

**DAWSON COUNTY BOARD OF COMMISSIONERS
VOTING SESSION AGENDA – THURSDAY, FEBRUARY 20, 2020
DAWSON COUNTY GOVERNMENT CENTER ASSEMBLY ROOM
25 JUSTICE WAY, DAWSONVILLE, GEORGIA 30534
6:00 PM**

A. ROLL CALL

B. INVOCATION

C. PLEDGE OF ALLEGIANCE

D. ANNOUNCEMENTS

E. APPROVAL OF MINUTES

[Minutes](#) of the Work Session held on February 6, 2020

[Minutes](#) of the Voting Session held on February 6, 2020

F. APPROVAL OF AGENDA

G. PUBLIC COMMENT

H. NEW BUSINESS

- [1.](#) Consideration of Special Event Business License Application - *Hippie Fest*
- [2.](#) Consideration to Move Forward with Public Hearings for Abatement of Nuisance Property Ordinance
- [3.](#) Consideration of Automatic Aid Agreement with Pickens County
- [4.](#) Consideration of 2020 Charity Boot Drives
- [5.](#) Consideration of Request to Accept Georgia Child Passenger Safety Mini-Grant
- [6.](#) Consideration of Request to Accept Emergency Management Performance Grant
- [7.](#) Consideration of Resolution to Declare Support for Second Amendment Rights in Dawson County

I. PUBLIC COMMENT

J. ADJOURNMENT

Those with disabilities who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting, should contact the ADA Coordinator at 706-344-3666, extension 44514. The county will make reasonable accommodations for those persons.

**DAWSON COUNTY BOARD OF COMMISSIONERS
WORK SESSION MINUTES – FEBRUARY 6, 2020
DAWSON COUNTY GOVERNMENT CENTER ASSEMBLY ROOM
25 JUSTICE WAY, DAWSONVILLE, GEORGIA 30534
4:00 PM**

Those present were Chairman Billy Thurmond; Commissioner Sharon Fausett, District 1; Commissioner Chris Gaines, District 2; Commissioner Tim Satterfield, District 3; Commissioner Julie Hughes Nix, District 4; County Manager David Headley; County Attorney Angela Davis; County Clerk Kristen Cloud; and interested citizens of Dawson County.

NEW BUSINESS

1. Presentation of Request to Accept 2020 Criminal Justice Coordinating Council K9 Grant-Sheriff's Office Chief Deputy Greg Rowan
This item will be added to the February 6, 2020, Voting Session Agenda.
2. Presentation of Special Event Business License Application - *Hippie Fest* - Planning & Development Director Jameson Kinley
This item, presented by Planning & Development Director Jameson Kinley via Skype, as well as applicant Mathew Hughes of Uncle Shucks Corn Maze, will be placed on the February 20, 2020, Voting Session Agenda.
3. Presentation of Abatement of Nuisance Property Ordinance- Planning & Development Director Jameson Kinley
This item, presented by Planning & Development Director Jameson Kinley via Skype, as well as County Attorney Davis and Planning & Development's Grayson Smith and Angela Byers, will be placed on the February 20, 2020, Voting Session Agenda.
4. Presentation of Automatic Aid Agreement with Pickens County- Emergency Services Director Danny Thompson
This item will be placed on the February 20, 2020, Voting Session Agenda.
5. Presentation of 2020 Charity Boot Drives- Emergency Services Director Danny Thompson
This item will be placed on the February 20, 2020, Voting Session Agenda.
6. Presentation of Request to Accept Georgia Child Passenger Safety Mini-Grant- Emergency Services Director Danny Thompson
This item will be placed on the February 20, 2020, Voting Session Agenda.
7. Presentation of Request to Accept Emergency Management Performance Grant- Emergency Services Director Danny Thompson
This item will be placed on the February 20, 2020, Voting Session Agenda.
8. Discussion of Second Amendment Sanctuary County Resolution- Chairman Billy Thurmond
This item, presented by Chairman Thurmond and County Attorney Davis, will be placed on the February 20, 2020, Voting Session Agenda for consideration as a Resolution to Declare Support for Second Amendment Rights in Dawson County.

In addition, Dawson County Republican Party Chair Seanie Zappendorf, who submitted the initial formal request for potential Board of Commissioners' (BOC) discussion, expressed her appreciation for the opportunity and her support of a Second Amendment-related resolution. Local resident and attorney Zack Tumlin also addressed the BOC. He said, "I think all of this Second Amendment sanctuary county stuff is great; it's good talk..." He added, "...I think the county could look at its ordinances to see if there's anything on the books that address gun rights ... [and] here's what I think the county ought to do: we'll trust our state legislators down in Atlanta to pass good public policy so that we don't have to worry about this at the county level because I can promise you this Dawson County's always going to have a state representative, if I have anything to do about it, where the people get to keep their guns to defend themselves, their families..."

9. County Manager Report

This item was for information only.

10. County Attorney Report

County Attorney Davis had no information to report and requested an Executive Session.

EXECUTIVE SESSION

Motion passed 4-0 to enter into Executive Session to discuss personnel. Fausett/Gaines

APPROVE:

ATTEST:

Billy Thurmond, Chairman

Kristen Cloud, County Clerk

**DAWSON COUNTY BOARD OF COMMISSIONERS
VOTING SESSION MINUTES – FEBRUARY 6, 2020
DAWSON COUNTY GOVERNMENT CENTER ASSEMBLY ROOM
25 JUSTICE WAY, DAWSONVILLE, GEORGIA 30534
6:00 PM**

ROLL CALL: Those present were Chairman Billy Thurmond; Commissioner Sharon Fausett, District 1; Commissioner Chris Gaines, District 2; Commissioner Tim Satterfield, District 3; Commissioner Julie Hughes Nix, District 4; County Manager David Headley; County Attorney Angela Davis; County Clerk Kristen Cloud; and interested citizens of Dawson County.

Motion passed 4-0 to come out of Executive Session. Satterfield/Nix

INVOCATION: Chairman Thurmond

PLEDGE OF ALLEGIANCE: Chairman Thurmond

ANNOUNCEMENTS:

Chairman Thurmond announced that the moratorium on acceptance of applications for rezoning would expire on February 7, 2020.

Commissioner Nix expressed appreciation to the board and community for their support during her son's illness and said he was expected to be able to return home soon. Commissioner Nix also announced that, as her term comes to an end in 2020, she would not seek re-election for the District 4 Commission seat; she thanked her supporters and said she plans to volunteer in the community and "enjoy her family."

Commissioner Gaines welcomed Alexander Popp, the new editor of the Dawson County News.

APPROVAL OF MINUTES:

Motion passed 3-1 to approve the Minutes of the Work Session held on January 16, 2020. Fausett/Satterfield- Commissioner Nix abstained

Motion passed 3-1 to approve the Minutes of the Voting Session held on January 16, 2020. Gaines/Satterfield- Commissioner Nix abstained

APPROVAL OF AGENDA:

Motion passed 4-0 to approve the agenda with the following change:

- Addition of No. 8 under New Business:
 - Request to Accept 2020 Criminal Justice Coordinating Council K9 Grant

Gaines/Fausett

PUBLIC COMMENT:

None

ALCOHOL LICENSE:

New Alcohol License (Retail Consumption on Premises of Beer) - Ray's Signature Grill LLC
Motion passed 4-0 to approve the New Alcohol License (Retail Consumption on Premises of Beer) - Ray's Signature Grill LLC. Nix/Gaines

NEW BUSINESS:

Consideration of Superior Court 2019 Budget Correction for Intergovernmental Agreement
Motion passed 4-0 to approve the Superior Court 2019 Budget Correction for Intergovernmental Agreement; funds, in the amount of \$15,200, will come from General Fund's fund balance. Fausett/Satterfield

Consideration of IFB #352-19 - Sale of Surplus Real Property Owned by Dawson County Board of Commissioners - Second Rebid Results

Motion passed 4-0 to approve IFB #352-19 - Sale of Surplus Real Property Owned by Dawson County Board of Commissioners - Second Rebid Results; to reject the bid offered. Satterfield/Nix

Consideration of RFP #355-19 - Debris Removal and Disposal Services Award Recommendation

Motion passed 4-0 to approve RFP #355-19 - Debris Removal and Disposal Services Award Recommendation; to accept the proposals submitted and award a contract to Graham County Land Company. Nix/Gaines

Consideration of RFP #356-19 - Debris Monitoring Services Recommendation

Motion passed 4-0 to approve RFP #356-19 - Debris Monitoring Services Recommendation; to accept the proposals submitted and award a contract to DebrisTech LLC. Satterfield/Fausett

Consideration of Georgia Emergency Management Agency and Homeland Security Agency Statewide Mutual Aid Agreement

Motion passed 4-0 to approve the Georgia Emergency Management Agency and Homeland Security Agency Statewide Mutual Aid Agreement. Gaines/Fausett

Consideration of Request to Accept Georgia Forestry Commission Volunteer Fire Assistance 50/50 Grant

Motion passed 4-0 to approve the Request to Accept the Georgia Forestry Commission Volunteer Fire Assistance 50/50 Grant. Satterfield/Gaines

Ratification of Request to Apply for Emergency Management Performance Grant

Motion passed 4-0 to ratify the Request to Apply for the Emergency Management Performance Grant. Nix/Fausett

Consideration of Request to Accept 2020 Criminal Justice Coordinating Council K9 Grant

Motion passed 4-0 to approve the Request to Accept the 2020 Criminal Justice Coordinating Council K9 Grant. Satterfield/Gaines

PUBLIC COMMENT:

None

ADJOURNMENT:

APPROVE:

ATTEST:

Billy Thurmond, Chairman

Kristen Cloud, County Clerk

DRAFT



DAWSON COUNTY BOARD OF COMMISSIONERS AGENDA FORM

Department: Planning & Development

Work Session: 2/6/2020

Prepared By: Harmony Gee

Voting Session: 2/20/2020

Presenter: Jameson Kinley

Public Hearing: Yes ___ No x

Agenda Item Title: Presentation of Special Event Business License - Hippie Fest

Background Information:

Uncle Shucks Corn Maze currently has a Special Event Business License that was issued last fall.

Current Information:

They wish to add an event that will be held this March that features tie dye stations, colored bubble stations, food trucks, car show and local art vendors. This is considered a change of the Special Event and needs Board approval. The event will be held on March 14-15 from 12 (noon) to 7:00 p.m.

Budget Information: Applicable: ___ Not Applicable: x Budgeted: Yes ___ No n/a

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining

Recommendation/Motion: ___

Department Head Authorization: ___

Date: ___

Finance Dept. Authorization: ___

Date: ___

County Manager Authorization: DH

Date: 1/30/2020

County Attorney Authorization: ___

Date: ___

Comments/Attachments:

F. SPECIAL EVENT BUSINESS LICENSE APPLICATION

TMP 097, 002, 003, 004 Acreage of the request 48

ZONING OF THE PROPERTY RA

911 Street address of property: 125 Bannister Rd.

Submittal Date 12-12-19 Time _____ am pm Rec'd. By M. Houn
Staff initials

Board of Commissioners Work Session Date: _____
(if applicable)

Board of Commissioners Meeting Date: _____
(if applicable)

APPLICANT INFORMATION
(Authorized Representative)

Printed Name MLH Farms

Address _____

Phone _____

Email Address _____

Status Owner [] Authorized Agent [] Lessee [] Option to purchase

NOTE: *If applicant is other than owner, enclosed Property Owner Authorization form must be completed.*

PROPERTY OWNER INFORMATION

Name Same as above

Address _____

Phone _____

PROPERTY INFORMATION

911 Street Address of Property 125 Bannister Rd.

Directions to Property
 Hwy 9 South to Bannister Rd.

