScan fingerprint machine)

# References

- IC Solutions references were all extremely positive
- Provides services to the following GA Law

City of Atlanta	Floyd County Jail
Bulloch County	Jackson County
Coweta County	Mitchell County
Floyd County Correctional Institute	Terrell County
Any many more jails and prisons across the United States	



# Recommendation

Staff is respectfully requesting Board of Commissioners to approve Bid #249-15 RFP Inmate Telephone Systems for DCSO to the most responsible, responsive bidder Inmate Calling Solutions (ICS) out of San Antonio, TX and approve the contract with Option A as submitted beginning May 8, 2015. Additionally, all commissions and the signing bonus of \$100,000 (5 equal installations) will be accounted for in the Sheriff's Inmate Welfare Account.

## ANNUAL CONTRACT AND AGREEMENT

<b>Contract Start Date:</b>	<b>May 8, 2015</b>
<b>Contract End Date:</b>	<b>December 31, 2015</b>
<b>Contract Name:</b>	<b>Inmate Telephone Systems for DCSO</b>
<b>Vendor Name:</b>	<b>Inmate Calling Solutions, LLC</b>
<b>Address:</b>	<b>2200 Danbury Street San Antonio, TX 78217</b>
<b>Telephone No.:</b>	<b>678-488-0515</b>
<b>Contact Person:</b>	<b>Doug Bundy</b>
<b>Payment Terms:</b>	<b>Net 30 days</b>

This Agreement is hereby made and entered into this 7<sup>th</sup> day of May, 2015, by and between Dawson County, Georgia (hereinafter referenced as “County”) and Inmate Calling Solutions, a California limited liability corporation, (hereinafter referenced as “Contractor”).

The Request for Proposals received pursuant to Dawson County Project No. **#249-15 RFP Inmate Telephone Systems for Dawson County Sheriff’s Office** and addenda issued for the Request for Proposals referenced herein, and the Contractor’s bid are hereby incorporated herein by reference and made a part of this contract and agreement between the parties.

### 1. **Scope of Services**

Contractor shall furnish the services in accord with: the Request for Proposals and the addenda issued for the Request for Proposals set forth within “Exhibit A” that is hereto incorporated herein by reference. Such services shall be performed by employees or agents of the Contractor and not by employees of the County. If the services are to be provided or performed upon property owned or controlled by the County, then the Contractor’s employees shall abide by all rules established by the County.

### 2. **Term of Agreement**

This Agreement shall commence on the 8<sup>th</sup> day of May, 2015 and shall terminate on December 31, 2015 with four (4), one (1) calendar year renewals permitted if both parties agree. This contract shall be automatically renewed in accord with the terms hereof, unless the County takes action to terminate the Contract by providing thirty (30) days’ notice of the intent not to renew the terms thereof.

If, at any time, the County determines it is in its best interest to discontinue use of these services the County reserves the right to cancel this Agreement by giving thirty (30) days advance written notice.

### 3. **Multi-Year Contract**

This Contract and Agreement shall terminate absolutely and without further obligation on the part of the County at the close of the calendar year in which this Contract is executed and at the close of each succeeding calendar year for which the

Contract may be renewed. This Contract shall be automatically renewed in accord with the terms hereof, unless the County takes action to terminate the Contract by providing 30 days' notice of the intent not to renew the terms hereof.

The total obligation of the County for the calendar year of execution shall be in accordance with services rendered based on the rates provided under the Vendor's Price Proposal Form ("Exhibit B") in response to the Request for Proposals #249-15 RFP Inmate Telephone Systems for Dawson County Sheriff's Office. The total obligation that will be incurred in each calendar year renewal term, if renewed, shall be as in accordance with services rendered based on the rates provided under the Vendor's Price Proposal Form ("Exhibit B") in response to the Request for Proposals #249-15 RFP Inmate Telephone Systems for Dawson County Sheriff's Office. Title to any supplies, materials, equipment, or other personal property shall remain in the Contractor until fully paid for by the County.

This Contract shall terminate immediately and absolutely at such time as appropriated and otherwise unobligated funds are no longer available to satisfy the obligations of the County under the terms of this Contract or any renewal.

4. **Payment**

Compensation to the Contractor shall be as set forth in the Request for Proposals, any addenda issued for the Invitation for Bids, and the Contractor's Bid and shall constitute payment in full for work completed.

5. **Invoices**

All invoices from the Contractor shall include the purchase order number, a location description and an outline of work completed. The Contractor represents to the County that the Contractor is experienced and properly qualified to perform the functions to be performed by the Contractor in accord with the terms hereof and that the Contractor is properly equipped, organized and financially able to perform such functions. The Contractor shall operate as an independent contractor and not as an agent of the County, and neither the Contractor nor any of the Contractor's employees, servants, agents or subcontractors shall be deemed a partner, employee, servant or agent of the County. Neither party hereto shall have authority to bind the other party in respect.

The Contractor shall not assign, transfer, nor convey the terms of this Contract or any party hereof without written consent of the County.

6. **Indemnification/Limitation of Liability**

Contractor agrees to protect, defend, indemnify and hold harmless the County, the County's commissioners, agents and employees from and against any liability, damage, claim, including attorney fees and expenses of litigation, suit, lien, and judgment for injuries to or death of any person or damage to property or other rights of any person caused by the Contractor, the Contractor's employees, servants, agents or subcontractors. The Contractor's obligation to protect, defend, indemnify, and hold harmless extends to any claim for the alleged infringement of any patent, trademark, copyright, or any actual

or alleged unfair competition, disparagement of product or service, or other business tort or any actual or alleged violation of trade regulations arising out of the performance of Contractor's duties in accord with this Contract, as well as any other claim. The Contractor shall maintain worker's compensation and comprehensive general liability insurance in such form as to protect Contractor and the County with the County being named as an additional insured for any claims for damages or bodily injury, including death and damage to property that may arise from acts or omissions of Contractor under this Contract. The Contractor shall provide the County with a Certificate of Liability Insurance in an amount of not less than \$1,000,000.00 per occurrence to protect the Contractor. Such insurance shall be primary and non-contributing to any insurance maintained or obtained by the Contractor and shall not be cancelled or materially reduced without thirty (30) days prior notice to the County and approval by the County.

7. **Performance Standards**

The Contractor shall exercise care, skill and diligence commonly possessed and exercised by reasonably skillful and prudent persons who perform these services when performing obligations in accord with the terms of this Contract. The Contractor's performance will be evaluated monthly. If the terms hereof are not being satisfied as determined by the County, then the County shall notify the Contractor in writing of deficiencies, and the Contractor shall provide a written response detailing how any deficiencies shall be cured within thirty (30) days. If the deficiencies noted by the County are not properly corrected, then Dawson County may cancel this Agreement with no additional obligation owed to the Contractor.

8. **Change Order**

Any change order shall mean a written order to the Contractor executed by the County issued after the execution of this Contract and Agreement authorizing and directing a change in services. The price and time may be changed only through a change order. If the change order requires additional services or directs the omission of certain services covered by this Contract, then an equitable adjustment in price shall be made, but any claim for any such adjustment shall be asserted within thirty (30) days of receipt of the written change order.

9. **Confidential Information**

While performing services for the County, the Contractor shall not disclose any confidential business information that may become known to the Contractor. Personnel acting on behalf of the Contractor shall be instructed to not remove any of the County's documents or materials and to not disclose any confidential information to any persons other than County personnel, unless written authorization from the County is provided.

All documents and materials prepared pursuant to the Bid and this Contract shall be the property of Dawson County. The County shall have the unrestricted authority to publish, disclose, distribute and otherwise use, in whole or in part, any reports, data, maps, or other materials prepared in accord with the terms of this Contract and Agreement.

**10. Litigation and Arbitration**

The County and the Contractor agree to resolve through negotiation, mediation or arbitration any disputes between the parties arising out of or relating to this Contract and Agreement. If the parties do not resolve the dispute through negotiation and do not agree to mediation, then arbitration shall be the exclusive and final method of resolving any disputes related to this Agreement. Arbitration proceedings shall be in accord with O.C.G.A. § 9-9-1, et seq., the Georgia Arbitration Code. Venue for any litigation arising from this Contract shall be the Superior Court of Dawson County, Georgia. A demand for arbitration shall be made within a reasonable term after the claim, dispute or other matter in question occurs, but not later than one-hundred and eighty (180) days after such claim, dispute or other matter.

**11. Notices**

Any notice required in accord with the terms hereof shall be delivered via certified mail or commercial delivery service as follows:

County:

Contractor:

Dawson County Board of Commissioners  
ATTN: Purchasing Director  
25 Justice Way, Suite 2223  
Dawsonville, GA 30534

Inmate Calling Solutions, LLC  
ATTN: Doug Bundy  
2200 Danbury Street  
San Antonio, TX 78217

**IN WITNESS WHEREOF**, the parties hereto have set their hands and seals this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

**DAWSON COUNTY, GEORGIA**

**By:** \_\_\_\_\_  
**Name:** Mike Berg  
**Title:** Chairman, BOC

**By:** \_\_\_\_\_  
**Name:** Billy Carlisle  
**Title:** Sheriff

**Attest:**

**By:** \_\_\_\_\_  
**Name:** Danielle Yarbrough  
**Title:** County Clerk

**CONTRACTOR:**

**Attest:**

**By:** \_\_\_\_\_  
**Name:** \_\_\_\_\_  
**Title:** \_\_\_\_\_

**By:** \_\_\_\_\_  
**Name:** \_\_\_\_\_  
**Title:** \_\_\_\_\_

**Backup material for agenda item:**

5. Approval to move forward with public hearings on May 21, 2015 and June 4, 2015 for the Dawson County Soil Erosion and Sedimentation Control Ordinance Update



# DAWSON COUNTY BOARD OF COMMISSIONERS AGENDA REQUEST

All items requiring action by the Commissioners must be presented first at a work session. The following information should be provided for each item.

No item will be considered for a work session until the Department has received authorization on the item by the County Manager.

Form must be submitted to the County Clerk 10 days prior to the meeting date.

Department: Planning & Development

Presenter: Robbie Irvin

Submitted By: Rachel Burton

Date Submitted: 4/13/2015

Item of Business/Agenda Title: Dawson County Soil Erosion and Sedimentation Control Ordinance Update

**Attach an Executive Summary fully describing all elements of the item of business.  (Attached)**

### THE ITEM IS FOR:

**Work Session presentation only**  
(no action needed)

OR  **Commission Action Needed.**

Is there a deadline on this item? If so, Explain: No

Purpose of Request: Approval of public hearings for Soil Erosion and Sedimentation Control Ordinance Update

Department Recommendation: Director Burton recommends approval to send to public hearing on 5/21/15 and 6/4/2015.

If the action involves a Resolution, Ordinance, Contract, Agreement, etc. has it been reviewed by the County Attorney?

Yes Explanation/ Additional Information:

No

If funding is involved, are funds approved within the current budget? **If Yes, Finance Authorization is Required Below.**

Yes Explanation/ Additional Information:

No

Amount Requested:

Amount Budgeted:

Fund Name and Account Number:

### Administration Staff Authorization

Dept. Head Authorization: Rachel Burton Date: 4/13/2015

Finance Dept. Authorization: N/A Date: \_\_\_\_\_

County Manager Authorization: \_\_\_\_\_ Work Session Date: 4/23/2015

Comments: \_\_\_\_\_



**DAWSON COUNTY BOARD OF COMMISSIONERS**  
**EXECUTIVE SUMMARY**

**SUBJECT:** Dawson County Soil Erosion and Sedimentation Control Ordinance Update

**DATE:** 4/13/2015

**BUDGET INFORMATION:**

**ANNUAL-** \_\_\_\_\_

**CAPITAL-** \_\_\_\_\_

- RECOMMENDATION
- POLICY DISCUSSION
- STATUS REPORT
- OTHER

**COMMISSION ACTION REQUESTED ON:** May 7, 2015

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**PURPOSE:** Approval of public hearings for Soil Erosion and Sedimentation Control Ordinance Update to be held on 5/21/15 and 6/4/15.

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**HISTORY:** Dawson County was required to obtain coverage under the NPDES General Permit GAG6100 since we were designated as a small MS4. The MS4 program requires specific language in this ordinance to address construction site pollution prevention.

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**FACTS AND ISSUES:** This is an update to our current Soil Erosion and Sedimentation Control Ordinance to include the state model ordinance exemptions for single family residences and other projects which disturb less than a specifically designated volume of disturbance, correct the designated volume of disturbance, and match BMPs in the model ordinance.

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**OPTIONS:**

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**RECOMMENDED SAMPLE MOTION:** Make a motion to send the Dawson County Soil Erosion and Sedimentation Control Ordinance update to public hearing on 5/21/15 and 6/4/15.

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**DEPARTMENT:** Planning & Development

Prepared by: Rachel Burton

Director Rachel Burton

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**AN ORDINANCE OF  
DAWSON COUNTY BOARD OF COMMISSIONERS**

**TO ENACT, AMEND, AND UPDATE THE SOIL EROSION AND  
SEDIMENTATION CONTROL ORDINANCE; TO REPEAL CONFLICTING  
ORDINANCES; TO PROVIDE FOR SEVERABILITY; AND FOR OTHER PURPOSES.**

It is hereby ordained by the Board of Commissioners of Dawson County, Georgia as follows:

**Section 1. Title**

This ordinance shall be known as the “Dawson County Soil Erosion and Sedimentation Control Ordinance.”

**Section 2. Definitions**

**Best Management Practices (BMPs):** These include sound conservation and engineering practices to prevent and minimize erosion and resultant sedimentation, which are consistent with, and no less stringent than, those practices contained in the ‘Manual for Erosion and Sediment Control in Georgia’ published by the Commission as of January 1 of the year in which the land-disturbing activity was permitted.

**Board:** The Board of Natural Resources.

**Buffer:** The area of land immediately adjacent to the banks of state waters in its natural state of vegetation, which facilitates the protection of water quality and aquatic habitat.

**Certified Personnel:** A person who has successfully completed the appropriate certification course approved by the Georgia Soil and Water Conservation Commission.

**Commission:** The Georgia Soil and Water Conservation Commission (GSWCC).

**CPESC:** Certified Professional in Erosion and Sediment Control with current certification by Certified Profession in Erosion and Sediment Control Inc., a corporation registered in North Carolina, which is also referred to as CPESC or CPESC, Inc.

**Cut:** A portion of land surface or area from which earth has been removed or will be removed by excavation; the depth below original ground surface to the excavated surface. Also known as excavation.

**Dawson County Planning and Development Department:** The Department within Dawson County Government responsible for the implementation and enforcement of this ordinance.

**Department:** The Georgia Department of Natural Resources (DNR).

**Design Professional:** A professional licensed by the State of Georgia in the field of: engineering, architecture, landscape architecture, forestry, geology, or land surveying; or a person that is a Certified Professional in Erosion and Sediment Control (CPESC) with a current certification by Certified Professional in Erosion and Sediment Control Inc.

**Director:** The Director of the Environmental Protection Division or an authorized representative.

**District:** The Upper Chattahoochee Soil and Water Conservation District.

**Division:** The Environmental Protection Division (EPD) of the Department of Natural Resources.

**Drainage Structure:** A device composed of a virtually nonerodible material such as concrete, steel, plastic or other such material that conveys water from one place to another by intercepting the flow and carrying it to a release point for storm water management, drainage control, or flood control purposes.

**Erosion:** The process by which land surface is worn away by the action of wind, water, ice or gravity.

**Erosion, Sedimentation and Pollution Control Plan:** A plan required by the Erosion and Sedimentation Act, O.C.G.A. Chapter 12-7, that includes, as a minimum protections at least as stringent as the State General Permit, best management practices, and requirements in section IV.C. of this ordinance.

**Fill:** A portion of land surface to which soil or other solid material has been added; the depth above the original ground surface or an excavation.

**Final Stabilization:** All soil disturbing activities at the site have been completed, and that for unpaved areas and areas not covered by permanent structures and areas located outside the waste disposal limits of a landfill cell that has been certified by EPD for waste disposal, 100% of the soil surface is uniformly covered in permanent vegetation with a density of 70% or greater, or equivalent permanent stabilization measures (such as the use of rip rap, gabions, permanent mulches or geotextiles) have been used. Permanent vegetation shall consist of: planted trees, shrubs, perennial vines; a crop of perennial vegetation appropriate for the time of year and region; or a crop of annual vegetation and a seeding of target crop perennials appropriate for the region. Final stabilization applies to each phase of construction.

**Finished Grade:** The final elevation and contour of the ground after cutting or filling and conforming to the proposed design.

**Grading:** Altering the shape of ground surfaces to a predetermined condition; this includes stripping, cutting, filling, stockpiling and shaping or any combination thereof and shall include the land in its cut or filled condition.

**Ground Elevation:** The original elevation of the ground surface prior to cutting or filling.

**Land-Disturbing Activity:** Any activity which may result in soil erosion from water or wind and the movement of sediments into state waters or onto lands within the state, including, but not limited to, clearing, dredging, grading, excavating, transporting, and filling of land but not including agricultural practices as described in Section III, Paragraph 5.

**Larger Common Plan of Development or Sale:** A contiguous area where multiple separate and distinct construction activities are occurring under one plan of development or sale. For the purposes of this paragraph, “plan” means an announcement; piece of documentation such as a sign, public notice or hearing, sales pitch, advertisement, drawing, permit application, zoning request, or computer design; or physical demarcation such as boundary signs, lot stakes, or surveyor markings, indicating that construction activities may occur on a specific plot.

**Local Issuing Authority:** The governing authority of any county or municipality which is certified pursuant to subsection (a) O.C.G.A. 12-7-8. For the purposes of this ordinance the Local Issuing Authority is the Dawson County Planning and Development Department.

**Metropolitan River Protection Act (MRPA):** A state law referenced as O.C.G.A. 12-5-440 et.seq. which addresses environmental and developmental matters in certain metropolitan river corridors and their drainage basins.

**Natural Ground Surface:** The ground surface in its original state before any grading, excavation or filling.

**Nephelometric Turbidity Units (NTU):** Numerical units of measure based upon photometric analytical techniques for measuring the light scattered by finely divided particles of a substance in suspension. This technique is used to estimate the extent of turbidity in water in which colloiddally dispersed or suspended particles are present.

**NOI:** A Notice of Intent form provided by EPD for coverage under the State General Permit.

**NOT:** A Notice of Termination form provided by EPD to terminate coverage under the State General Permit.

**Operator:** The party or parties that have: (A) operational control of construction project plans and specifications, including the ability to make modifications to those plans and specifications; or (B) day-to-day operational control of those activities that are necessary to ensure compliance with an erosion, sedimentation and pollution control plan for the site or other permit conditions,

such as a person authorized to direct workers at a site to carry out activities required by the erosion, sedimentation and pollution control plan or to comply with other permit conditions.

**Outfall:** The location where storm water in a discernible, confined and discrete conveyance, leaves a facility or site or, if there is a receiving water on site, becomes a point source discharging into that receiving water.

**Permit:** The authorization necessary to conduct a land-disturbing activity under the provisions of this ordinance.

**Person:** Any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, state agency, municipality or other political subdivision of the State of Georgia, any interstate body or any other legal entity.

**Phase or Phased:** Sub-parts or segments of construction projects where the sub-part or segment is constructed and stabilized prior to completing construction activities on the entire construction site.

**Project:** The entire proposed development project regardless of the size of the area of land to be disturbed.

**Properly Designed:** Designed in accordance with the design requirements and specifications contained in the “Manual for Erosion and Sediment Control in Georgia” (Manual) published by the Georgia Soil and Water Conservation Commission as of January 1 of the year in which the land-disturbing activity was permitted and amendments to the Manual as approved by the Commission up until the date of NOI submittal.

**Roadway Drainage Structure:** A device such as a bridge, culvert, or ditch, composed of a virtually nonerodible material such as concrete, steel, plastic, or other such material that conveys water under a roadway by intercepting the flow on one side of a traveled roadway consisting of one or more defined lanes, with or without shoulder areas, and carrying water to a release point on the other side.

**Sediment:** Solid material, both organic and inorganic, that is in suspension, is being transported, or has been moved from its site of origin by wind, water, ice, or gravity as a product of erosion.

**Sedimentation:** The process by which eroded material is transported and deposited by the action of water, wind, ice or gravity.

**Soil and Water Conservation District Approved Plan:** An erosion, sedimentation and pollution control plan approved in writing by the Upper Chattahoochee Soil and Water Conservation District.

**Stabilization:** The process of establishing an enduring soil cover of vegetation by the installation of temporary or permanent structures for the purpose of reducing to a minimum the erosion process and the resultant transport of sediment by wind, water, ice or gravity.

**State General Permit:** The National Pollution Discharge Elimination System (NPDES) general permit or permits for storm water runoff from construction activities as is now in effect or as may be amended or reissued in the future pursuant to the state's authority to implement the same through federal delegation under the Federal Water Pollution Control Act, as amended, 33 U.S.C. Section 1251, et seq., and subsection (f) of Code Section 12-5-30.

**State Waters:** Any and all rivers, streams, creeks, branches, lakes, reservoirs, ponds, drainage systems, springs, wells, and other bodies of surface or subsurface water, natural or artificial, lying within or forming a part of the boundaries of Georgia which are not entirely confined and retained completely upon the property of a single individual, partnership, or corporation.

**Structural Erosion, Sedimentation and Pollution Control Practices:** Practices for the stabilization of erodible or sediment-producing areas by utilizing the mechanical properties of matter for the purpose of either changing the surface of the land or storing, regulating or disposing of runoff to prevent excessive sediment loss. Examples of structural erosion and sediment control practices are riprap, sediment basins, dikes, level spreaders, waterways or outlets, diversions, grade stabilization structures and sediment traps, etc. Such practices can be found in the publication *Manual for Erosion and Sediment Control in Georgia*.

**Trout Streams:** All streams or portions of streams within the watershed as designated by the Wildlife Resources Division of the Georgia Department of Natural Resources under the provisions of the Georgia Water Quality Control Act, O.C.G.A. 12-5-20, in the rules and regulations for Water Quality Control, Chapter 391-3-6 at [www.gaepd.org](http://www.gaepd.org). Streams designated as primary trout waters are defined as water supporting a self-sustaining population of rainbow, brown or brook trout. Streams designated as secondary trout waters are those in which there is no evidence of natural trout reproduction, but are capable of supporting trout throughout the year. First order trout waters are streams into which no other streams flow except springs.

**Vegetative Erosion and Sedimentation Control Measures:** Measures for the stabilization of erodible or sediment-producing areas by covering the soil with:

- a. Permanent seeding, sprigging or planting, producing long-term vegetative cover, or
- b. Temporary seeding, producing short-term vegetative cover; or
- c. Sodding, covering areas with a turf of perennial sod-forming grass.

Such measures can be found in the publication *Manual for Erosion and Sediment Control in Georgia*.

**Watercourse:** Any natural or artificial watercourse, stream, river, creek, channel, ditch, canal, conduit, culvert, drain, waterway, gully, ravine, or wash in which water flows either continuously or intermittently and which has a definite channel, bed and banks, and including any area adjacent thereto subject to inundation by reason of overflow or floodwater.

**Wetlands:** Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

### **Section 3. Exemptions**

This ordinance shall apply to any land-disturbing activity undertaken by any person on any land except for the following:

- (1) Surface mining, as the same is defined in O.C.G.A. 12-4-72, "The Georgia Surface Mining Act of 1968";
- (2) Granite quarrying and land clearing for such quarrying;
- (3) Such minor land-disturbing activities as home gardens and individual home landscaping, repairs, maintenance work, and other related activities which result in minor soil erosion.
- (4) The construction of single-family residences, when such construction disturbs less than one (1) acre and is not a part of a larger common plan of development or sale with a planned disturbance of equal to or greater than one (1) acre and not otherwise exempted under this paragraph; provided, however, that construction of any such residence shall conform to the minimum requirements as set forth in O.C.G.A. 12-7-6 and this paragraph. For single-family residence construction covered by the provisions of this paragraph, there shall be a buffer zone between the residence and any state waters classified as trout streams pursuant to Article 2 of Chapter 5 of the Georgia Water Quality Control Act. In any such buffer zone, no land-disturbing activity shall be constructed between the residence and the point where vegetation has been wrested by normal stream flow or wave action from the banks of the trout waters. For primary trout waters, the buffer zone shall be at least 50 horizontal feet, and no variance to a smaller buffer shall be granted. For secondary trout waters, the buffer zone shall be at least 50 horizontal feet, but the Director may grant variances to no less than 25 feet. Regardless of whether a trout stream is primary or secondary, for first order trout waters, which are streams into which no other streams flow except for springs, the buffer shall be at least 25 horizontal feet, and no variance to a smaller buffer shall be granted. The minimum requirements of subsection (b) of O.C.G.A. 12-7-6 and the buffer zones provided by this paragraph shall be enforced by the Local Issuing Authority;

- (5) Agricultural operations as defined in O.C.G.A. § 1-3-3, “definitions”, to include raising, harvesting or storing of products of the field or orchard; feeding, breeding or managing livestock or poultry; producing or storing feed for use in the production of livestock, including but not limited to cattle, calves, swine, hogs, goats, sheep, and rabbits or for use in the production of poultry, including but not limited to chickens, hens and turkeys; producing plants, trees, fowl, or animals; the production of aqua culture, horticultural, dairy, livestock, poultry, eggs and apiarian products; farm buildings and farm ponds;
- (6) Forestry land management practices, including harvesting; provided, however, that when such exempt forestry practices cause or result in land -disturbing or other activities otherwise prohibited in a buffer, as established in paragraphs (15) and (16) of Section IV C. of this ordinance, no other land-disturbing activities, except for normal forest management practices, shall be allowed on the entire property upon which the forestry practices were conducted for a period of three years after completion of such forestry practices;
- (7) Any project carried out under the technical supervision of the Natural Resources Conservation Service of the United States Department of Agriculture;
- (8) Any project involving less than one (1) acre of disturbed area; provided, however, that this exemption shall not apply to any land disturbing activity within a larger common plan of development or sale with a planned disturbance of equal to or greater than one (1) acre or within 200 feet of the bank of any state waters, and for purposes of this paragraph, “State Waters” excludes channels and drainageways which have water in them only during and immediately after rainfall events and intermittent streams which do not have water in them year- round; provided, however, that any person responsible for a project which involves less than one acre, which involves land disturbing activity, and which is within 200 feet of any such excluded channel or drainageway, must prevent sediment from moving beyond the boundaries of the property on which such project is located and provided, further, that nothing contained herein shall prevent the Local Issuing Authority from regulating any such project which is not specifically exempted by paragraphs 1, 2, 3, 4, 5, 6, 7, 9 or 10 of this section;
- (9) Construction or maintenance projects, or both, undertaken or financed in whole or in part, or both, by the Department of Transportation, the Georgia Highway Authority, or the State Tollway Authority; or any road construction or maintenance project, or both, undertaken by any county or municipality; provided, however, that construction or maintenance projects of the Department of Transportation or the State Tollway Authority which disturb one or more contiguous acres of land shall be subject to provisions of O.C.G.A. 12-7-7.1; except where the Department of Transportation, the Georgia Highway Authority, or the State Road and Tollway Authority is a secondary permittee for a project located within a larger common plan of development or sale under the state general permit, in which case a copy of a notice of intent under the state general permit shall be

submitted to the Local Issuing Authority, the Local Issuing Authority shall enforce compliance with the minimum requirements set forth in O.C.G.A. 12-7-6 as if a permit had been issued, and violations shall be subject to the same penalties as violations by permit holders;

- (10) Any land-disturbing activities conducted by any electric membership corporation or municipal electrical system or any public utility under the regulatory jurisdiction of the Public Service Commission, any utility under the regulatory jurisdiction of the Federal Energy Regulatory Commission, any cable television system as defined in O.C.G.A. 36-18-1, or any agency or instrumentality of the United States engaged in the generation, transmission, or distribution of power; except where an electric membership corporation or municipal electrical system or any public utility under the regulatory jurisdiction of the Public Service Commission, any utility under the regulatory jurisdiction of the Federal Energy Regulatory Commission, any cable television system as defined in O.C.G.A. 36-18-1, or any agency or instrumentality of the United States engaged in the generation, transmission, or distribution of power is a secondary permittee for a project located within a larger common plan of development or sale under the state general permit, in which case the Local Issuing Authority shall enforce compliance with the minimum requirements set forth in O.C.G.A. 12-7-6 as if a permit had been issued, and violations shall be subject to the same penalties as violations by permit holders; and
- (11) Any public water system reservoir.

#### **Section 4. Minimum Requirements for Erosion and Sedimentation Control Using Best Management Practices**

##### **A. General Provisions**

Excessive soil erosion and resulting sedimentation can take place during land-disturbing activities if requirements of the ordinance and the NPDES General Permit are not met. Therefore, plans for those land-disturbing activities which are not exempted by this ordinance shall contain provisions for application of soil erosion, sedimentation and pollution control measures and practices. The provisions shall be incorporated into the erosion, sedimentation and pollution control plans. Soil erosion, sedimentation and pollution control measures and practices shall conform to the minimum requirements of Section IV B. & C. of this ordinance. The application of measures and practices shall apply to all features of the site, including street and utility installations, drainage facilities and other temporary and permanent improvements. Measures shall be installed to prevent or control erosion, sedimentation and pollution during all stages of any land-disturbing activity in accordance with requirements of this ordinance and the NPDES General Permit.



B. Minimum Requirements/BMP'S

- (1) Best management practices as set forth in Section IV B. & C. of this ordinance shall be required for all land-disturbing activities. Proper design, installation, and maintenance of best management practices shall constitute a complete defense to any action by the Director or to any other allegation of noncompliance with paragraph (2) of this subsection or any substantially similar terms contained in a permit for the discharge of stormwater issued pursuant to subsection (f) of Code Section 12-5-30, the "Georgia Water Quality Control Act". As used in this subsection the terms "proper design" and "properly designed" mean designed in accordance with the hydraulic design specifications contained in the "Manual for Erosion and Sediment Control in Georgia" specified in O.C.G.A. 12-7-6 subsection(b).
- (2) A discharge of stormwater runoff from disturbed areas where best management practices have not been properly designed, installed, and maintained shall constitute a separate violation of any land-disturbing permit issued by a Local Issuing Authority or by the Division or of any general permit for construction activities issued by the Division pursuant to subsection (f) of Code Section 12-5-30, the "Georgia Water Quality Control Act", for each day on which such discharge results in the turbidity of receiving waters being increased by more than 25 nephelometric turbidity units for waters supporting warm water fisheries or by more than ten nephelometric turbidity units for waters classified as trout waters. The turbidity of the receiving waters shall be measured in accordance with guidelines to be issued by the Director. This paragraph shall not apply to any land disturbance associated with the construction of single family homes which are not part of a larger common plan of development or sale unless the planned disturbance for such construction is equal to or greater than five acres.
- (3) Failure to properly design, install, or maintain best management practices shall constitute a violation of any land-disturbing permit issued by a Local Issuing Authority or by the Division or any general permit for construction activities issued by the Division pursuant to subsection (f) of Code Section 12-5-30, the "Georgia Water Quality Control Act", for each day on which such failure occurs.
- (4) The Director may require, in accordance with regulations adopted by the Board, reasonable and prudent monitoring of the turbidity level of receiving waters into which discharges from land disturbing activities occur.
- (5) The LIA may set more stringent buffer requirements than stated in C.15 and 16., in light of O.C.G.A. § 12-7-6 (c).

C. The rules and regulations, ordinances, or resolutions adopted pursuant to O.C.G.A. 12-7-1 et. seq. for the purpose of governing land-disturbing activities shall require, as a minimum, protections at least as stringent as the state general permit; and best management practices,

including sound conservation and engineering practices to prevent and minimize erosion and resultant sedimentation, which are consistent with, and no less stringent than, those practices contained in the *Manual for Erosion and Sediment Control in Georgia* published by the Georgia Soil and Water Conservation Commission as of January 1 of the year in which the land-disturbing activity was permitted, as well as the following:

- (1) Stripping of vegetation, regrading and other development activities shall be conducted in a manner so as to minimize erosion;
- (2) Cut-fill operations must be kept to a minimum;
- (3) Development plans must conform to topography and soil type so as to create the lowest practicable erosion potential;
- (4) Whenever feasible, natural vegetation shall be retained, protected and supplemented;
- (5) The disturbed area and the duration of exposure to erosive elements shall be kept to a practicable minimum;
- (6) Disturbed soil shall be stabilized as quickly as practicable;
- (7) Temporary vegetation or mulching shall be employed to protect exposed critical areas during development;
- (8) Permanent vegetation and structural erosion control practices shall be installed as soon as practicable;
- (9) To the extent necessary, sediment in runoff water must be trapped by the use of debris basins, sediment basins, silt traps, or similar measures until the disturbed area is stabilized. As used in this paragraph, a disturbed area is stabilized when it is brought to a condition of continuous compliance with the requirements of O.C.G.A. § 12-7-1 et. seq.;
- (10) Adequate provisions must be provided to minimize damage from surface water to the cut face of excavations or the sloping of fills;
- (11) Cuts and fills may not endanger adjoining property;
- (12) Fills may not encroach upon natural watercourses or constructed channels in a manner so as to adversely affect other property owners;
- (13) Grading equipment must cross flowing streams by means of bridges or culverts except when such methods are not feasible, provided, in any case that such crossings are kept to a minimum;