Tax Map & Parcel# (TMP) 097-002,003,004

Land Lot(s) 985, 988, 1053 District 4,4-1 Section Tract 1-3

Commission District # 2

Subdivision Name _____ Lot# _____

Current Zoning RA Current Use of Property AGRI-TOURISM
(Example: residence, farm, commercial)

SURROUNDING ZONING:

North RA South RA
East RA West RA

PROPOSED ACCESS:

Access to the development will be provided from:

Road Name Bannister Rd.

Type of Road Surface Asphalt

SITE PLAN: Attach detailed site plan.

Site plan notes: activities will be held where corn maze

Previously existed. Attached

REQUESTED ACTION & DETAILS OF PROPOSED USE

Special Event Business License for March 14 & 15 Hippie-Fest
12 Noon - 7 PM

DATE(S) OF THE EVENT March 14 & 15

Anticipated Attendance Est 2500

Existing Utilities: Water Sewer Gas Electric

Number of Parking Spaces: 500 +

Number of Maintenance Personnel: _____

Nearest Emergency Medical Clinic: Northside urgent care

Distance to Clinic: 6 miles

Total# of Toilet Fixtures Provided: 0

Total# of Public Water Fountains: 0

Proposed Hours of Operation: M-F NA
(See page 5 for times not Sat 12-7
permitted to operate.) Sun 12-7

Is there a charge for admission, a ticket, or a tour? Yes No

Is there a temporary tent structure?
If yes, what is the square footage? _____ Yes No

Are food vendors participating in the event? Yes No
If yes, are they licensed by the Environmental Health Department?
(Provide copy of licenses) Yes No
If yes, how many vendors will participate? 1

Will alcohol be served or sold during the event? Yes No
If yes, what type? Beer Wine Liquor

REQUESTED ACTION & DETAILS OF PROPOSED USE

(Continued)

Is there any potentially dangerous or hazardous activity? Yes

No

If yes, please describe

Will any national or local celebrity be participating in the event? Yes

No

If yes, provide name and describe type of participation

Will there be any media coverage? Yes

No

If yes, provide name(s) of media and describe type of coverage

Do you foresee any unusual or excessive burden on the Sheriff Department, Emergency Services, County Marshal, or other county personnel? Yes

No

If yes, please describe

Note that as a condition on the issuance of a temporary special event business license, the license holder shall indemnify and hold Dawson County harmless from claims, demand, or cause of action that may arise from activities associated with the special event.

NOTE: Before signing this statement, check all answers and explanations to see that you have answered all questions fully and correctly. This statement is to be executed under oath and subject to the penalties of false swearing and it includes all attached sheets submitted herewith.

STATE OF GEORGIA, DAWSON COUNTY

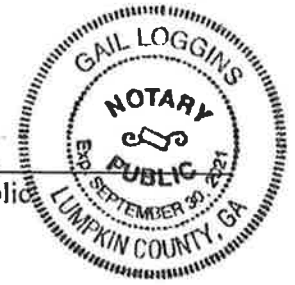
I, (Print Name) Matthew Hughes, DO SOLEMNLY SWEAR, SUBJECT TO PENALTIES OF FALSE SWEARING, THAT THE STATEMENTS AND ANSWERS MADE BY ME AS THE APPLICANT IN THE FOREGOING APPLICATION STATEMENT ARE TRUE AND CORRECT.

Matthew Hughes
Applicant's Signature

I HEREBY CERTIFY THAT Matthew Hughes SIGNED HIS/HER NAME TO THE FOREGOING APPLICATION STATING TO ME THAT HE KNEW AND UNDERSTOOD ALL STATEMENTS AND ANSWERS MADE THEREIN, AND, UNDER OATH ACTUALLY ADMINISTERED BY ME, HAS SWORN THAT SAID STATEMENTS AND ANSWERS ARE TRUE AND CORRECT.

THIS 11th DAY OF December 2019

Gail Loggins
Notary Public



FOR OFFICE USE ONLY:

APPROVALS:

DATE:

Chairman	_____	_____
Board of Commissioners	_____	_____
Sheriff	_____	_____
Emergency Services	_____	_____
Environmental Health	_____	_____
County Marshal	_____	_____
Planning Director	_____	_____
County Manager	_____	_____

Margaret Honn

From: Ringle, Bill <Bill.Ringle@dph.ga.gov>
Sent: Friday, January 17, 2020 8:31 AM
To: Margaret Honn
Subject: Re: Attached Image
Attachments: Hippiefest 2020.pdf

Margaret,

We have been working with the organizers to make sure that all food vendors have applied for a temporary food service permit (a couple have submitted an application already, but there may be as many as 10). We are requiring a minimum of 18 temporary toilets at the site, and they have already applied for 20.

As long as we are making progress with permitting, we have no issues with this festival. Please see the attached sheet.

Thank you,
Bill

George W. "Bill" Ringle
Environmental Health Manager
Dawson County Environmental Health
189 Hwy 53 West
Suite 102
Dawsonville, GA 30534
phone 706-265-2930
fax 706-265-7529

From: Margaret Honn <mhonn@dawsoncounty.org>
Sent: Friday, January 3, 2020 4:28 PM
To: Ringle, Bill <Bill.Ringle@dph.ga.gov>
Cc: Wentworth, Laurie <Laurie.Wentworth@dph.ga.gov>
Subject: FW: Attached Image

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Bill & Laurie: Here is the Special Event application for the Hippie Fest to be held at Uncle Shucks location at 125 Bannister Road on March 14th & 15th. It is my understanding they have already been in touch with you regarding the Food Vendors? Also Mathew Hughes will be getting with you on the Portable Toilet permits. At any rate if all is in order please sign on the appropriate line on page 10 and email that page back to me. You can also google Hippie Fest Dawsonville GA for more info. Personally I lived through the 60's in California no less and do not wish to do it again. Although I have to admit everything was a big adventure then. Oh to be young again.

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STATE OF GEORGIA, DAWSON COUNTY

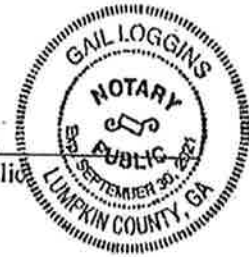
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[Signature]
Applicant's Signature

I HEREBY CERTIFY THAT Matthew Hughes SIGNED HIS/HER NAME TO THE FOREGOING APPLICATION STATING TO ME THAT HE KNEW AND UNDERSTOOD ALL STATEMENTS AND ANSWERS MADE THEREIN, AND, UNDER OATH ACTUALLY ADMINISTERED BY ME, HAS SWORN THAT SAID STATEMENTS AND ANSWERS ARE TRUE AND CORRECT.

THIS 11th DAY OF December 20 19

[Signature]
Notary Public



FOR OFFICE USE ONLY:

APPROVALS:

DATE:

Chairman
Board of Commissioners

Sheriff

Emergency Services

Environmental Health

Deay w. [Signature]

1/17/2020

County Marshal

Planning Director

County Manager

Margaret Honn

From: Jeffrey Bailey
Sent: Monday, January 6, 2020 4:39 PM
To: Jameson Kinley; Diane Callahan; Margaret Honn
Cc: Danny Thompson; Jason Dooley; Robert Lee; Greg Rowan; Jeff Sosebee; Bill Ringle
Subject: Proposed Hippie Fest Special Event Permit

Good afternoon all,

This afternoon we had a staff meeting that resulted in several items that need to be considered/addressed before considering approval for this event permit. In no particular order:

- 1.) Will there in fact be alcohol available for consumption at this event? Either for purchase, or allowed to be brought into the event by attendees?
- 2.) They advised that "all the overnight camp sites are already reserved". How many "camp sites"? How large are the individual sites? Location on the property? Means of ingress/egress for Fire/EMS/Law Enforcement?
- 3.) Do the event organizers plan on providing any on site EMS services, either through private contract, or DCES at current established fees?
- 4.) Will there be only tents, or also RVs/motorhomes?
- 5.) Will there be more than 300 attendees present at any given time of the event? If so, they are required to have on site approved crowd control manager(s).
- 6.) What specifically will be the rules concerning open fires (campfires/bonfires, burn pits, hand-warming or cooking) Who will be policing those matters?
- 7.) Will there be tent and/or food-truck food vendors present? If so, how many? Location(s) on the site? All will need to be inspected prior to opening to the public.
- 8.) Has a certificate of liability insurance been provided?
- 9.) Any provisions for water, electrical, or sanitary services?

It is recommended that the event organizers contact either myself or Chief Thompson as soon as practical to discuss these matters, so we might consider our approval for this permit application. I would suspect that the Dawson County Sheriff's Office, Planning and Development, Environmental Health Dept, etc. might similarly have some areas of concern to be addressed as well.

Respectfully,

Jeff Bailey
Div. Chief / Fire Marshal
Dawson County Emergency Services
393 Memory Ln.
Dawsonville Ga, 30534
(706) 344-3666
jbailey@dawsoncounty.org

*These issues have all
been addressed & Jeff
Bailey has signed off.
(attached)*

Hippie Fest

NOTE: Before signing this statement, check all answers and explanations to see that you have answered all questions fully and correctly. This statement is to be executed under oath and subject to the penalties of false swearing and it includes all attached sheets submitted herewith.

STATE OF GEORGIA, DAWSON COUNTY

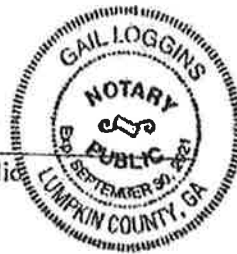
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[Signature]
Applicant's Signature

I HEREBY CERTIFY THAT Mathew Hughes SIGNED HIS/HER NAME TO THE FOREGOING APPLICATION STATING TO ME THAT HE KNEW AND UNDERSTOOD ALL STATEMENTS AND ANSWERS MADE THEREIN, AND, UNDER OATH ACTUALLY ADMINISTERED BY ME, HAS SWORN THAT SAID STATEMENTS AND ANSWERS ARE TRUE AND CORRECT.

THIS 11th DAY OF December 2019

[Signature]
Notary Public



FOR OFFICE USE ONLY:

APPROVALS:

DATE:

Chairman
Board of Commissioners

Sheriff

Emergency Services

[Signature]

1/17/20

Environmental Health

County Marshal

Planning Director

County Manager

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STATE OF GEORGIA, DAWSON COUNTY

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[Signature]
Applicant's Signature

I HEREBY CERTIFY THAT Matthew Hughes SIGNED HIS/HER NAME TO THE FOREGOING APPLICATION STATING TO ME THAT HE KNEW AND UNDERSTOOD ALL STATEMENTS AND ANSWERS MADE THEREIN, AND, UNDER OATH ACTUALLY ADMINISTERED BY ME, HAS SWORN THAT SAID STATEMENTS AND ANSWERS ARE TRUE AND CORRECT.