- (14) Land-disturbing activity plans for erosion and sedimentation control shall include provisions for treatment or control of any source of sediments and adequate sedimentation control facilities to retain sediments on-site or preclude sedimentation of adjacent waters beyond the levels specified in Section IV B.2. of this ordinance;
- (15) Except as provided in paragraph (20) of this subsection, there is established a 25 foot buffer along the banks of all state waters, as measured horizontally from the point where vegetation has been wrested by normal stream flow or wave action, except where the Director determines to allow a variance that is at least as protective of natural resources and the environment, where otherwise allowed by the Director pursuant to O.C.G.A. § 12-2-8, or where a drainage structure or a roadway drainage structure must be constructed, provided that adequate erosion control measures are incorporated in the project plans and specifications, and are implemented; or along any ephemeral stream. As used in this provision, the term 'ephemeral stream' means a stream: that under normal circumstances has water flowing only during and for a short duration after precipitation events; that has the channel located above the ground-water table year round; for which ground water is not a source of water; and for which runoff from precipitation is the primary source of water flow, Unless exempted as along an ephemeral stream, the buffers of at least 25 feet established pursuant to part 6 of Article 5, Chapter 5 of Title 12, the "Georgia Water Quality Control Act", shall remain in force unless a variance is granted by the Director as provided in this paragraph. The following requirements shall apply to any such buffer:
- A. No land-disturbing activities shall be conducted within a buffer and a buffer shall remain in its natural, undisturbed state of vegetation until all land-disturbing activities on the construction site are completed. Once the final stabilization of the site is achieved, a buffer may be thinned or trimmed of vegetation as long as a protective vegetative cover remains to protect water quality and aquatic habitat and a natural canopy is left in sufficient quantity to keep shade on the stream bed; provided, however, that any person constructing a single-family residence, when such residence is constructed by or under contract with the owner for his or her own occupancy, may thin or trim vegetation in a buffer at any time as long as protective vegetative cover remains to protect water quality and aquatic habitat and a natural canopy is left in sufficient quantity to keep shade on the stream bed; and
  - B. The buffer shall not apply to the following land-disturbing activities, provided they occur at an angle, as measured from the point of crossing, within 25 degrees of perpendicular to the stream; cause a width of disturbance of not more than 50 feet within the buffer; and adequate erosion control measures are incorporated into the project plans and specifications and are implemented: (i) Stream Crossings for water lines; or (ii) Stream crossings for sewer lines; and
- (16) There is established a 50 foot buffer as measured horizontally from the point where

vegetation has been wrested by normal stream flow or wave action along the banks of any state waters classified as “trout streams” pursuant to Article 2 of Chapter 5 of Title 12, the “Georgia Water Quality Control Act”, except where a roadway drainage structure must be constructed; provided, however, that small springs and streams classified as trout streams which discharge an average annual flow of 25 gallons per minute or less shall have a 25 foot buffer or they may be piped, at the discretion of the landowner, pursuant to the terms of a rule providing for a general variance promulgated by the Board, so long as any such pipe stops short of the downstream landowner’s property and the landowner complies with the buffer requirement for any adjacent trout streams. The Director may grant a variance from such buffer to allow land-disturbing activity, provided that adequate erosion control measures are incorporated in the project plans and specifications and are implemented. The following requirements shall apply to such buffer:

- A. No land-disturbing activities shall be conducted within a buffer and a buffer shall remain in its natural, undisturbed, state of vegetation until all land-disturbing activities on the construction site are completed. Once the final stabilization of the site is achieved, a buffer may be thinned or trimmed of vegetation as long as a protective vegetative cover remains to protect water quality and aquatic habitat and a natural canopy is left in sufficient quantity to keep shade on the stream bed: provided, however, that any person constructing a single-family residence, when such residence is constructed by or under contract with the owner for his or her own occupancy, may thin or trim vegetation in a buffer at any time as long as protective vegetative cover remains to protect water quality and aquatic habitat and a natural canopy is left in sufficient quantity to keep shade on the stream bed; and
- B. The buffer shall not apply to the following land-disturbing activities, provided they occur at an angle, as measured from the point of crossing, within 25 degrees of perpendicular to the stream; cause a width of disturbance of not more than 50 feet within the buffer; and adequate erosion control measures are incorporated into the project plans and specifications and are implemented: (i) Stream Crossings for water lines; or (ii) Stream crossings for sewer lines.

(17) Construction site operators shall control waste at the construction site, such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste.

- D. Nothing contained in O.C.G.A. 12-7-1 et. seq. shall prevent any Local Issuing Authority from adopting rules and regulations, ordinances, or resolutions which contain stream buffer requirements that exceed the minimum requirements in Section IV B. & C. of this ordinance.

- E. The fact that land-disturbing activity for which a permit has been issued results in injury to the property of another shall neither constitute proof of nor create a presumption of a violation of the standards provided for in this ordinance or the terms of the permit.

## **Section 5. Application/Permit Process**

### **A. General**

The property owner, developer and designated planners and engineers shall design and review before submittal the general development plans. The Local Issuing Authority shall review the tract to be developed and the area surrounding it. They shall consult the zoning ordinance, storm water management ordinance, subdivision ordinance, flood damage prevention ordinance, this ordinance, and any other ordinances, rules, regulations or permits, which regulate the development of land within the jurisdictional boundaries of the Local Issuing Authority. However, the property owner is the only party who may obtain a permit.

### **B. Application Requirements**

- (1) No person shall conduct any land-disturbing activity within the jurisdictional boundaries of Dawson County without first obtaining a permit from the Dawson County Planning and Development Department to perform such activity.
- (2) The application for a permit shall be submitted to the Dawson County Planning and Development Department and must include the applicant's erosion and sedimentation control plan with supporting data, as necessary. Said plans shall include, as a minimum, the data specified in Section V C. of this ordinance. Soil erosion and sedimentation control plans shall conform to the provisions of Section IV B. & C. of this ordinance. Applications for a permit will not be accepted unless accompanied by three copies of the applicant's soil erosion and sedimentation control plans. All applications shall contain a certification stating that the plan preparer or the designee thereof visited the site prior to creation of the plan or that such a visit was not required in accordance with rules and regulations established by the board.
- (3) Fees shall be charged in accordance with the Dawson County Planning and Development Department Fee Schedule.
- (4) In addition to the local (those assessed by the Dawson County Planning and Development Department) permitting fees, fees will also be assessed pursuant to paragraph (5) subsection (a) of O.C.G.A. 12-5-23, provided that such fees shall not exceed \$80.00 per acre of land-disturbing activity, and these fees shall be calculated and paid by the primary permittee as defined in the state general permit for each acre of land-disturbing activity included in the planned development or each phase of development. All applicable fees shall be paid prior to issuance of the land disturbance permit. In a jurisdiction that is

certified pursuant to subsection (a) of O.C.G.A. 12-7-8 half of such fees levied shall be submitted to the division; except that any and all fees due from an entity which is required to give notice pursuant to paragraph (9) or (10) of O.C.G.A. 12-7-17 shall be submitted in full to the division, regardless of the existence of a Local Issuing Authority in the jurisdiction.

- (5) Immediately upon receipt of an application and plan for a permit, the Local Issuing Authority shall refer the application and plan to the District for its review and approval or disapproval concerning the adequacy of the erosion and sedimentation control plan. A District shall approve or disapprove a plan within 35 days of receipt. Failure of a District to act within 35 days shall be considered an approval of the pending plan. The results of the District review shall be forwarded to the Local Issuing Authority. No permit will be issued unless the plan has been approved by the District, and any variances required by Section IV C. 15. & 16. and bonding, if required as per Section V B.7.(b), have been obtained. Such review will not be required if the Local Issuing Authority and the District have entered into an agreement which allows the Local Issuing Authority to conduct such review and approval of the plan without referring the application and plan to the District. The Local Issuing Authority with plan review authority shall approve or disapprove a revised Plan submittal within 35 days of receipt. Failure of the Local Issuing Authority with plan review authority to act within 35 days shall be considered an approval of the revised Plan submittal.
- (6) If a permit applicant has had two or more violations of previous permits, this ordinance section, or the Erosion and Sedimentation Act, as amended, within three years prior to the date of filing of the application under consideration, the Local Issuing Authority may deny the permit application.
- (7) The Issuing Authority may require the permit applicant to post a bond in the form of government security, cash, irrevocable letter of credit, or any combination thereof up to, but not exceeding, \$3,000.00 per acre or fraction thereof of the proposed land-disturbing activity, prior to issuing the permit. If the applicant does not comply with this ordinance or with the conditions of the permit after issuance, the Local Issuing Authority may call the bond or any part thereof to be forfeited and may use the proceeds to hire a contractor to stabilize the site of the land-disturbing activity and bring it into compliance. These provisions shall not apply unless there is in effect an ordinance or statute specifically providing for hearing and judicial review of any determination or order of the Local Issuing Authority with respect to alleged permit violations.

### C. Plan Requirements

- (1) Plans must be prepared to meet the minimum requirements as contained in Section IV B. & C. of this ordinance, or through the use of more stringent, alternate design criteria which conform to sound conservation and engineering practices. The *Manual for*

*Erosion and Sediment Control in Georgia* is hereby incorporated by reference into this ordinance. The plan for the land-disturbing activity shall consider the interrelationship of the soil types, geological and hydrological characteristics, topography, watershed, vegetation, proposed permanent structures including roadways, constructed waterways, sediment control and storm water management facilities, local ordinances and State laws. Maps, drawings and supportive computations shall bear the signature and seal of the certified design professional. Persons involved in land development design, review, permitting, construction, monitoring, or inspections or any land disturbing activity shall meet the education and training certification requirements, dependent on his or her level of involvement with the process, as developed by the Commission and in consultation with the Division and the Stakeholder Advisory Board created pursuant to O.C.G.A. 12-7-20.

- (2) Data Required for Site Plan shall include all the information required from the appropriate Erosion, Sedimentation and Pollution Control Plan Review Checklist established by the Commission as of January 1 of the year in which the land-disturbing activity was permitted.
- (3) Maintenance of all soil erosion and sedimentation control practices, whether temporary or permanent, shall be at all times the responsibility of the property owner.

#### D. Permits

- (1) Permits shall be issued or denied as soon as practicable but in any event not later than forty-five (45) days after receipt by the Local Issuing Authority of a completed application, providing variances and bonding are obtained, where necessary and all applicable fees have been paid prior to permit issuance. The permit shall include conditions under which the activity may be undertaken.
- (2) No permit shall be issued by the Local Issuing Authority unless the erosion and sedimentation control plan has been approved by the District and the Local Issuing Authority has affirmatively determined that the plan is in compliance with this ordinance, any variances required by Section IV C. 15. & 16. are obtained, bonding requirements, if necessary, as per Section V B. 7 (b) are met and all ordinances and rules and regulations in affect within the jurisdictional boundaries of the Local Issuing Authority are met. If the permit is denied, the reason for denial shall be furnished to the applicant.
- (3) Any land-disturbing activities by a Local Issuing Authority shall be subject to the same requirements of this ordinance, and any other ordinances relating to land development, as are applied to private persons and the division shall enforce such requirements upon the Local Issuing Authority.

- (4) If the tract is to be developed in phases, then a separate permit shall be required for each phase.
- (5) The permit may be suspended, revoked, or modified by the Local Issuing Authority, as to all or any portion of the land affected by the plan, upon finding that the holder or his successor in the title is not in compliance with the approved erosion and sedimentation control plan or that the holder or his successor in title is in violation of this ordinance. A holder of a permit shall notify any successor in title to him as to all or any portion of the land affected by the approved plan of the conditions contained in the permit.
- (6) The LIA may reject a permit application if the applicant has had two or more violations of previous permits or the Erosion and Sedimentation Act permit requirements within three years prior to the date of the application, in light of O.C.G.A. 12-7-7 (f) (1).
- (7) No permit shall be issued unless the applicant provides a statement by the Tax Commissioner's Office certifying that all ad valorem taxes levied against the property and due and owing have been paid.

## **Section 6. Inspection and Enforcement**

- A. The Dawson County Planning and Development Department or designee will periodically inspect the sites of land-disturbing activities for which permits have been issued to determine if the activities are being conducted in accordance with the plan and if the measures required in the plan are effective in controlling erosion and sedimentation. Also, the Local Issuing Authority shall regulate primary, secondary and tertiary permittees as such terms are defined in the state general permit. Primary permittees shall be responsible for installation and maintenance of best management practices where the primary permittee is conducting land-disturbing activities. Secondary permittees shall be responsible for installation and maintenance of best management practices where the secondary permittee is conducting land-disturbing activities. Tertiary permittees shall be responsible for installation and maintenance where the tertiary permittee is conducting land-disturbing activities. If, through inspection, it is deemed that a person engaged in land-disturbing activities as defined herein has failed to comply with the approved plan, with permit conditions, or with the provisions of this ordinance, a written notice to comply shall be served upon that person. The notice shall set forth the measures necessary to achieve compliance and shall state the time within which such measures must be completed. If the person engaged in the land-disturbing activity fails to comply within the time specified, he shall be in violation of this ordinance.
- B. The Dawson County Planning and Development Department or designee shall have the power to conduct such investigations as it may reasonably deem necessary to carry out duties as prescribed in this ordinance, and for this purpose to enter at reasonable times upon any property, public or private, for the purpose of investigation and inspecting the sites of land-



disturbing activities.

- C. No person shall refuse entry or access to any authorized representative or agent of the Local Issuing Authority, the Commission, the District, or Division who requests entry for the purposes of inspection, and who presents appropriate credentials, nor shall any person obstruct, hamper or interfere with any such representative while in the process of carrying out his official duties.
- D. The Districts or the Commission or both shall periodically review the actions of counties and municipalities which have been certified as Local Issuing Authorities pursuant to O.C.G.A. 12-7-8 (a). The Districts or the Commission or both may provide technical assistance to any county or municipality for the purpose of improving the effectiveness of the county's or municipality's erosion and sedimentation control program. The Districts or the Commission shall notify the Division and request investigation by the Division if any deficient or ineffective local program is found.
- E. The District or the Commission or both shall semi-annually review the actions of counties and municipalities which have been certified as Local Issuing Authorities pursuant to O.C.G.A. 12-7-8 (a). The District or the Commission or both may provide technical assistance to any county or municipality for the purpose of improving the effectiveness of the county's or municipality's erosion, sedimentation and pollution control program. The District or the Commission shall notify the Division and request investigation by the Division if any deficient or ineffective local program is found.
- F. The Division may periodically review the actions of counties and municipalities which have been certified as Local Issuing Authorities pursuant to Code Section 12-7-8 (a). Such review may include, but shall not be limited to, review of the administration and enforcement of a governing authority's ordinance and review of conformance with an agreement, if any, between the district and the governing authority. If such review indicates that the governing authority of any county or municipality certified pursuant to O.C.G.A. 12-7-8 (a) has not administered or enforced its ordinances or has not conducted the program in accordance with any agreement entered into pursuant to O.C.G.A. 12-7-7 (e), the Division shall notify the governing authority of the county or municipality in writing. The governing authority of any county or municipality so notified shall have 90 days within which to take the necessary corrective action to retain certification as a Local Issuing Authority. If the county or municipality does not take necessary corrective action within 90 days after notification by the division, the division shall revoke the certification of the county or municipality as a Local Issuing Authority.

## **Section 7. Penalties and Incentives**

- A. Failure to Obtain a Permit for Land Disturbing Activity

If any person commences any land-disturbing activity requiring a land-disturbing permit as prescribed in this ordinance without first obtaining said permit, the person shall be subject to revocation of his business license, work permit or other authorization for the conduct of a business and associated work activities within the jurisdictional boundaries of the Local Issuing Authority.

#### B. Stop Work Orders

- (1) For the first and second violations of the provisions of this ordinance, the Director or the Local Issuing Authority shall issue a written warning to the violator. The violator shall have five days to correct the violation. If the violation is not corrected within five days, the Director or the Local Issuing Authority shall issue a stop-work order requiring that land-disturbing activities be stopped until necessary corrective action or mitigation has occurred; provide, however, that, if the violation presents an imminent threat to public health or waters of the state or if the land-disturbing activities are conducted without obtaining the necessary permit, the Director or Local Issuing Authority shall issue an immediate stop-work order in lieu of a warning;
- (2) For a third and each subsequent violation, the Director or Local Issuing Authority shall issue an immediate stop-work order; and;
- (3) All stop-work orders shall be effective immediately upon issuance and shall be in effect until the necessary corrective action or mitigation has occurred.
- (4) When a violation in the form of taking action without a permit, failure to maintain a stream buffer, or significant amounts of sediment, as determined by the Local Issuing Authority or by the director or his or her designee, have been or are being discharged into state waters and where best management practices have not been properly designed, installed, and maintained, a stop work order shall be issued by the Local Issuing Authority or by the director or his or her designee. All such stop work orders shall be effective immediately upon issuance and shall be in effect until the necessary corrective action or mitigation has occurred. Such stop work orders shall apply to all land-disturbing activity on the site with the exception of the installation and maintenance of temporary or permanent erosion and sediment controls.

#### C. Bond Forfeiture

If, through inspection, it is determined that a person engaged in land-disturbing activities has failed to comply with the approved plan, a written notice to comply shall be served upon that person. The notice shall set forth the measures necessary to achieve compliance with the plan and shall state the time within which such measures must be completed. If the person engaged in the land-disturbing activity fails to comply within the time specified, he shall be deemed in violation of this ordinance and, in addition to the other penalties, shall be deemed

to have forfeited his performance bond, if required to post one under the provisions of Section V B. 7. The Local Issuing Authority may call the bond or any part thereof to be forfeited and may use the proceeds to hire a contractor to stabilize the site of the land-disturbing activity and bring it into compliance.

#### D. Monetary Penalties

(1) Any person who violates any provisions of this ordinance, the rules and regulations adopted pursuant hereto, **or any** permit condition or limitation established pursuant to this ordinance or who negligently or intentionally fails or refuses to comply with any final or emergency order of the Director issued as provided in this ordinance shall be liable for a civil penalty not to exceed \$2,500.00 per day. For the purpose of enforcing the provisions of this ordinance, notwithstanding any provisions in any City charter to the contrary, municipal courts shall be authorized to impose penalty not to exceed \$2,500.00 for each violation. Notwithstanding any limitation of law as to penalties which can be assessed for violations of county ordinances, any magistrate court or any other court of competent jurisdiction trying cases brought as violations of this ordinance under county ordinances approved under this ordinance shall be authorized to impose penalties for such violations not to exceed \$2,500.00 for each violation. Each day during which violation or failure or refusal to comply continues shall be a separate violation.

### **Section 8. Education and Certification**

- A. Persons involved in land development design, review, permitting, construction, monitoring, or inspection or any land-disturbing activity shall meet the education and training certification requirements, dependent on their level of involvement with the process, as developed by the commission in consultation with the division and the stakeholder advisory board created pursuant to O.C.G.A. 12-7-20.
- B. For each site on which land-disturbing activity occurs, each entity or person acting as either a primary, secondary, or tertiary permittee, as defined in the state general permit, shall have as a minimum one person who is in responsible charge of erosion and sedimentation control activities on behalf of said entity or person and meets the applicable education or training certification requirements developed by the Commission present on site whenever land-disturbing activities are conducted on that site. A project site shall herein be defined as any land-disturbance site or multiple sites within a larger common plan of development or sale permitted by an owner or operator for compliance with the state general permit.
- C. Persons or entities involved in projects not requiring a state general permit but otherwise requiring certified personnel on site may contract with certified persons to meet the requirements of this ordinance.

- D. If a state general permittee who has operational control of land-disturbing activities for a site has met the certification requirements of paragraph (1) of subsection (b) of O.C.G.A. 12-7-19, then any person or entity involved in land-disturbing activity at that site and operating in a subcontractor capacity for such permittee shall meet those educational requirements specified in paragraph (4) of subsection (b) of O.C.G.A. 12-7-19 and shall not be required to meet any educational requirements that exceed those specified in said paragraph.

## **Section 9. Administrative Appeal Judicial Review**

### **A. Administrative Remedies**

The suspension, revocation, modification or grant with condition of a permit by the Local Issuing Authority upon finding that the holder is not in compliance with the approved erosion and sediment control plan; or that the holder is in violation of permit conditions; or that the holder is in violation of any ordinance; shall entitle the person submitting the plan or holding the permit to a hearing before the Dawson County Board of Commissioners within 30 days after receipt by the Local Issuing Authority of written notice of appeal.

### **B. Judicial Review**

Any person, aggrieved by a decision or order of the Local Issuing Authority, after exhausting his administrative remedies, shall have the right to appeal denovo to the Superior Court of Dawson County.

## **Section 10. Effective, Validity and Liability**

### **A. Effective**

This ordinance shall become effective on the \_\_\_ day of \_\_\_\_\_, 20\_\_.

### **B. Validity**

If any section, paragraph, clause, phrase, or provision of this ordinance shall be adjudged invalid or held unconstitutional, such decisions shall not affect the remaining portions of this ordinance.

### **C. Liability**

- (1) Neither the approval of a plan under the provisions of this ordinance, nor the compliance with provisions of this ordinance shall relieve any person from the responsibility for damage to any person or property otherwise imposed by law nor impose any liability upon the Local Issuing Authority or District for damage to any person or property.

- (2) The fact that a land-disturbing activity for which a permit has been issued results in injury to the property of another shall neither constitute proof of nor create a presumption of a violation of the standards provided for in this ordinance or the terms of the permit.
  
- (3) No provision of this ordinance shall permit any persons to violate Georgia Erosion and Sedimentation Act of 1975, the Georgia Water Quality Control Act or the rules and regulations promulgated and approved thereunder or pollute any Waters of the State as defined thereby.

DAWSON COUNTY

ATTEST

By: \_\_\_\_\_  
Mike Berg, Chairman  
Board of Commissioners

By: \_\_\_\_\_  
Danielle Yarborough,  
County Clerk

VOTE:      Yes \_\_\_\_\_  
  
                 No \_\_\_\_\_

Dates of Public Hearings:

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

Dates of Advertising:

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

# 2015 Dawson County Soil Erosion and Sedimentation Control Ordinance Update

Presented By: Robbie Irvin  
Dawson County Stormwater Manager

# What is Erosion?

Erosion is the process by which the land surface is worn away by the action of water, wind, ice and gravity.



# What is Sedimentation?

Sedimentation is the process by which the eroded material is transported and deposited by wind, water, ice or gravity.





# Why revise the Ordinance?

The MS4 program requires specific language in this ordinance to address construction site pollution prevention.



# Corrections:

- The state model ordinance contains exemptions for single family residences and other projects which involve the disturbance of less than a specifically designated volume of disturbance. The state volume of disturbance is less than 1 acre.
- The current ordinance reduces the designated volume in Dawson County to 120 square feet.
- EPD has ruled that Dawson County can not reduce the volume to 120 square feet so the ordinance is being corrected to match the model ordinance.

# Other Changes

More restrictive BMPs which were added by Dawson County are being removed to match the BMPs in the model ordinance.

# Questions?

Proposed Public Hearing Dates:  
May 21, 2015 and June 4, 2015



**Backup material for agenda item:**

6. Approval to move forward with public hearings on May 21, 2015 and June 4, 2015 for the Dawson County Stormwater Management Ordinance



# DAWSON COUNTY BOARD OF COMMISSIONERS AGENDA REQUEST

All items requiring action by the Commissioners must be presented first at a work session. The following information should be provided for each item.

No item will be considered for a work session until the Department has received authorization on the item by the County Manager.

Form must be submitted to the County Clerk 10 days prior to the meeting date.

Department: Planning & Development

Presenter: Robbie Irvin

Submitted By: Rachel Burton

Date Submitted: 4/13/2015

Item of Business/Agenda Title: Dawson County Stormwater Management Ordinance

**Attach an Executive Summary fully describing all elements of the item of business.  (Attached)**

### THE ITEM IS FOR:

**Work Session presentation only**  
(no action needed)

OR  **Commission Action Needed.**

Is there a deadline on this item? If so, Explain: No

Purpose of Request: Approval of public hearings for Stormwater Management Ordinance

Department Recommendation: Director Burton recommends approval to send to public hearing on 5/21/15 and 6/4/2015.

If the action involves a Resolution, Ordinance, Contract, Agreement, etc. has it been reviewed by the County Attorney?

Yes Explanation/ Additional Information:

No

If funding is involved, are funds approved within the current budget? **If Yes, Finance Authorization is Required Below.**

Yes Explanation/ Additional Information:

No

Amount Requested:

Amount Budgeted:

Fund Name and Account Number:

#### Administration Staff Authorization

Dept. Head Authorization: Rachel Burton Date: 4/13/2015

Finance Dept. Authorization: N/A Date: \_\_\_\_\_

County Manager Authorization: Cindy Campbell Work Session Date: 4/23/2015

Comments: \_\_\_\_\_



**DAWSON COUNTY BOARD OF COMMISSIONERS**  
**EXECUTIVE SUMMARY**

**SUBJECT:** Dawson County Stormwater Management Ordinance

**DATE:** 4/13/2015

**BUDGET INFORMATION:**

**ANNUAL-** \_\_\_\_\_

**CAPITAL-** \_\_\_\_\_

- RECOMMENDATION
- POLICY DISCUSSION
- STATUS REPORT
- OTHER

**COMMISSION ACTION REQUESTED ON:** May 7, 2015

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**PURPOSE:** Approval of public hearings for Stormwater Management Ordinance to be held on 5/21/15 and 6/4/15.

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**HISTORY:** Dawson County was required to obtain coverage under the NPDES General Permit GAG6100 since we were designated as a small MS4.

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**FACTS AND ISSUES:** This is a mandatory ordinance per the Stormwater MS4 Program to develop, implement, and enforce a program to address stormwater runoff in the MS4 from new development and redevelopment projects. The program must ensure that controls are in place that will prevent or minimize water quality impacts.

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**OPTIONS:**

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**RECOMMENDED SAMPLE MOTION:** Make a motion to send the Dawson County Stormwater Management Ordinance to public hearing on 5/21/15 and 6/4/15.

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**DEPARTMENT:** Planning & Development

Prepared by: Rachel Burton

Director Rachel Burton

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# STORMWATER MANAGEMENT ORDINANCE

## Introduction

It is hereby determined that:

Land development projects and other land use conversions, and their associated changes to land cover, permanently alter the hydrologic response of local watersheds and increase stormwater runoff rates and volumes, which in turn increase flooding, stream channel erosion, and sediment transport and deposition;

Land development projects and other land use conversions also contribute to increased nonpoint source pollution and degradation of receiving waters;

The impacts of post-development stormwater runoff quantity and quality can adversely affect public safety, public and private property, drinking water supplies, recreation, fish and other aquatic life, property values and other uses of lands and waters;

These adverse impacts can be controlled and minimized through the regulation of stormwater runoff quantity and quality from new development and redevelopment, by the use of both structural facilities as well as nonstructural measures, such as the conservation of open space and greenspace areas.

Localities in the State of Georgia are required to comply with a number of both State and Federal laws, regulations and permits which require a locality to address the impacts of post-development stormwater runoff quality and nonpoint source pollution;

Therefore, Dawson County has established this set of stormwater management policies to provide reasonable guidance for the regulation of post-development stormwater runoff for the purpose of protecting local water resources from degradation. It has determined that it is in the public interest to regulate post-development stormwater runoff discharges in order to control and minimize increases in stormwater runoff rates and volumes, post-construction soil erosion and sedimentation, stream channel erosion, and nonpoint source pollution associated with post-development stormwater runoff.

## Section 1. General Provisions

### 1.1. Purpose and Intent

The purpose of this ordinance is to protect, maintain and enhance the public health, safety, environment and general welfare by establishing minimum requirements and procedures to control the adverse effects of increased post-development stormwater runoff and nonpoint source pollution associated with new development and



redevelopment. It has been determined that proper management of post-development stormwater runoff will minimize damage to public and private property and infrastructure, safeguard the public health, safety, environment and general welfare of the public, and protect water and aquatic resources. This ordinance seeks to meet that purpose through the following objectives:

- (1) Establish decision-making processes surrounding land development activities that protect the integrity of the watershed and preserve the health of water resources;
- (2) Require that new development and redevelopment maintain the pre-development hydrologic response in their post-development state as nearly as practicable in order to reduce flooding, streambank erosion, nonpoint source pollution and increases in stream temperature, and maintain the integrity of stream channels and aquatic habitats;
- (3) Establish minimum post-development stormwater management standards and design criteria for the regulation and control of stormwater runoff quantity and quality;
- (4) Establish design and application criteria for the construction and use of structural stormwater control facilities that can be used to meet the minimum post-development stormwater management standards;
- (5) Encourage the use of nonstructural stormwater management and stormwater better site design practices, such as the preservation of greenspace and other conservation areas, to the maximum extent practicable.
- (6) Establish provisions for the long-term responsibility for and maintenance of structural stormwater control facilities and nonstructural stormwater management practices to ensure that they continue to function as designed, are maintained, and pose no threat to public safety; and,
- (7) Establish administrative procedures for the submission, review, approval and disapproval of stormwater management plans, and for the inspection of approved active projects, and long-term follow up.

## **1.2. Applicability**

- (1) This ordinance shall be applicable to all land development, including, but not limited to, site plan applications, subdivision applications, and grading applications, unless exempt pursuant to Subsection 2 below. These standards apply to any new development or redevelopment site that meets one or more of the following criteria:
  - a. New development that involves the creation of 5,000 square feet or more of impervious cover, or that involves other land development activities of one (1) acre or more;

- b. Redevelopment that includes the creation, addition or replacement of 5,000 square feet or more of impervious cover, or that involves other land development activity of one (1) acre or more;
  - c. Any new development or redevelopment, regardless of size, that is defined by the Dawson County Stormwater Manager to be a hotspot land use; or,
  - d. Land development activities that are smaller than the minimum applicability criteria set forth in items A and B above if such activities are part of a larger common plan of development, even though multiple, separate and distinct land development activities may take place at different times on different schedules.
- (2) The following activities are exempt from this ordinance:
- a. Individual single-family or duplex residential lots that are not part of a subdivision or phased development project;
  - b. Additions or modifications to existing single-family or duplex residential structures;
  - c. Agricultural or silvicultural land management activities within areas zoned for these activities; and,
  - d. Repairs to any stormwater management facility or practice deemed necessary by the Dawson County Stormwater Manager.

### **1.3. Designation of Ordinance Administrator**

The Dawson County Stormwater Manager is hereby appointed to administer and implement the provisions of this ordinance.

### **1.4. Compatibility with Other Regulations**

This ordinance is not intended to modify or repeal any other ordinance, rule, regulation or other provision of law. The requirements of this ordinance are in addition to the requirements of any other ordinance, rule, regulation or other provision of law, and where any provision of this ordinance imposes restrictions different from those imposed by any other ordinance, rule, regulation or other provision of law, whichever provision is more restrictive or imposes higher protective standards for human health or the environment shall control.

### **1.5. Stormwater Design Manual**

Dawson County will utilize the policy, criteria and information including technical specifications and standards in the latest edition of the Georgia Stormwater Management Manual and any relevant local addenda, for the proper implementation of the requirements of this ordinance. The manual may be updated and expanded periodically,

based on improvements in science, engineering, monitoring and local maintenance experience.

## **Section 2. Definitions**

**Applicant:** a person submitting a post-development stormwater management application and plan for approval.

**Channel:** a natural or artificial watercourse with a definite bed and banks that conducts continuously or periodically flowing water.

**Conservation Easement:** an agreement between a land owner and Dawson County or other government agency or land trust that permanently protects open space or greenspace on the owner's land by limiting the amount and type of development that can take place, but continues to leave the remainder of the fee interest in private ownership.

**Detention:** the temporary storage of stormwater runoff in a stormwater management facility for the purpose of controlling the peak discharge.

**Detention Facility:** a detention basin or structure designed for the detention of stormwater runoff and gradual release of stored water at controlled rates.

**Developer:** a person who undertakes land development activities.

**Development:** a land development or land development project.

**Drainage Easement:** an easement appurtenant or attached to a tract or parcel of land allowing the owner of adjacent tracts or other persons to discharge stormwater runoff onto the tract or parcel of land subject to the drainage easement.

**Erosion and Sedimentation Control Plan:** a plan that is designed to minimize the accelerated erosion and sediment runoff at a site during land disturbance activities.

**Extended Detention:** the detention of stormwater runoff for an extended period, typically 24 hours or greater.

**Extreme Flood Protection:** measures taken to prevent adverse impacts from large low-frequency storm events with a return frequency of 100 years or more.

**Flooding:** a volume of surface water that is too great to be confined within the banks or walls of a conveyance or stream channel and that overflows onto adjacent lands.

**Greenspace or Open Space:** permanently protected areas of the site that are preserved in a natural state.

**Hotspot:** an area where the use of the land has the potential to generate highly contaminated runoff, with concentrations of pollutants in excess of those typically found in stormwater.

**Hydrologic Soil Group (HSG):** a Natural Resource Conservation Service classification system in which soils are categorized into four runoff potential groups. The groups range from group A soils, with high permeability and little runoff produced, to group D soils, which have low permeability rates and produce much more runoff.

**Impervious Cover:** a surface composed of any material that significantly impedes or prevents the natural infiltration of water into soil. Impervious surfaces include, but are not limited to, rooftops, buildings, streets and roads, and any concrete or asphalt surface.

**Industrial Stormwater Permit:** a National Pollutant Discharge Elimination System (NPDES) permit issued to an industry or group of industries which regulates the pollutant levels associated with industrial stormwater discharges or specifies on-site pollution control strategies.

**Infiltration:** the process of percolating stormwater runoff into the subsoil.

**Jurisdictional Wetland:** an area that is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support a prevalence of vegetation typically adapted for life in saturated soil conditions, commonly known as hydrophytic vegetation.

**Land Development:** any land change, including, but not limited to, clearing, digging, grubbing, stripping, removal of vegetation, dredging, grading, excavating, transporting and filling of land, construction, paving, and any other installation of impervious cover.

**Land Development Activities:** those actions or activities which comprise, facilitate or result in land development.

**Land Development Project:** a discrete land development undertaking.

**Inspection and Maintenance Agreement:** a written agreement providing for the long-term inspection and maintenance of stormwater management facilities and practices on a site or with respect to a land development project, which when properly recorded in the deed records constitutes a restriction on the title to a site or other land involved in a land development project.

**New Development:** a land development activity on a previously undeveloped site.

**Nonpoint Source Pollution:** a form of water pollution that does not originate from a discrete point such as a sewage treatment plant or industrial discharge, but involves the transport of pollutants such as sediment, fertilizers, pesticides, heavy metals, oil, grease,

bacteria, organic materials and other contaminants from land to surface water and groundwater via mechanisms such as precipitation, stormwater runoff, and leaching. Nonpoint source pollution is a by-product of land use practices such as agricultural, silvicultural, mining, construction, subsurface disposal and urban runoff sources.

**Nonstructural Stormwater Management Practice or Nonstructural Practice:** any natural or planted vegetation or other nonstructural component of the stormwater management plan that provides for or enhances stormwater quantity and/or quality control or other stormwater management benefits, and includes, but is not limited to, riparian buffers, open and greenspace areas, overland flow filtration areas, natural depressions, and vegetated channels.

**Off-Site Facility:** a stormwater management facility located outside the boundaries of the site.

**On-Site Facility:** a stormwater management facility located within the boundaries of the site.

**Overbank Flood Protection:** measures taken to prevent an increase in the frequency and magnitude of out-of-bank flooding (i.e. flow events that exceed the capacity of the channel and enter the floodplain), and that are intended to protect downstream properties from flooding for the 2-year through 25-year frequency storm events.