THIS 11th DAY OF December 2019

[Signature]
Notary Public



FOR OFFICE USE ONLY:

APPROVALS:

DATE:

- Chairman
- Board of Commissioners
- Sheriff
- Emergency Services
- Environmental Health
- County Marshal
- Planning Director
- County Manager

<u>[Signature]</u>	<u>1-3-2020</u>

Hippie Fest at Uncle Shucks

March Saturday 14th 12pm-7pm, Sunday 15th 12pm-7pm

Camping: ONLY vendors will permitted to camp, 140 camp sites will be maximum "already filled" most campers will be in rv's or pull behind campers, with a few in tents. No guests will be permitted to camp.

Food trucks: maximum of 10 food vendors, all must be inspected by health dept and fire dept.

Live music: Family friendly for all ages.

Vendors: Over 200 registered as of January 10, several are local store and business owners. Vendors will be selling products such as: hand crafted goods, arts, clothing, jewelry, and activities for kids "gem mining, tie-dye your own shirt"

Alcohol: If alcohol sales are approved, "Hippie Fest will be the alcohol vendor" 80 percent of sales will go to a non profit organization.

Security: Dawson County Sheriff's Office will provide 2 off duty officers for hours of operation paid for by Hippie Fest.

Insurance: Hippie Fest will provide a minimum of 1 million dollar coverage listing Dawson County as a named Insured.

Most importantly, absolutely no affiliation to the rainbows that visited Lumpkin County in 2019!!!

**Uncle Shucks
Mathew Hughes**

LETTER OF INTENT

Dear commissioners and board members,

I am writing in regards to Hippie Fest planned for Uncle Shuck's in Dawsonville, GA on March 14 & 15, 2020. My family and I are excited to bring our festival to the Dawsonville community. We are a family-run operation with Christian values. We bill ourselves as "family-friendly music and arts festival featuring vibrant entertainment for all ages." Entertainment at our festival includes music that all age groups can enjoy - from the kids to Grandma. Festival hours are noon to 7pm each day. In addition to live music, the event includes artisan vendor booths, a vintage car show, food trucks, and interactive bubble and tie-dye stations for the kids.

We are not associated with any groups that have organized past events in the area. I invite you to check out our website and social media channels for reviews from happy guests. We have built a great reputation as being a top-notch 'family-friendly' event. Please do not hesitate to call or email with any questions. I look forward to hearing from you!

Sincerely,

Tyler Trierweiler
Hippie Fest Organizer

Website: HippieFest.org
Facebook.com/[HippieFestOfficial](https://www.facebook.com/HippieFestOfficial)
Email: Info@HippieFest.org

Dawson County, Georgia Board of Commissioners
Affidavit for Issuance of a Public Benefit
As Required by the Georgia Illegal Immigration Reform and Enforcement Act of 2011

By executing this affidavit under oath, as an applicant for a Dawson County Business License, Out of County Business Registration, Alcohol License, or other public benefit as referenced in the Georgia Illegal Immigration Reform and Enforcement Act of 2011 [O.C.G.A. § 50-36-1(e)(2)], I am stating the following with respect to my application for such Dawson County public benefit.

 / I am a United States citizen.

 I am a legal permanent resident of the United States. *(FOR NON-CITIZENS)*

 I am a qualified alien or non-immigrant under the Federal Immigration and Nationality Act with an alien number issued by the Department of Homeland Security or other federal immigration agency. *(FOR NON-CITIZENS)*

My alien number issued by the Department of Homeland Security or other federal immigration agency is:

The undersigned applicant also hereby verifies that he or she is 18 years of age or older and has provided at least one secure and verifiable document, as required by O.C.G.A. § 50-36-1(e)(1), with this affidavit. *(See reverse side of this affidavit for a list of secure and verifiable documents.)*

The secure and verifiable document provided with this affidavit can best be classified as:

In making the above representation under oath, I understand that any person who knowingly and willfully makes a false, fictitious, or fraudulent statement or representation in an affidavit shall be guilty of a violation of O.C.G.A. § 16-10-20 and face criminal penalties as allowed by such criminal statute.

Executed in Dawsonville (city), GA (state)

Matthew L Hughes
Signature of Applicant

MATTHEW L HUGHES
Printed Name

01-03-20
Date

MLH FARMS LLC
(UNCLE SHUCK'S CORN MAZE)
Name of Business

SUBSCRIBED AND SWORN BEFORE ME ON
THIS 3RD DAY OF January, 2020

Margaret A Honn Notary Public

My Commission Expires: MARGARET A. HONN
Notary Public, Georgia
Dawson County
My Commission Expires
August 12, 2020

This affidavit is a State of Georgia requirement that must be completed for initial applications and renewal applications for public benefits as referenced in O.C.G.A § 50-36-1(a)(3). The person who has made application for access to public benefits on behalf of an individual, business, corporation, partnership or other private entity must complete and sign the affidavit and provide a secure and verifiable document.

Dawson County, Georgia Board of Commissioners

Private Employer Exemption Affidavit Pursuant To O.C.G.A. § 36-60-6(d)

By executing this affidavit, the undersigned private employer verifies that it is exempt from compliance with O.C.G.A. § 36-60-6, stating affirmatively that the individual, firm or corporation employs fewer than eleven employees and therefore, is not required to register with and/or utilize the federal work authorization program commonly known as E-Verify, or any subsequent replacement program, in accordance with the applicable revisions and deadlines established in O.C.G.A. § 13-10-90.

I hereby declare under penalty of perjury that the foregoing is true and correct.

M L H FARMS LLC

Printed Name of Exempt Private Employer

[Signature]

Signature of Authorized Officer or Agent

MATHEW L HUGHES - OWNER

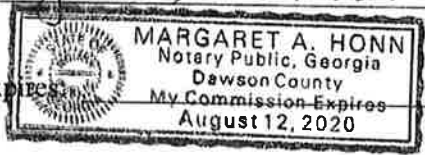
Printed Name and Title of Authorized Officer or Agent

Subscribed and Sworn to me in the City of Dawsonville, GA (state) on this

the 3rd day of January, 2020

Margaret A Honn

NOTARY PUBLIC



My Commission Expires

Official Tax Receipt
Nicole Stewart
DAWSON COUNTY Tax Commissioner
 25 Justice Way Sulte 1222
 Dawsonville, GA 30534

Trans No	Property ID/District Description	Original Due	Interest & Penalty	Prev Paid	Amount Due	Amount Paid	Balance
11352 Year-Bill No 2019 - 9587	104 063 A / 002 LL 131 132 167 168 169 LD 13-S FMV: \$4,210.00	40.20	0.00 Fees 0.00	0.00	40.20	40.20 Paid Date 10/10/2019 10:43:35	0.00 Current Due 0.00
11353 Year-Bill No 2019 - 52611	P31512 / 001 MEFF/ FMV: \$31,330.00	299.11	0.00 Fees 0.00	0.00	299.11	299.11 Paid Date 10/10/2019 10:43:35	0.00 Current Due 0.00
11354 Year-Bill No 2019 - 9590	097 004 / 001 LL 985 988 1053 LD 4-1TRACT III FMV: \$217,100.00	233.78	0.00 Fees 0.00	0.00	233.78	233.78 Paid Date 10/10/2019 10:43:35	0.00 Current Due 0.00
11355 Year-Bill No 2019 - 9589	097 003 / 001 LL 985 988 1053 LD 4-1 TRACT II FMV: \$245,600.00	645.50	0.00 Fees 0.00	0.00	645.50	645.50 Paid Date 10/10/2019 10:43:35	0.00 Current Due 0.00
11356 Year-Bill No 2019 - 9588	097 002 / 001 LL 985 LD 4 TRACT I FMV: \$187,400.00	186.45	0.00 Fees 0.00	0.00	186.45	186.45 Paid Date 10/10/2019 10:43:35	0.00 Current Due 0.00
Transactions:	11352 - 11356 Totals	1,405.04	0.00	0.00	1,405.04	1,405.04	0.00

MI H FARMS LLC

Paid By :
 UNCLE SHUCKS



Cash Amt: 0.00
 Check Amt: 1,405.04
 Charge Amt: 0.00
 Change Amt: 0.00
 Refund Amt: 0.00
 Overpay Amt: 0.00

23 Check No 1157
 Charge Acct

Uncle Shuck

Site Layout Plan

Legend

-  River Park
-  WMA

700 ft



Google Earth

© 2015 Google

Untitled Map

Write a description for your map.

125 Bannister Rd

Legend

-  125 Bannister Rd
-  River Park





DAWSON COUNTY BOARD OF COMMISSIONERS AGENDA FORM

Department: Planning & Development

Work Session: 2/6/2020

Prepared By: Harmony Gee

Voting Session: 2/20/2020

Presenter: Jameson Kinley

Public Hearing: Yes X No

Agenda Item Title: Presentation of Abatement of Nuisance Property Ordinance

Background Information:

Dawson County does not have a nuisance property ordinance at this time and, at the request of the county manager, a nuisance property ordinance was drafted by our attorneys.

Current Information:

This would be enforced by the Marshal's Office. Should this be considered by the Board, this will need to go before Public Hearing before it can be adopted.

Budget Information: Applicable: Not Applicable: x Budgeted: Yes No n/a

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining

Recommendation/Motion:

Department Head Authorization:

Date:

Finance Dept. Authorization: Vickie Neikirk

Date: 1/30/2020

County Manager Authorization: DH

Date: 1/30/2020

County Attorney Authorization:

Date:

Comments/Attachments:

CHAPTER 48: ABATEMENT OF NUISANCE PROPERTY

- 48-1. Purpose and authority**
- 48-2. Enforcement**
- 48-3. Complaints Relating to Unfit Dwellings or Structures**
- 48-4. Service of Complaints**
- 48-5. Order of the Court**
- 48-6. Failure to Comply with Order of the Court**
- 48-7. Salvage of Reusable Materials**
- 48-8. Lien on Property**
- 48-9. Waiver of Lien**
- 48-10. Appellate Review**
- 48-11. Summary Proceedings**

48-1. PURPOSE AND AUTHORITY

This Article is intended to provide additional enforcement authority to the County in accordance with the abatement of nuisance provisions set forth in O.C.G.A. § 41-2-1, et seq. The remedies provided in Article III are in addition to those remedies available to the County for violations of the article under section 12-104. It is intended that violations of this Article shall be addressed according to section 12-104 as a general matter, and that only those properties that fail to come into compliance and which constitute a nuisance as such is defined by state law and under the terms of this division will require resort to the enforcement remedies provided in Article III.

A. The County intends that this division shall comport with, and be susceptible to enforcement under, O.C.G.A. § 41-2-7, et seq. Pursuant thereto, it is found and declared that there is the existence or occupancy of dwellings or other buildings or structures which are unfit for human habitation or for commercial, industrial, or business occupancy or use and are inimical to the welfare and are dangerous and injurious to the health, safety, and welfare of the people of this County; and that a public necessity exists for the repair, closing, or demolition of such dwellings, buildings or structures. It is further found and declared that where there is in existence a condition or use of property which renders adjacent property unsafe or inimical to safe human habitation, such use is dangerous and injurious to the health, safety, and welfare of the people of this County and a public necessity exists for the repair of such condition or the cessation of such use which renders the adjacent property unsafe or inimical to safe human habitation.

B. Such dwellings, buildings, and property may be deemed unfit due to the following reasons; dilapidation and not in compliance with applicable codes; defects increasing the hazards of fire, accidents, or other calamities; lack of adequate ventilation, light or sanitary facilities; properties that have an accumulation of weeds, trash, junk, filth, and/or other unsanitary or unsafe conditions which create a public health hazard or a general nuisance to those persons residing in the vicinity; other conditions resulting in a violation of this article which renders such dwellings, buildings, or property unsafe, unsanitary, dangerous or detrimental to the health, safety, or welfare, or otherwise inimical to the welfare of the residents of the County; or vacant, dilapidated dwellings or buildings in which drug crimes are being committed.