**Owner:** the legal or beneficial owner of a site, including but not limited to, a mortgagee or vendee in possession, receiver, executor, trustee, lessee or other person, firm or corporation in control of the site.

**Permit:** the permit issued by Dawson County to the applicant which is required for undertaking any land development activity.

**Person:** except to the extent exempted from this ordinance, any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, city, county or other political subdivision of the State, any interstate body or any other legal entity.

**Post-development:** refers to the time period, or the conditions that may reasonably be expected or anticipated to exist, after completion of the land development activity on a site as the context may require.

**Pre-development:** refers to the time period, or the conditions that exist, on a site prior to the commencement of a land development project and at the time that plans for the land development of a site are approved by the plan approving authority. Where phased development or plan approval occurs (preliminary grading, roads and utilities, etc.), the existing conditions at the time prior to the first item being approved or permitted shall establish pre-development conditions.

**Project:** a land development project.

**Redevelopment:** a land development project on a previously developed site, but excludes ordinary maintenance activities, remodeling of existing buildings, resurfacing of paved areas, and exterior changes or improvements which do not materially increase or concentrate stormwater runoff, or cause additional nonpoint source pollution.

**Regional Stormwater Management Facility or Regional Facility:** stormwater management facilities designed to control stormwater runoff from multiple properties, where the owners or developers of the individual properties may assist in the financing of the facility, and the requirement for on-site controls is either eliminated or reduced.

**Runoff:** stormwater runoff.

**Site:** the parcel of land being developed, or the portion thereof on which the land development project is located.

**Stormwater Better Site Design:** nonstructural site design approaches and techniques that can reduce a site's impact on the watershed and can provide for nonstructural stormwater management. Stormwater better site design includes conserving and protecting natural areas and greenspace, reducing impervious cover and using natural features for stormwater management.

**Stormwater Management:** the collection, conveyance, storage, treatment and disposal of stormwater runoff in a manner intended to prevent increased flood damage, streambank channel erosion, habitat degradation and water quality degradation, and to enhance and promote the public health, safety and general welfare.

**Stormwater Management Facility:** any infrastructure that controls or conveys stormwater runoff.

**Stormwater Management Measure:** any stormwater management facility or nonstructural stormwater practice.

**Stormwater Management Plan:** a document describing how existing runoff characteristics will be affected by a land development project and containing measures for complying with the provisions of this ordinance.

**Stormwater Management System:** the entire set of structural and nonstructural stormwater management facilities and practices that are used to capture, convey and control the quantity and quality of the stormwater runoff from a site.

**Stormwater Retrofit:** a stormwater management practice designed for a currently developed site that previously had either no stormwater management practice in place or a practice inadequate to meet the stormwater management requirements of the site.

**Stormwater Runoff:** the flow of surface water resulting from precipitation.

**Structural Stormwater Control:** a structural stormwater management facility or device that controls stormwater runoff and changes the characteristics of that runoff including, but not limited to, the quantity and quality, the period of release or the velocity of flow of such runoff.

**Subdivision:** the division of a tract or parcel of land resulting in one or more new lots or building sites for the purpose, whether immediately or in the future, of sale, other transfer of ownership or land development, and includes divisions of land resulting from or made in connection with the layout or development of a new street or roadway or a change in an existing street or roadway.

### **Section 3. Permit Procedures and Requirements**

#### **3.1. Permit Application Requirements**

Permitting of Land Disturbing Activities is covered under the Dawson County Soil Erosion and Sedimentation Control Ordinance. The information required in this ordinance is in addendum to the Soil Erosion and Sedimentation Control Ordinance.

No owner or developer shall perform any land development activities without first meeting the requirements of this ordinance prior to commencing the proposed activity.

Unless specifically exempted by this ordinance, any owner or developer proposing a land development activity shall submit to Dawson County a permit application in accordance with the procedures established in the Dawson County Soil Erosion and Sedimentation Control Ordinance on a form provided by Dawson County for that purpose.

Unless otherwise exempted by this ordinance, a permit application shall be accompanied by the following items in order to be considered:

- (1) Stormwater concept plan and consultation meeting certification in accordance with Section 3.2;
- (2) Stormwater management plan in accordance with Section 3.3;
- (3) Inspection and maintenance agreement in accordance with Section 3.4, if applicable.

#### **3.2. Stormwater Concept Plan and Consultation Meeting**

Before any stormwater management permit application is submitted, it is recommended that the land owner or developer shall meet with Dawson County for a consultation meeting on a concept plan for the post-development stormwater management system to be utilized in the proposed land development project. This consultation meeting shall

take place at the time of the preliminary plan of subdivision or other early step in the development process. The purpose of this meeting is to discuss the post-development stormwater management measures necessary for the proposed project, as well as to discuss and assess constraints, opportunities and potential ideas for stormwater management designs before the formal site design engineering is commenced.

To accomplish this goal the following information shall be included in the concept plan which shall be submitted in advance of the meeting:

A. Existing Conditions / Proposed Site Plans

Existing conditions and proposed site plans, which illustrate at a minimum: existing and proposed topography; perennial and intermittent streams; mapping of predominant soils from soil surveys (when available); boundaries of existing predominant vegetation and proposed limits of clearing and grading; and location of existing and proposed roads, buildings, parking areas and other impervious surfaces.

B. Natural Resources Inventory

A written or graphic inventory of the natural resources at the site and surrounding area as it exists prior to the commencement of the project. This description should include a discussion of soil conditions, forest cover, topography, wetlands, and other native vegetative areas on the site, as well as the location and boundaries of other natural feature protection and conservation areas such as wetlands, lakes, ponds, floodplains, stream buffers and other setbacks (e.g., drinking water well setbacks, septic setbacks, etc.). Particular attention should be paid to environmentally sensitive features that provide particular opportunities or constraints for development.

C. Stormwater Management System Concept Plan

A written or graphic concept plan of the proposed post-development stormwater management system including: preliminary selection and location of proposed structural stormwater controls; location of existing and proposed conveyance systems such as grass channels, swales, and storm drains; flow paths; location of floodplain/floodway limits; relationship of site to upstream and downstream properties and drainages; and preliminary location of proposed stream channel modifications, such as bridge or culvert crossings.

Local watershed plans, and any relevant resource protection plans will be consulted in the discussion of the concept plan.

**3.3. Stormwater Management Plan Requirements**

The stormwater management plan shall detail how post-development stormwater runoff will be controlled or managed and how the proposed project will meet the requirements of this ordinance, including the performance criteria set forth in Section 4 below.



This plan shall be in accordance with the criteria established in this section and be prepared under the direct supervisory control of either a registered Professional Engineer or a registered Landscape Architect licensed in the state of Georgia, who shall seal and sign the work. Section C, D, E and F shall be prepared under the direct supervisory control of a registered Professional Engineer, who shall seal and sign the work. Portions of the overall plan may be prepared, sealed and signed by a registered Land Surveyor licensed in the state of Georgia as appropriate, such as boundary surveys, contour maps, erosion and sedimentation control plans.

The stormwater management plan must ensure that the requirements and criteria in this ordinance are being complied with and that opportunities are being taken to minimize adverse post-development stormwater runoff impacts from the development. The plan shall consist of maps, narrative, and supporting design calculations (hydrologic and hydraulic) for the proposed stormwater management system. The plan shall include all of the information required in the Stormwater Management Site Plan checklist found in the stormwater design manual. This includes:

A. Common address and legal description of site

B. Vicinity Map

C. Existing Conditions Hydrologic Analysis

The existing condition hydrologic analysis for stormwater runoff rates, volumes, and velocities, which shall include: a topographic map of existing site conditions with the drainage basin boundaries indicated; acreage, soil types and land cover of areas for each sub-basin affected by the project; all perennial and intermittent streams and other surface water features; all existing stormwater conveyances and structural control facilities; direction of flow and exits from the site; analysis of runoff provided by off-site areas upstream of the project site; and methodologies, assumptions, site parameters and supporting design calculations used in analyzing the existing conditions site hydrology. For redevelopment sites, predevelopment conditions shall be modeled using the established guidelines for the portion of the site undergoing land development activities.

D. Post-Development Hydrologic Analysis

The post-development hydrologic analysis for stormwater runoff rates, volumes, and velocities, which shall include: a topographic map of developed site conditions with the post-development drainage basin boundaries indicated; total area of post-development impervious surfaces and other land cover areas for each sub-basin affected by the project; calculations for determining the runoff volumes that need to be addressed for each sub-basin for the development project to meet the post-development stormwater management performance criteria in Section 4; location and boundaries of proposed natural feature protection and conservation areas; documentation and calculations for any applicable site design credits that are being utilized; methodologies, assumptions, site parameters and supporting

design calculations used in analyzing the existing conditions site hydrology. If the land development activity on a redevelopment site constitutes more than 50 percent of the site area for the entire site, then the performance criteria in Section 4 must be met for the stormwater runoff from the entire site.

#### E. Stormwater Management System

The description, scaled drawings and design calculations for the proposed post-development stormwater management system, which shall include: A map and/or drawing or sketch of the stormwater management facilities, including the location of nonstructural site design features and the placement of existing and proposed structural stormwater controls, including design water surface elevations, storage volumes available from zero to maximum head, location of inlet and outlets, location of bypass and discharge systems, and all orifice/restrictor sizes; a narrative describing how the selected structural stormwater controls will be appropriate and effective; cross-section and profile drawings and design details for each of the structural stormwater controls in the system, including supporting calculations to show that the facility is designed according to the applicable design criteria; a hydrologic and hydraulic analysis of the stormwater management system for all applicable design storms (including stage-storage or outlet rating curves, and inflow and outflow hydrographs); documentation and supporting calculations to show that the stormwater management system adequately meets the post-development stormwater management performance criteria in Section 4; drawings, design calculations, elevations and hydraulic grade lines for all existing and proposed stormwater conveyance elements including stormwater drains, pipes, culverts, catch basins, channels, swales and areas of overland flow; and where applicable, a narrative describing how the stormwater management system corresponds with any watershed protection plans and/or local environmental protection plans.

#### F. Post-Development Downstream Analysis

A downstream peak flow analysis which includes the assumptions, results and supporting calculations to show safe passage of post-development design flows downstream. The analysis of downstream conditions in the report shall address each and every point or area along the project site's boundaries at which runoff will exit the property. The analysis shall focus on the portion of the drainage channel or watercourse immediately downstream from the project. This area shall extend downstream from the project to a point in the drainage basin where the project area is 10 percent of the total basin area. In calculating runoff volumes and discharge rates, consideration may need to be given to any planned future upstream land use changes. The analysis shall be in accordance with the stormwater design manual.

#### G. Construction-Phase Erosion and Sedimentation Control Plan

An erosion and sedimentation control plan in accordance with the Dawson County Erosion and Sedimentation Control Ordinance. The plan shall also

include information on the sequence/phasing of construction and temporary stabilization measures and temporary structures that will be converted into permanent stormwater controls.

#### H. Landscaping and Open Space Plan

A detailed landscaping and vegetation plan describing the woody and herbaceous vegetation that will be used within and adjacent to stormwater management facilities and practices. The landscaping plan must also include: the arrangement of planted areas, natural and greenspace areas and other landscaped features on the site plan; information necessary to construct the landscaping elements shown on the plan drawings; descriptions and standards for the methods, materials and vegetation that are to be used in the construction; density of plantings; descriptions of the stabilization and management techniques used to establish vegetation; and a description of who will be responsible for ongoing maintenance of vegetation for the stormwater management facility and what practices will be employed to ensure that adequate vegetative cover is preserved.

#### I. Operations and Maintenance Plan

Detailed description of ongoing operations and maintenance procedures for stormwater management facilities and practices to ensure their continued function as designed and constructed or preserved. These plans will identify the parts or components of a stormwater management facility or practice that need to be regularly or periodically inspected and maintained, and the equipment and skills or training necessary. The plan shall include an inspection and maintenance schedule, maintenance tasks, responsible parties for maintenance, funding, access and safety issues. Provisions for the periodic review and evaluation of the effectiveness of the maintenance program and the need for revisions or additional maintenance procedures shall be included in the plan.

#### J. Maintenance Access Easements

The applicant must ensure access from public right-of-way to stormwater management facilities and practices requiring regular maintenance at the site for the purpose of inspection and repair by securing all the maintenance access easements needed on a permanent basis. Such access shall be sufficient for all necessary equipment for maintenance activities. Upon final inspection and approval, a plat or document indicating that such easements exist shall be recorded and shall remain in effect even with the transfer of title of the property.

#### K. Inspection and Maintenance Agreements

Unless an on-site stormwater management facility or practice is dedicated to and accepted by Dawson County as provided in Section 3.4 below, the applicant must execute an easement and an inspection and maintenance agreement binding on all subsequent owners of land served by an on-site stormwater management facility or practice in accordance Section 3.4.

L. Evidence of Acquisition of Applicable Local and Non-local Permits

The applicant shall certify and provide documentation to Dawson County that all other applicable environmental permits have been acquired for the site prior to approval of the stormwater management plan.

**3.4. Stormwater Management Inspection and Maintenance Agreements**

Prior to the issuance of any permit for a land development activity requiring a stormwater management facility or practice hereunder and for which Dawson County requires ongoing maintenance, the applicant or owner of the site must, unless an on-site stormwater management facility or practice is dedicated to and accepted by Dawson County, execute an inspection and maintenance agreement, and/or a conservation easement, if applicable, that shall be binding on all subsequent owners of the site.

The inspection and maintenance agreement, if applicable, must be approved by Dawson County prior to plan approval, and recorded in the deed records upon final plat approval.

The inspection and maintenance agreement shall identify by name or official title the person(s) responsible for carrying out the inspection and maintenance. Responsibility for the operation and maintenance of the stormwater management facility or practice, unless assumed by a governmental agency, shall remain with the property owner and shall pass to any successor owner. If portions of the land are sold or otherwise transferred, legally binding arrangements shall be made to pass the inspection and maintenance responsibility to the appropriate successors in title. These arrangements shall designate for each portion of the site, the person to be permanently responsible for its inspection and maintenance. As part of the inspection and maintenance agreement, a schedule shall be developed for when and how often routine inspection and maintenance will occur to ensure proper function of the stormwater management facility or practice. The agreement shall also include plans for annual inspections to ensure proper performance of the facility between scheduled maintenance and shall also include remedies for the default thereof.

In addition to enforcing the terms of the inspection and maintenance agreement, Dawson County may also enforce all of the provisions for ongoing inspection and maintenance in Section 6 of this ordinance.

Dawson County, in lieu of an inspection and maintenance agreement, may accept dedication of any existing or future stormwater management facility for maintenance, provided such facility meets all the requirements of this ordinance and includes adequate and perpetual access and sufficient area, by easement or otherwise, for inspection and regular maintenance.

**3.5 Modifications for Off-Site Facilities**

The stormwater management plan for each land development project shall provide for stormwater management measures located on the site of the project, unless provisions are made to manage stormwater by an off-site or regional facility. The off-site or regional facility must be located on property legally dedicated for the purpose, must be designed

and adequately sized to provide a level of stormwater quantity and quality control that is equal to or greater than that which would be afforded by on-site practices and there must be a legally-obligated entity responsible for long-term operation and maintenance of the off-site or regional stormwater facility. In addition, on-site measures shall be implemented, where necessary, to protect upstream and downstream properties and drainage channels from the site to the off-site facility.

A stormwater management plan must be submitted to Dawson County which shows the adequacy of the off-site or regional facility.

To be eligible for a modification, the applicant must demonstrate to the satisfaction of Dawson County that the use of an off-site or regional facility will not result in the following impacts to upstream or downstream areas:

- (1) Increased threat of flood damage to public health, life, and property;
- (2) Deterioration of existing culverts, bridges, dams, and other structures;
- (3) Accelerated streambank or streambed erosion or siltation;
- (4) Degradation of in-stream biological functions or habitat; or
- (5) Water quality impairment in violation of State water quality standards, and/or violation of any state or federal regulations.

#### **Section 4. Post-Development Stormwater Management Performance Criteria**

The following performance criteria shall be applicable to all stormwater management plans, unless otherwise provided for in this ordinance:

##### **4.1. Water Quality**

All stormwater runoff generated from sites contained in the EPA designated urbanized area covered by the Dawson County Stormwater Management Plan shall be adequately treated before discharge. The stormwater management system shall be designed to remove 80% of the average annual post-development total suspended solids (TSS) load as defined in the Georgia Stormwater Management Manual. It will be presumed that a stormwater management system complies with this requirement if:

- (1) It is sized to treat the prescribed water quality treatment volume from the site, as defined in the Georgia Stormwater Management Manual;
- (2) Appropriate structural stormwater controls or nonstructural practices are selected, designed, constructed or preserved, and maintained according to the specific criteria in the Georgia Stormwater Management Manual; and,

- (3) Runoff from hotspot land uses and activities identified by Dawson County are adequately treated and addressed through the use of appropriate structural stormwater controls, nonstructural practices and pollution prevention practices.

#### **4.2. Stream Channel Protection**

Protection of stream channels from bank and bed erosion and degradation shall be provided by using all of the following three approaches:

- (1) Preservation, restoration and/or reforestation (with native vegetation) of the applicable stream buffer;
- (2) 24-hour extended detention storage of the 1-year, 24-hour return frequency storm event;
- (3) Erosion prevention measures such as energy dissipation and velocity control.