48-2. ENFORCEMENT

A. **Designation of Public Officers.**

The Dawson County Manager, Dawson County Director of the Planning and Development Department, the Dawson County Marshal, Dawson County Compliance Officers and their designees are all designated and appointed to exercise the power presented by this Ordinance.

B. Powers of Enforcement Authorized.

The Public Officer is hereby authorized to exercise such power as may be necessary or convenient to carry out and effectuate the purpose and provisions of this Ordinance and O.C.G.A § 41-2-8 to § 41-2-17, including the following additional powers:

1. To investigate the dwelling conditions in the unincorporated area of the County in order to determine which dwellings, buildings, structures, or properties therein are unfit for human habitation or are unfit for current commercial, industrial, or business use;
2. To administer oaths and affirmations, to examine witnesses, and to receive evidence;
3. To enter upon premises for the purpose of making examinations provided, however, that such entries shall be made in such manner as to cause the least possible inconvenience to the persons in possession and shall follow applicable due process of law;
4. To appoint and fix the duties of such officers, agents and employees as he/she deems necessary to carry out the purposes of this Ordinances;
5. To delegate any of his/her functions and powers under this Ordinance to such officers and agents as he may designate; and
6. To consult with any engineers or other qualified professionals in carrying out the functions and powers of this Ordinance.

C. Standards for Determining Violation.

The Public Officer may determine, under existing ordinances, that a dwelling, building, structure, or property is unfit for human habitation or is unfit for its current residential, commercial, industrial, or business use if he/she finds that conditions exist in such building, dwelling, structure, or property which are dangerous or injurious to the health, safety, or morals of the occupants of such dwelling, building, structure or property; of the occupants of neighborhood dwellings, buildings, structures or properties; or of other residents of Dawson County, Georgia; such conditions may include the following (without limiting the generality of the foregoing):

1. Defects increasing the hazards of fire, accidents, or other calamities;
2. Lack of adequate ventilation, light or sanitary facilities;
3. Dilapidation;
4. Disrepair;
5. Structural defects;
6. Uncleanliness;
7. Tall grass and weeds which indicate long-term neglect, abandonment or vacancy;
8. Improperly maintained swimming pools which indicate long-term neglect, abandonment, or vacancy; and
9. Dwellings, buildings or structures that have been burned and left unrepaired.

48-3. Complaints relating to unfit dwellings or structures.

A. Whenever a written request is filed with Code Compliance by a public authority or by at least five residents of the County charging that any dwelling or building is unfit for human habitation or for commercial, industrial, or business use and not in compliance with applicable codes; or is vacant and being used in connection with the commission of drug crimes; or constitutes an endangerment to the public health

or safety as a result of unsanitary or unsafe conditions, the Code Compliance Officer shall make an investigation or inspection of the specific dwelling, building, structure, or property.

B. If the Code Compliance Officer's investigation or inspection identifies that any dwelling, building, structure, or property is unfit for human habitation or for commercial, industrial, or business use and not in compliance with applicable codes; is vacant and being used in connection with commission of drug crimes; or constitutes an endangerment to the public health or safety as the result of unsanitary or unsafe conditions, the Code Compliance Officer may issue a complaint in rem against the lot, tract, or parcel of real property on which such dwelling, building, or structure is situated or where such public health hazard or general nuisance exists and shall cause summons and a copy of the complaint to be served on the interested parties for such dwelling, building or structure.

C. The complaint shall identify the subject real property by appropriate street address and official tax map reference; identify the interested parties; state with particularity the factual basis for the action; and contain a statement of the actions sought by the Code Compliance Officer to abate the nuisance. The summons shall notify the interested parties that a hearing will be held before the Magistrate Court at a date and time certain and at a place within the County where the property is located. Such hearing shall be held not less than 15 days, nor more than 45 days after the filing of said complaint in the Magistrate Court. The interested parties shall have the right to file an answer to the complaint and to appear in person or by attorney and offer testimony at the time and place fixed for the hearing.

48-4. Service of complaints.

A. Complaints issued by the Code Compliance Officer pursuant to this division shall be served in the following manner. At least 14 days prior to the date of the hearing, the Code Compliance Officer shall mail copies of the complaint by certified mail or statutory overnight delivery, return receipt requested, to all interested parties whose identities and addresses are reasonably ascertainable. Copies of the complaint shall also be mailed by First Class Mail to the property address to the attention of the occupants of the property, if any, and shall be posted on the property within three business days of filing the complaint and at least 14 days prior to the date of the hearing.

B. For interested parties whose mailing address is unknown, a notice stating the date, time and place of the hearing shall be published in the legal organ in which the County's advertisements appear in Dawson County once a week for two consecutive weeks prior to the hearing.

C. A notice of lis pendens shall be filed in the Office of the Clerk of Superior Court in Dawson County at the time of filing the complaint in the Magistrate Court. Such notice shall have the same force and effect as other lis pendens notices provided by law.

D. Orders and other filings made subsequent to service of the initial complaint shall be served in the manner provided in this section on any interested party who answers the complaint or appears at the hearing. Any interested party who fails to answer or appear at the hearing shall be deemed to have waived all further notice in the proceedings.

48-5. Order of the court.

If, after notice and hearing as provided above, the Magistrate Court determines that the dwelling or building under consideration is unfit for human habitation or is unfit for its current commercial, industrial, or business use; or is vacant, and being used in connection with the commission of drug crimes; or constitutes an endangerment to the public health or safety as a result of unsanitary or unsafe conditions, the court shall issue an order that states in writing its findings of fact in support of such determination and shall issue and

cause to be served upon the interested parties that have answered the complaint or appeared at the hearing, an order as follows:

A. If the repair, alteration, or improvement of the said dwelling, building, or structure can be made at a reasonable cost in relation to the present value of the dwelling, building, or structure, requiring the owner within the time specified in the order, to repair, alter or improve such dwelling, building, or structure so as to bring it into full compliance with the applicable codes relevant to the cited violation, and, if applicable, to secure the structure so that it cannot be used in connection with the commission of drug crimes; or

B. If the repair, alteration or improvement of the said dwelling, building or structure cannot be made at a reasonable cost in relation to the present value of the dwelling, building, or structure, requiring the owner, within the time specified in the order, to demolish and remove such dwelling, building or structure and all debris from the property.

C. For purposes of this section, the court shall make its determination of "reasonable cost in relation to the present value of the dwelling, building or structure" without consideration of the value of the land on which the structure is situated; provided, however, that costs of the preparation necessary to repair, alter, or improve a structure may be considered. Income and financial status of the owner shall not be a factor in the court's determination.

The present value of the structure and the costs of repair, alteration, or improvement may be established by affidavits of real estate appraisers with a Georgia Appraiser classification as provided in O.C.G.A. tit. 43, ch. 39A, qualified building contractors, or qualified building inspectors without actual testimony presented. Costs of repair, alternation, or improvement of the structure shall be the costs necessary to bring the structure into compliance with the applicable codes relevant to the cited violations enforced in the jurisdiction.

48-6. Failure to comply with order of the court.

If the owner fails to comply with an order of the court to repair, alter, improve, remove, close, or demolish the dwelling, building or structure, the Code Compliance Officer may cause such dwelling, building or structure to be repaired, altered, or improved or to be vacated and closed or demolished. Such abatement action shall commence within 270 days after the expiration of time specified in the order for abatement by the owner. Any time during which such action is prohibited by a court order issued pursuant to O.C.G.A. § 41-2-13 or any other equitable relief granted by a court of competent jurisdiction shall not be counted toward the 270 days in which such abatement action must commence. The Code Compliance Officer shall cause to be posted on the main entrance of the dwelling, building or structure a placard with the following words: "This building is unfit for human habitation or commercial, industrial, or business use and does not comply with the applicable codes or has been ordered secured to prevent its use in connection with drug crimes or constitutes an endangerment to public health or safety as a result of unsanitary or unsafe conditions. The use or occupation of this dwelling, building or structure is prohibited and unlawful".

48-7. Salvage of reusable materials.

If the Code Compliance Officer has the structure demolished, reasonable effort shall be made to salvage reusable materials for credit against the cost of demolition. The proceeds of any money shall be used or applied against the cost of the demolition and removal of the structure, and proper records shall be kept showing application of sales proceeds. Any such sale of salvaged materials may be made without the necessity of public advertisement and bid, according to O.C.G.A. § 41-2-9(a)(6). The Code Compliance Officer and Board of Commissioners are relieved of any and all liability resulting from, or occasioned by,

the sale of any such salvaged materials, including, without limitation, defects in such salvaged materials consistent with O.C.G.A. § 41-2-9(a)(6).

48-8. Lien on property.

A. The cost of repairing, altering, improving, removing, closing or demolishing the dwelling, building or structure incurred by the Code Compliance Officer in accordance with exercising his/her authority as described in this Article, including all court costs, appraisal fees, administrative costs incurred by the Dawson County Tax Commissioner, and all other costs necessarily associated with the abatement action, including restoration to grade of the real property after demolition, shall be a lien against the real property upon which such cost was incurred. Said lien shall attach to the real property upon the filing of a certified copy of the order requiring repair, closure or demolition in the Office of the Clerk of Superior Court of Dawson County and shall relate back to the date of the filing of the lis pendens notice required in this article. The clerk of superior court shall record and index such certified copy of the order in the deed records of the County and enter the lien on the general execution docket. The lien shall be superior to all other liens on the property, except liens for taxes to which the lien shall be inferior, and shall continue in force until paid.

B. Upon final determination of costs, fees and expenses incurred in accordance with this section, the Code Compliance Officer shall transmit to the Dawson County Tax Commissioner a statement of the total amount due and secured by said lien, together with copies of all notices provided to interested parties. The statement of the Code Compliance Officer shall be transmitted within 90 days of completion of the repairs, demolition or closure. It shall be the duty of the County Tax Commissioner to collect the amount of the lien using all methods available for collecting real property ad valorem taxes, including, specifically, O.C.G.A. tit. 48, ch. 4; provided, however, that the limitation of O.C.G.A. § 48-4-78 which requires 12 months of delinquency before commencing a tax foreclosure, shall not apply. The County Tax Commissioner shall remit the amount collected to the Dawson County Board of Commissioners.

C. Enforcement of liens pursuant to this section may be initiated at any time following receipt by the Dawson County Tax Commissioner of the final determination of costs. The unpaid lien amount shall bear interest and penalties from and after the date of final determination of costs in the same amount as applicable to interest and penalties on unpaid real property ad valorem taxes. An enforcement proceeding pursuant to O.C.G.A. § 48-4-78 for delinquent ad valorem taxes may include all amounts due under this section.

D. The redemption amount in any enforcement proceeding pursuant to this article shall be the full amount of the costs as finally determined in accordance with this section, together with interest, penalties, and costs incurred by the County and the Dawson County Tax Commissioner in the enforcement of such lien. Redemption of property from the lien may be in accordance with O.C.G.A. § 48-4-80 and § 48-4-81.

E. This section is intended to adopt and be consistent with O.C.G.A. § 41-2-9(b).

48-9. Waiver of lien.