#### **4.3. Overbank Flooding Protection**

Downstream overbank flood and property protection shall be provided by controlling (attenuating) the post-development peak discharge rate to the pre-development rate for the 25-year, 24-hour return frequency storm event. If control of the 1-year, 24-hour storm under Section 4.2 is exempted, then peak discharge rate attenuation of the 2-year through the 25-year return frequency storm event must be provided.

#### **4.4. Extreme Flooding Protection**

Extreme flood and public safety protection shall be provided by controlling and safely conveying the 100-year, 24-hour return frequency storm event such that flooding is not exacerbated.

#### **4.5. Structural Stormwater Controls**

All structural stormwater management facilities shall be selected and designed using the appropriate criteria from the Georgia Stormwater Management Manual. All structural stormwater controls must be designed appropriately to meet their intended function. For other structural stormwater controls not included in the Georgia Stormwater Management Manual, or for which pollutant removal rates have not been provided, the effectiveness and pollutant removal of the structural control must be documented through prior studies, literature reviews, or other means and receive approval from Dawson County before being included in the design of a stormwater management system. In addition, if hydrologic or topographic conditions, or land use activities warrant greater control than that provided by the minimum control requirements, Dawson County may impose additional requirements deemed necessary to protect upstream and downstream properties and aquatic resources from damage due to increased volume, frequency, and rate of stormwater runoff or increased nonpoint source pollution loads created on the site in question.

Applicants shall consult the Georgia Stormwater Management Manual for guidance on the factors that determine site design feasibility when selecting and locating a structural stormwater control.

#### **4.6. Stormwater Credits for Nonstructural Measures**

The use of one or more site design measures by the applicant may allow for a reduction in the water quality treatment volume required under Section 4.1. The applicant may, if approved by Dawson County, take credit for the use of stormwater better site design practices and reduce the water quality volume requirement. For each potential credit, there is a minimum set of criteria and requirements which identify the conditions or circumstances under which the credit may be applied. The site design practices that qualify for this credit and the criteria and procedures for applying and calculating the credits are included in the Georgia Stormwater Management Manual.

#### **4.7. Drainage System Guidelines**

Stormwater conveyance facilities, which may include but are not limited to culverts, stormwater drainage pipes, catch basins, drop inlets, junction boxes, headwalls, gutter, swales, channels, ditches, and energy dissipaters shall be provided when necessary for the protection of public right-of-way and private properties adjoining project sites and/or public right-of-ways. Stormwater conveyance facilities that are designed to carry runoff from more than one parcel, existing or proposed, shall meet the following requirements:

- (1) Methods to calculate stormwater flows shall be in accordance with the stormwater design manual;
- (2) All culverts, pipe systems and open channel flow systems shall be sized in accordance with the stormwater management plan using the methods included in the stormwater design manual; and,
- (3) Design and construction of stormwater conveyance facilities shall be in accordance with the criteria and specifications found in the stormwater design manual.

#### **4.8. Dam Design Guidelines**

Any land disturbing activity that involves a site which proposes a dam shall comply with the Georgia Safe Dams Act and Rules for Dam Safety as applicable.

### **Section 5. Construction Inspections of Post-Development Stormwater Management System**

#### **5.1. Inspections to Ensure Plan Compliance during Construction**

Periodic inspections of the stormwater management system construction shall be conducted by the Dawson County Stormwater Management Office or conducted and certified by a professional engineer who has been approved by Dawson County.

Construction inspections shall utilize the approved stormwater management plan for establishing compliance.

All inspections shall be documented with written reports that contain the following information:

- (1) The date and location of the inspection;
- (2) Whether construction is in compliance with the approved stormwater management plan;
- (3) Variations from the approved construction specifications; and,
- (4) Any other variations or violations of the conditions of the approved stormwater management plan.
- (5) A statement of the penalty or penalties that shall or may be assessed against the person to whom the notice of violation is directed.

If any violations are found, the applicant shall be notified in writing of the nature of the violation and the required corrective actions.

## **5.2. Final Inspection and As Built Plans**

Upon completion of a project, and before a certificate of occupancy shall be granted, the applicant is responsible for certifying that the completed project is in accordance with the approved stormwater management plan. All applicants are required to submit actual “as built” plans for any stormwater management facilities or practices after final construction is completed. The plan must show the final design specifications for all stormwater management facilities and practices and must be certified by a Professional Engineer. A final inspection by Dawson County is required before the release of any Certificates of Occupancy or Certificates of Completion can occur.

## **Section 6. Ongoing Inspection and Maintenance of Stormwater Facilities and Practices**

### **6.1. Long-Term Maintenance Inspection of Stormwater Facilities and Practices**

Stormwater management facilities and practices included in a stormwater management plan which are subject to an inspection and maintenance agreement must undergo ongoing inspections to document maintenance and repair needs and ensure compliance with the requirements of the agreement, the plan and this ordinance.

A stormwater management facility or practice shall be inspected on a periodic basis by the responsible person in accordance with the approved inspection and maintenance agreement. In the event that the stormwater management facility has not been maintained and/or becomes a danger to public safety or public health, Dawson County



shall notify the person responsible for carrying out the maintenance plan by registered or certified mail to the person specified in the inspection and maintenance agreement. The notice shall specify the measures needed to comply with the agreement and the plan and shall specify the time within which such measures shall be completed. If the responsible person fails or refuses to meet the requirements of the inspection and maintenance agreement, Dawson County, may correct the violation as provided in Subsection 6.4 hereof.

Inspection programs by Dawson County may be established on any reasonable basis, including but not limited to: routine inspections; random inspections; inspections based upon complaints or other notice of possible violations; and joint inspections with other agencies inspecting under environmental or safety laws. Inspections may include, but are not limited to: reviewing maintenance and repair records; sampling discharges, surface water, groundwater, and material or water in stormwater management facilities; and evaluating the condition of stormwater management facilities and practices.

#### **6.2. Right-of-Entry for Inspection**

The terms of the inspection and maintenance agreement shall provide for Dawson County to enter the property at reasonable times and in a reasonable manner for the purpose of inspection. This includes the right to enter a property when it has a reasonable basis to believe that a violation of this ordinance is occurring or has occurred and to enter when necessary for abatement of a public nuisance or correction of a violation of this ordinance.

#### **6.3. Records of Maintenance Activities**

Parties responsible for the operation and maintenance of a stormwater management facility shall provide records of all maintenance and repairs to Dawson County.

#### **6.4. Failure to Maintain**

If a responsible person fails or refuses to meet the requirements of the inspection and maintenance agreement, Dawson County, after thirty (30) days written notice (except, that in the event the violation constitutes an immediate danger to public health or safety, 24-hour notice shall be sufficient), may correct a violation of the design standards or maintenance requirements by performing the necessary work to place the facility or practice in proper working condition. Dawson County may assess the owner(s) of the facility for the cost of repair work which shall be a lien on the property, and may be placed on the ad valorem tax bill for such property and collected in the ordinary manner for such taxes.

### **Section 7. Violations, Enforcement and Penalties**

Any action or inaction which violates the provisions of this ordinance or the requirements of an approved stormwater management plan or permit may be subject to the enforcement actions outlined in this Section. Any such action or inaction which is continuous with respect to time is deemed to be a public nuisance and may be abated by

injunctive or other equitable relief. The imposition of any of the penalties described below shall not prevent such equitable relief.

### **7.1. Notice of Violation**

If Dawson County determines that an applicant or other responsible person has failed to comply with the terms and conditions of a permit, an approved stormwater management plan or the provisions of this ordinance, it shall issue a written notice of violation to such applicant or other responsible person. Where a person is engaged in activity covered by this ordinance without having first secured a permit therefor, the notice of violation shall be served on the owner or the responsible person in charge of the activity being conducted on the site.

The notice of violation shall contain:

- (1) The name and address of the owner or the applicant or the responsible person;
- (2) The address or other description of the site upon which the violation is occurring;
- (3) A statement specifying the nature of the violation;
- (4) A description of the remedial measures necessary to bring the action or inaction into compliance with the permit, the stormwater management plan or this ordinance and the date for the completion of such remedial action.

### **7.2 Penalties**

In the event the remedial measures described in the notice of violation have not been completed by the date set forth for such completion in the notice of violation, any one or more of the following actions or penalties may be taken or assessed against the person to whom the notice of violation was directed. Before taking any of the following actions or imposing any of the following penalties, Dawson County shall first notify the applicant or other responsible person in writing of its intended action, and shall provide a reasonable opportunity, of not less than ten (10) days (except, that in the event the violation constitutes an immediate danger to public health or safety, 24-hour notice shall be sufficient) to cure such violation. In the event the applicant or other responsible person fails to cure such violation after such notice and cure period, Dawson County may take any one or more of the following actions or impose any one or more of the following penalties.

- (1) **Stop Work Order** - Dawson County may issue a stop work order which shall be served on the applicant or other responsible person. The stop work order shall remain in effect until the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violation or violations described therein, provided the stop work order may be withdrawn or modified to enable the applicant or other responsible person to take the necessary remedial measures to cure such violation or violations.

- (2) **Withhold Certificate of Occupancy** - Dawson County may refuse to issue a certificate of occupancy for the building or other improvements constructed or being constructed on the site until the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violations described therein.
- (3) **Suspension, Revocation or Modification of Permit** - Dawson County may suspend, revoke or modify the permit authorizing the land development project. A suspended, revoked or modified permit may be reinstated after the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violations described therein, provided such permit may be reinstated [upon such conditions as Dawson County may deem necessary] to enable the applicant or other responsible person to take the necessary remedial measures to cure such violations.
- (4) **Civil Penalties** - In the event the applicant or other responsible person fails to take the remedial measures set forth in the notice of violation or otherwise fails to cure the violations described therein within ten (10) days, or such greater period as Dawson County shall deem appropriate (except, that in the event the violation constitutes an immediate danger to public health or safety, 24-hour notice shall be sufficient) after Dawson County has taken one or more of the actions described above, Dawson County may impose a penalty not to exceed \$1,000 (depending on the severity of the violation) for each day the violation remains unremedied after receipt of the notice of violation.
- (5) **Criminal Penalties** – The Dawson County Stormwater Manager may at his discretion request the issuance of a citation by the Dawson County Marshal’s Office to the applicant or other responsible person, requiring such person to appear in court to answer charges for such violation. Upon conviction, such person shall be punished by a fine not to exceed \$1,000 or imprisonment for 60-days or both. Each act of violation and each day upon which any violation shall occur shall constitute a separate offense.

## **Section 8. Severability**

If any paragraph, sub-paragraph, sentence, clause, phrase, or any portion of this ordinance shall be declared invalid or unconstitutional by any court of competent jurisdiction or if a provision of any part of this ordinance is applied to any particular situation or set of circumstances in such a manner as to be declared invalid or unconstitutional, then any such invalidity shall not be construed to affect the portions of this ordinance not so held to be invalid and the application of this ordinance to other circumstances shall not be held to be invalid. The Dawson County Board of Commissioners hereby declares the intent of Dawson County Board of Commissioners is to provide for separable and divisible parts, and the Dawson County Board of

Commissioners hereby adopts any and all parts hereof as may not be held invalid for any reason.

**Section 9. Repealer**

All resolutions or ordinances or parts thereof in conflict with the terms of this ordinance are hereby repealed.

This \_\_\_\_ day of \_\_\_\_\_, 2015.

DAWSON COUNTY

ATTEST

By: \_\_\_\_\_  
Mike Berg, Chairman  
Board of Commissioners

By: \_\_\_\_\_  
Danielle Yarborough,  
County Clerk

VOTE:        Yes \_\_\_\_\_  
                  No \_\_\_\_\_

Dates of Public Hearings:  
\_\_\_\_\_  
\_\_\_\_\_

Dates of Advertising:  
\_\_\_\_\_  
\_\_\_\_\_

**STORMWATER MANAGEMENT/BMP  
MAINTENANCE AGREEMENT**

Dawson County, Georgia  
Stormwater Management Office  
(706) 344-3500 ext. 42334

THIS Agreement made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by and between (Full Name of Owner) \_\_\_\_\_ hereinafter called the "Landowner", and Dawson County, Georgia hereinafter called the "County."

**WHEREAS**, the Landowner is the owner of certain real property described as (Dawson County Tax Map/Parcel Identification Number) \_\_\_\_\_ as recorded by deed in the land records of Dawson County, Georgia at Deed Book \_\_\_\_\_ Page \_\_\_\_\_, hereinafter called the "Property;" and

**WHEREAS**, the Landowner is proceeding to, or has, made improvements on the Property; and

**WHEREAS**, the Site Plan/Subdivision Plan known as \_\_\_\_\_ (Name of Plan/Development) hereinafter called the "Plan," which is expressly incorporated herein by reference, as approved, or to be approved, by the County, provides for detention of stormwater within the confines of the Property; and

**WHEREAS**, the County requires that onsite stormwater management/BMP facilities as shown on the Plan be constructed and adequately maintained by the Landowner, its successors and assigns, including any homeowners association;

**WHEREAS**, the Georgia Stormwater Management Manual addresses issues relating to the operation and/or maintenance of stormwater systems; and

**WHEREAS**, the Landowner, its successors and assigns, understands that the execution and adherence to the provisions of this Agreement is a condition precedent to the County's permitting, and/or approving the final plat for the Property and subdivision located thereon;

**NOW THEREFORE**, in consideration of the foregoing premises and mutual agreements the parties hereby agree as follows:

1. The on-site stormwater management/BMP facilities shall be constructed, operated, and maintained by the Landowner, its successors and assigns, in accordance with the plans and specifications identified in the Plan, as well as in accordance with State and federal law, the Georgia Stormwater Management Manual, and any and all applicable County ordinances.
2. The Landowner, its successors and assigns, including any homeowners association, shall adequately maintain the stormwater facilities and improvements on the Property. Adequate Maintenance required by this Agreement shall include, but is not limited to,

scheduled and corrective maintenance of all facilities and improvements intended to manage and/or control stormwater on the Property, with such facilities and improvements to expressly include, but not be limited to pipes, channels structures, vegetation, berms, outlet structures, pond areas, access roads, or any other improvement relating to stormwater on the Property, but excluding any such improvements located on, under, or within any publicly owned rights of way (the “Stormwater Facilities and Improvements”). Adequate maintenance is herein defined as keeping such Stormwater Facilities and Improvements in good working condition such that they satisfactorily perform their intended design functions.

3. The Landowner, its successors and assigns, shall inspect the Stormwater Facilities and Improvements and submit an inspection report to the County on an annual basis. The purpose of the inspection is to assure safe and proper functioning of the Stormwater Facilities and Improvements located on the Property. Each annual inspection shall include a full and complete inspection of all Stormwater Facilities and Improvements located on the Property. Any and all deficiencies identified during such inspections shall be noted in the inspection report submitted to the County. The inspection report shall also include a detailed plan for any and all repairs to the Stormwater Facilities and Improvements necessary to correct any deficiencies identified during the inspection, with the repair plan to be prepared by a professional engineer, or some other duly qualified professional, licensed in the State of Georgia.
4. The Landowner, its successors and assigns, hereby grants permission to the County, its authorized agents and employees, to enter upon the Property and to inspect the Stormwater Facilities and Improvements as deemed necessary by the County for purposes of protecting the public health, safety or welfare, for purposes of investigating or inspecting any reported or suspected deficiencies in the Stormwater Facilities and Improvements on the Property, for purposes of responding to or investigating citizens’ complaints relating to the management or control of stormwater on the Property, or for any other purpose deemed necessary by the County. The County shall provide the Landowner, its successors and assigns, with a copy of the any inspection findings, as well as a directive to commence with any required repairs. To the extent that the County does not agree with or to the contemplated repairs proposed by the Landowner, the County may submit an alternate repair plan to the Landowner.
5. In the event the Landowner, its successors and assigns, fails to maintain the Stormwater Facilities and Improvements on the Property in good working condition acceptable to the County, or fails to make repairs as specified in the inspection report within a reasonable time frame as established by the County, with such timeframe not to be shorter than thirty (30) days, the County may enter upon the Property and take any and all action necessary to correct deficiencies identified in the inspection report. The Landowner, its successors and assigns, shall be responsible for any and all fees and expenses incurred by the County in taking such corrective action. This provision shall not be construed to allow the County to erect any structure of a permanent nature on the land of the Landowner outside the easement for the stormwater management/BMP facilities. It is expressly understood and agreed that this Agreement imposes no obligation or responsibility on the County to

routinely maintain or repair any Stormwater Facilities and Improvements located on the property

6. The Landowner, its successors and assigns, will perform all work necessary to keep the Stormwater Facilities and Improvements in good working condition as required by the approved Plan, as well as by State and federal law, the Georgia Stormwater Management Manual, and any and all applicable County ordinances.
7. In the event that the County performs or undertakes work of any kind pursuant to this Agreement or expends any funds or resources in performance of said work for labor, use of equipment, supplies, material, and the like, the Landowner, its successors and assigns, shall reimburse the County upon demand, within thirty (30) days of receipt of same.
8. This Agreement shall impose no liability on the County with respect to the maintenance or repair of any Stormwater Facilities and Improvements on the Property, nor does the County assume any obligation or duty to undertake or perform any action allowed for, or permitted by, this Agreement. The Landowner, its successors and assigns, further agrees to indemnify and hold the County harmless from any liability arising out of the management, operation, maintenance, or failure of any Stormwater Facilities and Improvements subject to this Agreement.
9. Notwithstanding any right extended to the County pursuant to this Agreement, it is expressly recognized and acknowledged that the County retains all prosecutorial rights and remedies available to it, including the enforcement of any and all applicable County ordinances, against the Landowner, its successors and assigns, relating to the operation, maintenance, and/or repair of Stormwater Facilities and Improvements located on the Property.
10. This Agreement shall be recorded among the land records of Dawson County, Georgia, and shall constitute an agreement running with the land, and shall be binding on the Landowner, its administrators, executors, assigns, heirs and any other successors in interests, including any homeowners association.