The County may waive and release any lien imposed on property if the owner of such property enters into a contract with the County agreeing to a timetable for rehabilitation of the real property or the dwelling, building or structure on the property and demonstrating the financial means to accomplish such rehabilitation.

48-10. Appellate review.

Review of the Magistrate Court's order requiring the repair, alteration, improvement, or demolition of a dwelling, building or structure shall be by direct appeal to the Dawson County Superior Court according to O.C.G.A. § 5-3-29.

48-11. Summary proceedings.

Nothing in this Article shall be construed to impair or limit in any way the power of the County to define and declare nuisances and to cause their removal or abatement by summary proceedings or otherwise when, upon a majority vote of the Dawson County Board of Commissioners, the County determines that a nuisance exists and the repair, alteration, improvement, removal, closing or demolition will not exceed \$1,000.00.



DAWSON COUNTY BOARD OF COMMISSIONERS AGENDA FORM

Department: **Emergency Services**

Work Session: **02.06.20**

Prepared By: **Danny Thompson**

Voting Session: **02.20.20**

Presenter: **Danny Thompson**

Public Hearing: Yes _____ No **X**

Agenda Item Title: **Automatic Aid Agreement with Pickens County**

Background Information:

Dawson County currently maintains an automatic mutual aid agreement and an intergovernmental agreement with Pickens County for Station 10.

Current Information:

In January 2019, Dawson and Pickens County entered into an intergovernmental agreement, returning day-to-day operations back over to Pickens County. Due to the language change, this IGA invalidated the old automatic aid agreement, thus requiring a new agreement to be completed. Dawson County continues to provide the services as outlined in the IGA and will respond to fire calls as outlined in the auto-aid maps.

Budget Information: Applicable: _____ Not Applicable: **X** Budgeted: Yes _____ No **X**

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining

Recommendation/Motion: **Approve agenda item**

Department Head Authorization: **DT**

Date: **1.27.2020**

Finance Dept. Authorization: **Vickie Neikirk**

Date: **1/28/2020**

County Manager Authorization: **DH** _____

Date: **1/28/2020**

County Attorney Authorization: _____

Date: _____

Comments/Attachments:

AUTOMATIC AID AGREEMENT

DAWSON COUNTY, a political subdivision of the State of Georgia, by and through the Dawson County Board of Commissioners, and PICKENS COUNTY, a political subdivision of the State of Georgia, by and through the Pickens County Board of Commissioners, do hereby enter into this Automatic Aid Agreement (“Agreement”) in accordance with the terms hereof. Dawson County and Pickens County are also referred to herein collectively as the “parties.”

WITNESSETH:

WHEREAS, Dawson County and Pickens County each maintain, staff and operate fire departments for fire suppression, protection, prevention, investigation and rescue services (“Emergency Services”) within their respective jurisdictions: Dawson County and Pickens County; and,

WHEREAS, Dawson County and Pickens County both desire to render supplemental Emergency Services to one another in and around their common jurisdictional boundaries and to take part in joint training exercises for their mutual benefit; and,

WHEREAS, this Agreement memorializes the parties’ understanding of the terms and conditions governing the provision of such supplemental fire services in accordance with Article IX, Section III, Paragraph I of the Georgia Constitution (i.e., the Intergovernmental Contracts clause).

NOW, THEREFORE, for and in consideration of the provisions contained herein and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Dawson County and Pickens County agree as follows:

1. **Provision of Service.** Pickens County shall provide automatic aid to Dawson County and Dawson County shall provide automatic aid to Pickens County for emergency calls for service. The corresponding automatic aid areas are depicted on the attached map titled “Dawson County – Pickens County Automatic Aid Areas.”
2. **Limitation of Service.** Upon receipt of an emergency call by either county’s E911 dispatch center and when the determination is made that this call would require automatic aid from the departments covered in this Agreement, the county receiving the call shall notify the other county’s E911 dispatch center by land line telephone to request that department be dispatched.
3. **Supervision.**
 - a. Personnel furnished by the assisting fire department will work as long as possible under supervisors from such assisting fire department and with the assisting department’s equipment. All general directions relative to the work will be given by the appropriate officers of the department receiving the aid. Each department

shall be responsible for providing gasoline, diesel, fuel, oil, and other materials as needed for use of their own equipment at the scene of the emergency.

- b. The assisting department shall furnish one supervising officer and/or safety officer with the assisting units. Upon arrival, the assisting fire department's officers shall report to the requesting fire department's incident commander and shall assist the incident commander with communications, command and control and shall be assigned an operational sector or, if appropriate, assume command. Personnel assisting shall be responsible for adherence to employee and equipment safety standards and compliance to instructions from command.
4. Employee Responsibility. For purposes of this Agreement, every employee shall be deemed to be the employee and agent of such employee's regular employer. All damages or repairs to any equipment or apparatus shall be borne by the owner of such equipment.
5. Compensation. Neither party hereto shall be required to pay any compensation for providing aid pursuant to the terms hereof. Dawson County and Pickens County shall comply with Workers Compensation Laws of the State of Georgia without any cost to the other party hereto. Nothing contained herein shall operate to bar any recovery of funds from any state or federal agency under applicable statutes, rules and regulations.
6. Release of Claims. To the extent allowed by law, Dawson County and Pickens County agree to release one another from any and all liability, claim, judgment, costs or demand for damage to the other party's employees and/or property, except for any loss for which applicable liability insurance provides indemnity. Each party hereto agrees to maintain comprehensive liability insurance coverage of a minimum amount of \$300,00.00 and automobile liability coverage at a minimum amount of \$100,000.00. Additionally, the parties hereto agree that if a suit is filed against a party hereto, then the party whose actions are the alleged cause of the damage or injury shall indemnify and hold harmless the other party for liability and any litigation costs including attorney's fees.
7. Third Parties. This Agreement shall not be construed as or deemed to be an agreement for the benefit of, or a special agreement to protect any third party or parties, and no third party or parties shall have any right of action hereunder for any cause whatsoever.
8. Termination. The parties hereto acknowledge and agree that either party may terminate this Agreement by giving not less than 180 days' written notice of the intent to terminate the Agreement to the other party. The effective date of termination shall be stated in the notice.
9. Administration. The parties hereto agree that the Fire Chief of each respective party shall share mutual responsibility for the purpose of administration of this Agreement, including the promulgation of necessary regulations, standards, policies or procedures.

10. Entire Agreement. This Agreement shall constitute the entire agreement between the parties and shall be the sole instrument for the provision of any Aid by and between the parties hereto. This Agreement may only be modified or supplemented by written agreements approved by both parties. All previous contracts and agreements between these parties covering the subject matter set forth herein are expressly terminated.

11. Terms. The terms of this Agreement shall be renewed automatically on January 1 of each year unless either party tenders to the other, at least 180 days prior to December 31 of the then current term, written notice of termination as set forth herein.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and affixed their seals on the day and year set forth herein.

ATTEST:

DAWSON COUNTY, GEORGIA

Kristen Cloud, County Clerk

By: _____
Billy Thurmond, Chairman

Date: _____, 2019

ATTEST:

PICKENS COUNTY, GEORGIA

Jason F. Thomason

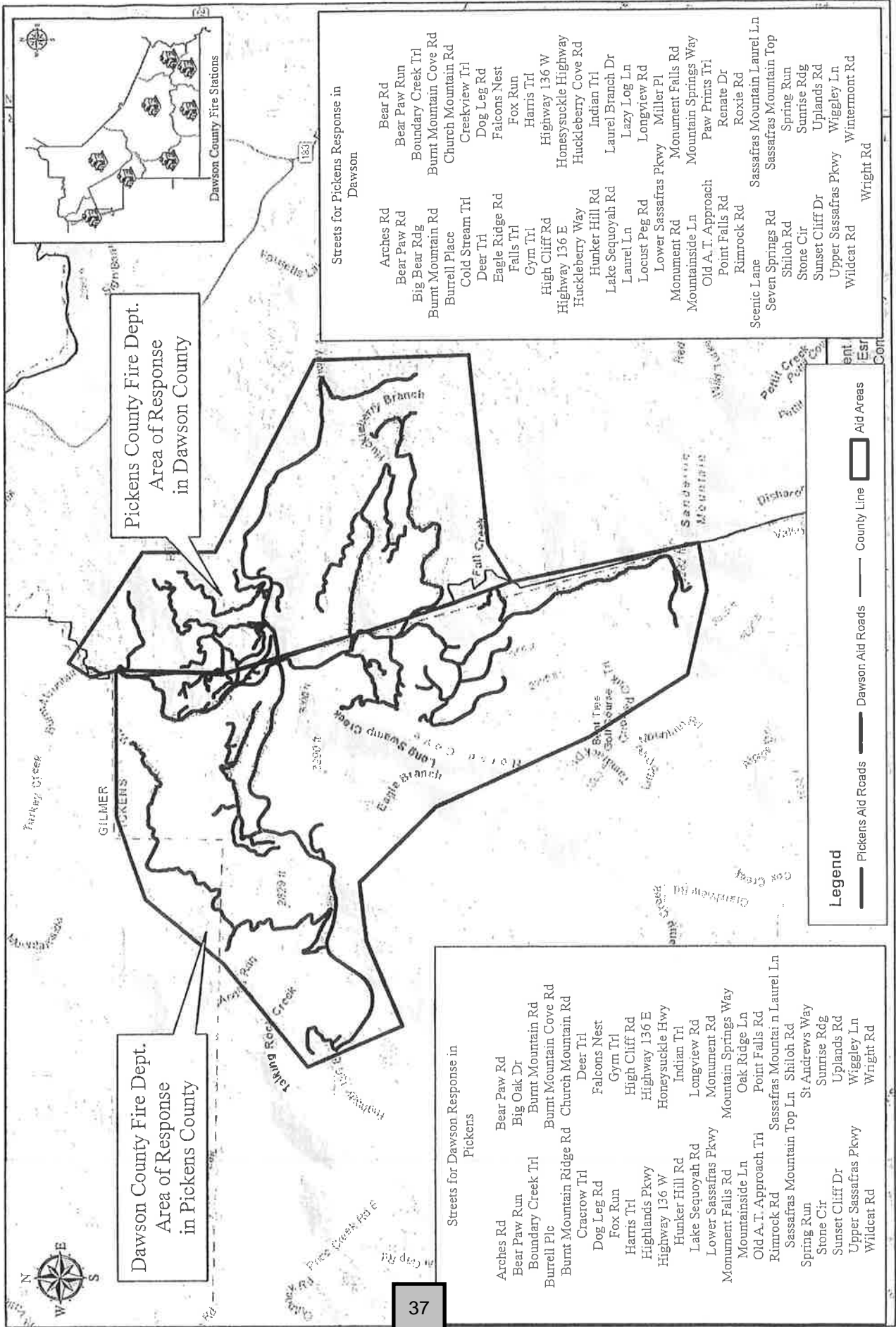
, County Clerk

By: _____
Robert Jones, Chairman

Date: 1/16/20, 2019



Dawson County-Pickens County Automatic Aid Areas



Pickens County Fire Dept.
Area of Response
in Dawson County

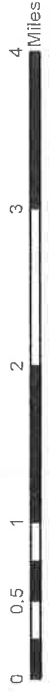
Dawson County Fire Dept.
Area of Response
in Pickens County

- Streets for Pickens Response in Dawson
- Arches Rd
 - Bear Rd
 - Bear Paw Rd
 - Boundary Creek Trl
 - Burnt Mountain Cove Rd
 - Burnt Mountain Rd
 - Burrill Place
 - Cold Stream Trl
 - Deer Trl
 - Dog Leg Rd
 - Eagle Ridge Rd
 - Falls Trl
 - Gym Trl
 - High Cliff Rd
 - Highway 136 E
 - Huckleberry Way
 - Hunker Hill Rd
 - Lake Sequoyah Rd
 - Laurel Ln
 - Locust Peg Rd
 - Lower Sasafra Pkwy
 - Monument Rd
 - Mountainside Ln
 - Old A.T. Approach
 - Point Falls Rd
 - Rimrock Rd
 - Scenic Lane
 - Seven Springs Rd
 - Shiloh Rd
 - Stone Cir
 - Sunset Cliff Dr
 - Upper Sasafra Pkwy
 - Wildcat Rd
 - Wright Rd

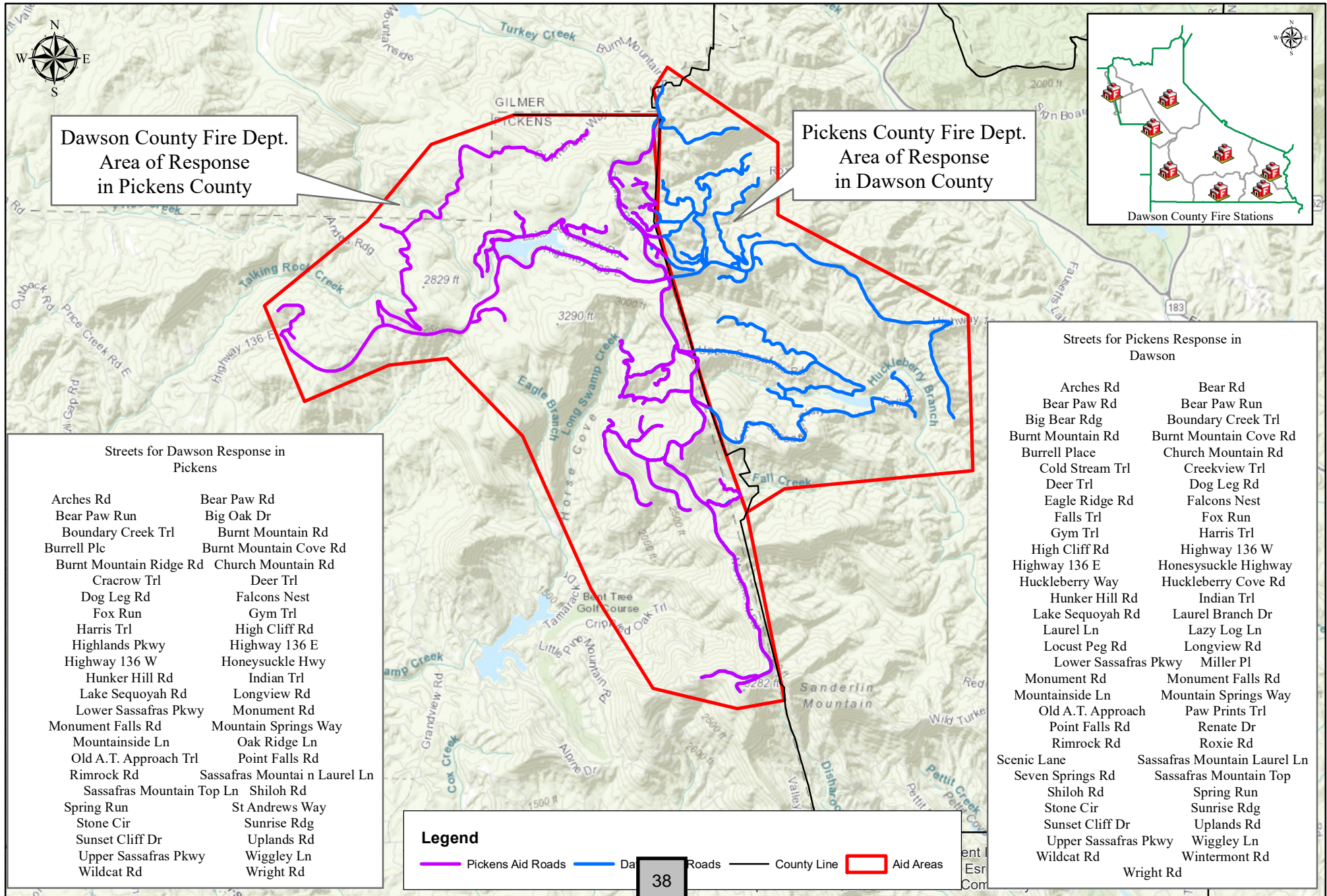
- Streets for Dawson Response in Pickens
- Arches Rd
 - Bear Paw Rd
 - Boundary Creek Trl
 - Burrill Plc
 - Burnt Mountain Ridge Rd
 - Burnt Mountain Cove Rd
 - Church Mountain Rd
 - Cracrow Trl
 - Dog Leg Rd
 - Fox Run
 - Harris Trl
 - Highlands Pkwy
 - Highway 136 W
 - Hunker Hill Rd
 - Lake Sequoyah Rd
 - Lower Sasafra Pkwy
 - Monument Rd
 - Mountainside Ln
 - Old A.T. Approach Trl
 - Rimrock Rd
 - Sasafra Mountain Top Ln
 - Sasafra Mountain Laurel Ln
 - Spring Run
 - Stone Cir
 - Sunset Cliff Dr
 - Upper Sasafra Pkwy
 - Wildcat Rd

Legend

- Pickens Aid Roads
- Dawson Aid Roads
- County Line
- Aid Areas

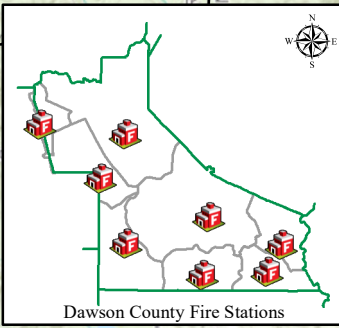


Dawson County-Pickens County Automatic Aid Areas



Dawson County Fire Dept.
Area of Response
in Pickens County

Pickens County Fire Dept.
Area of Response
in Dawson County

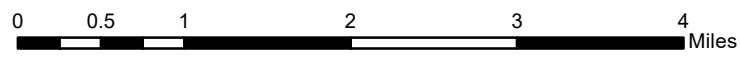


- Streets for Dawson Response in Pickens
- | | |
|---------------------------|------------------------------|
| Arches Rd | Bear Paw Rd |
| Bear Paw Run | Big Oak Dr |
| Boundary Creek Trl | Burnt Mountain Rd |
| Burrell Plc | Burnt Mountain Cove Rd |
| Burnt Mountain Ridge Rd | Church Mountain Rd |
| Cracrow Trl | Deer Trl |
| Dog Leg Rd | Falcons Nest |
| Fox Run | Gym Trl |
| Harris Trl | High Cliff Rd |
| Highlands Pkwy | Highway 136 E |
| Highway 136 W | Honeysuckle Hwy |
| Hunker Hill Rd | Indian Trl |
| Lake Sequoyah Rd | Longview Rd |
| Lower Sassafras Pkwy | Monument Rd |
| Monument Falls Rd | Mountain Springs Way |
| Mountainside Ln | Oak Ridge Ln |
| Old A.T. Approach Trl | Point Falls Rd |
| Rimrock Rd | Sassafras Mountain Laurel Ln |
| Sassafras Mountain Top Ln | Shiloh Rd |
| Spring Run | St Andrews Way |
| Stone Cir | Sunrise Rdg |
| Sunset Cliff Dr | Uplands Rd |
| Upper Sassafras Pkwy | Wiggley Ln |
| Wildcat Rd | Wright Rd |

- Streets for Pickens Response in Dawson
- | | |
|----------------------|------------------------------|
| Arches Rd | Bear Rd |
| Bear Paw Rd | Bear Paw Run |
| Big Bear Rdg | Boundary Creek Trl |
| Burnt Mountain Rd | Burnt Mountain Cove Rd |
| Burrell Place | Church Mountain Rd |
| Cold Stream Trl | Creekview Trl |
| Deer Trl | Dog Leg Rd |
| Eagle Ridge Rd | Falcons Nest |
| Falls Trl | Fox Run |
| Gym Trl | Harris Trl |
| High Cliff Rd | Highway 136 W |
| Highway 136 E | Honeysuckle Highway |
| Huckleberry Way | Huckleberry Cove Rd |
| Hunker Hill Rd | Indian Trl |
| Lake Sequoyah Rd | Laurel Branch Dr |
| Laurel Ln | Lazy Log Ln |
| Locust Peg Rd | Longview Rd |
| Lower Sassafras Pkwy | Miller Pl |
| Monument Rd | Monument Falls Rd |
| Mountainside Ln | Mountain Springs Way |
| Old A.T. Approach | Paw Prints Trl |
| Point Falls Rd | Renate Dr |
| Rimrock Rd | Roxie Rd |
| Scenic Lane | Sassafras Mountain Laurel Ln |
| Seven Springs Rd | Sassafras Mountain Top |
| Shiloh Rd | Spring Run |
| Stone Cir | Sunrise Rdg |
| Sunset Cliff Dr | Uplands Rd |
| Upper Sassafras Pkwy | Wiggley Ln |
| Wildcat Rd | Wintermont Rd |
| | Wright Rd |

Legend

- Pickens Aid Roads
- Dawson Roads
- County Line
- Aid Areas





DAWSON COUNTY BOARD OF COMMISSIONERS AGENDA FORM

Department: **Emergency Services**

Work Session: **02.6.20**

Prepared By: **Danny Thompson**

Voting Session: **2.20.20**

Presenter: **Danny Thompson**

Public Hearing: Yes _____ No **X**

Agenda Item Title: **Request to consider Charity Boot Drives for 2020**

Background Information:

Dawson County Emergency Services requests Commission approval to partner with the Georgia Firefighters Burn Foundation, Muscular Dystrophy Association and KARE for Kids for charity boot drives in Dawson County in 2020.

Current Information:

With approval, we request the following dates for boot drives to be held at various locations throughout Dawson County:

- Burn Foundation: May 21, 22 and 23 from 9-11 am and 4-6 pm
- Muscular Dystrophy Association: September 3, 4 and 5 from 9-11 am and 4-6 pm
- KARE for Kids: November 27 and 28 from 9-11 am and 3-5 pm

Budget Information: Applicable: _____ Not Applicable: X_____ Budgeted: Yes _____ No _____

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining

Recommendation/Motion: Approve agenda item

Department Head Authorization: FDI

Date: 1.13.20

Finance Dept. Authorization: Vickie Neikirk

Date: 1/28/2020

County Manager Authorization: DH

Date: 1/28/2020

County Attorney Authorization: _____

Date: _____

Comments/Attachments:



DAWSON COUNTY BOARD OF COMMISSIONERS AGENDA FORM

Department: **Emergency Services**

Work Session: **02.6.20**

Prepared By: **Danny Thompson**

Voting Session: **2.20.20**

Presenter: **Danny Thompson**

Public Hearing: Yes _____ No **X**

Agenda Item Title: **Request to Accept the Mini Grant Car Seat**

Background Information:

Georgia Department of Public Health, Injury Prevention Program is designed to provide funding to public safety agencies in Georgia. This funding is to provide agencies in support of injury reduction programs. Dawson County has had this grant for two years.