WITNESS the following signatures and seals

\_\_\_\_\_  
Company/Corporation/Partnership Name

{Seal}

By: \_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Print Title

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

Sworn and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

{Notary Seal}



**Attachment A  
Responsible Person**

The Landowner hereby identifies the responsible person or position responsible for ensuring that the inspection and maintenance of the Stormwater Facilities and Improvements is accomplished according to the inspection and maintenance schedule prepared by the engineer of record for this

Property: \_\_\_\_\_  
Address or Name of Property

as \_\_\_\_\_.  
Name and Title of Responsible Person

Results of the inspections shall be submitted annually to Dawson County.

Inspection reports shall be submitted to:

Dawson County  
Stormwater Management Office  
25 Justice Way, Suite 2322  
Dawsonville, GA 30534

**If the responsible entity or contact person changes Dawson County shall be notified in writing of the change not later than thirty (30) days from the effective date of such change.**

\_\_\_\_\_  
Responsible Entity

\_\_\_\_\_  
Contact Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State, Zip Code

\_\_\_\_\_  
Phone Number

# 2015 Dawson County Stormwater Ordinance

Presented By: Robbie Irvin  
Dawson County Stormwater Manager

# Background...

Dawson County Was Designated a Small MS4 by the EPA. In March 2014 a letter addressed to Chairman Berg was received detailing our requirement to obtain coverage under the NPDES General Permit GAG61000

GAG61000 States:

The permittee must develop, implement and enforce a program to address storm water runoff into the MS4 from new development and redevelopment projects, including projects less than one acre if they are part of a larger common plan of development or sale, as described in Parts 4.2.5.1 and 4.2.5.2. **The program must ensure that controls are in place that will prevent or minimize water quality impacts.**

# Additionally...

At a minimum, the post-construction stormwater management in new development and redevelopment program must contain the following requirements:

- Develop and implement strategies which include a combination of structural and/or non-structural BMPs appropriate for your community;
- Use an ordinance or other regulatory mechanism to address post-construction runoff from new development and redevelopment projects to the extent allowable under State and local law; and
- Ensure adequate long-term operation and maintenance of the BMPs.

# And Finally...

Dawson County must implement either the latest Georgia Stormwater Management Manual (GSMM) or an equivalent local design manual.

At a minimum, the permittee shall apply the standards for new development and redevelopment to any site that meets one or more of the following criteria:

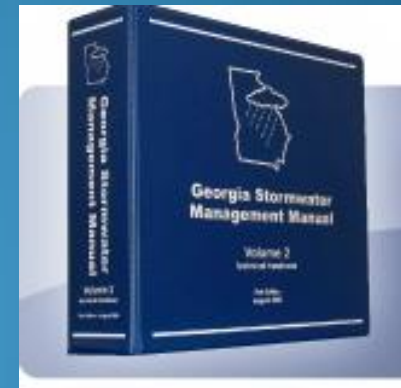
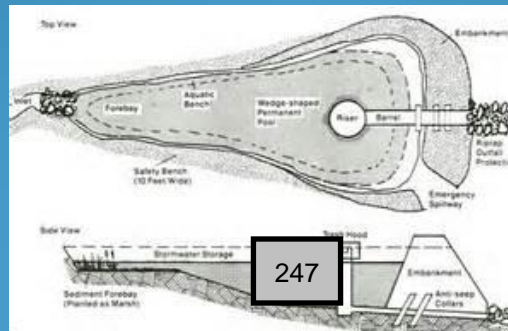
- New development that creates or adds 5,000 square feet or greater of new impervious surface area, or that involves land disturbing activity of 5,000 square feet or greater.
- Redevelopment that creates or adds 5,000 square feet or greater of new impervious surface area, or that involves land disturbing activity of 1 acre or more, including projects less than 1 acre if they are part of a larger common plan of development or sale.

# So ...

With those requirements in mind we are proposing a replacement to Dawson County's current Stormwater Management regulations (1997 Document) which includes a new concise Stormwater Management Ordinance which references the GSMM and which requires **Water Quality ONLY in the MANDATED MS4 AREA.**

# QUESTIONS?

Proposed Public Hearing Dates:  
May 21, 2015 and June 4, 2015



**Backup material for agenda item:**

7. Approval of the Memorandum of Agreement (MOA) with the Atlanta Regional Commission (ARC)





# DAWSON COUNTY BOARD OF COMMISSIONERS AGENDA REQUEST

All items requiring action by the Commissioners must be presented first at a work session. The following information should be provided for each item.

No item will be considered for a work session until the Department has received authorization on the item by the County Manager.

Form must be submitted to the County Clerk 10 days prior to the meeting date.

Department: Administration

Presenter: David McKee

Submitted By: D. McKee

Date Submitted: 4-14-2015

Item of Business/Agenda Title: Memorandum of Agreement (MOA) with Atlanta Regional Commission (ARC)

Attach an Executive Summary fully describing all elements of the item of business.  (Attached)

### THE ITEM IS FOR:

**Work Session presentation only**  
(no action needed)

OR

**Commission Action Needed.**

Is there a deadline on this item? If so, Explain: NONE

Purpose of Request: Review and approve the MOA with ARC

Department Recommendation: Approval

If the action involves a Resolution, Ordinance, Contract, Agreement, etc. has it been reviewed by the County Attorney?

Yes Explanation/ Additional Information: Not at this time.  
 No

If funding is involved, are funds approved within the current budget? If Yes, Finance Authorization is Required Below.

Yes Explanation/ Additional Information:  
 No

Amount Requested:

Amount Budgeted:

Fund Name and Account Number:

### Administration Staff Authorization

Dept. Head Authorization: *D. McKee* Date: 4-14-15

Finance Dept. Authorization: \_\_\_\_\_ Date: \_\_\_\_\_

County Manager Authorization: \_\_\_\_\_ Work Session Date: \_\_\_\_\_

Comments: \_\_\_\_\_



**DAWSON COUNTY BOARD OF COMMISSIONERS**  
**EXECUTIVE SUMMARY**

**SUBJECT:** Memorandum of Agreement(MOA) with Atlanta Regional Commission(ARC) \_\_\_\_\_

**DATE:** 4-14-2015 \_\_\_\_\_

- RECOMMENDATION
- POLICY DISCUSSION
- STATUS REPORT
- OTHER

**BUDGET INFORMATION:**

ANNUAL- \_\_\_\_\_  
CAPITAL- \_\_\_\_\_

**COMMISSION ACTION REQUESTED ON:** 5-7-2015 \_\_\_\_\_

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**PURPOSE:** ARC has complete the MOA with each entity that has been included in the Atlanta Urbanized Area (UA), and requested approval of the agreement from each entity.

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**HISTORY:** A small portion of Dawson County was included in the Atl UA following the 2010 census. Staff worked with ARC to determine options for membership in the Metropolitan Planning Organization (MPO). Staff presented the options to the BOC in June of last year and the board elected to have GDOT represent Dawson in the MPO and attend all MPO meetings.

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**FACTS AND ISSUES:** GDOT is currently attending the meeting and coordinating with county staff as needed

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**OPTIONS:** approve the MOA as presented or recommend changes

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**RECOMMENDED SAMPLE MOTION:** Motion to approve the MOA as drafted

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**DEPARTMENT:** Administration

Prepared by: D. McKee

Director D. McKee

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**2015 Memorandum of Agreement  
Transportation Planning Coordination and Cooperation  
between the Atlanta Regional Commission,  
Dawson County and the Georgia Department of Transportation**

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**SECTION 1: PURPOSE**

This Memorandum of Agreement (MOA) defines the roles and responsibilities of the Atlanta Regional Commission as the Atlanta Metropolitan Planning Organization (MPO), Dawson County and the Georgia Department of Transportation in the continuing, cooperative and comprehensive transportation planning activities of the Atlanta Metropolitan Transportation Planning Area.

The Atlanta Regional Commission (ARC) is the federally designated Metropolitan Planning Organization (MPO) for the Atlanta Metropolitan Transportation Planning Area as well as the state designated Metropolitan Area Planning & Development Commission (MAPDC) with the responsibilities of a Regional Commission (RC). The ARC as a Regional Commission is composed of officials of political subdivisions and private citizens representing districts of approximately the same population within the Atlanta metropolitan area as determined from time to time in accordance with the provisions of Chapter 8 of Title 50 of the official Code of Georgia Annotated. Such composition provides representation to local governments within the area.

**In March 2012, the US Census Bureau designated the Atlanta Urban Area using 2010 Census results, in portions of 23 counties.**

- **In September 2014, the Governor of Georgia approved a revised Atlanta Metropolitan Transportation Planning Area, to include all or portions of 19 counties - the Atlanta Regional Commission's ten counties in total (Cherokee, Clayton, Cobb, DeKalb, Douglas, Fayette, Fulton, Gwinnett, Henry, Rockdale); Coweta, Forsyth and Paulding Counties in total; and portions of 6 adjacent counties (Barrow, Dawson, Newton, Pike, Spalding and Walton).**
- **Transportation planning within the portions of the Atlanta Urban Area in 3 additional counties containing a portion of the Atlanta Urbanized Area will be the responsibilities of adjacent Metropolitan Planning Organizations as defined through formal agreements. The portions of the Atlanta Urban Area within Hall and Jackson Counties have been assigned to the Gainesville-Hall Metropolitan Planning Organization. The portions of the Atlanta boundary within Bartow County will be assigned to the Cartersville-Bartow Metropolitan Planning Organization.**

- **Currently, incorporation of the portion of the Atlanta Urbanized Area within Carroll County into a metropolitan transportation planning process as required, is yet to be resolved.**

Although Dawson County is a member of the Georgia Mountains Regional Commission, the State of Georgia determined that Dawson County may become a limited member of the Atlanta Regional Commission for the purpose of transportation planning, while still maintaining full membership in the Georgia Mountains Regional Commission.

## **SECTION 2: DEFINITIONS**

The following terms used in this MOA shall have the meanings set forth in this section and as now or hereafter defined in the referenced federal or state statutes or regulations:

- A. 3-C Planning Process** means a continuing, cooperative and comprehensive transportation planning process as defined in Title 23 USC §§ 134 and Section 5303 of the Federal Transit Act that leads to the adoption, by the MPO, of a metropolitan transportation plan and a Transportation Improvement Program (TIP). The Plan and the TIP provide for the development and operation of an integrated transportation system that facilitates the efficient movement of people and goods.
- B. Atlanta Metropolitan Transportation Planning Area** means the political subdivisions encompassed in the Transportation Planning Boundary established by ARC and the Governor pursuant to 23 CFR 450.308(b) to reflect the Atlanta Urbanized Area identified by the U. S. Census Bureau in the most recent census.
- C. Atlanta Regional Commission (ARC)** means the multipurpose, comprehensive regional planning agency created pursuant to State law and designated as the planning agency for the Atlanta Region for all federal and state programs which require or encourage areawide planning. ARC is designated by the Governor of the State of Georgia as the Metropolitan Planning Organization for the Atlanta area pursuant to the Federal Aid Highway Act (23 U.S.C. § 101 et seq.), the Federal Transit Act (49 U.S.C. Appx § 1601 et seq) and other applicable federal and state laws.
- D. Georgia Department of Transportation (GDOT)** means the Department designated as the state transportation agency under Georgia law, to carry out a statewide transportation planning process as required by Title 23 U.S.C 135. GDOT is authorized by Georgia Code to organize, administer, and operate an efficient, modern system of public roads and other modes of transportation including public transit, rail, aviation and ports.
- E. Limited Membership** is applicable to counties in adjacent Regional Commissions, that are included in the Atlanta Metropolitan Transportation Planning Area in total or part. The limited membership is for transportation planning purposes only and does not require any annual Regional Commission dues to ARC.

- F. Metropolitan Planning Organization (MPO)** means the forum for cooperative transportation decision-making for the metropolitan planning area. The MPO is responsible for the 3C planning process required by Title 23 USC 134.
- G. Regional Transportation Plan (RTP)** means the financially balanced 20 year or more multimodal transportation plan that leads to the development of an integrated intermodal transportation system that facilitates the efficient movement of people and goods.
- H. Transportation Improvement Program (TIP)** means the financially balanced, staged, short-term, multi-year intermodal program of transportation projects covering a Metropolitan Transportation Planning Area which is consistent with the Regional Transportation Plan, and developed pursuant to 23 CFR 450.
- I. Transportation & Air Quality Committee (TAQC)** means the transportation policy committee of the ARC. TAQC serves as the body to develop consensus among the ARC, MARTA GDOT and GRTA regarding metropolitan or multi-jurisdictional transportation related policy matters potentially affecting the Area. TAQC shall transmit its recommendations directly to the Commission. TAQC holds regularly scheduled meetings which are open to the public.
- J. Transportation Coordinating Committee (TCC)** means the transportation technical committee of the ARC. TCC is responsible for providing local government input on planning issues and evaluating information in order to provide technical advice to TAQC. TCC holds regularly scheduled meetings which are open to the public.
- K. Unified Planning Work Program (UPWP)** means that document developed annually pursuant to 23 CFR 450.314 and adopted by the MPO describing planning activities to be performed in the next fiscal year within the Metropolitan Transportation Planning Area; in sufficient detail to indicate who will perform the work, the schedule for completion, associated budget and the products that it will produce.

### SECTION 3: ORGANIZATIONAL ROLES & RESPONSIBILITIES

- A. ATLANTA REGIONAL COMMISSION (ARC), as the MPO, shall be responsible for the following:**
1. Develop and maintain a long range Regional Transportation Plan (RTP), a short range Transportation Improvement Program (TIP) and a Unified Planning Work Program (UPWP) for the Atlanta Metropolitan Transportation Planning Area pursuant to federal requirements.
    - i. Prepare and publish a fiscally balanced 20 year or more multimodal RTP that leads to the development of an integrated intermodal transportation system that facilitates the efficient movement of people and goods. The RTP shall conform with new planning goals, objectives, policies, or developments in areas including, but not limited to, subarea and intermodal studies and planning for transit, freight, and bicycles and pedestrians.
    - ii. Prepare, publish and maintain a financially balanced multimodal TIP for a four year or more period.
    - iii. Prepare, in cooperation with GDOT, GRTA, MARTA, EPD, local governments and local government transit providers acting through the Transportation Coordinating Committee, an annual Unified Planning Work Program (UPWP) to document planning activities to be performed in the next fiscal year, in sufficient detail to indicate who will perform the work, the schedule for completion, associated budget and the products that it will produce.
  2. For required technical analysis of RTP and TIP updates and amendments, to demonstrate to USDOT and USEPA that anticipated emissions of pollutant precursors fall below set limits, ARC will perform the technical analysis to demonstrate conformity of the Atlanta Nonattainment Area, in coordination with GDOT, EPD and adjacent MPOs with portions of their planning area in the nonattainment area.
  3. Coordinate the development of plans and programs and related air quality conformity findings with transportation providers, GDOT, EPD, MARTA, adjacent MPOs, citizens, affected parties and local governments.
  4. Develop the RTP and TIP for the expanded Atlanta Metropolitan Transportation Planning Area in a cooperative effort with transportation planning partners through the metropolitan transportation planning process as detailed in the annual Unified Planning Work Program.
    - i. **For the applicable 17 counties within the Metropolitan Transportation Planning Area since at 2004 or before (ARC 10 counties plus all of Coweta, Forsyth and Paulding, and parts of Barrow, Newton, Spalding, Walton), ARC**



- a. Develop and maintain base and projected population, housing, employment, economic, vehicle, land use data and special trip generators by traffic zone; and provide information to planning process participants as requested.
  - b. Periodically review traffic zone boundaries and make appropriate recommendations to the Transportation Coordinating Committee (TCC) and cooperate with the GDOT in revision of said boundaries.
  - c. Update and maintain maps showing existing and proposed land use, and make appraisals of actual land use development in comparison with projections.
- ii. Coordinate with outlying counties in the Atlanta Metropolitan Transportation Planning Area, as applicable, on the development of data necessary for the transportation planning process.
- 11. Provide available maps, aerial photographs, charts, records, and directories to the extent possible.
  - 12. For the ten county area, provide technical assistance to local governments as they prepare, update and implement local comprehensive plans as required by the Georgia Planning Act of 1989. ARC will also review comprehensive plans for internal consistency; opportunities for cooperation; conflicts with other local plans; and conflicts with regional plans.
  - 13. Provide other assistance as mutually agreed upon.

**B. DAWSON COUNTY**, by this formal agreement, acknowledges that due to the relatively small portion of the county within the Metropolitan Transportation Planning Area, the county desires no formal participation in the policy and decision-making the Atlanta metropolitan transportation planning process at this time.

For transportation projects identified within the portion of Dawson County within the Atlanta Metropolitan Transportation Planning Area, the county will provide details of projects for which local funding has been identified, to the Atlanta Regional Commission for inclusion in the RTP and TIP, if applicable.