Current Information:

Dawson County has received notification that we have been awarded this grant. There is no cost to the taxpayers. We will receive six convertibles and four high backs per month. These seats are offered to Dawson County residents who meet the financial assistance requirements.

Budget Information: Applicable: _____ Not Applicable: X_____ Budgeted: Yes _____ No _____

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining

Recommendation/Motion: Approve agenda item

Department Head Authorization: FDI

Date: 1.13.20

Finance Dept. Authorization: Vickie Neikirk

Date: 1/27/20

County Manager Authorization: DH

Date: 1/27/2020

County Attorney Authorization: _____

Date: _____

Comments/Attachments:



DAWSON COUNTY BOARD OF COMMISSIONERS AGENDA FORM

Department: **Emergency Services**

Work Session: **02.06.20**

Prepared By: **Danny Thompson**

Voting Session: **2.20.20**

Presenter: **Danny Thompson**

Public Hearing: Yes _____ No **X**

Agenda Item Title: **Acceptance for EMPG Grant**

Background Information:

For many years, county Emergency Management agencies that complete the mandatory activity and reporting requirements for GEMA have been eligible to receive a 50/50 matching grant to support EMA activities like mitigation, preparation and response to emergency situations. Dawson County has received this grant multiple times over the years.

Current Information:

Dawson County Emergency Management Agency has been awarded the 50/50 EMPG grant. This year's EMPG grant is \$15,568 and Dawson County's match is \$7,784.

Budget Information: Applicable: Not Applicable: _____ Budgeted: Yes No

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining
	EMA					

Recommendation/Motion: Approve agenda item

Department Head Authorization: **DT**

Date: **1.28.20**

Finance Dept. Authorization: Vickie Neikirk

Date: 1/28/2020

County Manager Authorization: DH_____

Date: 1/28/2020

County Attorney Authorization: _____

Date: _____

Comments/Attachments:

**A RESOLUTION BY THE DAWSON COUNTY BOARD OF
COMMISSIONERS AFFIRMING ITS SUPPORT OF THE "SECOND
AMENDMENT" AND THE RIGHT OF ITS CITIZENS TO KEEP AND BEAR
ARMS WHILE SIMULTANEOUSLY FURTHER AFFIRMING ITS COMMITMENT TO
THE RULE OF LAW, GENERALLY**

WHEREAS, the Board of County Commissioners of Dawson County, Georgia being elected to represent the People of Dawson County, Georgia and being duly sworn by oath to uphold the United States Constitution and the Constitution of the State of Georgia, and;

WHEREAS, the Second Amendment to the Constitution of the United States reads as follows: "A well-regulated militia, being necessary to the security of a free state, the right of the people to keep and bear arms, shall not be infringed," and;

WHEREAS, the United States Supreme Court has affirmed an individual's right to possess firearms, unconnected with service in the militia, for traditionally lawful purposes, such as self-defense within the home (District of Columbia v. Heller (2008)), and;

WHEREAS, the United States Supreme Court has affirmed that the right of an individual to "keep and bear arms," is protected under the Second Amendment and is incorporated by the Due Process Clause of the Fourteenth Amendment against the states (McDonald v. Chicago (2010)), and;

WHEREAS, Article I, Section I, Paragraph VIII of the Constitution of the State of Georgia, entitled "Arms, right to keep and bear," provides that, "[t]he right of the people to keep and bear arms shall not be infringed, but the General Assembly shall have power to prescribe the manner in which arms may be borne," and;

WHEREAS, O.C.G.A. § 1-2-6 (a)(9) lists the right to keep and bear arms among the rights of the citizens of the State of Georgia that are without limitation, and;

WHEREAS, the citizens of Dawson County, Georgia regard the right of people to keep

and bear arms for defense of life, liberty and property as a fundamental right protected by the Second Amendment to the US Constitution and otherwise further protected by the Constitution of the State of Georgia, and;

WHEREAS, the citizens of Dawson County, Georgia derive economic and social benefit from all safe forms of firearms recreation, hunting and shooting, and;

WHEREAS, it is the desire of the Dawson County Board of Commissioners to declare and affirm its support of the Second Amendment to the United States Constitution and to the provisions of the Constitution of the State of Georgia and general laws of Georgia that protect Dawson County Citizens' right to keep and bear arms.

NOW, THEREFORE, BE IT RESOLVED by the Dawson County Board of Commissioners, that Dawson County does hereby declare and affirm that it fully supports and embraces its citizens right to keep and bear arms, as guaranteed by the Second Amendment to the United States Constitution, the Georgia Constitution, and O.C.G.A. 1-2-6(a)(9);

BE IT FURTHER RESOLVED, that Dawson County stands opposed to any law that may undermine the protections afforded by the Second Amendment and/or the Georgia Constitution, to the extent such laws have been declared unconstitutional by a Court of competent jurisdiction;

BE IT FURTHER RESOLVED, that while Dawson County stands opposed to any laws that may be deemed in derogation of the Second Amendment and those equivalent protections of the Georgia Constitution, Dawson County further affirms its adherence to the rule of law, generally, and believes that disputes over the constitutionality, legality, or enforceability of duly enacted laws should be challenged and vetted by appropriate legal process;

BE IT FURTHER RESOLVED that no agent, employee or official of Dawson County

shall provide support or participate in any way with the implementation of federal acts, orders, rules, laws or regulations in violation of the Second Amendment to the United States Constitution, if such acts, orders, rules, laws, or regulations have been determined by a Court of competent jurisdiction to be in derogation or violation of the Second Amendment.

BE IT FURTHER RESOLVED that the Dawson County Board of Commissioners will not authorize or appropriate funds, resources, employees, agencies, contractors, buildings, detention centers or offices for the purpose of enforcing or assisting in the enforcement of any acts, laws, orders, mandates, rules or regulations that infringe on the right by the people to keep and bear arms, if such acts, laws, orders, mandates, rules, or regulations have been determined by a Court of competent jurisdiction to be in derogation or violation of the Second Amendment.

Be it resolved this _____ day of _____, 2020.

DAWSON COUNTY BOARD OF COMMISSIONERS

Billy Thurmond, Chairman

**A RESOLUTION TO DECLARE SUPPORT FOR SECOND AMENDMENT RIGHTS
IN DAWSON COUNTY, GEORGIA**

WHEREAS, the Second Amendment to the Constitution of the United States reads as follows: “A well-regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed”; and

WHEREAS, the United States Supreme Court has affirmed an individual’s right to possess firearms, unconnected with service in the militia, for traditionally lawful purposes, such as self-defense within the home (District of Columbia v. Heller (2008)), and has affirmed that the right of an individual to “keep and bear arms,” is protected under the Second Amendment and is incorporated by the Due Process Clause of the Fourteenth Amendment against the states (McDonald v. Chicago (2010)); and

WHEREAS, Article I, Section I, Paragraph VIII of the Constitution of the State of Georgia, entitled “Arms, right to keep and bear,” provides that “[t]he right of the people to keep and bear arms shall not be infringed, but the General Assembly shall have power to prescribe the manner in which arms may be borne”; and

WHEREAS, O.C.G.A § 1-2-6(a)(9) lists the right to keep and bear arms among the rights of the citizens of the State of Georgia; and

WHEREAS, the citizens of Dawson County, Georgia, regard the right to keep and bear arms for defense of life, liberty, and property, as an inalienable right of the people; and

WHEREAS, the citizens of Dawson County, Georgia, derive economic and social benefit from all safe forms of firearms recreation, hunting, and shooting conducted within Dawson County.

NOW, THEREFORE, BE IT RESOLVED by the Dawson County Board of Commissioners, duly assembled this 6th day of February, 2020, that the County shall in all respects support the rights of its citizens to bear arms in accordance with the Second Amendment of the United States Constitution and Article I, Section I, Paragraph VIII of the Georgia Constitution.

BE IT FURTHER RESOLVED that the County will make no laws that infringe upon the Constitutional right to bear arms.

BE IT FURTHER RESOLVED that the Dawson County Board of Commissioners affirms its support for the Dawson County Sheriff in the exercise of his sound discretion when enforcing firearms laws.

Adopted this ____ day of _____, 2020.

BY: _____ Chairman
Billy Thurmond

The above Resolution was adopted by the Dawson County Board of Commissioners on this _____ day of _____ 2020

Attest: _____

Kristen Cloud, County Clerk

DAWSON COUNTY BOARD OF COMMISSIONERS

EXECUTIVE SUMMARY

SUBJECT: 2nd Amendment Sanctuary County Resolution

DATE: January 29, 2020

RECOMMENDATION

POLICY DISCUSSION

BUDGET INFORMATION:

STATUS REPORT

ANNUAL- n/a

OTHER

CAPITAL- n/a

COMMISSION ACTION REQUESTED ON: February 6th, 2020

PURPOSE: To seek Commission approval on the attached 2nd Amendment Sanctuary County Resolution.

BACKGROUND / HISTORY:

- Resolutions similar to the attached have been considered/adopted by local governments nationwide.
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FACTS AND ISSUES:

- The attached resolution provides that:
 - a) the Dawson County Board of Commissioners affirms its support for the Dawson County Sheriff in the exercise of his sound discretion to not enforce against any citizen an unconstitutional federal firearms law.
 - b) no agent, employee, or official of Dawson County under the authority of the Dawson County Board of Commissioners shall, when acting on behalf of the County, and except as required by law, provide material support or participate in any way with the implementation of federal acts, orders, rules, laws or regulations in violation of the Second Amendment to the United States Constitution.
 - c) except to the extent required by law, the Dawson County Board of Commissioners will not authorize or appropriate funds, resources, employees, agencies, contractors, buildings, detention centers or offices for the purpose of enforcing or assisting in the enforcement of any element of any acts, laws, orders, mandates, rules or regulations that restrict the right by the people to keep and bear arms (provided, however, that the restriction above is not meant to discourage general cooperation with federal and state law enforcement bodies in any purpose not directly intended to enforce a federal gun law).
 - d) that all federal acts, laws, orders, rules, regulations that violate the Second Amendment to the Constitution of the United States or are inconsistent with Article I, Section I, Paragraph VIII of the Constitution of the State of Georgia are specifically rejected in Dawson County and, to the extent permitted by law, shall be considered of no effect in Dawson County.
 - The attached resolution generally affirms the Board of Commissioners support for the second amendment.
 - There have been multiple calls to the Commission office, and to individual Commissioners, from citizens in Dawson County that support the adoption of this resolution. The Sheriff also supports the adoption of this resolution.
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OPTIONS:

- 1) Approve the attached resolution.
- 2) Deny approval of the resolution.

3) Commission defined alternative.

RECOMMENDED SAMPLE MOTION: I move to approve the attached 2nd Amendment Sanctuary

County

Resolution.