- C. GEORGIA DEPARTMENT OF TRANSPORTATION** shall be responsible for the following:
- 1. Program Dawson County projects using federal transportation funds identified by GDOT and, in coordination with Dawson County, provide projects in the Dawson County portion of the Atlanta Metropolitan Planning Area to ARC for inclusion in the RTP and TIP.
  - 2. Assist the County in development of planning data.
  - 3. Provide other assistance as mutually agreed upon.



**SECTION 6: COMPLIANCE WITH APPLICABLE LAWS & REGULATIONS**

All parties shall comply with all applicable local, state, and federal laws and regulations. Nothing in this MOA alters, or seeks to alter, the existing statutory authority of any party under state or federal law. If any of the provisions of this MOA are held to be illegal, invalid or unenforceable, the remaining provisions shall remain in full force and effect.

**SECTION 7: AMENDMENTS & MODIFICATIONS**

Any party may request changes to this MOA at any time by written notice to the other party’s signatory of this agreement. Such changes as are mutually agreed upon by and between the parties shall be incorporated in written amendments to this MOA executed in the same manner as original MOA approval.

**SECTION 8: NOTIFICATION**

Any official notifications between the parties to this MOA that would substantially affect the terms or conditions of this MOA shall be directed to the office of the signatories to this agreement.

*In witness whereof, the parties hereto have executed this Memorandum of Agreement, this \_\_\_\_\_ day of \_\_\_\_\_, 2015.*

Attest:

\_\_\_\_\_

**Atlanta Regional Commission**

\_\_\_\_\_  
Director

Attest:

\_\_\_\_\_

**Dawson County**

\_\_\_\_\_  
County Commission Chairman

Attest:

\_\_\_\_\_

**Georgia Department of Transportation**

\_\_\_\_\_  
Commissioner

**Backup material for agenda item:**

8. Approval of the Trauma Course Funding for Emergency Services Personnel



# DAWSON COUNTY BOARD OF COMMISSIONERS AGENDA REQUEST

All items requiring action by the Commissioners must be presented first at a work session. The following information should be provided for each item.

No item will be considered for a work session until the Department has received authorization on the item by the County Manager.

Form must be submitted to the County Clerk 10 days prior to the meeting date.

Department: ESA

Presenter: Billy Thurmond

Submitted By: Billy Thurmond

Date Submitted: 04-14-2015

Item of Business/Agenda Title: Trauma Course Funding for Emergency Services Personnel

**Attach an Executive Summary fully describing all elements of the item of business.  (Attached)**

### THE ITEM IS FOR:

**Work Session presentation only**  
(no action needed)

**OR**  **Commission Action Needed.**

Is there a deadline on this item? If so, Explain: The electronic application has to be submitted by April 30th

Purpose of Request: Seek funding from the Trauma Commission to pay for two classes with grant funds that we normally pay for internally.

Department Recommendation: Approval to apply for the trauma course funding

If the action involves a Resolution, Ordinance, Contract, Agreement, etc. has it been reviewed by the County Attorney?

Yes Explanation/ Additional Information:

No

If funding is involved, are funds approved within the current budget? **If Yes, Finance Authorization is Required Below.**

Yes Explanation/ Additional Information:

No 100% reimbursed upon completion and submission of course paperwork

Amount Requested: \$4,500.00 (application amount) Amount Budgeted: none (no match grant)

Fund Name and Account Number: 250-00-3926-523700-000 Education and Training

#### Administration Staff Authorization

Dept. Head Authorization: Billy Thurmond Date: 04-14-2015

Finance Dept. Authorization: Dena Bosten Date: 04-14-2015

County Manager Authorization: CINDY CAMPBELL Work Session Date: 04/23/2015

Comments: \_\_\_\_\_



**DAWSON COUNTY BOARD OF COMMISSIONERS**  
**EXECUTIVE SUMMARY**

**SUBJECT:** Trauma Course Funding for Emergency Services Personnel

**DATE:** 04-14-2015

**BUDGET INFORMATION:**

**ANNUAL-** \_\_\_\_\_  
**CAPITAL-** \_\_\_\_\_

- RECOMMENDATION**
- POLICY DISCUSSION**
- STATUS REPORT**
- OTHER**

**COMMISSION ACTION REQUESTED ON:** Approval to submit Trauma Commission Grant for ES courses .

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**PURPOSE:** The Georgia Association of EMS has partnered with the Georgia Trauma Commission to facilitate the distribution of funds earmarked for the coordination and delivery of approved Trauma Courses for Emergency Services personnel.

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**HISTORY:** Since the establishment of the Ga. Trauma Commission, counties have been able to seek funding for training and equipment.

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**FACTS AND ISSUES:** Electronic registration is between April 15-30. Maximum course size is 24 students. Maximum funding is \$4500 per class. 100% reimbursement. County must follow all registration and program requirements. PHTLS and Emergency Pediatric Care are two courses we offer annually.

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**OPTIONS:** Continue to fund courses out of annual budgeted training funds.

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**RECOMMENDED SAMPLE MOTION:** Approval to apply electronically for funding for trauma courses for Emergency Services personnel

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**DEPARTMENT:** ESA

Prepared by: Billy Thurmond

Director Billy Thurmond

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*"Dedicated to Quality Pre-Hospital Care"*

Georgia Association of Emergency Medical Services, Inc.  
P.O. Box 836  
Fitzgerald, Georgia 31750  
Website: [www.ga-ems.com](http://www.ga-ems.com)

To: Trauma Course Coordinators  
From: Cathy M. White, Program Coordinator  
Re: Funding for Trauma Courses  
Date: April 2015

The Georgia Association of EMS has partnered with the Georgia Trauma Commission to facilitate the distribution of funds earmarked for the coordination and delivery of approved Trauma Courses for Emergency Services personnel.

The purpose of this document is to provide coordinators with the information necessary to seek approval through GAEMS for the use of these funds.

Currently, the funds are approved to cover course expenses for Pre-Hospital Trauma Life Support, International Trauma Life Support and Emergency Pediatric Care programs. These funds are provided to ensure participants can attend these programs at no charge. Our goal is to reach 'statewide' and make this training accessible to as many providers as possible. The class must be an 'open' registration course and not limited to a specific set group.

**To be eligible for the funds, Course Coordinators must agree to the following:**

- 1) Electronic registration for consideration of a course must be between the following dates April 15, 2015 and April 30, 2015 at the following link:

**[GAEMS Trauma Course Application](#)**

You will be requested to include the type of program (PHTLS/ITLS, EPC), anticipated dates of the course, course coordinator and contact information, number of students expected (maximum number per course is 24 students), and a tentative budget. Total maximum amount available per class is \$4500.00 (rate flexes according to the number of students).

- 2) After the course request is made and approved, the course will be placed on the GAEMS Trauma Course calendar.

- 3) GAEMS does not recommend combining “paying” students with “grant funded” students. In an effort to maintain records of grant funds distribution, we would prefer that all students attending a class placed on the GAEMS Trauma Calendar be covered under the grant funds.
- 4) Course coordinators must agree to follow all program coordination requirements. Courses must be approved and registered through NAEMT PHTLS/EPC or ITLS (*Course coordinators work with their local Chapter or Training Centre to schedule and register an ITLS course. If the Chapter or Training Centre uses CMS, the course request is submitted through CMS and approval is granted by the Chapter or Training Centre*) as required, student/instructor ratios must be maintained, and all quality assurance mechanisms required to be in place must be met and the course must be listed as an OPEN course.
- 5) Coordinators may seek additional financial support for the program through their community, employers, donations, etc. However, the coordinator agrees to ensure the student participates free of charge, and is not required to pay for any portion of course expenses.
- 6) The Trauma Commission funds DO NOT cover travel/lodging expenses for the students or instructors. Instructors are paid at a flat fee per day.
- 7) Trauma Commission funds are NOT to be used to cover expenses for food such as breakfast, lunch, snacks, or breaks.
- 8) The Trauma Commission funds may be used to purchase textbooks for each individual student, OR, to purchase a library of textbooks for the host facility. If the textbooks are purchased for the host facility, the facility is responsible for ensuring students receive and return books prior to and after the course. The facility should also agree to use the texts for the delivery of additional classes, even if not funded through the Trauma Commission grant. No more than 24 “library” textbooks will be purchased for any given facility. Only one bank of textbooks will be allowed per coordinator/host facility.
- 9) If the Coordinator desires GAEMS to provide the textbooks for the course, arrangements should be made well in advance to place the order, and pick the books up from the GAEMS office at GPSTC.
- 10) If the Coordinator desires to use GAEMS equipment during the course, the specific equipment should be requested in advance, and arrangements must be made to pick the equipment up from (and return equipment to) the GAEMS office at GPSTC.

### **Requirements for Reimbursement:**

The Coordinator also agrees to provide GAEMS with the required documentation for reimbursement *no later than **20 days*** of the conclusion of the course. Required documentation includes:

- 1) Official, **final student roster including course approval number** and all names and contact information of students completing course (home mailing addresses and phone number). *A copy of the Official Roster will be provided to the Course Coordinator.*

- 2) Official NAEMT Invoice for PHTLS/EPC courses, or official ITLS Invoice for ITLS courses which indicates the amount owed/to be paid to that organization.
- 3) An itemized invoice on agency letterhead outlining all expenses (to be reimbursed) for the course. This list includes, but is not limited to,
  - a. Administrative (printing, postage, etc.)
  - b. Names of all instructors and other staff, the number of hours assisting in the course, and the amount each participant is to be paid along with a completed **W-9** from every instructor.
  - c. Any other expenses directly related to the delivery of the course. Receipts may be requested to support expenses.

GAEMS will mail checks directly to the recipient (participating instructor). Therefore, a list of mailing addresses for each recipient must be included.

Student/card fees will be mailed directly to NAEMT (for PHTLS/EPC classes) or Georgia ITLS (for ITLS classes). Therefore, the official invoice for the course and the amount due must also be included.

If books were purchased by the host facility for the course, the invoice for the books must also be included. Reimbursement for the purchase of the books will be paid to the host facility. When requesting reimbursement for the books, please indicate to whom the check should be cut, (ie, "ABC Technical College" or "ABC Medical Center") and the contact person and address to which the check should be mailed.

The purpose of these funds is to ensure a fair and equal distribution of quality trauma courses around the state. It is the desire of GAEMS to facilitate the coordination of PHTLS, EPC and ITLS classes at different dates and locations throughout the year. To ensure fair practice, GAEMS will limit the funding to two classes per host facility during the funding period. Requests from Coordinators to utilize the same host facility for more than two courses will be reviewed on a case-by-case basis.

If you have any questions, or need further clarification, please feel free to contact Cathy White 678-283-4542(cell) or at [60whitehouse@gmail.com](mailto:60whitehouse@gmail.com)

Please be aware that we may have further Grant funding for PHTLS, EPC and ITLS in the very near future. Future announcements will be forthcoming.

I am thanking you in advance for your cooperation.

***This Program is made possible by State of Georgia funding provided through the Georgia Trauma Care Network Commission***

**Backup material for agenda item:**

9. Approval to move forward with public hearings on May 21, 2015 and June 4, 2015 for the Ordinance to Amend the Compensation of the Chairman and Commissioners





# DAWSON COUNTY BOARD OF COMMISSIONERS AGENDA REQUEST

All items requiring action by the Commissioners must be presented first at a work session. The following information should be provided for each item.

No item will be considered for a work session until the Department has received authorization on the item by the County Manager.

Form must be submitted to the County Clerk 10 days prior to the meeting date.

Department: County Attorney

Presenter: County Attorney Joey Homans

Submitted By: County Attorney Joey Homans

Date Submitted: 04/15/2015

Item of Business/Agenda Title: Presentation of the Ordinance to Amend the Compensation of the Chairman and Commissioners

**Attach an Executive Summary fully describing all elements of the item of business.  (Attached)**

### THE ITEM IS FOR:

**Work Session presentation only**  
(no action needed)

**OR X Commission Action Needed.**

Is there a deadline on this item? If so, Explain: \_\_\_\_\_

Purpose of Request: Seek approval to move forward with public hearings on the Ordinance to Amend the Compensation of the Chairman and Commissioners

Department Recommendation: \_\_\_\_\_

If the action involves a Resolution, Ordinance, Contract, Agreement, etc. has it been reviewed by the County Attorney?

Yes Explanation/ Additional Information: \_\_\_\_\_

No

If funding is involved, are funds approved within the current budget? **If Yes, Finance Authorization is Required Below.**

Yes Explanation/ Additional Information: \_\_\_\_\_

No

Amount Requested: \_\_\_\_\_ Amount Budgeted: \_\_\_\_\_

Fund Name and Account Number: \_\_\_\_\_

### Administration Staff Authorization

Dept. Head Authorization: \_\_\_\_\_ Date: \_\_\_\_\_

Finance Dept. Authorization: \_\_\_\_\_ Date: \_\_\_\_\_

County Manager Authorization: CINDY CAMPBELL Work Session Date: 04/23/2015

Comments: \_\_\_\_\_

Attachments: Draft Ordinance



**AN ORDINANCE OF  
THE BOARD OF COMMISSIONERS OF DAWSON COUNTY**

**TO AMEND THE COMPENSATION OF THE CHAIRMAN AND COMMISSIONERS;  
TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY;  
AND FOR OTHER PURPOSES. O.C.G.A. § 36-5-24**

**WHEREAS**, Section 2-7 of the Dawson County Code of Ordinances provides for the compensation to be paid to the Chairman and Commissioners of the Dawson County Board of Commissioners; and

**WHEREAS**, O.C.G.A. § 36-5-24 permits the governing authority of each county to fix the salary, compensation, and expenses of the members of the governing authority subject to certain conditions set forth therein; and

**WHEREAS**, the current Section 2.7 of the Dawson County Code of Ordinances provides for certain incentive adjustments based upon training and certification provided by the Association of County Commissioners of Georgia no longer offered by the Association of County Commissioners of Georgia.

**NOW, THEREFORE**, the Board of Commissioners of Dawson County hereby adopts this ordinance regarding the salary, compensation, and expenses of the Chairman and Commissioners as follows:

**SECTION 1.** Compensation.

The compensation to be paid to the Chairman and the Commissioners shall be in accord with "Exhibit A" that is attached hereto and incorporated herein by reference.

**SECTION 11.** Effective Date.

The salary, compensation, and expenses of the Chairman and Commissioners shall be effective January 1, 2017, which is the first day of January of the year following the next general election held after the date of this ordinance.

**SECTION III.** Repealer.

All resolutions or ordinances or parts of resolutions or ordinances and any part of Section 2-7 of the Dawson County Code of Ordinances currently in effect in conflict with the terms of this ordinance are hereby repealed, but any resolution or ordinance that may be applicable hereto and aid in carrying out or making effective the intent, purpose, and provisions hereof is hereby adopted as a part hereof.

**SECTION IV. Severability**

If any paragraph, sub-paragraph, sentence, clause, phrase, or any portion of the resolution shall be declared invalid or unconstitutional by any court of competent jurisdiction or if the provision of any part of this resolution as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, then such invalidity shall not be construed to affect the portions of the ordinance not held to be invalid, nor shall the application of the ordinance to other circumstances be held invalid. It is hereby declared to be the intent of the Board of Commissioners of Dawson County to provide for separable and divisible parts, and the Board of Commissioners hereby adopts any and all parts that are not held invalid.

This \_\_\_\_ day of \_\_\_\_\_, 2015

**DAWSON COUNTY BOARD  
OF COMMISSIONERS**

**ATTEST:**

By: \_\_\_\_\_  
**Mike Berg, Chairman  
Dawson County Commission**

By: \_\_\_\_\_  
**Danielle Yarbrough, County Clerk**

Vote: \_\_\_\_\_ Yes

\_\_\_\_\_ No

Dates of Public Hearings:

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

Dates of Advertisements:

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

## EXHIBIT A

### Chairman

Base Salary Adjusted plus Local Supplement Adjustment	\$ 12,000.00
Incentive Component- (completion of initial commissioner training through Association of County Commissioners of Georgia currently referenced as "core curriculum") (\$100.00 per month)	\$ 1,200.00
Local Incentive Component (completion of at least one of the Association of County Commissioners of Georgia training tracks beyond core training currently referenced as "Lifelong Learning Academy Specialty Certification") (\$100.00 per month)	\$ 1,200.00
Called Meeting Fee- Maximum 72 (\$100.00 per meeting) (shall not include regular meeting or regularly scheduled work session)	\$ 7,200.00

### Commissioners - All Districts

Base Salary Adjusted plus Local Supplement Adjustment	\$ 9,600.00
Incentive Component- (completion of initial commissioner training through Association of County Commissioners of Georgia currently referenced as "core curriculum") (\$100.00 per month)	\$ 1,200.00
Local Incentive Component (completion of at least one of the Association of County Commissioners of Georgia training tracks beyond core training currently referenced as "Lifelong Learning Academy Specialty Certification") (\$100.00 per month)	\$ 1,200.00
Called Meeting Fee-Maximum 72 (\$100.00 per meeting) (shall not include regular meeting or regularly scheduled work session)	\$ 7,200.00

Cost of Living Adjustments to the Base Salary and the Local Incentive Supplements shall apply as provided in the Georgia Code. Cost of Living Adjustment shall apply to the incentive payments, but shall not apply to the called meeting fees.