DEPARTMENT:

Prepared by:

Director:

**ADMINISTRATIVE
COMMENTS:**

DATE: _____

County

Manager

**A RESOLUTION TO DECLARE DAWSON COUNTY, GEORGIA TO BE A SECOND
AMENDMENT SANCTUARY COUNTY**

WHEREAS, the Board of County Commissioners of Dawson County, Georgia, have been elected to represent the People of Dawson County, Georgia, and have been duly sworn by oath to uphold the United States Constitution and the Constitution of the State of Georgia; and

WHEREAS, the Second Amendment to the Constitution of the United States reads as follows: “A well-regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed”; and

WHEREAS, the United States Supreme Court has affirmed an individual’s right to possess firearms, unconnected with service in the militia, for traditionally lawful purposes, such as self-defense within the home (District of Columbia v. Heller (2008)); and

WHEREAS, the United States Supreme Court has affirmed that the right of an individual to “keep and bear arms,” is protected under the Second Amendment and is incorporated by the Due Process Clause of the Fourteenth Amendment against the states (McDonald v. Chicago (2010)); and

WHEREAS, the United States Supreme Court has affirmed that the federal government of the United States cannot compel state law enforcement officers to enforce federal laws (Printz v. United States (1997)); and **WHEREAS**, Article I, Section I, Paragraph VIII of the Constitution of the State of Georgia, entitled “Arms, right to keep and bear,” provides that “[t]he right of the people to keep and bear arms shall not be infringed, but the General Assembly shall have power to prescribe the manner in which arms may be borne”; and

WHEREAS, O.C.G.A § 1-2-6(a)(9) lists the right to keep and bear arms among the rights of the citizens of the State of Georgia; and

WHEREAS, certain federal acts, laws, orders, rules or regulations regarding firearms, firearms accessories, and ammunition may be a violation of the Second Amendment and inconsistent with Article I, Section I, Paragraph VIII of the Constitution of the State of Georgia, and are contrary to the original intent of those provisions; and

WHEREAS, the citizens of Dawson County, Georgia, regard the right of people to keep and bear arms for defense of life, liberty, and property, as an inalienable right of the people; and

WHEREAS, the citizens of Dawson County, Georgia, derive economic and social benefit from all safe forms of firearms recreation, hunting, and shooting conducted within Dawson County; and

WHEREAS, it is the desire of the Dawson County Board of Commissioners to declare its support for the Second Amendment to the United States Constitution and for the provisions of the Constitution of the State of Georgia that protect Dawson County citizens’ individual, inalienable rights to keep and bear arms;

NOW, THEREFORE, BE IT RESOLVED by the Dawson County Board of Commissioners, duly assembled this 6th day of February, 2020, that Dawson County be, and hereby is, declared to be a “Second Amendment Sanctuary County.”

BE IT FURTHER RESOLVED that the Dawson County Board of Commissioners affirms its support for the Dawson County Sheriff in the exercise of 48 and discretion to not enforce against any citizen an unconstitutional federal firearms law.

BE IT FURTHER RESOLVED that no agent, employee, or official of Dawson County under the authority of the Dawson County Board of Commissioners shall, when acting on behalf of the County, and except as required by law, provide material support or participate in any way with the implementation of federal acts, orders, rules, laws, or regulations in violation of the Second Amendment to the United States Constitution.

BE IT FURTHER RESOLVED that, except to the extent required by law, the Dawson County Board of Commissioners will not authorize or appropriate funds, resources, employees, agencies, contractors, buildings, detention centers, or offices for the purpose of enforcing or assisting in the enforcement of any element of any federal acts, laws, orders, mandates, rules or regulations that restrict the right by the people to keep and bear arms (provided, however, that the restriction above is not meant to discourage general cooperation with federal and state law enforcement bodies in any purpose not directly intended to enforce a federal gun law).

BE IT FURTHER RESOLVED, that all federal acts, laws, orders, rules, and regulations that violate the Second Amendment to the Constitution of the United States and are inconsistent with Article I, Section I, Paragraph VIII of the Constitution of the State of Georgia, are specifically rejected in Dawson County, Georgia and, to the extent permitted by law, shall be of no effect in Dawson County, Georgia.

Adopted this ____ day of _____, 2020.

BY: _____ Chairman

Billy Thurmond

The above Resolution was adopted by the Dawson County Board of Commissioners on this _____ day of 2020

Attest: _____

Kristen Cloud, County Clerk

DAWSON COUNTY BOARD OF COMMISSIONERS

EXECUTIVE SUMMARY

SUBJECT: 2nd Amendment Sanctuary County Resolution

DATE: January 29~~8~~, 2020

RECOMMENDATION

POLICY DISCUSSION

BUDGET INFORMATION:

STATUS REPORT

ANNUAL- n/a

OTHER

CAPITAL- n/a

COMMISSION ACTION REQUESTED ON: February 6th, 2020

PURPOSE: To seek Commission approval on the attached 2nd Amendment Sanctuary County Resolution.

BACKGROUND / HISTORY:

- Resolutions similar to the attached have been considered/adopted by local governments nationwide.
-
-

FACTS AND ISSUES:

- The attached resolution provides that:
 - a) the Dawson County Board of Commissioners affirms its support for the Dawson County Sheriff in the exercise of his sound discretion to not enforce against any citizen an unconstitutional federal firearms law.
 - b) no agent, employee, or official of Dawson County, ~~or any corporation providing services to under the authority of the~~ Dawson County, Board of Commissioners shall, when acting on behalf of the County, and except as required by law, provide material support or participate in any way with the implementation of federal acts, orders, rules, laws or regulations in violation of the Second Amendment to the United States Constitution.
 - c) except to the extent required by law, the Dawson County Board of Commissioners will not authorize or appropriate funds, resources, employees, agencies, contractors, buildings, detention centers or offices for the purpose of enforcing or assisting in the enforcement of any element of any acts, laws, orders, mandates, rules or regulations that ~~restrict/infringe on~~ the right by the people to keep and bear arms (provided, however, that the restriction above is not meant to discourage general cooperation with federal and state law enforcement bodies in any purpose not directly intended to enforce a federal gun law).
 - e)d) that all federal acts, laws, orders, rules, regulations that violate the Second Amendment to the Constitution of the United States or are inconsistent with Article I, Section I, Paragraph VIII of the Constitution of the State of Georgia, ~~violate the true meaning and intent of those constitutions and are hereby declared to be invalid and~~ are specifically rejected in Dawson County and, to the extent permitted by law, shall be considered ~~null and void and~~ of no effect in Dawson County.
 - The attached resolution generally affirms the Board of Commissioners support for the second amendment.
 - There have been multiple calls to the Commission office, and to individual Commissioners, from citizens in Dawson County that support the adoption of this resolution. The Sheriff
-

also supports the adoption

of this resolution.

OPTIONS:

- 1) Approve the attached resolution.
- 2) Deny approval of the resolution.
- 3) Commission defined alternative.

RECOMMENDED SAMPLE MOTION: I move to approve the attached 2nd Amendment Sanctuary County Resolution.

DEPARTMENT:

Prepared by:

Director:

ADMINISTRATIVE

COMMENTS:

DATE: _____

County Manager

A RESOLUTION TO DECLARE DAWSON COUNTY, GEORGIA TO BE A “SECOND AMENDMENT SANCTUARY COUNTY”

WHEREAS, the Board of County Commissioners of Dawson County, Georgia ~~being, have been~~ elected to represent the People of Dawson County, Georgia, and ~~being have been~~ duly sworn by oath to uphold the United States Constitution and the Constitution of the State of Georgia; and;

WHEREAS, the Second Amendment to the Constitution of the United States reads as follows: “A well-regulated ~~militia~~ Militia, being necessary to the security of a free ~~state~~ State, the right of the people to keep and bear ~~arms~~ Arms, shall not be infringed;” and;

WHEREAS, the United States Supreme Court has affirmed an individual’s right to possess firearms, unconnected with service in the militia, for traditionally lawful purposes, such as self-defense within the home (District of Columbia v. Heller (2008)); and

;

WHEREAS, the United States Supreme Court has affirmed that the right of an individual to “keep and bear arms,” is protected under the Second Amendment and is incorporated by the Due Process Clause of the Fourteenth Amendment against the states (McDonald v. Chicago (2010)); and;

WHEREAS, the United States Supreme Court has affirmed that the federal government of the United States cannot compel state law enforcement officers to enforce federal laws (Prinz v. Printz v. United States (1997)); and ~~United States (1997)~~; and;

WHEREAS, Article I, Section I, Paragraph VIII of the Constitution of the State of Georgia, entitled “Arms, right to keep and bear,” provides that, “[t]he right of the people to keep and bear arms shall not be infringed, but the General Assembly shall have power to prescribe the manner in which arms may be borne;” and;

WHEREAS, O.C.G.A § 1-2-6(a)(9) lists the right to keep and bear arms among the rights of the citizens of the State of Georgia ~~that are without limitation, and;~~ and

WHEREAS, ~~all~~ certain federal acts, laws, orders, rules or regulations regarding firearms, firearms accessories, and ammunition ~~are may be~~ a violation of the Second Amendment and inconsistent with Article I, Section I, Paragraph VIII of the Constitution of the State of Georgia, and are contrary to the original intent of those provisions; and;

WHEREAS, the citizens of Dawson County, Georgia, regard the right of people to keep and bear arms for defense of life, liberty, and property, as an inalienable right of the people; and;

WHEREAS, the citizens of Dawson County, Georgia, derive economic and social benefit from all safe forms of firearms recreation, hunting, and shooting conducted within Dawson County; and;

WHEREAS, it is the desire of the Dawson County Board of Commissioners to declare its support ~~of~~ for the Second Amendment to the United States Constitution and ~~to~~ for the provisions of the Constitution of the State of Georgia that protect Dawson County Citizens’ citizens’ individual, inalienable rights to keep and bear arms;

NOW, THEREFORE, BE IT RESOLVED by the Dawson County Board of Commissioners, duly assembled this 6th day of February, 2020, that Dawson County be, and hereby is, declared to be a “Second Amendment Sanctuary County.”

BE IT FURTHER RESOLVED that the Dawson County Board of Commissioners affirms its support for the Dawson County Sheriff in the exercise of his sound discretion to not enforce against any citizen an unconstitutional federal firearms law.

BE IT FURTHER RESOLVED that no agent, employee, or official of Dawson County, ~~or any corporation providing services to~~ under the authority of the Dawson County, Board of Commissioners shall, when acting on behalf of the County, and except as required by law, provide material support or participate in any way with the implementation of federal acts, orders, rules, laws, or regulations in violation of the Second Amendment to the United States Constitution.

BE IT FURTHER RESOLVED that, except to the extent required by law, the Dawson County Board of Commissioners will not authorize or appropriate funds, resources, employees, agencies, contractors, buildings, detention centers, or offices for the purpose of enforcing or assisting in the enforcement of any element of any federal acts, laws, orders, mandates, rules or regulations that ~~infringe on~~ restrict the right by the people to keep and bear arms, ~~(provided, however, that the restriction above is not meant to discourage general cooperation with federal and state law enforcement bodies in any purpose not directly intended to enforce a federal gun law).~~

BE IT FURTHER RESOLVED, that all federal acts, laws, orders, rules, and regulations that violate the Second Amendment to the Constitution of the United States ~~or~~ and are inconsistent with Article I, Section I, Paragraph VIII of the Constitution of the State of Georgia, ~~violate the true meaning and intent of those constitutions and are hereby declared to be invalid and~~ are specifically rejected in Dawson County, Georgia and, to the extent permitted by law, shall be ~~considered null and void and~~ of no effect in Dawson County, Georgia.

Adopted this ____ day of _____, 2020.

BY: _____ Chairman

Billy Thurmond

The above Resolution was adopted by the Dawson County Board of Commissioners on this _____ day of 2020

Attest: _____

Kristen Cloud, County Clerk